

SADC GENDER PROTOCOL 2013

BAROMETER

SWAZILAND



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Edited by Danny Glenwright and Sifisosami Dube



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The Southern African Gender Protocol Alliance vision is of a region in which women and men are equal in all spheres. The Alliance promotes and facilitates the creation of gender equity and equality through lobbying and advocacy towards the achievement of the 28 targets of the SADC Protocol on Gender and Development by 2015. Gender Links coordinates the work of the Alliance.

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Barometer - Swaziland

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Acronyms

APEC	National Action Plan Towards Elimination of Child Labour
AIDS	Acquired Immune Deficiency Syndrome
ART	Antiretroviral therapy
CSEC	Commercial Sexual Exploitation of Children
CSO	Central Statistics Office
CEDAW	Convention on Elimination of All Forms of Discrimination Against Women
TC	Child trafficking
CUBAC	Children used by adults to commit crime
DHS	Demographic health survey
EMIS	Educational management and information systems
HIV	Human Immunodeficiency Virus
MoE	Ministry of Education
MOH	Ministry of Health
NERCHA	National Emergency Response Council on HIV and AIDS
OVC	Orphans and vulnerable children
PMTCT	Prevention of Mother to Child Transmission
SNL	Swazi Nation Land
SRH	Sexual and Reproductive Health
SWAGAA	Swaziland Action Group Against Abuse
MICS	Multiple Indicator Cluster Survey
UPR	Universal Periodic Review

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Children look through gender publications and 2011 Barometer at a Gender Links exhibition on Mbabane's Family Day in August 2012.

Photo: Thandokuhle Dlamini

Executive summary



Women municipal workers taking a photo break in Mbabane in 2006.
Photo: Thandokuhle Dlamini

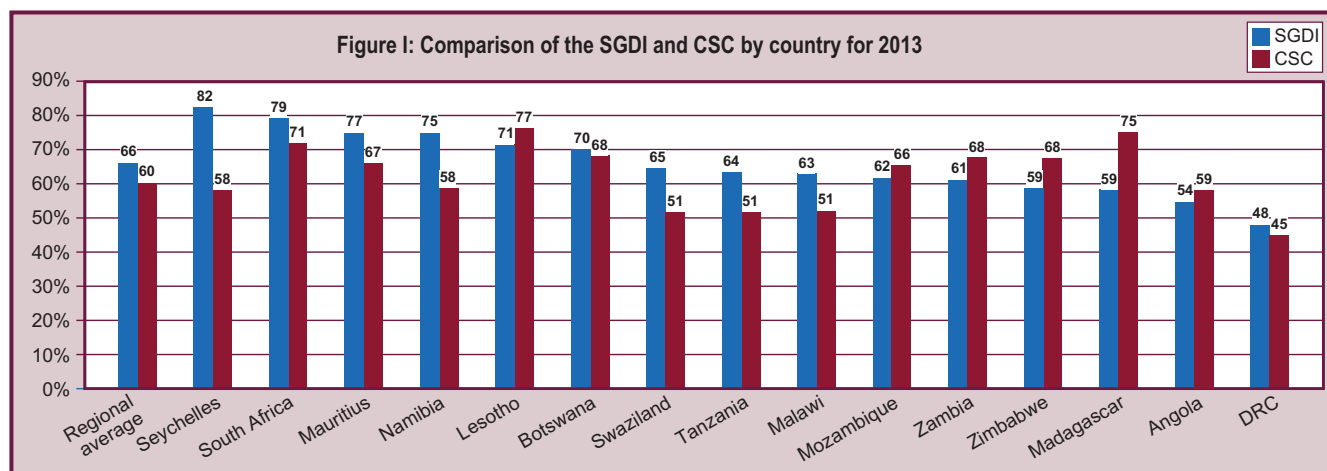
This is the fifth annual tracking report of Swaziland's performance against the 28 targets of the Southern African Development Community (SADC) Protocol on Gender and Development set for 2015.

Swaziland signed the Protocol in 2008 and ratified it in September 2012, becoming the eighth SADC country

to deposit its instruments of ratification with the SADC Secretariat.

The Southern African Gender Protocol Alliance tracks the country's progress using two measures: the SADC Gender and Development Index (SGDI), introduced in 2011, and the complementary Citizen Score Card (CSC) that has been used for four years. Both measures are important: while the SGDI is an empirical measure, the CSC is a qualitative evaluation that gauges citizens' perceptions of the country's achievements against the 28 targets.

The SGDI is based on 23 indicators for the six sectors that have accurate data (see Annex C for details on the SGDI gender and related indicators). These comprise: Governance (three indicators), Education (three), Economy (five), Sexual and Reproductive Health (three), HIV and AIDS (three), and Media (six). To create the composite index, researchers gave each category equal weight by calculating the average score across the indicators in that category. **Table 1** at the end of the summary provides an overview of key indicators for women in SADC. **Annex A** at the end of the report explains how the SGDI works, comparing it with other gender-related indicators.



Source: 2013 SADC Gender Protocol Barometer.

Figure 1 shows that Swaziland achieved an overall SGDI score of 65%, placing the country at seventh place out of the 15 SADC countries. This is one percentage lower than the 2012 score of 66%. It illustrates that citizens have been more critical, giving their country an overall score of 51%, a 13th place ranking. This is one percentage point lower than the 52% CSC score in 2012.

According to the SGDI, Swaziland's biggest challenge is women's poor participation in governance. Swaziland scores 43% on the SGDI and only slightly higher on the CSC with 47%. It has a ranking of ninth in the region on both scores because women remain grossly underrepresented in political decision-making positions at all levels - in local government, parliament and

cabinet. The country has no legislated quotas in place to increase women's representation. Moreover, there is no plan to review the electoral system despite advocacy in this area by civil society and some political parties.

Gender-based violence (GBV) is another serious problem in Swaziland. With a CSC score of 44%, citizens view that the country has much more work to do if it is to halve GBV levels by 2015. Swaziland ranks at the bottom in the region on this indicator. The country lacks comprehensive legislation that addresses all forms of GBV. For example, parliament has not yet passed the 2005 Sexual Offences and Domestic Violence Bill. Moreover, the bill ignores marital rape and sexual harassment.

Constitutional and legal rights also receive a low CSC rating of 47%, with a country ranking of 14th in the SADC region. Swaziland uses a dual justice system that allows for both customary laws and the Roman-Dutch law. Women still hold minority status and widows remain particularly vulnerable under customary laws.

Under customary laws, in-laws have disinherited some women following the death of their husbands, claiming that they had not been married. Widows who are married by customary rites also do not automatically become the custodian or guardian of their children. Moreover, widows in mourning cannot access certain public areas such as schools, stadiums and chiefs' kraals, and they can be subjected to discriminatory treatment in public.

This year's economy ratings come in slightly higher than 2012 with a SGDI score of 59% and CSC at 53%. However, women dominate the informal sectors where most of their activities have been deemed illegal. Therefore, women are left vulnerable to police harassment, imprisonment and loss of livelihood. Women also lack equal control and access to land and other resources. Only single women and those married out of community of property without the husband's marital power, with an ante-nuptial contract, have access to credit and productive resources - such as land title deeds - on almost an equal footing with men.

The minimum age for marriage under customary laws continues to be a major concern. It has been associated with puberty and has often resulted in girls dropping out of school. However, lawmakers have implemented legislation to deter would-be perpetrators and to sanction those practicing early marriage. Society considered the marriage of an adult man to an underage girl - known in SiSwati as *kwendizisa* - a legal grey area prior to the promulgation of the Children's Protection and Welfare Act of 2012.

Swaziland receives one of its highest ratings for its response to the devastating HIV and AIDS epidemic.

The country's response is particularly commendable because Swaziland's HIV and AIDS prevalence rate at 26% is the world's highest. The 67% SGDI score ranks Swaziland fifth and the CSC score of just a little lower at 61%, ranks the country fourth. This is a vote of confidence for the efforts being made by the government and NGOs.

Swaziland has also made notable achievements in education and has an SGDI score of 99% in this area. The country is likely to achieve gender parity at primary, secondary and tertiary levels before the 2015 deadline. However, the CSC score is much lower, at 55%, possibly because citizens expected free education to be rolled out at a faster rate than it has been. It is possible they also considered other qualitative aspects; for example, cultural and social influences that still affect girls' access to disciplines traditionally studied by boys.

Girls are likely to drop out of school, mostly due to pregnancies, early marriages and to care for sick family members. According to the country's educational policy, a female pupil is suspended from school if she becomes pregnant. Gender violence in schools is prevalent, especially cases of male teachers sexually abusing female pupils. The Swaziland National Association of Teachers (SNAT) has developed a code of ethics for teachers which bans improper relationships with students, and makes it a dismissible offence. Another concern is that Swaziland has the lowest percentage of female teachers in the region; women only make up 16% of all teachers in the country.

In health, the SGDI score of 63% and the CSC score of 57% can be seen as encouraging, reflecting the government's efforts to improve the health of mothers, young children and adolescents. Some initiatives have begun to target men, too. Citizens also possibly appreciated the new health guidelines that stipulate that 85% of the population should not live further than eight kilometres from a health facility. However the maternal mortality rate of 420 out 100,000 live births is high.

The SGDI score of 64% for the media indicators is relatively good compared to some of the other sectors, although few women are quoted as sources in the media. Gender violence receives more coverage than gender equality and coverage still tends to be sensational, with little information on advocacy campaigns and where to go for help.

With two years to go before the 2015 deadline, pressure for implementation must increase if Swaziland is going to meet the legally-binding SADC targets. Because the Protocol is like a detailed roadmap for the achievement of Millennium Development Goal (MDG) Three on gender equality, it will assist the country to make headway towards monitoring progress on MDG-3 by 2015.

Table IV: KEY INDICATORS OF THE STATUS OF WOMEN IN SADC COUNTRIES

% WOMEN	ANGOLA	BOTSWANA	DRC	LESOTHO	MADAGASCAR	MALAWI	MAURITIUS	MOZAMBIQUE	NAMIBIA	SEYCHELLES	SOUTH AFRICA	SWAZILAND	TANZANIA	ZAMBIA	ZIMBABWE
GOVERNANCE															
Parliament	33	8	10	26	14	22	19	39	25	44	42	22	31	12	16
Local government	n/a	19	2	49	6	n/a	26	36	42	n/a	38	18	34	6	19
Cabinet	20	14	17	22	27	30	8	32	20	27	41	25	20	11	16
EDUCATION															
Primary School	46	50	46	49	49	50	49	47	49	50	50	48	50	49	50
Secondary School	44	52	36	57	49	45	48	44	53	50	55	50	44	45	46
Tertiary level	40	53	n/a	n/a	48	40	61	38	53	n/a	58	51	32	52	43
ECONOMY															
Economic decision making	29	43	21	21	10	27	33	25	25	33	23	40	21	23	23
Labour force participation - Women	76	72	70	55	84	76	37	86	63	68	49	53	50	73	37
Labour force participation - Men	77	82	72	73	89	98	63	83	69	79	62	71	90	86	62
Unemployment - Women	n/a	20	36	25	5	10	12	n/a	32	5	28	n/a	6	11	57
Unemployment - Men	n/a	15	n/a	21	2	5	5	n/a	23	4	23	n/a	4	14	31
Women in non-agricultural paid labour (% of labour force)	24	43	26	63	38	15	38	11	41	54	45	32	31	22	36
Length of maternity leave (weeks)	12	12	12	12	14	8	12	9	12	14	16	12	12	12	14
Maternity leave benefits (% of wages paid)	100	67	67	0	100	100	100	100	100	100	60	0	100	100	100
SEXUAL AND REPRODUCTIVE HEALTH															
Maternal mortality rate (out of 100,000)	593	160	549	620	498	460	62	550	449	0	176	736	449	440	960
Using contraception	6	44	5	56	32	36	76	44	46	41	60	51	34	41	59
Births attended by skilled personnel	47	99	74	62	44	73	100	53	81	99	91	74	51	57	66
HIV and AIDS															
Comprehensive knowledge on HIV and AIDS women	7	40	21	29	54	42	87	34	65	67	27	52	45	38	46
Living with HIV as proportion of total	61	58	58	58	58	58	19	60	50	42	59	57	55	57	60
HIV positive pregnant women receiving PMTCT	14	95	6	62	8	53	95	51	85	95	95	95	74	86	54
MEDIA															
Overall	n/a	46	22	73	33	23	33	27	40	n/a	50	40	36	33	13
Board of directors	n/a	24	18	47	10	27	36	25	39	n/a	38	33	22	27	38
Management	n/a	37	10	52	19	24	23	32	37	na	34	29	27	28	11
Female staff in institutions of higher learning	n/a	37	18	67	44	29	79	28	47	n/a	50	33	28	29	25
Proportion of students in institutions of higher learning	n/a	54	77	73	71	50	82	26	60	n/a	64	37	60	61	57
News sources	n/a	24	17	32	24	24	25	17	20	31	20	21	19	21	15

Source: Gender Links 2013.

Numbers in red have regressed whilst numbers in green have progressed over the last year.

na = not available

Country context



The Kingdom of Swaziland is the smallest Southern African nation and is one of the world's few remaining absolute monarchs. The country is about 200 kilometres north to south and 130 kilometres east to west. It is landlocked and surrounded almost entirely by South Africa, with Mozambique encircling the eastern border.

The people, known as the Swazi, are almost homogenous, with no distinct ethnic groups. They have two official languages: English and siSwati. Women outnumber men, 53% and 47% respectively. The population is young with 44% less than 15 years and fewer than 4% of the population older than 64 years. The high mortality rate for both females and males between 20 and 45 years is mostly due to the HIV and AIDS epidemic. The current HIV prevalence rate among 15-49-year-olds is 26%, the world's highest. AIDS has robbed families of the main breadwinners and left many children without parents.

Under the leadership of the previous monarch, King Sobhuza II, Swaziland gained independence in 1968 from British rule. Since 1986, King Mswati III has ruled,

holding executive powers. In 2005, the king signed the country's constitution, confirming the monarchy's executive powers.

Swaziland is a non-party state. The king appoints the head chief in all chiefdoms - they manage day-to-day affairs and take responsibility for justice in chiefdoms. The country is divided into 55 tinkhundlas (constituencies). The parliament is made up of a House of Assembly and a Senate. Citizens can elect up to 60 members to the House of Assembly via tinkhundla elections and the king may nominate up to ten members. The attorney general serves as an ex-officio member. House of Assembly members elect ten representatives to the Senate (half of whom must be women) and the king appoints the remaining 28 senators. The country has a dual justice system which takes into account both customary laws and the Roman-Dutch law. According to the new constitution, women's representation should be at least 30% in parliament, which falls short of the 50% advocated in the SADC Gender Protocol.

The agricultural-based economy has diversified into manufacturing industries which include sugar processing, wood pulp production and food canning. However, the economy has stagnated over the past five years, with an average annual growth rate of only about 2% (World Bank 2011). The World Bank also predicted that the economy likely contracted further in 2012. An estimated 28% of the population is unemployed. Wealth distribution is unevenly distributed with the poorest quintile controlling only 4.3% of the wealth in contrast to the top quintile controlling 56.4%.

Tenured Swazi land is divided into three categories: communal property on Swazi Nation Land (SNL), freehold rights on private land known as Title Deed Land (TDL) and Crown land. The king owns the title to SNL, TDL and Crown Land. He may divide the land amongst chiefdoms for allocation to individuals for cultivation, residence and communal grazing, but not for ownership.

The land tenure structure can result in women lacking equal access to land. The SNL is allocated through the kukhonta tradition whereby men pledge allegiance to chiefdoms in exchange for land rights. Since women remain barred from performing kukhonta, they can only be permitted such rights through special allocation programmes which grant land access for commercial

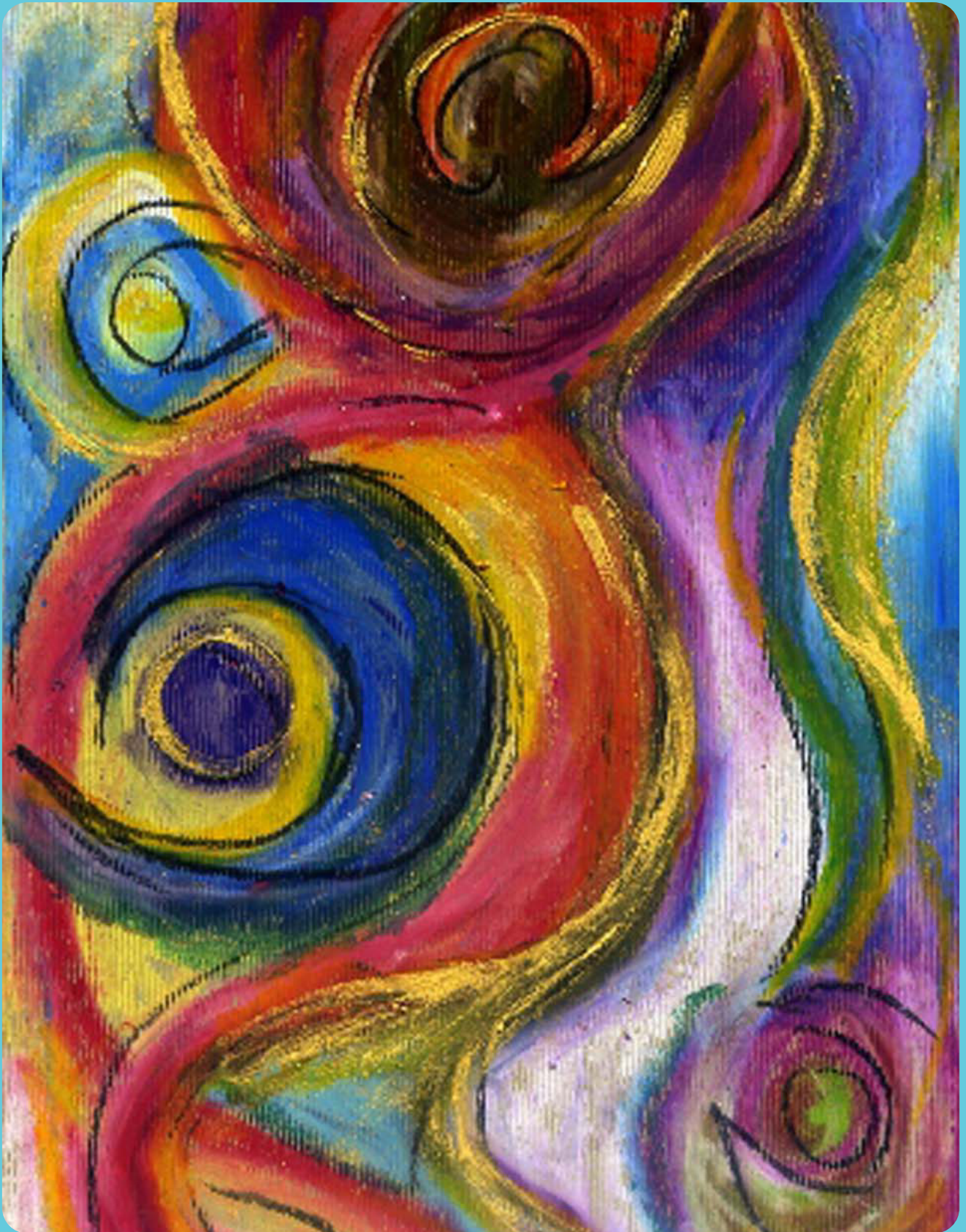
use. Some women have formed cooperatives to take advantage of such programmes. Individual ownership of TDL is permitted for residential, business and commercial agricultural use if the buyer has a registered company. While single women can own and register businesses in their own names, married women cannot own land or secure loans, making them reliant on their

husband's signatures. This leaves a woman's enterprise vulnerable because her husband can sell his wife's business or his family can claim the enterprise upon his death. Crown land can also be sold to individuals; some has been allocated to individuals on a "temporary" basis for many years but without any formal rights over it.



Women of Lutsango delivering reeds in Swaziland.

Photo: Colleen Lowe Morna



A question of culture

Anushka Virahsawmy



CHAPTER 1

Constitutional and legal rights

Articles 4-11



Judges of the High Court of Swaziland.

Photo: Trevor Davies

KEY POINTS

- Citizens rated Swaziland's performance at 53% against the targets on constitutional and legal rights to be achieved by 2015, placing their country last out of 15 SADC countries. This may be because women still hold minority status in Swaziland.
- Women rated the country lower, at 52%, than men, who rated the country at 53%.
- Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.
- A dual justice system is in place in Swaziland. It takes into account both customary laws and the Roman-Dutch law.
- Section 28(3) of the constitution guarantees that a woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed, though in practice women remain vulnerable under customary laws, particularly widows.
- The Sexual Offences and Domestic Violence Act 2005 criminalises certain harmful cultural practices but does not include marital rape.

Table 1.1: SGDI and CSC scores on constitutional and legal rights

	SGDI	CSC
Score	N/A	53%
Rank	N/A	15

Table 1.1 shows that based on the citizen score, Swaziland is at 53% compared to the 2012 score of 47%. Although this is six percentage points higher than

last year's score, Swaziland ranks low compared to the rest of the region, coming last out of the 15 countries in SADC in terms of progress towards achieving targets related to constitutional and legal rights contained in the SADC Protocol.

Women gave a rating of 52% compared to men, at 53%. This is possibly due to women's continued minority status in the country and the dual existence of Roman-Dutch law and customary laws.

Constitutional and affirmative action provisions



The Protocol provides that by 2015, all countries shall endeavour to enshrine gender equality and equity in their Constitutions and ensure that these are not compromised by any provisions, laws or practices. State parties are to implement legislative and other measures that eliminate all practices which negatively affect the fundamental rights of women and men. They are also to introduce affirmative action measures.

A constitution is the fundamental and supreme law of the land from which all other laws and sector policies derive their legitimacy - and must comply with its basic principles. It is therefore critical that constitutions actually reflect generally accepted principles of equality and democracy. Gender equality should thus be a fundamental value of any constitution.

Democratic societies therefore emphasise the principle that all people are equal; have equal opportunities and are not discriminated against on the basis of race, political affiliation, religious



King Mswati appointed Mumcy Dlamini, former director of public prosecutions, to Swaziland's High Court in 2012. Photo: Swazi Observer

orientation, ethnic group, caste, gender or sexual preference or orientation.

Swaziland adopted its constitution in July 2005 and it came into force in February 2006. Article 20 provides for non-discrimination based on gender and allows parliament to pass laws that are "necessary for implementing policies and programmes aimed at redressing social, economic or educational or other imbalances in society." Table 1.2 provides an analysis of gender equality clauses.

Table 1.2: Analysis of gender equality clauses in the Constitution

Provides for non-discrimination generally	YES	Section 20 (1) All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.
Provides for non-discrimination based on sex specifically	YES	(2) For the avoidance of any doubt, a person shall not be discriminated against on the grounds of gender, race, colour, ethnic origin, tribe, birth, creed or religion, or social or economic standing, political opinion, age or disability.
Provides for non-discrimination on the basis of sex and others e.g. marital status, pregnancy	NO	
Provides for the promotion of gender equality	YES	Section 28 (1) Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.
Has other provisions that relate to gender	YES	Section 28(3) A woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed.
Has claw back clause	YES	After the founding equality clause in Section 20, the rest do not specifically state equality on cultural grounds, yet it is one of the sources of discrimination e.g. Section 28(1).
Addresses contradictions between the Constitution, law and practices	YES	Section 2 (1) This Constitution is the supreme law of Swaziland and if any other law is inconsistent with this Constitution that other law shall, to the extent of the inconsistency, be void. Section 20 (4) Subject to the provisions of subsection (5) Parliament shall not be competent to enact a law that is discriminatory either of itself or in its effect.
Provides for affirmative action	YES	Section 20 (5) Nothing in this section shall prevent Parliament from enacting laws that are necessary for implementing policies and programmes aimed at redressing social, economic or educational or other imbalances in society. Also section 86 on representation of women in parliament.

Source: 2005 Constitution of Swaziland.

Gender analysis of the Swaziland Constitution

Although gender equality is enshrined in the Constitution of the Kingdom of Swaziland, women still encounter challenges, mainly due to the duality of the legal system. Swazi Law and Custom (SLC) and the Roman Dutch Common Law operate simultaneously with each system having authority to deal with legal matters according to its own rules and interpretations, with separate structures responsible for their application. A situation may arise where a conflict of laws results in uncertainty in the law and confusion amongst the populace. The decision taken on a particular legal matter may differ simply because of the system and structure of the law used for its resolution. It also has bearing on enforceability of decisions taken under one system within the jurisdiction of structures of the other system of law. The problem for women is that they do not enjoy the confidence of having equal legal protection that allows them to access legal redress where their rights have been infringed upon.

Protection of Fundamental Human Rights and Freedoms

Chapter IV of the draft constitution contains the provisions relating to the “Protection and Promotion of Fundamental Rights and Freedoms” (what is commonly referred to as a bill of rights). Rights and freedoms recognised herein include the rights to life, personal liberty, equality before the law, and to a fair hearing as well as freedom of conscience or religion, assembly and association, expression, and of movement. The protection of the rights and freedoms of specialised groups, namely, women, children, and workers, are also included in the chapter. Concerning the protection of the “Rights and Freedoms of Women,” section 29 states:

- (1) Women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.
- (2) Subject to the availability of resources, the government shall provide facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement.
- (3) A woman shall not be compelled to undergo or uphold a custom to which she is in conscience, opposed.

This provision is progressive in terms of its express recognition of women's rights in Swaziland. It not only recognises the special attention that women require to address the imbalances of the past, but also expressly entrenches women's rights to equality in treatment and in being afforded opportunities. The section goes further to protect women against adhering to customs to which they may object, implying that women have freedom of choice in the observance of customary practices. In as much as the section strives to be positive in uplifting the status of women, there remains a challenges around

the practical enforcement of this right in the present Swazi context. Enforcement is hindered because of societal attitudes, expectations and demands and patriarchy in marital homes. In addition, women who refuse to uphold certain customs can face potential traditional leaders' and community recrimination, sanction, and ostracism. The constitution, despite asserting that customary law is subordinate to the principles of the constitution, is evasive about the status of customary laws and their enforcement.

It is recommended that the constitution should clearly subject Swazi law and custom to the same standards as any other law. It is also recommended that the constitution should be specific in terms of abolishing customary practices that undermine the dignity of women.

The constitution and minority status of women

The constitution has several clauses that seek to address the minority status of women currently in existence in Swaziland, in particular, under Chapter IV on protection and promotion of fundamental rights and freedoms. The same is mentioned in some other sections of this constitution, in an attempt to reinforce what is already provided for in chapter IV. Section 21 states:

- (1) “All persons are equal before and under the law in all spheres of political, economic, social and cultural life and in every other respect and shall enjoy equal protection of the law.”
- (2) States that for the avoidance of doubt a person shall not be discriminated against on the grounds of gender, age and disability.

This is a good provision and that introduces the notion of the law having to protect women and men alike. However, the exclusion of sex and marital status under Section 21(2) weakens its effect. The biological fact of being a woman is one of the main reasons women face discrimination. Further, women's marital status is currently the source of discrimination that prevents them from accessing certain rights. The constitution should clearly nullify all legislation that fails to protect women and men equally.

Constitutional provision on property rights of spouses

Section 35(1) of the constitution states that a surviving spouse is entitled to a reasonable provision out of the estate of the deceased spouse; this applies whether or not the deceased spouse had made a valid will, or whether the couple had been married by civil or customary rites.

This provision seeks to guarantee each spouse some portion of inheritance to the deceased spouse's estate irrespective of whether the deceased died testate

(leaving a will) or intestate (without a valid will). The thought behind this provision is commendable but unfortunately it may not yield the intended result.

The effect is equal to those couples married by civil rights as the marriage is monogamous. The same equal effect would be extended to those who have married one woman by customary rites. These two categories of spouse would get the optimum benefit of this section. The section would benefit in an equal manner the wives in a polygamous marriage. The husband would be

entitled to benefiting from each wife's estate whether they die testate or intestate. This is potentially problematic and a source of tension as there is a good possibility that one of the wives raised the estate single-handedly.

In addition, this section would protect spouses in problematic relationships - including in relationships where one spouse was trying to leave the union at the time of their death. This would be more problematic for women who are finding it difficult to leave violent and or unworkable relationships.

Some women can now own property¹

The High Court of Swaziland ruled on 23 February 2010 that some married women will be allowed to register property in their own name. It has been five years since the new constitution granted women equal status, after centuries of being classified and treated as minors.

Gender activists greeted the ruling as a small victory; despite the 2005 enactment of the constitution, the second-class status of women in the country ruled by sub-Saharan's last absolute monarch, King Mswati III, has largely remained intact, denying women their inheritance rights and hobbling their progress as entrepreneurs and traders.

"I went to apply for a bank loan, and I was shocked to find that nothing has changed for women in this country. The loan was approved for my business, the bank was in support of my project, but the bank manager asked me, 'Where is your husband? He must sign the loan forms,'" Thabsile Masuku told IRIN.

"The bank did not recognise me as an adult who can enter into a contract. Legally, I am just a minor who is dependent on my husband. He is a good man but the situation is galling - I am not dependant on my husband, I am an independent person, but in Swaziland I don't exist," she said.

A woman who declined to be identified told IRIN that a house she had built from the proceeds of her



Judge Qinisile Mabuza.
Photo: Swazi Observer

chicken-breeding business had been sold by her husband without her knowledge. In Swaziland the husband remains the legal administrator of the marriage estate, to use as he likes - with or without his wife's knowledge or consent.

When the constitution took effect, it stated that all laws counter to the constitution were null and void, yet a recent ruling by the High Court of Swaziland said government must be given time to revise or repeal all non-compliant laws, but failed to provide a timeframe.

Activism has contributed to eroding gender-prejudiced legislation, and this week the High Court amended the 1968 Deeds Registry Act by making it possible for a Swazi woman to register immovable property, like a home or business, in her own name.

Justice Qinisile Mabuza, one of the High Court's female judges, ruled that "Section 151 (2) of the Constitution states that the High Court has jurisdiction to enforce fundamental human rights and freedoms guaranteed by (the Constitution). This includes the right to equality, which is guaranteed by section 20 and 28 of the constitution."

However, the ruling only applies to women married in a civil ceremony, and with a community of property agreement. This excludes about 80% of Swaziland's one million people who live on communal Swazi Nation Land under customary law administered by chiefs.

Constitutional provisions on women and land

Section 212 of the constitution provides:

(2) Save as may be required by the exigencies of any particular situation, a citizen of Swaziland, without

regard to gender, shall have equal access to land for normal domestic purposes.

(5) A provision of this chapter may not be used to undermine or frustrate an existing or new legitimate business undertaking of which land is a significant factor or base.

¹ IRIN News; Accessed 05/11/2013.

This section seeks to equally avail land to all citizens for normal domestic purposes. However, it falls short of meeting its objective because its starting point is stating exigencies of any particular situation and may allow discrimination or hindrance to access land. These exigencies have not been stipulated, meaning, therefore, that they are and shall not be known to individuals until they venture into the exercise of attempting to access land for normal domestic purposes.

The effect of this is that each case will be treated on its merit, which will determine whether exigencies exist in that particular situation. Since the exigencies do not get stated, it can only be assumed that they will mostly negatively affect women, who remain on the receiving end of most forms of discrimination. Many examples of discrimination of women's direct access to land have a similar effect on their offspring. It is common to find a woman without burial land for children born outside marriage because her own local authorities deny burial rights to children born out of wedlock. Many times a woman and her family looking for burial land find themselves at the mercy of the deceased child's father. These discriminatory customs should be left behind as the country's decision makers attempt to create an enabling environment for all citizens in order to help develop the nation.

Affirmative action²



State parties are to implement legislative and other measures that eliminate all practices, which negatively affect the fundamental rights of women and men. They are also to introduce affirmative action measures.

Article 84 of the constitution sets out the principle that the people of the kingdom have the right to be heard and represented through freely chosen representatives, but it also states "without derogating from the generality of the foregoing subsection, the women of Swaziland and other marginalised groups have a right to equitable representation in Parliament and other public structures." In accordance with this, special measures have been taken to ensure the representation of women in both houses of parliament.

As far as the Senate is concerned, half the ten members elected by the House of Assembly must be women, while at least eight of the 20 members appointed by the king must be women (Constitution 2005, Article 94). Thus, at least 50% of the indirectly elected senators and 43% of all senators must be women. The House of

The constitution, therefore, fails to guarantee women security of tenure on Swazi Nation Land. Some uncertainty is created before the right to access Swazi Nation Land is given. In this case the law takes away before it gives, and does not even state the extent to which it takes away. Therefore, the desired result of access to Swazi Nation Land by women and men, irrespective of marital status, is compromised. Many citizens gain their livelihood from those pieces of land allocated for domestic purposes. Access to land issues also touch on the question of dignity, which is protected by this constitution. For women, the manner in which they currently access land does not provide for much dignity as they have to be dependent on third parties to gain access.

Section (5) seeks to protect potential and existing business ventures which require land as a base. This is a protective provision for those women and men who wish to venture into business that requires land. In most cases this will protect those with a sizeable capital who seek to establish a business that is distinct from their residential land. Whilst it is highly commendable, it will protect only a small minority of women seeing as few women have the opportunity to establish businesses outside their homes.



Participants at the launch of the 50/50 campaign launch - Mbabane, October 2012.
Photo: Thandokuhle Dlamini

Assembly has complex provisions (Constitution 2005, Article 95). There is not a quota system to elect the 55 members who are directly elected through the *Tinkhundla* system.³

² The Law and Legal Research in Swaziland, Dube B. and Magagula, A. June 2012.

³ <http://www.eisa.org.za/WEF/swaquotas.htm>

Half of the ten members nominated by the king must be women (Article 95 (1) (b), (2) (a)). Should women form less than 30% of the members of parliament then an additional four women, one each from each of the country's regions, are indirectly elected by the House of Assembly from a list of between 12 and 20 candidates compiled by the chair of the Elections and Boundaries Commission (Article 86, 95(1)(c), (3)).

Since political parties have been outlawed in Swaziland, the advancement of women's representation through voluntary quotas has not been possible. In 2013, only one woman won a seat in the House of Assembly. But with the four indirectly elected members, the number of the elected women in the House of Assembly would have been five out of a total of 59 members, or 8%.

However, Article 86 of the constitution has already been flouted - during the first meeting of the House after the general election, legislators failed to elect the four women scheduled to be elected on a regional basis even though female members of parliament did not constitute at least 30%. Because of this, Juliet Mavimbela has opened a court case against Clerk to Parliament Ndvuna Dlamini and the newly elected speaker, Themba Msibi, alleging that they flouted the constitution. However, Mbabane court judge Mumcy Dlamini dismissed her application, asking Mavimbela what right she had to bring the matter to court. Dlamini further pointed out that Mavimbela must establish a sufficient reason why the case should be heard, noting that she is a registered voter, eligible to vote and to be voted for (Swazi News, October 26, 2013: 5).

Discriminatory legislation



The SADC Protocol provides that by 2015 SADC countries shall have reviewed, amended or repealed all discriminatory laws and specifically abolish the minority status of women:

The Ministry of Justice and Constitutional Affairs, with the support of the European Union (EU) and United Nations Development Agency (UNDP), carried out a review of all legislation to align it with the provisions of the constitution and the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW). The final report is not yet available to the public and so far laws still need to be repealed or amended as a result of the review. Of particular concern is the citizenship Act which has not been addressed even by the Constitution.

Citizenship⁴

Citizenship is the state of belonging. It guarantees rights of nationality and all other rights flowing from being a national of a particular country. Among other inherent rights is the ability to pass on citizenship to natural and adopted children. This chapter talks about acquisition and loss of acquisition. Citizenship in Swaziland can be by way of descent, operation of law or birth, marriage or by registration.

Laws pertaining to passing on of citizenship have generally discriminated against women. Most notable is the fact that the constitution states that it is only the father who can confer citizenship on his children (section

43 (1)). A Swazi mother cannot confer citizenship on her children unless a Swazi citizen (section 43(4) fathers them.

As a result, women have problems vis-à-vis passing on of their citizenship to their children born in or out of wedlock when the father is not from Swaziland. Swazi women and their children in this situation experience frustration accessing certain state resources and rights, which exist for all citizens. These include access to travel documents and international passports, access to government scholarships for higher education, and representing the country abroad. Swazi women also cannot pass their citizenship to foreign husbands.

Despite Section 28(1), read together with section 14(f), which prohibits discrimination on the grounds of sex and gender in the political, economic and social spheres, and creates legal equality for the first time between men and women, section 44 restricts the right to claim citizenship by birth to a child whose father is not a citizen of Swaziland. It makes no reference to the status of the mother, except in subsection four, where a mother's Swazi citizenship only becomes relevant to the child should the unmarried father fail to adopt or claim the child under Swazi law and custom.

⁴ The Law and Legal Research in Swaziland, Dube B. and Magagula, A. June 2012.



Demanding gender equality. Bonsile Ntuli doing cultural performance at the Gender Justice and Local Government Summit - Johannesburg, March 2011.
Photo: Trevor Davies

Section 53 provides for the establishment of the citizenship board, whose chairperson announced the board's stance towards foreign spouses upon his

assumption of office. In terms of the constitution and the Citizenship Act, only women can benefit from marriage to Swazi nationals when it comes to citizenship. In terms of section 44, if a woman wants to take advantage of this, she must lodge a declaration with the minister responsible for citizenship.

Section 53(1) (a) and (b) confer exclusive authority on the board to grant or cancel citizenship by registration, investigate and, where appropriate, revoke the citizenship of any person under section 49. While the person concerned has the right to be heard and to be represented at the hearing of their case by the board, there is no provision for review of the decision taken by a higher or independent tribunal or court. This safeguard

should be included to protect against possible abuse of the board's powers. Table 1.3 outlines some of the discriminatory laws as follows:

Table1.3: Remaining discriminatory legislations

Discriminatory legislations	Action being taken	Comments
Section 16 of the Deeds Registry Act precludes women married in community of property from being able to register title deeds for land use.	Deeds Registry Act Bill/2006.	To date the Bill has not been enacted into law; women married by civil rights in community of property still cannot register title deeds to use land. However in the case of Mary-Joyce Doo Aphane v The Registrar of Deeds, Minister of Justice and Constitutional Affairs and Attorney General, Parliament was given up to the 28th May 2011 to remove this discriminatory provision. Parliament has not yet complied with the court order with some Parliamentarians stating that they are yet to consult people in their respective constituencies on the proposed changes. Again this reflects little political will on the part of Parliament to improve the position of women in Swaziland. The Times of Swaziland 14th June, 2011 reported that the Minister Princess Tsandzile suggested that the Deeds Registry (Amendment) Bill 2011 be amended urgently to comply with the Constitution. The Attorney General is also quoted to have said that it was important to have this law quickly amended particularly in compliance with the court ruling.
Marriage Act No47/1964	Marriage Act Bill 2006. It seeks to remove marital power of the husband to enable women to contract and sue and be sued without their husband's assistance.	The Bill was taken to stakeholders in 2006 for comments but has not been tabled before Parliament.
Passing of citizenship to children is still the prerogative of Swazi males. When women do so, it is exceptional cases and only when children are born outside of marriage.	No action has been taken yet.	Travel documents are undergoing a change to a new format which is aligned with the national identity register and is exposing the problems with this constitutional provision. Women who are married to foreign men and those whose children are fathered by foreign men have problems accessing their rights, such as scholarships.

The table 1.3 shows that several laws still discriminate against women and there has been little progress on discriminatory legislation since 2011. Women remain particularly vulnerable under customary laws.

Practices that discriminate against women

Section 19(1) of the Sexual Offences and Domestic Violence Bill of 2009 criminalises the following cultural practices without consent:

- a) *kungenwa* - levirate union;
- b) *kwendziswa* - arranged marriage;
- c) *kutekwa* - marriage in accordance with Swazi Law and custom;
- d) *kuzila* - wearing of mourning weeds;
- e) *kuhlanta* - the marrying of a girl to her sister's or aunt's husband. Where children are born in such a union they are regarded as sisters or aunts;
- f) *kulamuta* - a man having sexual relations with a younger sister or paternal niece of his wife; and

g) virginity testing.

Bride wealth (*emalobolo*), however, has not been criminalised although many gender activists argue that the practice discriminates against women. *Emalobolo* is when a man's family makes a payment in the form of cattle to the family of the woman he wishes to marry. Once the man pays *emalobolo*, the woman's decision-making power is transferred to the husband's family in all matters, including how many children the couple will have and what type of work she should do. In this arrangement a wife is considered the property of her husband and in-laws. A woman could even be expected to hand over her pay cheque to her husband.

Access to justice



The Protocol provides for:

- *Equality in the treatment of women in judicial and quasi-judicial proceedings, or similar proceedings, including customary and traditional courts and national reconciliation processes.*
- *Equal legal status and capacity in civil and customary law.*
- *The encouragement of all public and private institutions to enable women to exercise their legal capacity.*
- *Positive and practical measures to ensure equality for women in complainants in the criminal justice system.*
- *The provision of educational programmes to address gender bias and stereotypes and promote equality for women in the legal systems.*
- *Equal representation by women on and in the courts, including traditional courts, alternative dispute resolution mechanisms and local community courts.*
- *Accessible and affordable legal services for women.*



Swazi children also suffer because of discriminatory legislation, including laws that prevent women from passing citizenship to their children.

Photo: Trevor Davies

Access to justice means effective solutions exist when a person's rights have been violated and they need help. All people have a right to go about their lives in peace, free to make the most of their opportunities. They can only do so if institutions of justice and law and order protect them in their daily lives. Remote, unaffordable, delayed or incomprehensible justice systems prevent citizens from accessing legal protection.

Women's and children's access to justice remains a challenge in Swaziland. Women lack access to legal support to enable them to enforce their rights. This is due to both the prohibitive costs of litigation as well as the lack of culture of human rights promotion in the legal fraternity. Unlike other countries in the region, Swaziland does not have a state-supported legal aid system which would enable women and girls to access free legal assistance. This means those who do not have money (especially

women, girls and the poor) do not have equal access to justice. Few constitutional challenges have been brought by women in Swaziland, due to both a lack of the knowledge of their rights and a lack of capacity to pay for the cases.

The country has a children's court that deals with child protection cases; however, researchers did not have access to the children's court budget. There is no separate court for family law issues, such as divorce, and no

information about any plans to establish one. Analysis of the 2011 national budget shows there is no specific money set aside for gender training of the judiciary, apart from an allocation for professional and special services.

Table 1.4 provides citizen rankings of women's access to justice based on their perceptions given during a reference group meeting.

Table 1.4: Access to justice

Access to justice provision	On a scale of 1-10 with 1 very low and 10 very high how would you score your country	Explanation
Equality of treatment of women in judicial and quasi judicial proceedings	4	The government has put in place mechanisms to ensure equal treatment of women and men in judicial proceedings but they lack training.
Equal contractual rights	3	Women are generally treated as minors, hence are not capable of entering into contracts without the consent of their husbands, especially those married in community of property.
The right to acquire and hold rights to property	4	The type of marriage determines access and control of property for married women. Control and access to Swazi National Land is largely dependent on the benevolence of male relatives.
Encouraging women to exercise their legal capacity	4	Few awareness campaigns to educate women about their legal proceedings exist and most of this is done by NGOs rather than government.
Ensuring equality of women complainants in the criminal justice system	4	Women remain largely ignorant of existing structures. Sometimes the authorities reflect the patriarchal attitudes of society, which makes it harder for women to take up their complaints.
Equal representation in the courts, including traditional courts	2	Women have begun to make inroads in formal courts but traditional leadership continues to be the domain of men and traditional courts do not represent women's interests.
Accessible and affordable legal services for women	1	Legal services remain expensive. Mechanisms to ensure accessible legal service to women have not been implemented.

Marriage and family laws; widows and widowers; the girl and boy child



The Protocol requires that State Parties enact and adopt appropriate legislative, administrative and other measures to ensure that women and men enjoy equal rights in marriage and are regarded as equal partners in marriage. Existing legislation on marriage shall therefore ensure:

- *No person under the age of 18 shall marry;*
- *Every marriage takes place with free and full consent of both parties;*
- *Every marriage to be registered;*
- *Reciprocal rights and duties towards the children of the family with the best interests of the children always being paramount; and*
- *An equitable share of property acquired during their relationship.*

State Parties must also put in place laws and other measures to ensure that parents fulfil their duties of care towards their children, and enforce maintenance orders. Married women and men should have the right to choose whether to retain their nationality or acquire their spouse's nationality through legal provisions. However, there is no period within which these measures should be achieved.

Current contradictions between formal and customary laws, which occur across the SADC region, require the most significant legal reform. Parallel legal systems of statutory, customary and in some cases religious law, govern marriages. Women suffer discrimination due to

non-uniform marriage and divorce laws, the application of customary property laws that still favour men's ownership of land, discriminatory and harmful cultural practices, gender-based violence and lack of equal access to education.

Women can now sue in their own names

Another historic day for women in Swaziland occurred on 18 July 2012. In a landmark judgement, the High Court declared aspects of marital power unconstitutional, ruling that women married under civil law and in community of property can finally sue in their own names.



Maxine Langwenya and Doo Aphane, Swaziland. Photo: Swazi Observer

But while the ruling is a major step forward for women's rights and has been received with delight by many women in Swaziland, the practical implications are depressing - since discrimination against women in administering matrimonial property continues to persist.

The case (*Nombuyiselo Sihlongonyane v Mholi Sihlongonyane*) which brought the matter to the fore involved a couple who had been married under civil law and in community of property. But the husband exercised sole authority over the couple's matrimonial possessions. As a result of her husband's alleged mismanagement of the estate, Nombuyiselo Sihlongonyane made an application to the court to have her husband removed as the administrator of their joint property. However, her husband questioned her capacity to institute legal proceedings without his assistance - a challenge that raised a clear constitutional issue.

Consequently, the High Court had to study sections 20 and 28 of the constitution - on equality and non-discrimination against women - and determine whether the common law concept of marital power could still

exist alongside the rights enshrined in the 2005 constitution.

Under common law, the property of spouses falls into a common pool, which - although jointly owned by the spouses - is entirely controlled by the husband unless a couple executes an ante nuptial contract before their marriage. This places the wife, in relation to the property of the marriage, in almost the same position as a minor child, except that guardianship of a minor serves the interests of the minor, whereas marital power serves the interests of the husband since it establishes:

- a) The husband's power as head of the family by virtue of which he has the decisive say in all matters concerning their common life and determines where and in what style they are to live;
- b) The husband's power over his wife, including representation in legal proceedings; and,
- c) The husband's power over the property of his wife, which enables him, in his absolute discretion, to deal with the joint estate as its sole administrator.

The overall effect of the husband's exercise of marital power is to subject the wife to the husband's guardianship, effectively making her subservient to her husband.

The High Court relied on the groundbreaking 2010 case of *The Attorney General v Mary Joyce Doo Aphane*, which held that marital power unlawfully and arbitrarily subordinates the wife to the power of her husband and is an unfair discrimination based on sex or gender inasmuch as it adversely affects women who have contracted a civil marriage in community of property with no ante nuptial contract.

The court further observed that, while it is accepted in common law that a married woman who is subject to marital power may approach the court for leave to sue without the aid of her husband, such a notion is discriminatory since it only applies to women and not to men. "A married man does not, under any circumstances, have to apply for such leave and therefore this common law requirement constitutes unfair discrimination," the court noted.

Notwithstanding this observation, the court did not - unfortunately - entirely abolish the common law position of marital power. It confined itself to the issue of women's capacity to institute and defend legal proceedings without the assistance of their husbands. If the court had declared the entire concept of marital

power unconstitutional, it would have dealt a much greater blow to gender inequality by placing wives on an equal footing with their husbands and granting them joint administration of their matrimonial property. But the court's limited decision has only permitted women in the same position as Nombuyiselo to institute and defend legal actions.

It is certainly a step forward for women's rights, but not the giant leap that it could have been since husbands retain their common law status as sole administrators of matrimonial properties.

Recommendations

In order for Swazi women to realise their constitutional rights, there must be a complete review of marriage laws in the country. One positive way to begin this process would be to amend all existing marriage laws by passing legislation that facilitates genuine equality between spouses. Similar laws have been passed by several countries in the region. For instance, Botswana and Namibia abolished marital power by enacting the

2004 Abolition of Marital Power Act and the 1996 Married Persons Equality Act of respectively, thereby giving equal power to spouses to administer their joint property.

In promoting equality and non-discrimination as required by the CEDAW and other regional and international obligations, Swaziland must also pass a law that eliminates the power of husbands to choose the domicile for their wives, as South Africa did with the 1992 Domicile Act.

Finally, there is a crucial need for Swazi civil society to collaborate with lawyers to provide refresher courses and discussion forums that will enable them to develop appropriate litigation strategies to ensure the meaningful realisation of the Bill of Rights.

Supporting links:

Historic step towards equality for Swazi women
<http://www.osisa.org/open-debate/womens-rights/swaziland/historic-step-towards-e...>

Table 1.5: Marriage and family laws in Swaziland

Provision	Yes/No	Explanation
Marriage		
No person under the age of 18 shall marry.	No	Marriageable age for non-customary marriages is still 16 years for females, with parental or guardian consent if younger than 21 years. Child marriages have been banned with the passing of the Children's Protection and Welfare Act of 2012, assented in September 2012.
Every marriage takes place with the full consent of both parties.	No	Whilst civil marriages occur with the consent of both parties, customary marriages do not. Studies, media and various public forums have reported forced customary marriages. According to custom, if a girl/woman visits a boyfriend three times overnight, the assumption is that she has consented to marriage.
Every marriage including civil, religious, traditional or customary is registered.	No	Although the Birth, Marriages and Death Act No5/1983 Act provides for registration of both civil and customary marriages, there is no provision enforcing the registration of customary marriages. In-laws have disinherited some women following the death of their husbands, claiming they had never been married.
Parties have reciprocal rights and duties towards their children including when spouses separate, divorce or have marriages annulled.	No	Married women and men do not have the same rights and duties towards their children. Guardianship is primarily with the child's father. Even when the marriage has ended in divorce, the mother may be granted custody but guardianship remains with the father. Children assume their father's, or joint, last names.
Officials enforce maintenance orders.	Yes	Officials more successfully enforce maintenance orders when the party asking for maintenance ensures direct payment from her husband's employer.
Married women and men have the right to decide whether to retain their nationality or acquire their spouses' nationality.	Yes	Marriage does not result in loss of citizenship. However, Section 50 of the constitution has introduced a provision which undermines the security of a Swazi women's marriage citizenship by including renunciation of citizenship on the grounds of marriage. It states that: "If a citizen of Swaziland who has attained the age of majority, or being a woman is or is about to be married, is or is about to become a citizen of another country and for that reason desires to renounce his or her citizenship of Swaziland, that citizen may do

Provision	Yes/No	Explanation
		so by lodging with the Board a declaration of renunciation of that citizenship and, upon lodgement of the declaration or, if not then a citizen of that other country, upon becoming that citizen, he or she shall cease to be a citizen of Swaziland." This provision is in place despite the fact that Swaziland is signatory to the Convention on Nationality of Married Women.
Widows and widowers		
Widows are not subjected to inhuman, humiliating or degrading treatment.	No	Widows continue to be subjected to inhuman, degrading treatment. This is the case notwithstanding Section 28(3) of the constitution - "A woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed." Widows in mourning - that is "in their weeds" - cannot access certain national areas such as schools, stadiums and chief kraals.
A widow automatically becomes guardian or custodian of her children, unless otherwise determined by a court of law.	No	Widows who had been married under customary rites do not necessarily become the custodian or guardians of their children.
A widow shall have the right to live in the matrimonial house after her husband's death.	No	Women and children have entitlement to property when a marriage is community of property. Otherwise, the matrimonial house forms part of the husband's estate. Some women have been forced to sell to pay out the other heirs, whether testate or intestate.
A widow shall have access to employment and other opportunities.	Yes	The Employment Act provides for equality in employment opportunities. However, widows often suffer either covert or overt discrimination while wearing mourning clothes. Even widows in the informal sector can be shunned by the public, who they depend on for their livelihood.
Widows shall have the right to an equitable share in the inheritance of their husbands' property.	No	This depends on whether a will existed. Currently, the Wills Act No12/1955 gives unfettered freedom of testation to property owners. If the deceased died intestate, the widow receives an equitable share of the inheritance if the estate is reported to the office of the Master of the High Court. The type of assets involved also determines the level of automatic protection by the law, with immovable property on title deed land more amenable to protection by the law than movables, especially livestock. Section 34 (1) of the constitution says that a surviving spouse is entitled to a reasonable provision out of the estate of the other spouse whether the other spouse died having made a valid will or not, and whether the spouses had been married by civil or customary rites.
Widows shall have the right to remarry any person of their choice.	No	A widow who married under customary laws has no right to remarry a man of her choice. A customary marriage is said to be a union beyond the life of the contracting parties. Rather, the in-laws may provide an (<i>umngeni</i>) levirate husband. If a widow insists on choosing a new partner, she could lose custody and guardianship of her children and the matrimonial assets.
Widows shall be protected from all forms of violence and discrimination.	No	Widows remain unprotected from all forms of violence and discrimination, especially emotional and economic violence.
Girl and boy child		
Eliminating all forms of discrimination against the girl child.	No	Education rules say that pregnant girls must be suspended from school. It is not clear if the girl can return to the same school after giving birth. Typically girls go to another school after delivery.
Girls have the same rights as boys and are protected from harmful cultural attitudes.	No	Girls continue to be forced into marriage. Marriageable age is still lower for girls than boys. Girls fend for themselves when it comes to preventing cultural practices, such as being <i>inhlanti</i> (surrogate wife).
Girls are protected from all forms of economic exploitation, trafficking, violence and sexual abuse.	No	Swaziland has legislation against trafficking, but not comprehensive legislation against gender violence and sexual abuse.
Girl children have access to information, education, services and facilities on sexual and reproductive health and rights.	Yes	Pupils access reproduction education through health clubs run by an NGO called Schools HIV and AIDS Program (SHAPE).

Table 1.5 shows that customary laws in particular continue to discriminate against girls and women. Widows remain particularly vulnerable.

Child marriages

Child marriages have historically existed in Swaziland under customary law where marriageable age is not stipulated. Swazi law allowed child marriages until 2012. A girl-child can be married at puberty through the custom of kuteka. A marriage often takes place when a girl visits her boyfriend, occurring without her consent in the early hours of the morning before she wakes up.

A cultural practice called kwendzisa promotes child marriages because a girl-child could be married off at

birth in order to pay a debt incurred by her parents, usually in the form of cattle. Although she would be raised by her parents, the husband may decide to take her at an early age, when she will become his wife. A girl may be withdrawn from school in order to do household chores and be sexually abused. A number of cases on this cultural practice have been brought to the attention of WLSA and the group rescued two girls in 2012 and managed to send them back to school.

Swaziland officially bans child marriages

Lawmakers in Swaziland recently declared illegal the practice of men marrying underage girls - which has been an accepted social norm for centuries. The practice has been linked to the spread of HIV in recent years.

Known in SiSwati as "kwendizisa," the marriage of an adult man to an underage girl, society considered this a legal "grey area" prior to the promulgation of the Children's Protection and Welfare Act of 2012. According to the 2005 Swaziland constitution, some customary practices are allowed unless they conflict with constitutional clauses.

"Swazi men marrying girls once the girls enter puberty is not a customary law. It is not mandatory. It is tolerated because it has always been done. But times are changing, and Swaziland has the highest HIV prevalence rate in the world. This practice has added to the spread of HIV. It is a great victory for public health and for the rights of girl children that this outmoded practice must now end," AIDS activist Sandra Kunene told IRIN/PlusNews.

Married adolescents are at greater risk of HIV infection because many of them are in polygamous unions, face sexual violence or are unable to negotiate safe sex. The girls also tend to have little contact with their peers, restricted social mobility, low levels of education and limited access to media and health messages.

Enforcing the new law

Early September 2012, Deputy Prime Minister Themba Masuku announced the government's intention to enforce the Child Protection and Welfare Act by prosecuting men who marry underage girls.

Sexual activity with underage girls had previously been prosecuted as statutory rape - but only if it occurred outside the bounds of marriage. Girls aged 15 and older had legally been permitted to marry in accordance with the 1920 Girl's Protection Act and lawmakers had considered underage sexual activity within marriage acceptable.



Banning of child marriages will go a long way in protecting the rights of the girl child.
Photo: Courtesy of UNDP

Today, perpetrators face statutory rape charges and they can be additionally fined R20 000 (\$2400) by the child welfare law. The new law also penalises parents and guardians who collude with adult men to orchestrate a child marriage. Offenders face prison terms of up to 20 years.

At a press conference, Masuku described the marriage of girls under the age of consent as "child abuse" and said the fine should be raised to R100 000 (\$12 000). "This would send a message," Masuku said.

Traditions linked to epidemic

Other sexual practices that have been permitted because they are rooted in traditional Swazi life have also been linked to the country's high HIV rates.

"One of these is the practice of having the widow, after the funeral of her husband, be 'claimed' by her husband's brother. She must go to his home and be his wife because polygamy is also permitted in Swaziland," said Agnes Simelane, a child welfare officer and counsellor of abused children.

"If the husband died of AIDS and he infected his wife with HIV, the virus could be passed on to the new household. Or if the husband's brother is HIV-positive, he could infect the widow. Either way, by custom the woman has no say in the matter," she said.

"Traditionally, marriages were arranged between families," said Thomas Graham, a local historian. "When the Swazi population numbered in the tens of thousands in the 19th century and life expectancy was 35 years old for a Swazi, it made sense to marry young and have multiple wives... to keep the family and Swazi nation existent."

The new prohibition against child marriage, he said, "throws Swazi custom on its ear, and it is a landmark step in the tug of war between traditional and modern life".

Nthando Dlamini, an HIV testing and counselling officer in Manzini, welcomed the announcement. "Many men still believe that if they have sex with a virgin this will cure them of AIDS and rid them of HIV. Since AIDS has become widespread in Swaziland, we fear that one motivation for marrying underage girls was that some men desired such 'protection.' That way has now been shut off for them," he told IRIN/PlusNews.

Source: IRIN Plus News Service⁵

Children's Protection and Welfare Act of 2012

The Ministry of Labour and Public Services, with funding from ILO, has developed a national action plan towards the elimination of child labour in Swaziland (APEC). The APEC attempts to reduce the chance of children becoming involved in the worst forms of labour or other work that might be detrimental to their health and development. The worst forms of child labour to be addressed included commercial sexual exploitation of children (CSEC) particularly the girl-child, children used by adults to commit crime (CUBAC) and child trafficking. Stakeholders submitted the final draft of the document in June 2012.

Stakeholders have also passed a new children's Act. The National Children's Council (NCCU) under the Deputy Prime Minister's Office (DPM) recently launched The Child Act. Section 15 of the act states that "a child has a right to refuse to be compelled to undergo or uphold any custom or practices that are likely to negatively affect the child's life, health, welfare, dignity or physical, emotional, psychological, mental and intellectual development."

The Sexual Offences and Domestic Violence Bill creates the new offence of child prostitution in addition to those of commercial sexual exploitation, human trafficking for sexual exploitation and adult exposure of children to pornographic material.

Widow and widower rights



The Protocol requires that Member States enforce legislation to protect widows from being subjected to inhuman, humiliating or degrading treatment. A widow will also automatically become the guardian and custodian of her children after the death of her husband; she will also continue living in the matrimonial home. She will exercise her rights to access employment and other opportunities to enable her make meaningful contribution to society.

A widow will also be protected against all forms of violence and discrimination based on her status while having the right to an equitable share in the inheritance of the property of her late husband. She will also have the right to remarry a person of her choice. States will also put in place legislative measures that will ensure that widowers enjoy the same rights as widows.

Section 34 of the constitution provides that a surviving spouse is entitled to a reasonable provision out of the estate of the other spouse whether the spouse died having made a valid will or not and whether the spouses

had been married by civil or customary rites.⁶ Despite this legal protection, the Centre for Housing Rights and Evictions reports that "property grabbing" from widows is common, citing a study that found that 41% of widows

⁵ <http://www.irinnews.org/Report/96347/SWAZILAND-Child-marriages-banned>

⁶ Aphane, D. (2009) p.28.

had their property unlawfully seized by in-laws.⁷ Further, widows can often be forced to marry another male in their deceased husband's family, which results in the loss of the guardianship of their children and right to their husband's immovable property.⁸ Girls cannot inherit property from their parents.

LGBTI as a constitutional issue

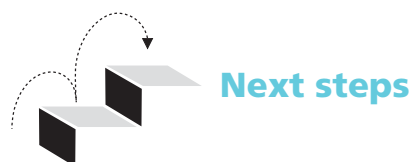
Most Swazi are ignorant of LGBTI issues and the existence of LGBTI people in the country. When the United Nations working group on human rights noted that the kingdom should enact equality laws for LGBTI people, Chief Mgwagwa Gamedze, the minister of justice and constitutional affairs, told the *Times of Swaziland* newspaper that government would not recognise or legalise same-sex marriages because homosexuals either do not exist, or they form a minority, in Swaziland. The newspaper reported Gamedze saying it is hard to introduce rights for people who did not exist. If they existed, he said, they are very few - "very very few."

Legislators enacted a new constitution in 2006 that is the supreme law of the state, binding the king of the Kingdom of Swaziland and all of his subjects. Technically the king is no longer permitted by law to rule by decree or to dissolve parliament at will, but the constitution also confirms the king's monopoly on power. In its country report, Amnesty International noted that there appear to be no effective human rights remedies for this. The constitution respects the rights of all individuals, including LGBTI people.

However, in Swaziland gays and lesbians who are open about their sexual orientation face censure and exclusion from the chieftdom-based patronage system. This can result in eviction from one's home. Clinics have reportedly turned away same-sex couples despite a high incidence of HIV and AIDS in the gay community.

The working group on the Universal Periodic Review (UPR) examined the human rights situation in Swaziland

and Gamedze headed and spoke for the small delegation. Gamedze specifically addressed the issue of same-sex relationships and the death penalty. He noted that while consensual same-sex relations remain illegal in Swaziland, the government does not pursue prosecutions. He also claimed that the LGBTI movement in Swaziland had so far not challenged these policies and said the government would only look into the issue if and when this happens.



- Increase advocacy efforts to unify formal and customary laws.
- Amend discriminatory laws such as those governing citizenship.
- Engage traditional leaders in ending all forms of harmful traditional practices.
- Step up advocacy on the constitutional rights of those in the LGBTI community.
- Finalise costing of implementation of laws, policies and programmes that advance gender equality and equity.
- Review of legislation and domestication of Human Rights conventions.
- Mainstream human rights in programming at all levels.
- Human Rights and gender mainstreaming capacity building for policy makers and programmers.
- Structures and resources for implementation of the Child Protection & Welfare Act and others.
- Enactment of Gender Equality and Human Rights Acts.
- Mainstreaming human rights in business.
- Repeal of harmful and discriminatory customary law and practices.

⁷ Centre on Housing Rights and Evictions (2004) p.133.

⁸ Aphane, D. (2009) p.29.



Forgotten by families

Anushka Virahsawmy



CHAPTER 2

Governance

Articles 12-13



Mbabane West member of parliament Esther Dlamini during the 30 to 50 launch, Swaziland, 2012.

Photo: Thandokuhle Dlamini

KEY POINTS

- Swaziland's SGDI score for governance is 43% - the same as the 2012 score. It is based on women's representation in local government, parliament and cabinet. The new SGDI is yet to be calculated to include the results of the recent national election.
- The CSC is slightly higher at 54% and is based on perceptions on the country's progress towards meeting the governance-related provisions of the SADC Protocol to be achieved by 2015.
- Following the 3 November 2012 election for councillors for urban local government authorities, citizens elected a mere 10 women (14%) compared to 59 men (86%).
- Swaziland has 25 women and 75 men in cabinet following the September 2013 polls.
- Women fill 25% of cabinet positions and 14% of parliamentary seats.
- Most parties have quotas for women's representation of 30%, but most have not implemented them.
- Civil society, in collaboration with government departments, UN agencies and other stakeholders, launched a 50/50 campaign with the hope that all stakeholders will maintain momentum until the 2013 elections so the country can meet the 50/50 target by 2015.

Table 2.1: SGDI and CSC score for governance

	SGDI	CSC
Scores	43%	54%
Ranks	10	14

Table 2.1 shows that with an SGDI score of 43%, Swaziland has a lot of work to reach its 2015 target. The citizen score is slightly higher (54%) but also shows that the country needs to accelerate efforts if it is going to achieve 50/50 by 2015.

Background

Swaziland, a landlocked nation in Southern Africa with a population of just over one million people, is ruled by a monarch, King Mswati III. Here, political parties are not allowed to contest for power but individuals are elected to parliament from 55 constituencies known as "tinkhundla." The constituencies are sub-divided into about 385 chiefdoms and four districts nationwide. In the primary elections voters choose candidates from their chiefdoms who will then contest the secondary elections and compete against other candidates in their constituency for a seat in parliament. The system of governance is tinkhundla-based, which emphasises devolution of state power from central government to tinkhundla areas. Individual merit is the basis for election or appointment to public office.

Electoral systems and quotas

The constitution has a provision to be implemented if women form less than 30% at the first seating of the House of Assembly:

- *Article 86 (1) Where at the first meeting of the House after any general election it appears that female*

members of Parliament will not constitute at least 30% of the total membership of Parliament, then, and only then, the provisions of this section shall apply. (2) For the purposes of this section, the House shall form itself into an electoral college and elect not more than four women on a regional basis to the House in accordance with the provisions of section 95(3).

- *Additionally Section 95(2) provides that: half of the ten nominees by the King to the House of Assembly shall be female. Senate appointment 94. (2) Ten Senators, at least half of whom shall be female, shall be elected by the members of the House in such manner as may be prescribed by or under any law at their first meeting to represent a cross-section of the Swazi society. (3) Twenty Senators, at least eight of whom shall be female, shall be appointed by the King acting in his discretion after consultation with such bodies as the King may deem appropriate.*

The quota is divisive - some believe it is the only way to achieve gender parity while others argue that it undermines the electorate, putting people in parliament who have not been elected by voters.

Section 86(1) and (2) together with Section 95(c) have not been implemented to elect four women from the regions to parliament. The king's appointments of women in both houses fell short of the constitutional stipulation.

Achieving gender equality requires women's active participation and involvement in decision-making at all levels, starting in the home and extending to the highest levels of government.⁹

Elections present an opportunity to increase women's representation, raise issues of gender inequality and women's human rights, and to press for greater government accountability on gender sensitivity. The Protocol thus demands equal representation of women and men in all decision-making positions by 2015.

The SADC Gender Protocol Article 5 calls for a strategy of affirmative action in order to achieve this. This has been crucial to the rapid increase in women's political participation where it has been implemented. Gender activists in many countries have called for deliberate measures, such as legislated quotas, to increase women's representation in decision-making positions.



Ezulwini Councillors during induction in 2012.

Photo: Thandokuhle Dlamini

⁹ 2011-2012 Progress of the world's women: In Pursuit of Justice, UN Women 2011

Swaziland's constitution provides for affirmative action with a 30% quota for women in all levels of decision-making. However, in practice women have yet to reach that threshold, let alone the SADC Gender Protocol 50/50 target.

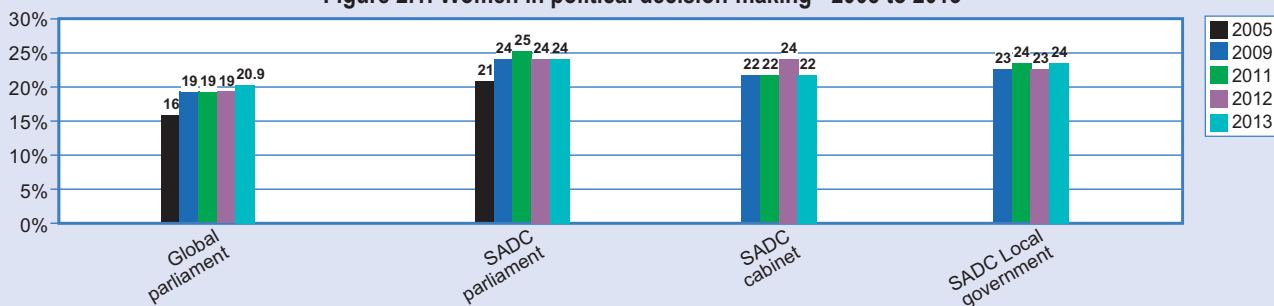
Swaziland missed an opportunity to increase women's representation in urban councils in November 2013 elections. This is in spite of a 50/50 campaign launch in the country.

Representation



The Protocol provides for state parties to ensure that, by 2015, at least 50% of decision-making positions in the public and private sectors are held by women, including the use of affirmative action measures as provided for in Article 5. It further provides for member states to ensure that all legislative and other measures are accompanied by public awareness campaigns which demonstrate the vital link between the equal representation and participation of women and men in decision-making positions, democracy, good governance and citizen participation are put in place at all levels.

Figure 2.1: Women in political decision-making - 2005 to 2013

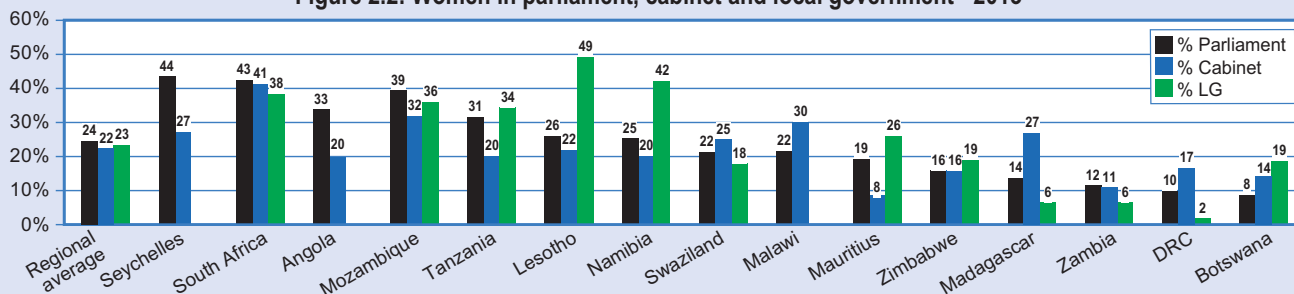


Source: Gender Links 2013: SADC Gender Protocol Country reports 2013 and IPU last accessed 1 July 2013.

Figure 2.1 illustrates that overall women's representation in parliament in SADC dropped one percentage point from 2011. Overall, it also shows a negligible shift in women's participation in all areas in the last several

years. This is not auspicious as the region gets closer to 2015, when it is supposed to achieve 50/50 representation.

Figure 2.2: Women in parliament, cabinet and local government - 2013



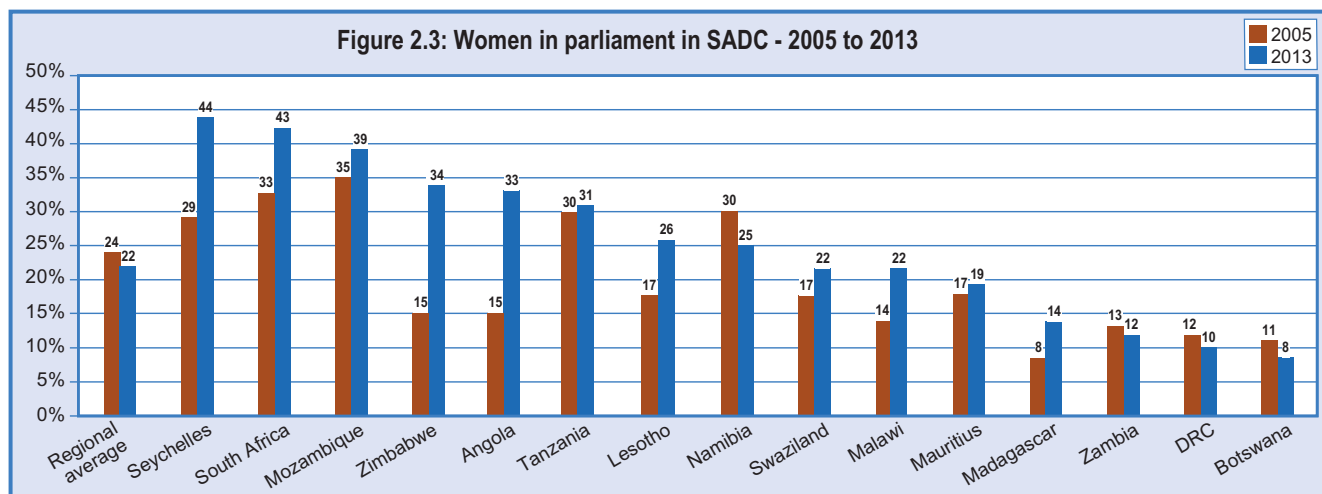
Source: Gender Links 2013, SADC Gender Protocol Country reports and IPU last accessed 1 July 2013.

Figure 2.2 shows that Swaziland continues to perform inadequately in women's representation in political decision-making at all levels (local government, parlia-

ment and cabinet) as it remains far below the 50% target.

Parliament

Figure 2.3: Women in parliament in SADC - 2005 to 2013



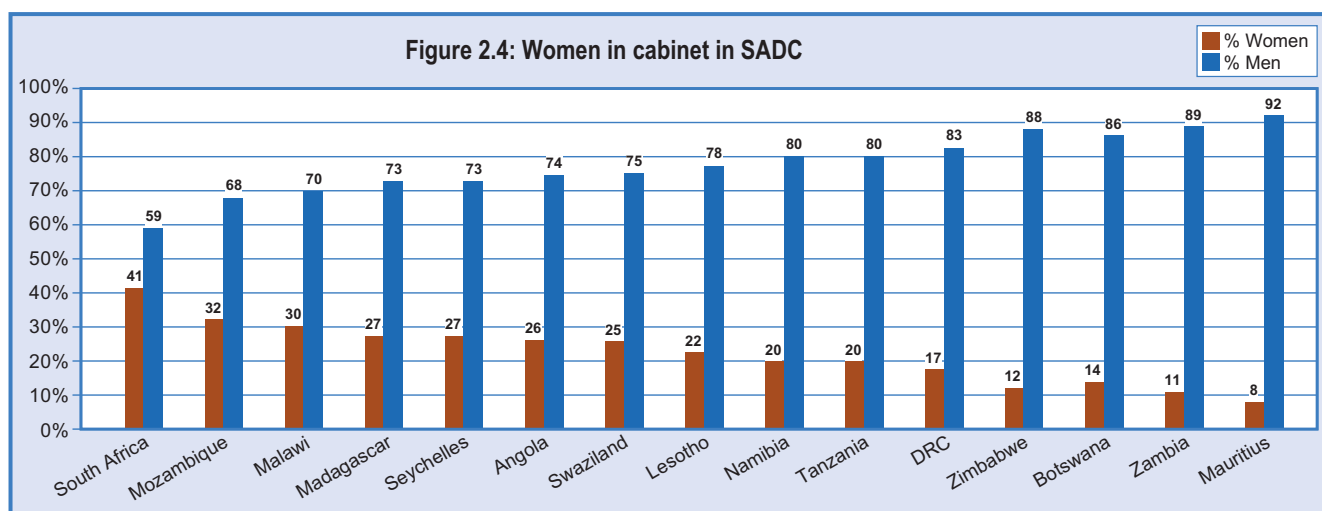
Source: 2013 SADC Gender Protocol Barometer.

Figure 2.3 shows that Swaziland is among the ten countries in the region that have yet to reach 30% female representation. If special measures had been implemented, 2013 could have been an opportunity

to surpass the target, not to mention the country's constitutional provision to achieve 30% women's representation.

Cabinet

Figure 2.4: Women in cabinet in SADC

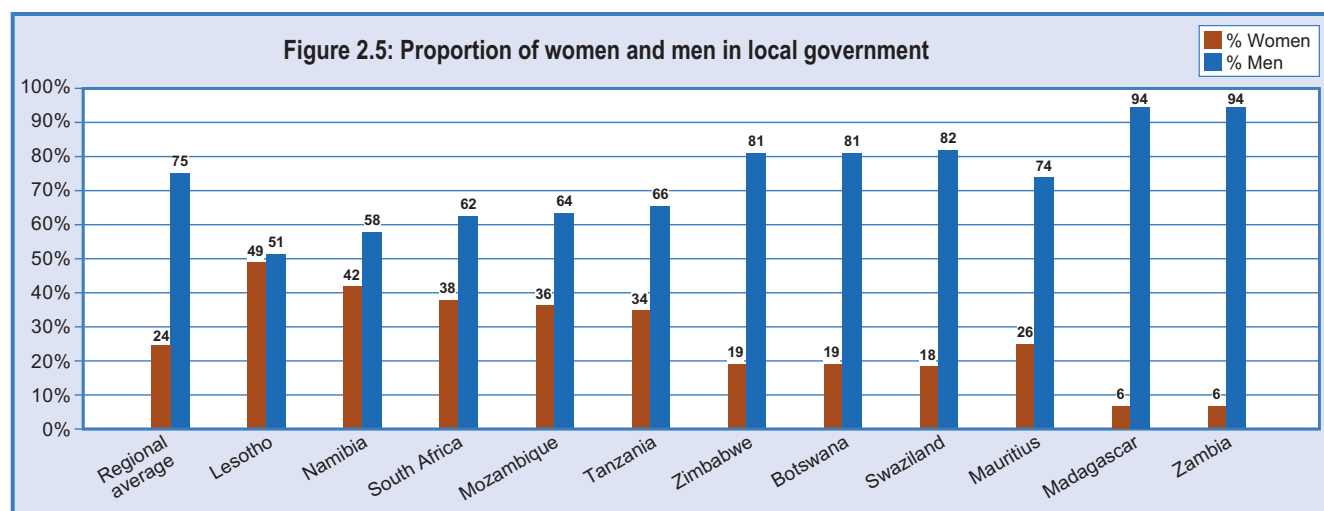


Source: 2013 SADC Gender Protocol Barometer.

Figure 2.4 illustrates that Swaziland falls somewhere in the middle when it comes to women's cabinet representation in SADC. However, at 25%, it is one of the six countries in the region which has been on a downward trend for the past four years - falling from

28% in 2009. Yet this is one sphere of governance in which it is theoretically relatively easy to "ring up the changes" because leaders can appoint their inner team. The new cabinet statistics for 2013 after the national elections remained unchanged at 25%.

Local government



Source: 2013 SADC Gender Protocol Barometer.

Figure 2.5 shows that following the November 2012 urban council elections, women's representation stood at 14% of local councillors. It had previously been 18%. The minister of housing and urban development is able to nominate five additional councillors and activists

have pressed her to nominate all women, which would bring representation to 20%. Rural council elections took place at the same time as the presidential elections in September 2013. New data for the 2013 elections has not yet been incorporated into the above figures.

Councillor Makhosazana Shongwe - climbing the ladder

Makhosazana Shongwe is a councillor for the Ngwenya Town Board. She joined it in 2007 when she won the election to her constituency, beating a male candidate. She has been working with Gender Links ever since and is a committed participant in activities in the town and elsewhere.

Shongwe started her career as a community health motivator selected by the Ministry of Health to motivate communities on cleanliness, construction of pit latrines, etc. and went on to become a home caregiver in the town. She works with full dedication and commitment. Her community chose Shongwe to stand for local government in the town. She says it came as a surprise and she didn't believe that she would be elected.

Only men had previously stood for elections. Yet Shongwe won, allowing her to continue to work for her community with a new mandate. She has since come up with several innovative ideas to help improve the lives of her constituents.

Like many in the country, Shongwe has witnessed firsthand the impact of HIV and AIDS. She has worked



Councillor Makhosazana Shongwe takes part in the Ngwenya Town Board policy level and implementation workshop.

Photo: Thandokuhle Dlamini

with citizens who have lost parents, sisters, brothers, as well as children forced to drop out of school. She says she has come to see the importance of working with all stakeholders to mitigate the impact of HIV and AIDS. She uses her experience of working with people to bring together people in sectors with common interests, including families, communities, NGOs and other community-based organisations. She has implemented this networking in line with the National Plan of Action and the Millennium Development Goals.

Shongwe has also made progress in other areas, including:

Health

Shongwe previously worked as a home-based caregiver. This work has given her a strong foundation in health issues and knowledge about some of the health needs facing the Swazi people. She now works with providers to bring services to communities, allowing a decentralising of the traditional health structure.

Education

Shongwe worked tirelessly to ensure more people can read and write. She initiated the Sebenta classes, which mainly assist those who did not get the opportunity to attend school. The programme encourages them to learn how to read, write and count. Teaching adults is

challenging because they have many other commitments that take time away from studying.

Development and sports

Shongwe has never rested in working towards improving the lives of her constituents. She has supported those who want to engage in sports and became an early supporter of a sports project under the slogan "Fighting HIV and AIDS through sports." This project helped change people's lives, particularly youth who can now spend time participating in sport rather than engaging in drugs and other negative behaviour.

Climbing the ladder

Voters re-elected Shongwe a second time, returning her to office. Her hard work allowed this to happen even though her husband did not want her to stand for a second term. In addition, she got help from women in political training, and became empowered through contact with other women candidates. Her colleagues later elected Shongwe to the position of deputy mayor, a position she currently holds. She is not intimidated to work with men although she remains the only female councillor.

Future plans

Shongwe hopes to continue motivating other women work for their community so they can also stand for elections.

Gender and political parties

Swaziland's political parties do not contest seats in parliament (See Section 79 of the constitution) because the system of governance is *tinkhundla*-based, which emphasises devolution of state power from central government to *tinkhundla* areas. Individual merit is the basis for election or appointment to public office.

Although most parties have quotas for women's representation set at 30% and one with 40%, most parties have not implemented the quota system. Only one party has been able to implement its policy of 30%. Many view the quota system as a temporary measure. One party said that it selects candidates according to their willingness, popularity in the party and merit, and then supports them through the *tinkhundla* system.

Out of five political party constitutions and manifestos accessed by researchers, not one listed gender as a criterion for the selection of candidates.

However, all parties have a women's wing, which is meant to ensure that women play a full role in the party. The women's wing is an autonomous body within the overall structure of each party. It has its own constitution, rules and regulations, provided that these do not conflict with the party's constitution and policies.

Gender and voters

Statistics from the electoral commission show the total number of voters on the voters' roll and how many voted in the last two elections. It is disaggregated by age, but not by gender. Youth between the ages of 18 and 30 made up 40% of the voters (2008 National Elections Report).



Female members of Swaziland's parliament - Swaziland has been going backwards when it comes to reaching gender parity in government.

Photo: Courtesy of Swazi Observer

Gender in electoral processes

Women face barriers both regarding voting and in the selection process for candidates to stand for parliament. The electoral law prescribes that voters need to register at their constituency in order to vote and/or be voted into parliament. However, once married, women move to the constituency of their in-laws, where they may not be well known. Moreover, the electoral law does not have gender-specific provisions. The Elections and Boundaries Commission (EBC) has been commended for designating spaces such as shopping malls and public buildings for registration. This helped in addressing some of the barriers faced by women who want to take part in the political process.

In an attempt to sensitise voters, the Gender Unit, along with civil society organisations, launched the “vote for a woman” campaign ahead of 2008 elections. However, some constituencies did not welcome the campaign, which began less than a year before the elections. In some cases even women failed to support it and it also lacked support at chieftaincy level.

The Elections and Boundaries Commission created a gender neutral voter education programme. It used banners, posters and distributed brochures, pamphlets and stickers. One message read: “Shape your community and your life... because your country needs your vote.”

The electoral processes discriminate against women. A UNDP study showed that the 2008 elections excluded most women in the electoral process especially because women did not fully understand the law and many women remained unaware that they had the same rights as men. The study found poor voter education, particularly about the new electoral process. Most newspapers report mainly in English and many women do not read English. The study also found that some women lacked access to the polling structures, such as *umphakatsi* (chiefdom) and the *inkhundla*.

Stakeholders voiced concern during the 2013 elections in Swaziland that voter education, including the “vote for a woman” campaign, did not receive major funding from donors. The “vote for a woman” campaign in 2008 had a positive impact in increasing the number of women nominated into parliament and other political positions. This lack of support may have contributed to the results: only one woman voted in to parliament out of 54 men. This result embarrassed the country and those working for women's equal representation. Meanwhile, the House of Assembly voted for five women senators and the king appointed five women senators, which means Swaziland now has 11 women in parliament out of 95 members in both Houses.

Swazi chiefs shut women out of parliament in the 2013 elections

Local chiefs play a huge role in the election process here. Swaziland's EBC gives them the responsibility to decide where in their local districts to hold the elections. King Mswati III, when dissolving parliament on Aug. 2, told the nation to elect people that he would be “able to use.” The statement has been criticised by the progressive movement. “It might look like it is just advice from the authorities, but this was a way of telling people what to do,” head of department in theology and religious practices at the University of Swaziland (UNISWA), Nonhlanhla Vilakati, told IPS.

Patriarchal and chauvinistic practices are being used to prevent Swazi women from taking part in the upcoming primary elections, despite the country having a constitution that guarantees their rights, says political analyst Sikelela Dlamini.



Women in Swaziland's Ekwendzeni Chiefdom register to vote for the primary elections in August 2013. Analysts say that chauvinistic practices prevented women from participating in the Aug. 24 election. Photo: Mantoe Phakathi/IPS

Women have to respect a dress code. For example, their head must be covered and widows in mourning are not allowed to enter public structures, such as *inkhundla* and *umphakatsi*, and so have not, therefore been able

to vote. Moreover, the electoral law stipulates that secondary elections should be held at the *Inkhundla* centre, which comprises of several chiefdoms and can cover large distances.

"The discrimination [against] women by preventing them from participating in politics is a consequence of deeply-rooted notions of male dominance and the subordination of women," Dlamini told IPS. He was reacting to a recent warning issued by the chief of Ludzibini, Prince Magudvulela, who told his subjects that they should not vote for women in mourning during the country's Aug. 20 primary election.

It was clear during the meeting that Magudvulela was referring to former Member of Parliament and a contender for the Timphisini constituency, Jennifer Du Pont. She lost her husband, Bheki Shiba, in May and mourned him for a month instead of the normal two-year period. She is running for a second term of office. "Women don't look good in pants and the chiefdom banned them from wearing pants," says local headman Zephaniah Dlamini. During an Aug. 17 meeting at the Ludzibini Royal Kraal in northern Swaziland, Magudvulela told his followers that according to customary practice, women in mourning should not be allowed inside parliament, royal residences and near the king. Magudvulela said that electing women in mourning to parliament would be an embarrassment to the chiefdom.

Magudvulela told his followers that even though, according to the country's constitution, Du Pont had a right to decide whether she followed the custom of mourning or not, customary law was still superior to the constitution. Du Pont, who attended the meeting, was devastated by the chief's conduct but said that she was still determined to win the elections. "I'll launch a complaint with the Elections and Boundaries Commission (EBC)," she told IPS.

Du Pont was not the only woman to be discriminated against ahead of this election. When Mana Mavimbela was nominated to run for a seat in parliament in the Lusabeni constituency, EBC presiding officer disqualified her because she was wearing pants. "The presiding officer just asked the audience if a woman wearing

pants [should] be allowed inside a cattle byre," Mavimbela told IPS of the Aug. 4 incident. "When the people said 'no', she just moved on." She has since launched a complaint with the EBC.

"I was nominated and I haven't done anything wrong in terms of the law that would have disqualified me," Mavimbela said. She was the only woman out of four candidates nominated from her area. Mavimbela was also summoned to appear before the Lusabeni chiefdom where local headman Zephaniah Dlamini said that it is unacceptable for women in the district to wear pants. "Women don't look good in pants and the chiefdom banned them from wearing pants," Dlamini told local newspaper, *Times of Swaziland*.

Mavimbela said that she had apologised to the Royal Kraal council on Aug. 10, because she feared for her destitute family who live in rural Ncandvweni, in southern Swaziland. But Vilakati said that the chiefs' conduct was not surprising in a country where people are expected to live according to the public transcript, said Vilakati.

Women in rural areas tend to face more challenges with regards to customary practices compared to their urban counterparts, Vilakati noted. While EBC chairperson Prince Gija condemned the violation of women's rights on the basis of customary practices, he said he had no control over the chiefs. "The chiefs are appointed by the king," he told IPS. "The EBC can only advise them [about] civic education, but we have no power to reprimand them." Gija admitted, however, that chiefs play a big role in the Swazi elections. However, giving chiefs the right to run the elections is an anomaly on its own, said UNISWA law lecturer, Maxine Langwenya. "The EBC is abdicating its responsibility because the constitution is very clear that the EBC should run the elections," Langwenya told IPS. *Source: Accessed from IPS website on 04/11/2013; Article by Mantoe Phakathi*
<http://www.ipsnews.net/2013/08/swazi-chiefs-shut-women-out-of-parliament/>

Woman in pants stopped from nominating candidate

MBABANE - It has been revealed that another woman was refused permission to nominate a candidate at Mhlangatane constituency because she was not dressed properly. Fakazile Luhlanga of Ndvwabangeni was also not allowed permission to nominate as she was wearing cargo pants.

She related that she raised a hand with the intention to nominate, but the presiding officer said she would not be given a chance to participate because of her dress code. Luhlanga said she was told that she was

dressed like a man and would be a bad influence to the community members as they would emulate her.

In an earlier interview with this publication, acting Ludzidzini Governor TV Mtetwa said chiefs had no right to prescribe a dress code for the public.

The governor was responding to statements made by Mpolonjeni Chief Petros Dvuba, who had warned members of the public that they should respect imiphakatsi accordingly.

Elections and Boundaries Commission Vice Chairman, Mzwandile Fakudze, when asked to comment on the matter, said he was yet to consult with the cited presiding officers of the on what really transpired.

Luhlanga's experience comes after another 18-year-old female was disqualified from running for the Member of Parliament (MP) category during the nominations at Lubulini for wearing a pair of trousers.

On the other hand, the disqualification of the 18-year-old Mana Mavi-mbela was a gross violation of her constitutional right, according to Human Rights lawyer Mandla Mkhwa-nazi. The lawyer said the presiding officer had infringed upon Mavimbela's rights. Mkhwanazi said the country's constitution did not discriminate on an individual based on dress code.

Mavimbela was nominated under her chieftdom at Lusabeni for the position of Member of Parliament but was refused permission by the presiding officer.

Upon her nomination, Lindiwe Sukati, who was the presiding officer, was heard talking to the electorates that a person dressed like Mavimbela was not acceptable at the Royal Kraal, hence she was disqualified.

Mavimbela expressed her displeasure with the decision of the presiding officer stating that she had intentions

to develop her community which was lacking in other areas.

The Swaziland Young Women's Network (SYWON) says Swaziland is far from graduating to the first world status if pants and miniskirts are considered to be burning issues. National Coordinator Hleli Luhlanga said Swaziland had formulated a Youth and Gender Policy and the Constitution itself whereby there is no provision that states that a person should be discriminated against based on their dress code.

Luhlanga said the issue of the dress code was injustice used by patriarchal people to show their power. "Pants are used as a basis of discrimination by the above mentioned people," the fuming Luhlanga said.

She highlighted the discrimination of women based on their dress code in parliament where, women without a headscarf cannot participate in parliament sessions. "There are a number of burning issues that should be tackled by the country but instead legislators choose to focus on other issues of no interest," she said.

Luhlanga said there were still a number of barriers that needed to be addressed that affected women in the country.

*Source: Kwanele Dhladhla Accessed on 06/11/2013
from Times of Swaziland website*

Costing

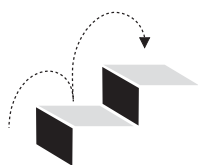
Women in parliament

There is no dedicated line item of funding in the Gender Unit for training of parliamentarians. The Gender Unit sometimes uses the line item "professional special services" to conduct gender sensitisation workshops for parliamentarians. However, the budget line has been reduced due to the 20% cuts imposed on all ministerial budgets, despite the fact that the Gender Unit is already under-budgeted.

Local government

There is no specific budget for local government. Gender Links has been working with the Gender Unit on costing implementation of the SADC Gender Protocol and the process has emphasised the need for capacity building on gender budgeting at local government and other levels of governance. Gender Links embarked on a "vote for a woman" campaign which resulted in 14% women elected as councillors. The 50/50 campaign has already been launched, although Swaziland has not yet achieved the 30% quota stipulated in the constitution.

- Sustain the momentum for 50/50 representation of women in political decision-making positions.
- Continue work to address customs and traditions which influence the negative perceptions about women's participation in politics. This can be carried out through citizen civic education and targeting voters in communities.
- Increase involvement with the media, including an increased use of social media, to lobby for increasing the number of women in decision making positions.
- Use the constitution provision on 30% quota to mobilise more women to enter into politics.
- Sustain training and empowerment programmes for potential candidates who come forward to enhance their chances of being elected.
- Obtain sex disaggregated data of employees in the public service in order to make a gender analysis of the sector.
- Involve other stakeholders such as the private sector in the 50/50 campaign to encourage management to ensure that the target is integrated in all spheres and not just political decision-making bodies.
- Fundraise now for voter education and "vote for a woman" campaigns in time for the next elections.
- Lobby the relevant structures for more women in parliament.



Next steps



"Sarah"

Anushka Virahsawmy



CHAPTER 3

Education and training

Article 14



Swaziland's Constitution states that all children are entitled to free primary school education.

Photo: Thando Dlamini

KEY POINTS

- With an SGDI score of 99%, based on empirical data, Swaziland has almost reached full marks in the education sector.
- However, at 59% citizens remain more critical in terms of their perceptions of the country's performance against targets contained in the SADC Gender Protocol. Issues such as gender violence in schools, quality of education, gender stereotypes and other factors may have influenced the score.
- Swaziland reached gender parity at secondary school level ahead of the 2015 deadline.
- While girls seem to perform slightly better academically in secondary schools, boys fared better in important subjects such as mathematics, science and information technology.
- If a pupil becomes pregnant, the school head is allowed to suspend her from school.
- Swaziland has also surpassed the 50% target in tertiary education, with women now outnumbering men.
- Men hold 84% of teaching positions compared to only 16% for women; the lowest percentage of female teachers in the region.

Table 3.1: SGDI and CSC on education

	SGDI	CSC
Scores	99%	59%
Ranks	6	13

Table 3.1 shows that Swaziland has made remarkable achievements in education, with an SGDI score of 99%. The country is likely to achieve gender parity at primary, secondary and tertiary levels before the 2015 deadline.

However, the CSC score is much lower at 59%, possibly because citizens expected free education to be rolled out at a faster rate than it has been. They probably also considered other qualitative aspects; for example, cultural and social influences that still affect girls' access to disciplines traditionally studied by boys. In addition, they considered how girls remain more likely to drop out of school, mostly due to pregnancies, early marriages and in order to care for sick family members.

Background

Gender parity in education is a human right, a foundation for equal opportunity and a source of economic growth, employment creation and productivity.

With only two and half years to go before the 2015 deadline for realising the 28 targets of the SADC Gender

Protocol and the MDGs, achieving gender parity in education is one of the goals that Swaziland will likely meet.

Attention now must shift to ensure retention and improved quality of education at higher levels of education as well as ensuring adequate resources to maintain gains made in the sector thus far. For girls, staying in school is not just about good grades.

Early marriage and family responsibilities can take girls out of school early, especially because of the burden of care exacted by HIV and AIDS. Some families still do not see the value in educating girls. Poor infrastructure, such as lack of water and sanitation facilities, exacerbates the situation. Sexual harassment, by both peers and teachers, can make girl learners unsafe. All of this can undermine girls' education.

Swaziland has a policy on free education at primary school from the first grade in public schools though in practice not everyone manages to access this facility. Although Swaziland has a policy on free education, the challenge for most poor families and orphans and vulnerable children (OVCs) is the top-up fees - a requirement at most schools. This issue has been discussed by MoE officials and members of the head teachers association because the ministry does not see the need for top-up fees.



School children brave the cold in Manzini in June 2012: Swaziland is likely to achieve gender parity at all levels of education before the 2015 SADC Gender Protocol deadline.
Photo: Thandokuhle Dlamini

Enrolment and retention



The Protocol provides that state parties shall enact laws that promote equal access to and retention in primary, secondary, tertiary, vocational and non-formal education.

Table 3.2: Access and enrolment in education sector / 2013

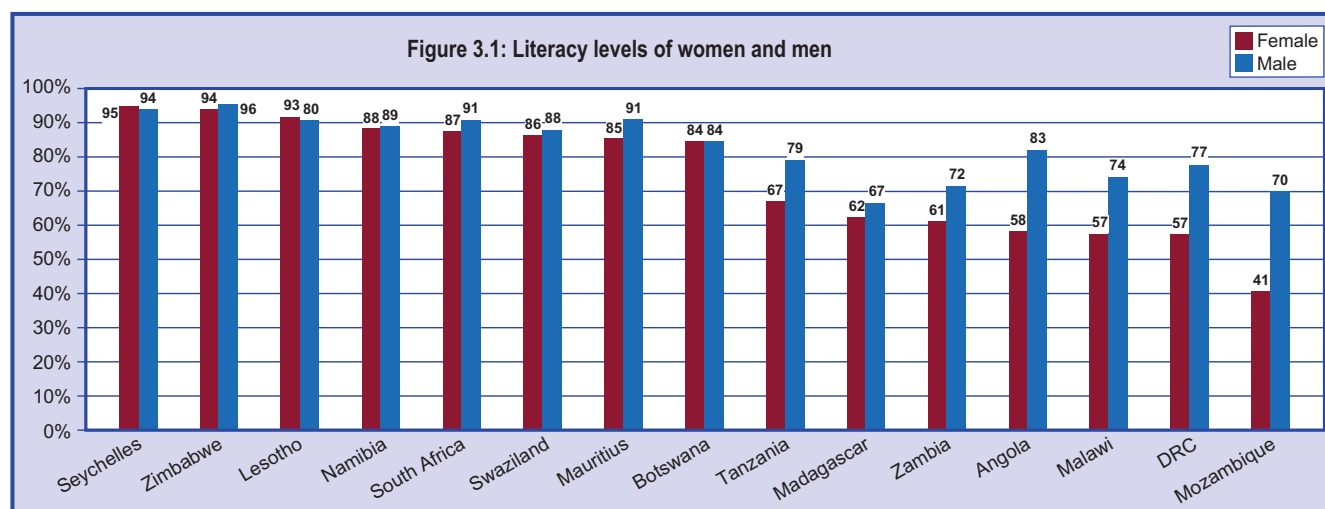
Type of data	% women/girls	% men/boys
Literacy	87	88
Enrolment		
Primary School	91	95.4
Secondary School	50	50
University of Swaziland	51	49
Vocational	54	46
Drop out		
Primary school	3.73	4.05
Secondary level	62	48

Source: Education Census Statistics Report 2011/UNICEF Education Specialist Desk for primary school statistics and Report of the Vice Chancellor UNISWA 2009-2010.

Table 3.2 shows that there is almost gender parity at all levels. However, at secondary school more girls drop out than boys. Studies have indicated that most girls drop out of school due to pregnancy, which happens even at lower primary school. According to the Annual Education Census Statistics Report of 2011, pupils leave primary education for a variety of reasons including

family reasons (1496), absconding (1452) and pregnancy (122). The drop-out at primary due to pregnancy is worrying because it may mean that girl children engage in unprotected sex as early as primary school, or experience sexual abuse, thus exposing them to early pregnancy and HIV infection.

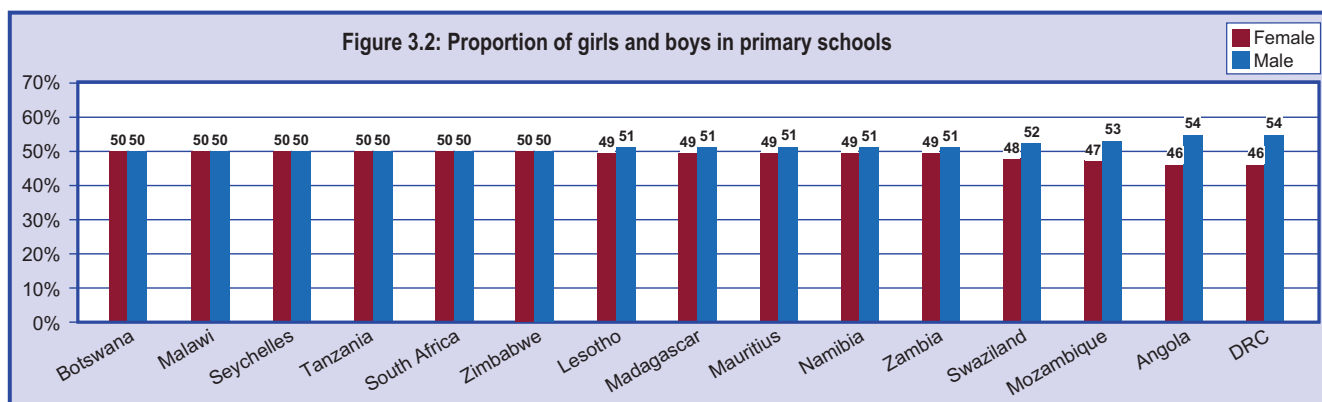
Literacy



Source: Gender Links Regional Barometer Report, 2013.

Figure 3.1 illustrates that men in Swaziland (88%) slightly outnumber women (86%) in terms of literacy. Overall, most SADC countries post lower literacy levels for women.

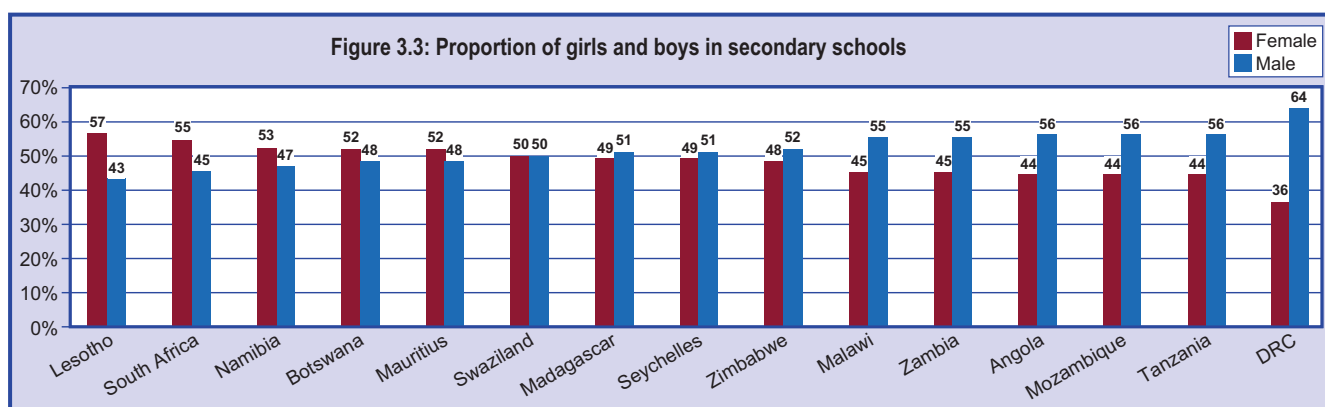
Primary school



Source: Gender Links Regional Barometer Report, 2013.

Figure 3.2 shows that at 48%, when compared with other countries in the SADC region, Swaziland ranks lower on the indicator measuring girls' participation in primary education.

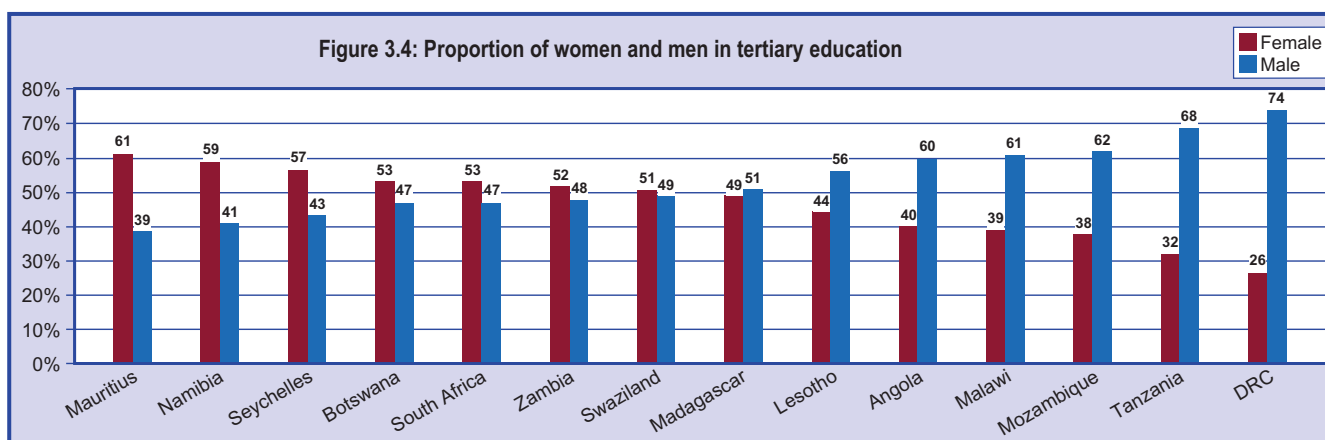
Secondary school



Source: Gender Links Regional Barometer Report, 2013.

Figure 3.3 shows that the gender gap in secondary schools in SADC is rapidly narrowing and Swaziland has reached gender parity at secondary school level before the 2015 deadline.

Tertiary level

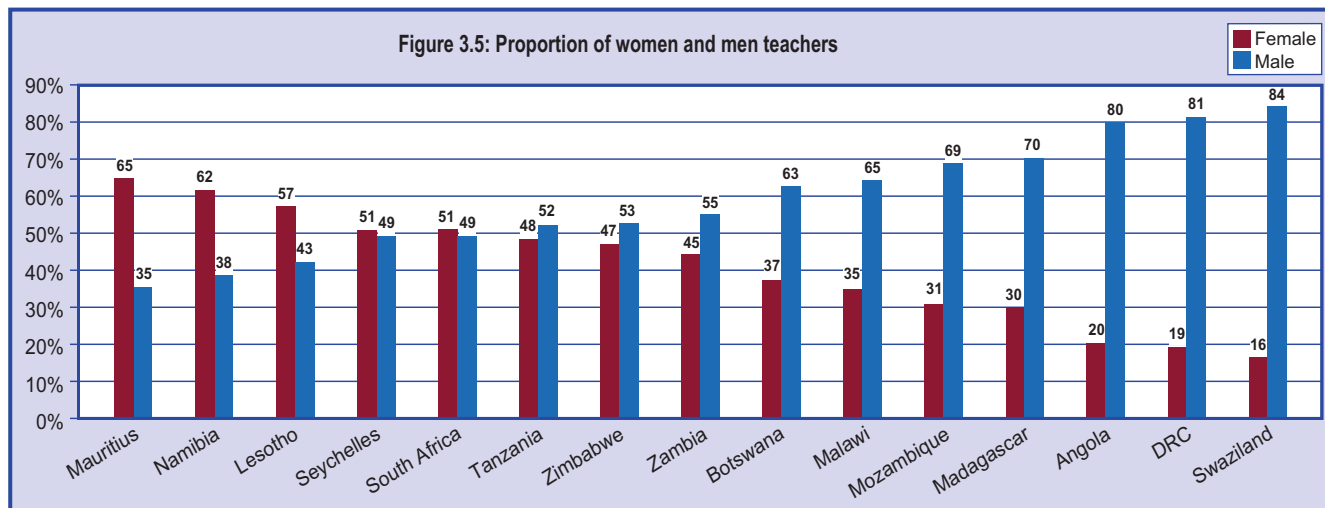


Source: Gender Links Regional Barometer Report, 2013.

Figure 3.4 shows that at 51%, Swaziland does relatively well when compared to other countries in the region regarding female representation in tertiary education. Along with five other SADC countries, Swaziland now

has more women than men studying in tertiary education. However, this proportion, dropped one percentage point from the 2012 proportion of 52%.

Teaching professionals



Source: Gender Links Regional Barometer Report, 2013.

Figure 3.5 illustrates huge variations in the proportion of women and men in the teaching profession in SADC. This includes Swaziland, where women teachers number only 16%, the lowest proportion in the region. It is a

major concern that men dominate the teaching profession in Swaziland, holding 84% of teaching positions in the country.

Award-winning programme prepares young women and men for the real world

Junior Achievement (JA) Swaziland is a non-governmental organisation working with youth at high school level, equipping them with work readiness financial literacy and entrepreneurship skills.

At the Swaziland and the regional SADC Protocol@Work summits, Nokukhanya Gamedze, chair of the board of directors of JA Swaziland, showcased how this programme helps to prepare young women and men for diverse careers.

It has three programmes currently running in schools:

- JA Economics for Success, a programme that helps students to identify careers based on their interests, skills and values;
- JA Company programme teaches youth how to form, run and liquidate an enterprise; and
- The JA Job Shadow, which helps students explore the world of work.

The JA team has encouraged girls to participate in the programme. As a result, girls comprise 60% of programme beneficiaries and girls head most JA Company mini-clubs in schools.



Nokukhanya Gamedze, chair of the board of directors of Junior Achievement Swaziland, attended the 2013 regional SADC Protocol@Work summit in South Africa. Photo: Trevor Davies

At present, most Swazi youth strive for careers in the civil service career, though the country has insufficient structures to fulfil this objective. Youth comprise 43% of the total population and more than 70% of youth reside in the rural areas. But existing urban and rural structures do not allow for substantive youth participation in the economic, social and political arenas (Swaziland National Youth Policy 2008).

The government of Swaziland has provided the means to partially address the socio-economic problems faced by youth through various policies and structures. There is an enabling environment for addressing youth issues. This includes laws, policies and programmes that increase accessibility to integrated education and employment opportunities, including ICT. However, the government is missing key components, namely training and developing youth skills so that the country's future leaders can create successful and sustainable businesses. These challenges cut across the board, affecting both young women and men.

An urgent response is required to address the plight of Swazi youth - more specifically, girls. JA provides such an opportunity, providing young women and men with the tools, confidence, networking and business skills they need to positively contribute to the development of the local economy. JA graduates possess competitive skills to thrive in the job market, including financial skills to develop viable business plans, to carry out a feasibility study, and to form, run and manage an enterprise.

They understand the fundamentals of business, including finance and human resources, marketing and product development. The secondary objective is to improve girls' lives, both independently and within marriage, since young girls comprise 60% of JA's beneficiaries. The project is set up to benefit young boys and girls aged 16-25 years old and the programme has had more than 12 000 beneficiaries. JA continues to innovate and is in the process of developing an entrepreneurship programme that will target marginalised, unemployed and underemployed youth.

The programme involves various activities, starting with the recruitment of schools and students, where JA makes presentations to the administration and students on the importance of joining and participating in the programme. Thereafter, volunteer facilitators will be

recruited and trained and then assigned to different schools. Monitoring activities by the JA team then follow every three weeks to ensure that the programme is running smoothly and that programme leaders identify and manage any challenges.

Facilitators submit weekly reports to the JA secretariat and require students to submit a final report that is evaluated by a group of preliminary judges. Facilitators identify the top 10 schools that then will compete for various awards at a national expo. The annual expo is the climax of the JA programme as students showcase their products and make a presentation in front of a panel of judges. Other key stakeholders attend the expo, including senior government officials, sponsors and representatives from participating schools.

More than 10 000 students have benefited from the programme since its establishment in the country in 2007. Students who have gone through the JA programme have showed higher success rates when it comes to setting up business enterprises at community level. They also show higher levels of leadership, particularly the girls, and this is a strong indication that the programme is making the desired impact.

Students who have gone through the JA programme have described it as life-changing and transformational. Swaziland has produced winners at the regional competition, challenging bigger countries such as South Africa, which has a longer history in JA. Judges awarded the overall prize to Swaziland's Lusoti High School students in the JA Company of the Year Awards held in Kenya and Ghana in 2010 and 2011 respectively. The 2010 students produced blackboard chalk and the 2011 group showcased organic vegetables as part of their mini-company projects. The judges in Ghana termed the business idea "ground breaking" given the potential it has to eliminate poverty as well as provide employment for youth within communities.

Student funding mechanisms

The Constitution adopted in 2005, section 29 (6) reads "Every Swazi child shall within three years of the commencement of the Constitution have the right to free education in public schools at least up to the end of primary, beginning with first grade."

By early 2009, the government had yet to introduce free education, so civic groups took it to court. The groups won the court application and as a result the government introduced free primary education by rolling it out first to grades one and two in 2010. The government proposed an additional grade each year. By 2015, primary education should be free for all.

However, some older children will have lost the opportunity of free primary education. Although orphaned and vulnerable (OVC) grants exist at primary and high school for pupils most in need, the grants only partially assist with the payment. If the children do not have anyone to assist them with the top-up fee, they may miss out on education, or be forced to drop out when they reach the higher grades.

Table 3.3: OVC grant recipients

Region	Primary	High
Hhohho	17 107	6608
Manzini	18 981	5195
Shiselweni	17 469	5099
Lubombo	14 694	3621
Sub-total	68 251	20 523

NB: Numbers could be slightly higher since more children received grants as the year progressed.

Source: Annual Education Census Report, 2011.

Policy on teenage pregnancy

The policy does not provide for reintegration of a girl pupil who falls pregnant. The Education Rule section 10 (5) reads: "in the event of a pupil being convicted of an offence of the kind referred to in paragraph (4) or in the event of a pupil falling pregnant with a child, the head may forthwith suspend such pupil from attending the school and forthwith report such suspension to the director, who may take steps in regards thereto as he thinks fit." This rule places the immediate discipline of a pregnant child on the head teacher by permitting the head teacher to suspend the girl from attending school.

The number one group delivering babies in hospitals is teenage girls, according to Ms. Nsibande, head of career guidance in Swaziland. Society stigmatises and ridicules these girls, who continue to be expelled from school or forced to drop out. Sexual abuse of female students by male teachers is also prevalent.

Nsibande says in order to fulfil their needs and desires for cell phones, cash and fancy cars, "more and more girls will find themselves succumbing" to dependence on older men or "sugar daddies." Increasing numbers of girls have been forced into commercial sex work, and girls between ages ten and 15 continue to be in demand as domestic workers, thus making it easier for them to be withdrawn from school. Swaziland is in the process of implementing

These factors have prompted the Ministry of Education to announce that pregnant girls must be allowed to continue with their education. It informed head teachers

not to expel them. However, parents, the public at large and gender activists did not applaud this decision, with some concerned about the moral degeneration and others about the self-esteem of the pregnant girl. Whatever the objections, most Swazi people think pregnant girls should be forced to drop out of school. This is worrying and means that many girl-children will continue to be denied their right to education.

Performance

Table 3.4: Pass rates

	% boys/men	% girls/women
Primary	87.8	87.4
Secondary	32	33.5
University	<i>Not available</i>	
Vocational	<i>Not available</i>	

Source: Exams Council 2008.

Table 3.4 shows that at the primary school level there seems to be no difference between the performance of boys and girls. In 2008, a total of 164 835 pupils took the Swaziland Primary Certificate, girls accounting for 50% of the total candidates.

According to 2008 results, 67 544 pupils took "O" levels, with girls accounting for 48%. Overall, girls seem to perform slightly better, achieving 33.7% aggregate of C and or higher, compared to 32.04% of boys. However, when disaggregated by subject, boys fared much better in sought after subjects like mathematics, science and information technology.

Ekukhulumeni Primary School invests in vocational training

Ekukhulumeni Primary School teaches children to work using their hands so they can generate income and not rely on other people for sustenance after completing their academic education. It equips them with agriculture skills such as farming and horticulture, or making floor polish, fabric softener, soaps and liquid soaps. This enables children to progress even without continuing in education or without adequate resources. The students and the community also benefit from the knowledge. The driving force behind this project is Sifiso Mokoena.

The area had a history of school dropouts due to financial constraints that increased crime. Stakeholders created this project to respond to these challenges and alleviate poverty as a national problem in line with the SADC Protocol on Gender and Development. The project is intended to reduce crime, the unemployment rate and the rate of school dropouts. It equips the children, empowering them with skills. In addition it promotes

self-management and reliance. Moreover, the project has begun to enable the children to fight challenges they face in the community context.

The objectives of this project match with the objectives of the UN charter on the rights of the child:

- To see a child standing his/her ground and able to generate money even without being employed;
- To promote gender equality and equity;
- To meet the Millennium Development Goals (MDGs) to reduce the unemployment rate and the escalating rate of crime;
- To have a community that is free of crime and economically developed; and
- To promote self-resilience of the child, to improve self-management skills and to fight the scourge of HIV and AIDS.

The project originally mainly targeted youth in and outside school, equipping them to be able to tackle

their day-to-day challenges. However, due to high demand it also began to target other members of the community including the elderly, disabled and the poor, equipping them with new tools, regardless of sex. Furthermore, it targeted women in all the above mentioned circles because they remain vital to ensuring healthy families and healthy communities.

Facilitators underwent many steps in the implementation of the project, first creating awareness of the project before organising workshops that equipped the teachers. They organised numerous meetings with the community to explain the project as well as engaged the youth

with different sporting games linked to the project's objectives and themes.

The team then gathered the people and taught them different skills, including self-management so that even without education, or if unemployed, they can provide food for their families. Moreover, facilitators taught participants in the context of HIV and AIDS, which has been very destructive in the community. They also highlighted women's empowerment needs and self-recognition, attempting to create a gender balance in learning the skills of self-employment and encouraging women to believe that they could take a lead in agriculture projects.

Gender balance in school administrations



The Protocol requires that by 2015 state parties adopt and implement gender sensitive educational policies and programmes addressing gender stereotypes in education and gender-based violence.

Table 3.5: Gender disaggregated data on school administration

Faculty	No of women	No of men	Total	% women	% men
Primary school				33	67
Secondary school				16	84
UNISWA				49.3	50.7

Source: Teaching Service Commission 2009.
University of Swaziland.

Table 3.5 shows a gross gender disparity in school administration. The Teaching Service Commission (TSC) report of 2009 says it is a result of the "low self-esteem" of female teachers; noting that disparities do not exist in qualifications.

The TSC has mainstreamed gender in its development plan of 2007-2011, noting the few women in administrative positions. It set a target of increasing female representation by 5% at the end of the planning period. Schools passed this target in 2009, reaching 33% female representation.

Table 3.6: Women and men in university faculties

Faculty	No of women	No of men	Total	% women	% men
Agriculture	411	445	856	44.15	55.85
Commerce	269	255	524	49.81	50.19
Health Sciences	233	198	431	55.76	44.24
Science	103	268	371	27.82	72.18
Social Science	267	303	570	45.20	54.80
Humanities	199	156	355		

Source: Annual Education Census Statistics Report 2011.

Table 3.6 indicates gender stereotypes in choice of subject still exist, particularly for science, with only 28% female students studying science compared to 72%

male students. Women tend to opt for traditionally female-dominated disciplines such as health sciences, where they comprise 55.8% of the students.

The Swaziland Education and Training Sector Policy (EDSEC) of April 2011 mentions gender in Section 7.1, noting that “the EDSEC does not encourage gender discrimination. This means that it strictly prohibits any distinction, exclusion or restriction which has the purpose of impairing or nullifying the recognition, enjoyment or exercise by any person or persons of any gender. It encourages gender equality, which is the equal enjoyment of rights and access to opportunities and outcomes including resources by women, men, girls and boys. The Policy therefore promotes gender mainstreaming in all its components of the EDSEC.”

The main provisions:

- **Article 3: Access to Universal Basic Education:** 3.1 The Ministry of Education shall provide a 10-year universal basic education to all children of school-age; 3.4 The Ministry shall develop an integrated system of education that provides equal opportunities to all irrespective of sex, religion, geographical location, special needs, political or other factors.
- **Article 10: Goals on Vocational Education and Training:** Development of a functional gender-sensitive, affordable and efficient VET-system of sufficient capacity according to the needs of the economy, the society and the individual.

There have been no studies on gender and the curriculum. However, the national curriculum centre introduced the continuous assessment programme in the early 1990s under the slogan “Every child is a successful learner.” During the programme implementation, UNICEF and partners trained teaching staff on how to incorporate the girl child training programme into education.

In addition, a panel of experts assisted with the development of new text books using a checklist for the content. The panel checked several indicators including gender sensitivity, abuse, disability and life skills.

Gender violence in schools

Many teachers have been disciplined for having sexual relationships with pupils; mostly male teachers have sexual relationships with girl pupils, although there have also been a few cases of female teachers abusing male pupils. This type of abuse is so prevalent that it has been conducted in an organised way and teachers have been known to arrange girlfriends for each other.

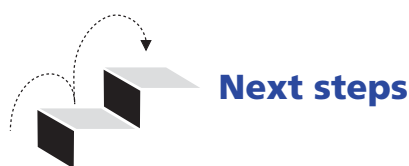
Other teachers have tried to protect their colleagues from being detected, according to the 2007 TSC report. For the first time, the TSC report included numbers of teachers dismissed for sexual abuse of their pupils. It stated that the teachers coerced pupils not to report them and teachers ganged up to intimidate abused pupils.

A 2003 Ministry of Education study in 2003 revealed that sexual abuse is widespread. Violence is mostly perpetrated by male teachers in schools and outside school it is mainly uncles who abuse their nieces. Teachers who knew about abuse often kept silent, saying they feared upsetting relationships with their colleagues.

The study found that physical and emotional abuse is also common and some students had visible wounds inflicted by teachers. Emotional abuse is most common in the home, perpetrated mostly by females such as mothers, step-mothers and grandmothers who often raise children without support from men. As a result of this study, stakeholders created a toll-free phone line so that children and other people can anonymously report abuse cases.

In addition, the Swaziland National Association of Teachers (SNAT) has developed a code of ethics for teachers. Section 8 (a) bans improper relationships with students. It also has plans to establish a tribunal to manage child abuse cases and the Teaching Service Act (TSA) is currently being revised to take into account GBV in schools.

Specially trained officers investigate cases reported to the ministry investigation office. If a teacher is found guilty, he or she is dismissed from service. The 2006 TSC report showed an increase in the number of dismissals of teachers found guilty of having sexual relationships with students. This type of abuse is dismissible in line with School Guide regulation procedures section 20 (F).



- Increase advocacy efforts to review the pregnancy policy so that girls can continue to be allowed to continue their studies while pregnant and after giving birth.
- Special measures need to be implemented to attract girls to opt for science-related subjects.
- Further research is needed to establish why more women do not teach and further measures need to be implemented to encourage them to enter the profession.
- All children must be able to access free primary school education - especially orphans and vulnerable children.
- Revise text books and school curriculum to remove gender stereotypes.
- Sustain the allocation of resources to the education sector to be used in a gender-responsive manner.



"Ntkozo"

Anushka Virahsawmy



CHAPTER 4

Productive resources and employment, economic empowerment

Articles 15-19



Women can now be found in employment positions traditionally dominated by men, including municipal workers in Swaziland.
Photo: Thando Dlamini

KEY POINTS

- With an SGDI score of 59%, Swaziland has slightly improved from last year's score of 55% but it still has a long way to go before 2015 in terms of promoting gender equality in the economic sector. This score places the country last out of all 15 SADC countries.
- Citizen's rate country progress at 56% based on their perceptions of country progress, putting the country in 13th place out of 15 SADC countries.
- Women occupy 40% of key economic decision-making positions, an improvement from the 2012 proportion of 30%.
- Women outnumber men in the informal sector at a ratio of 2:1.
- Only single women, and those married out of community of property have access to credit and productive resources, such as the titles to land, on almost an equal footing with their male counterparts.
- The Ministry of Agriculture developed the Food Security Policy, which is one of the few agriculture policies that consider gender.
- Women remain primarily responsible for childcare and the country has no provision for paternity leave.
- A woman can have 12 weeks maternity leave, but she is only entitled to full pay for two weeks.
- The Employment Act does not deal with sexual harassment.

Table 4.1: SGDI and CSC scores for productive resources and employment, economic empowerment

	SGDI	CSC
Scores	59%	56%
Ranks	15	13

Table 4.1 shows that the country's SGDI score is 59%, ranking the country last out of the 15 SADC countries. The CSC score is close at 56% based on citizen's perceptions of progress towards meeting the 2015 targets relating to the economy. This puts Swaziland in 13th place in SADC.

The SGDI score is calculated based on empirical data including:

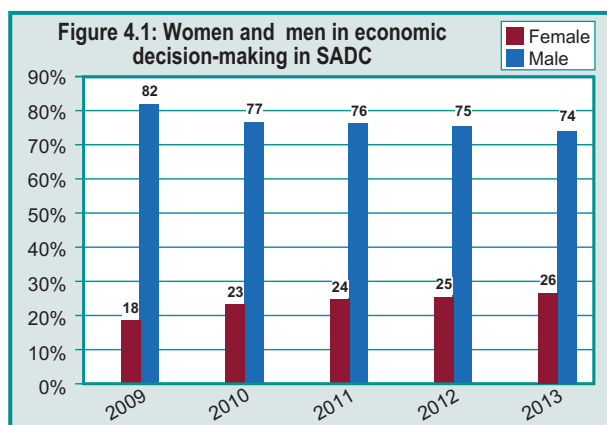
- The number of women occupying high-level economic decision-making positions expressed as a percentage of all such positions in the country;

- Female Labour Force Participation (LFP) and male LFP. The LFP rate of women expressed as a percentage of the labour force participation of men. The LFP rate is calculated as the (number of women/men of working age (usually 15+ or 15-64) who are either employed or looking for work) divided by the total number of women/men of working age;
- Female/male unemployment rate: the unemployment rate of women expressed as a percentage of the unemployment rate of men. The unemployment rate is calculated as the (number of women/men looking for work) divided by the (number of women/men either employed or looking for work); and
- Female share of non-agricultural paid labour. The number of women employed in paid work outside of agriculture expressed as a percentage of all people employed in paid work outside of agriculture.

Women and men in economic decision-making



The Protocol provides that state parties shall, by 2015, ensure equal participation by women and men in policy formulation and implementation of economic policies.



Source: 2013 SADC Gender Protocol Barometer.

Figure 4.1 shows that, overall, there is a steady but slow increase in women's participation in economic decision-making in the SADC region. Since the Barometer began tracking this indicator in 2009, women's participation in economic decision-making (minister and deputy minister, permanent secretaries in finance, economic planning, trade and governors of the reserve bank), the proportion has gone up by eight percentage points (from 18% to 26%). There is steady, albeit slow, progress towards achieving 50% of women's representation in this sector by 2015.

Table 4.2: Women and men in economic decision-making

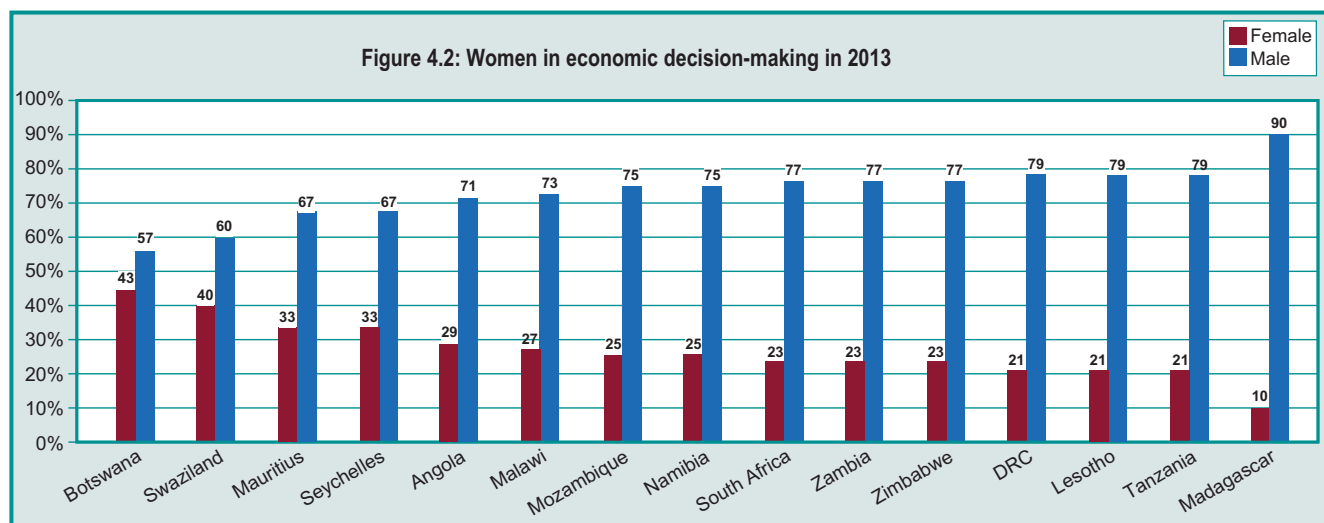
	Male	Female
Minister of finance	✓	
Principal secretary		✓
Swaziland Revenue Authority	✓	
Minister of economic planning	✓	
Principal secretary	✓	
Minister of commerce, industry and trade	✓	
Principal secretary	✓	
Governor of the central bank	✓	
Deputy governor of the central bank		✓
Swaziland Investment Promotion Authority - Chief Executive Officer	✓	
Total	8	2
PERCENTAGE	80%	20%

Source: Swaziland Government Diary Year 2011.

Table 4.2 shows that while men predominate in economic decision-making positions, Swaziland is not very far from reaching the 30% threshold enshrined in the constitution. At 29% in 2013 indicating a loss of 1%

from 2012 Swaziland has made great strides in having women in decision making positions. There is need for sustained efforts to progress towards achieving the SADC Protocol 50/50 by 2015 target.

Comparison with the SADC region



Source: Gender Links Regional Barometer Report, 2012.

Civil society, and in particular the Gender Consortium, continues to conduct consultations within various networks on gender-responsive budgeting. The government's Programme of Action 2008 to 2013 remains gender-neutral in terms of the relevant budgetary allocations. However, there is a need for more efforts to ensure broad-based training and capacity building on gender-responsive budgeting.

According to the Swaziland Integrated Labour Force Survey (2007-2008), women outnumber men in the informal sector at a ratio of 2:1. The report also notes that women tend to dominate in the lower-skilled employment areas while men dominate the technical areas. For example, in elementary occupations women outnumbered men by a ratio close to 3:1 (72%:28%) and 38% of women in the informal sector are employed in this sector compared with 24% males.

Women constitute 63% of the informal sector while men constitute 37%. Most women engage in home-based or street vending. Local governments do not recognise these ventures and some municipalities permit only a few vending points, making the activities of most street vendors illegal. This exposes them to harassment by local municipal law enforcers and state agents (police). The government of Swaziland acknowledges the lack of capacity and, even more importantly, the mandate



Women at the market place in Mbabane, Swaziland, in 2012. Women outnumber men in the informal sector at a ratio of 2:1. Photo: Courtesy of Swazi Observer

to directly intervene in starting up and running businesses. The state also recognises the imperative to create a supportive environment for these businesses outside the formal sectors. According to the survey, it is crucial to conduct further research on the informal economy before the formulation of further intervention strategies. This means a policy specific to the informal sector has not yet been developed.

Gender budgeting



The Protocol provides that State Parties shall ensure gender responsive budgeting at the micro and macro levels including tracking, monitoring and evaluation.

Line ministries and NGOs in Swaziland have received only intermittent training on gender budgeting, a concept that is new in many sectors. The overall government programme of action plan of 2008 to 2013 is viewed as gender blind, which means it is likely that budgetary allocations can also be expected to be gender blind. The Gender Consortium had conducted gender budgeting workshops for its members who provided input from a gender perspective during analysis of the national budget in workshops hosted by the Coordinating Assembly of NGOs (CANGO).

The initiatives gained momentum in September 2012 when the Gender and Family Affairs Unit under the prime minister's office, with backing from UN agencies and the SADC Gender Unit, received technical support from Gender Links to develop a costed gender action plan aligned to the SADC Gender Protocol's 28 targets.

The process included capacity building for staff members of line ministries so they could conduct gender budgeting as well as costing.

The Gender Unit has since drafted the gender action plan in consultation with all ministries and finalised the costing aspects. The Gender Unit also used the opportunity to align the current gender policy to the 28 targets. Read Chapter 10 for further details about implementation.



Participants take part in a Gender Links budgeting workshop in Swaziland in 2012.

Photo: Nomthandazo Mankazana

Time use



The Protocol provides that, by 2025, state parties shall conduct time use studies and adopt policy measures to ease the burden of the multiple roles played by women.

Researchers did not identify any relevant time-use studies in Swaziland. No policy frameworks exist to address women's multiple roles.

Municipal Council of Manzini mobilises the community on economic education

The municipality and its councillors have mobilised the community to become involved in practical educational initiatives associated with economic development. For example, a community savings scheme, urban farming initiatives and workshops within the community have been some of the initiatives implemented by the municipality. Economic development training is coupled with health education, education on HIV and AIDS and other illnesses, environmental education workshops, clean-up campaigns and recycling.

This community mobilisation and education is in line with articles 15-19 of the SADC Protocol related to productive resources and empowerment, economic empowerment. Poverty and unemployment is common

among most people living in the local communities. High numbers of youth need employment and other means of earning a living. The municipality believes education is the key to success and focuses on training to sustain the community livelihoods.

Although the project targets the entire local community, the primary target is women, especially when it comes to savings schemes. Community dialogues induce a sense of ownership for the projects, bringing renewed hope to members of the community. A major challenge is that Manzini is a large area covered by informal settlements, limiting the amount of development that can take place.

Economic empowerment



The Protocol provides that state parties shall, by 2015, adopt policies and enact laws which ensure equal access, benefits and opportunities for women and men in trade and entrepreneurship, taking into account the contribution of women in the formal and informal sectors; Review national trade and entrepreneurship policies, to make them gender responsive; Introduce affirmative action measures to ensure that women benefit equally from economic opportunities, including those created through public procurement processes.

Trade and entrepreneurship

The Ministry of Justice and Constitutional Affairs is in the process of auditing and aligning trade legislation with the constitution and the CEDAW. Women constitute 71% of people in small business and self-employment.

Improving the well-being of Swazi families through backyard gardens

Senior home economist Nikiwe Dlamini has a green thumb and wants to share it through a project that adopts a holistic approach towards home improvement for vulnerable families. It imparts practical skills and knowledge to men and women in communities to improve their quality of life. This is done through improved home care, food preparation, food utilisation, food preservation, proper hygiene, and nutrition in relation to HIV and AIDS. It is also important to recognise that motherhood and fatherhood involve all aspects of the physical, emotional and the overall intellectual development of each child, and therefore greatly contribute to the overall physical, emotional and intellectual betterment of society.

The motivation behind the project is to see families moving from a state of poverty to wealth and from

food insecurity to food security through the participation of both men and women. This project is carried out via the establishment of backyard gardens, food preparation, nutrition education, home management, consumer education skills training, income generation, childcare and development.

The activities contribute towards the achievement of education and training targets. This is mainly non-formal education and skills development, but there is equal access to knowledge on issues pertaining to the home. The activities involve both men and women in home improvement.

Inappropriate cooking skills and under-utilisation of food available at home results in major loss of important nutrients, tasteless and monotonous meals leading to

low food consumption and diets unsuitable for those infected by HIV and AIDS. Most Swazi families have been touched in some way by HIV.

Many families in Swaziland deal with poor sanitation and lack of nutritious food. If food is available, men and women do not always know how to prepare it in a way that preserves the nutrients.

The project's activities aim to improve both the quality and the quantity of food consumed by families. The objectives of the project include:

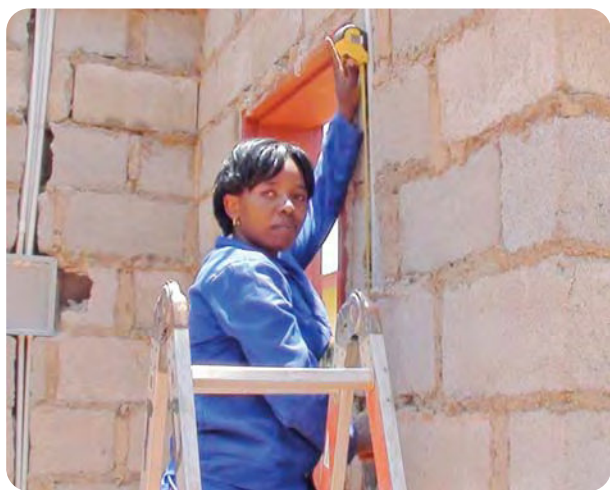
- To promote food security of people infected and affected by HIV and AIDS through backyard gardens;
- To encourage community members to use appropriate food preparation, processing and preservation skills;
- To train communities in the importance of food safety and hygiene, home management, and group dynamics;
- To promote community-based nutrition projects in communities;
- To train care-givers in basic food preparation and how nutrients are lost during the cooking process; and
- To encourage each household to establish income-generation businesses at household level.

A key outcome is the establishment of backyard gardens by the selected vulnerable groups. Each garden is seven metres by seven metres and each household plants seeds for vegetables during the winter months. In summer they plant tubers, cereals and legumes.

A sponsor originally supported the programme, which now continues without help. This is an indication that citizens have been empowered and motivated. They continue with this programme because they have seen the benefit of having vegetables and being able to use them in the correct way.

The programme has also helped to improve their homes holistically by assisting to improve sanitation and pit latrines and create rubbish pits. Most of the beneficiaries also sell vegetables to their neighbours, which brings in extra income. All the beneficiaries have been trained in food preparation.

This programme had no gender restrictions. Both men and women have been participating in food demonstrations, although many people think that cooking is for women. Similarly, many women have become involved in the establishment of the backyard gardens although traditionally this would have been seen as a job done by men.



Cebile Masina, an electrician at Gallagher Electrical, in Mbabane, Swaziland, in 2012. *Photo: Thando Dlamini*

The government has initiated two capital projects, namely Msahweni Project, a road tarring project, and the LUSIP Dam Project. Stakeholders will conduct a gender analysis to assess how people have benefitted from these projects. Authorities will use this exercise as a model for mainstreaming gender when undertaking such projects.

Local governments do not recognise most women's ventures, deeming many illegal. This leaves many women vulnerable to police harassment, imprisonment and loss of their goods. There is no policy dealing specifically with the informal sector.

Establishing a women's bank

A plan to establish the first ever women's bank in Swaziland is progressing well, chairperson of the Swaziland Women Economic Empowerment Trust (SWEET) Sibongile Mdluli, who is also the deputy governor at the Central Bank of Swaziland, explained. This is an all inclusive women's project initiated by the queen mother, Indlovukati.

SWEET has already collaborated with the Swaziland Building Society (SBS) for the provision of technical expertise as well as to speed up logistics of establishing the bank. All women, whether in their individual capacities or through their cooperative trusts or associations are invited to open accounts with the Swaziland Building Society. Money deposited in these accounts will be specially channelled towards the SWEET.

Women's involvement in the irrigation schemes has offered them better opportunities in getting involved in big businesses where they have managed to access land and finances using the land as collateral. This has been possible because of involvement of donors such as IFAD and EU, who require that gender is mainstreamed in the irrigation schemes. Some of these projects have developed gender policies to address issues of gender inequalities in the agricultural sector.

Initiatives such as Begin Believe, woman farmer of the year and businesswoman of the year have gone a long way in empowering women in business. In the woman farmer of the year, for example, women have won tractors and inputs to assist them in farming. The Begin Believe initiative organises competitions for best business plans through which some women have won seed money to either start their businesses or make improvements to existing ones.

Affirmative action

Swaziland has made no affirmative action interventions to ensure that women benefit equally from economic opportunities. While the Swaziland constitution makes provisions for affirmative action, the Procurement Bill does not carry specific gender provisions.

Procurement

The Procurement Bill is gender-neutral. Swaziland currently has no affirmative interventions to ensure that women benefit equally from economic opportunities, although the constitution advocates for affirmative action in the economic sector. Section 28 (1) states that women have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities. Article 20 stipulates that parliament can enact laws to redress past inequalities, including in the economic sector.



Basket weaving in Swaziland.

Photo: Trevor Davies

Property and resources



The SADC Protocol provides that by 2015 state parties shall review all policies and laws that determine access to, control of, and benefit from, productive resources by women.

Although the draft land policy recognises the need for a more equitable policy on land and resource allocation for women, after a decade the policy remains in draft form.

Section 211 of the national constitution states "Save as may be required by the exigencies of any particular situation, a citizen of Swaziland, without regard to gender, shall have equal access to land for normal domestic purposes."

The 2006 Marriage Bill addresses difficulties women face when trying to access credit, but it has not yet been passed through parliament. The current law

requires that if a couple is married in community of property, the husband automatically administers the joint estate and has to be the one to request credit. Collateral is an obstacle for women, as property under these circumstances is always in the man's name.

If a woman is married based on customary rites, banks and other financial credit institutions are not supposed to demand consent from her husband, but in reality many do. Collateral is a huge problem for women because even for the few who have it, it is often registered in their husband's name. Women's second class status in society leaves them susceptible to malpractice.

Furthermore, some assets, such as livestock, fall under customary laws, which align property with male heads of households even if it does not belong to them.

Only single women and those married out of community of property without the husband's marital power - that is with an ante-nuptial contract - have access to credit and productive resources, such as the title deed land, on almost an equal footing with their male counterparts.

Employment



The Protocol provides that by 2015, state parties shall review, amend and enact laws and policies that ensure women and men have equal access to wage employment in all sectors of the economy. It also provides for equal pay for equal work, eradication of occupational segregation and maternity and paternity benefits.

Table 4.3 : Women and men in employment

	No of women	No of men	Total	% women	% men
Employed	172 152	155 315	327 467	55.2	58.8
Unemployed	79 681	53 360	133 041	46.3	34.4

Source: Swaziland Labour Force Survey 2010.

Table 4.3 shows that Swaziland has more men than women in waged employment. Women also make up most of the unemployed sector. The 2010 labour force survey points out that women's representation in employment is often underestimated because women's work is often not considered to be "employment."

In the past, women experienced more difficulty in finding work in the formal sector because their skills

did not match the skills needed in available jobs. However, in recent years there has been a high demand for low-skilled labour, especially in the textile industry, which employs more women than men. However, women remain limited by domestic responsibilities that include caring for children, the elderly and the sick.

Table 4.4 shows that in the formal sector, women work predominately in admin, hospitality, clerical, food processing and service and sales. The table above indicates that the majority of women in the formal sector are employed in the services and sales sector in both Government and the private sector. Women also work in the community and social services sector. This sector constitutes government employment, for example teachers in the education sector and nurses in the health sector; jobs traditionally regarded as women's work.

The table also indicates that very few women participate in decision making positions as executives and managers. Women hardly participate in professions such as science and engineering, ICT, agriculture, building and related trades, electrical and electronics. No woman was employed in the electrical and electronics sector in 2010.



A woman's work is never done: Market day in Swaziland.

Photo: Thandokuhle Dlamini

Table 4.4: Employment by occupation status and sex (ISCO2)

Sector	Male	Female	Total
Chief Executives, senior officials and legislators	2073	607	2080
Administrative and commercial managers	862	1115	1977
Production and specialised services managers	1161	449	1610
Hospitality, retail and other services managers	281	449	730
Science and engineering professionals	1266	37	1303
Health professionals	1296	1418	2714
Teaching Professionals	5017	9498	14515
Business and administration professionals	2692	2821	5513
Information and communication technology professionals	328	66	394
Legal, social and cultural professionals	1016	1038	2054
Science and engineering associate professionals	1985	405	2390
Health Associate professionals	560	867	1427
Business and administration associate professionals	972	775	1747
Legal, social, cultural and related associate professionals	505	208	713
Information and communications technicians	286	37	323
Clerical support workers	1427	2612	4039
Customers services clerks	518	1667	2185
Numerical and material recording clerks	790	341	1131
Other clerical support workers	37	29	66
Service and sales workers	2509	5070	7579
Sales workers	6038	16718	22756
Personal care workers	0	1377	1377
Protective service workers	11011	2002	13013
Market oriented skilled agricultural workers	1770	1618	3388
Market oriented skilled forestry, fishery and hunting workers	607	37	644
Subsistence farmers, fishers, hunters and gathers	770	316	1086
Building and related trades workers excluding electricians	7330	164	7494
Metal, machinery and related trades workers	4271	134	4405
Handicraft and printing workers	1371	4284	5655
Electrical and electronics trades workers	2114	0	2114
Food processing, woodworking, garment and other craft and related trades workers	2519	6351	8570

Source: Swaziland Labour Force Survey 2010.

Contribution of women employment on household livelihoods in Swaziland

In Swaziland, women employment has steadily increased from 24.1% in 1995 to 30% by the year 2000. The increase in women employment has to a large extent been spearheaded by government through women empowerment. Consequently, this has created a socio-economic change in the lives of many people in Swaziland. This is in due consideration of the fact that the Swazi culture regarded women's duty as feeding the family by engaging in agricultural production. Men on the other hand used to spend their time hunting, paying tribute labour and engaging in warfare. The domestic chores of women among others include: cooking, cleaning, and collecting water and firewood, taking care of children as well as working in the fields.

Despite the noted negative impacts of women employment, its benefits seems to outweigh the costs, hence a viable household livelihood strategy. For instance, employed women contribute to an increment of family income, thus increasing a household's

expenditure. Furthermore, with increased family income children's education is improved although it is assumed that working mothers pay less attention on encouraging children to study and assisting them with their homework. However, this is likely to be due to fatigue since working women still have to carry out some of their domestic chores after work. Finally, increased family income boosts agricultural production in that it averts the shortage of farm inputs.

However, women employment also costs agricultural production through loss of dedicated labour, which is normally substituted by children and hired labour. The disadvantage of children and hired labour is that it requires close supervision in order to perform well. Women employment contributes immensely in the sustainability of livelihoods in households. This is through guaranteed payment of school fees for children and procurement of farm inputs, which in turn entails literacy in the population and food security in the households.

Source: Excerpt from Journal of Sustainable Development in Africa (Volume 14, No.1, 2012) By Saico Sibusiso Singwane and Mthembeni Gama
<http://www.jsd-africa.com/Jsda/Vol14No1-Spring2012A/PDF/Contribution%20of%20Women%20Employment%20on%20Household.Saico%20Sibusiso%20Singwane.pdf>

Table 4.5: Conditions of employment

Provision	Yes/No	Provisions
Maternity leave	Yes	Employment Act section 102 provides that every female employee, whether married or unmarried, who has been in continuous employment of her employer for 12 months or more shall be entitled to maternity leave of at least two weeks full pay.
Paternity leave	No	No paternity leave is given and there is no debate yet about providing it. Certain customs dictate that men should not be in close contact with newborn babies.
Sexual harassment	No	The Employment Act is silent on this issue. The Sexual Offences and Domestic Violence Bill has a provision on sexual harassment.
Night work	Yes	Section 101 of the Employment Act subsection (1): No employer shall employ any female in any industrial undertaking between the hours of 22:00 of one day to 6:00 of the following day unless he [sic] obtains a certificate from the Labour Commissioner authorising him to do so.
Same retirement age and benefits for women and men	No	Retirement age for females is 60 years and 55 for males.

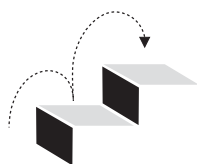
Source: Employment Act Year 1980.

Table 4.5 shows that overall employment conditions lack gender responsiveness. For example, although a woman can have 12 weeks maternity leave, she is only entitled to two weeks full pay. This can force women to cut short their entitled leave so that they can provide for their family. The Protocol says that state parties should provide protection and benefits for women during maternity leave. However, in practice government

employees receive three months maternity pay and other employers often opt to pay for six weeks. As it is not legally binding, the law leaves women vulnerable.

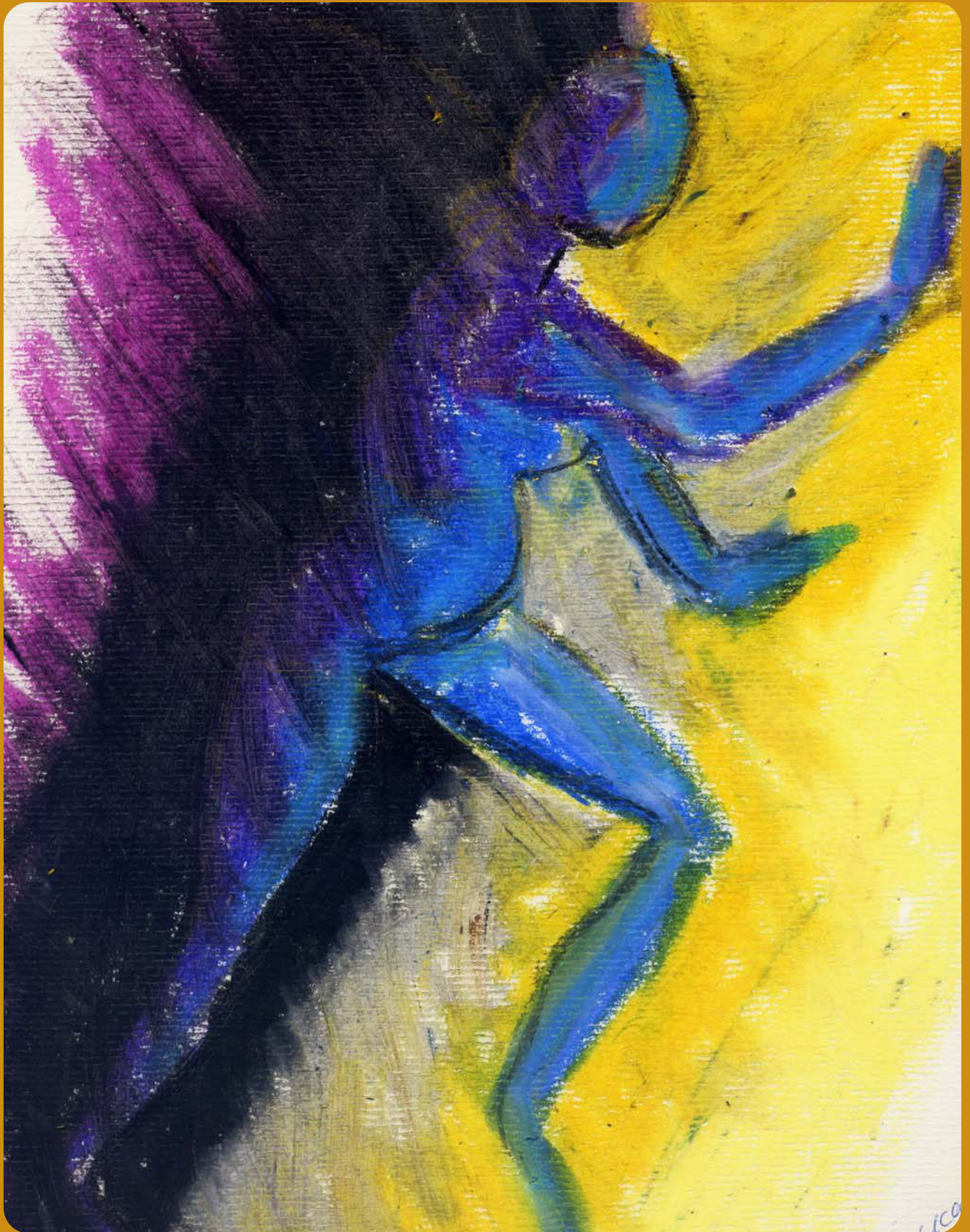
The act also does not address paternity leave and thus implies that it is the sole duty of women to take care of their newborn babies while men continue to enjoy the benefits of productive employment. This contributes to continued gender-stereotyping in the country.

The Protocol also demands that state parties should enact legislation that defines and prohibits sexual harassment in all spheres and provides deterrents for perpetrators. To date, the Employment Act does not address sexual harassment, leaving women particularly vulnerable in the workplace.



Next steps

- Enact measures to protect women working in the informal sector and help them develop new skills.
- Provide women greater access to the means of production, including easier access to land and credit facilities.
- Amend the Employment Act to include full pay during the entire maternity leave.
- Bring in measures that encourage men to take paternity leave.
- Create an Employment Act clause on sexual harassment.



"Zarina"

Anushka Virahsawmy



CHAPTER 5

Gender Based Violence

Articles 20-25



A meeting of the Swaziland Action Group Against Abuse (SWAGAA) Girls Empowerment Club in November 2012.
Photo: SWAAGA

KEY POINTS

- Citizens rank the country at 54% when it comes to achieving the SADC Gender Protocol targets related to GBV.
- Swaziland falls into last position in this category out of the 15 countries in the SADC region.
- Comprehensive data on GBV is still lacking.
- All rape cases have been moved to the High Court which allows for tougher sentences.
- Comprehensive legislation that addresses all forms of GBV is lacking, for example the Sexual Offences and Domestic Violence Bill of 2005 does not include marital rape and sexual harassment.

Table 5.1: CSC scores on gender based violence

	SGDI	CSC
Scores	N/A	54%
Ranks	N/A	15

Table 5.1 shows that with a citizen score (CSC) of 54%, the country ranks last out the 15 countries in the region. Citizens believe that government efforts to address GBV have not been adequate when rated against the targets that need to be achieved by 2015.

Extent of gender-based violence



The Protocol urges Member States to endeavour to reduce current levels of gender-based violence by half by 2015.

GBV, particularly sexual violence, is a growing problem in Swaziland. The most common forms of GBV in Swaziland include rape, marital rape, and incest but victims seldom report these crimes to the police or even to NGOs working in women's rights and sexual health.

The Central Statistics Office (CSO) of the Ministry of Economic Planning and Development is responsible for collecting and analysing statistical data. In 2009, CSO developed indicators for gender and GBV with stakeholders. Swaziland Action Group against Abuse (SWAGAA) and Women and Law in Southern Africa (WLSA) also collect data on GBV from clients who seek

advice at their offices. This data is published in their monthly, quarterly and annual reports. The Royal Swaziland Police Services (RSPS) established the domestic violence unit which is responsible for cases of GBV. They also collect data on GBV from perpetrators and survivors.

Most cases go unreported and an analysis of the reported cases is also difficult because of the way stakeholders gather statistics. Most of the vital information, such as the number of withdrawn cases, and the number of cases prosecuted and sentenced, is missing. However, through community engagement the subject of gender-based violence is prioritised in communities as shown in the case study about SWAGAA.

Tackling gender violence through empowerment programmes for girls

Swaziland Action Group Against Abuse (SWAGAA) Girls' clubs aim to empower young girls and provide a platform where they can share experiences and talk about life, abuse, gender, children rights and HIV and AIDS. They create much-needed space and time for girls to meet weekly, have conversations, ask important questions on issues affecting them and come up with realistic solutions regarding challenges in their homes, schools and communities.

In order to address the increasing vulnerability of young girls to gender-based violence and HIV infection, SWAGAA has continued to empower young girls through its empowerment programmes, which facilitate a safe space through school-based clubs. These groups also help with livelihoods skills, assertiveness and confidence-building.

This has gone a long way towards mitigating the effects of child sexual abuse which can be severe and far-reaching, and can damage a child physically, emotionally and behaviourally. This programme has offered the much-needed space for girls to freely share their life experiences and find realistic solutions. The girls also participate in a number of community campaigns and they become advocates for the elimination of gender-based violence.

A national study conducted by UNICEF and partners (including SWAGAA) in 2007 revealed that the girl-child is the most vulnerable member of Swazi society. Research

indicates that approximately one in three females experienced some form of sexual violence whilst a child, approximately one in four females experienced physical violence as a child, and approximately three in 10 experienced emotional violence. Approximately one out of seven report cases of violence, whilst the other six think it's normal.

Living in a patriarchal society has suppressed the voice of the girl-child as she grows, which impedes her growth and development. Male-dominated environments increase the risk that a girl will face harmful beliefs and practices that have an effect on her well-being. This can lead to low self-esteem, inability to make decisions, and false and negative views of gender. All of these factors increase a girl's risk of violation, rape, abuse and HIV.

In order for girls to develop healthy emotional and physical well-being, they need to have their own space in which to grow and think for themselves. Outside the clubs, girls confront a series of invasions of their personal space on a daily basis at school, in the community and at home. Girls should not quietly put up with the grabbing, threatening, inappropriate gesturing and ridiculing that many experience in their daily lives.

Being a member of SWAGAA clubs enables girl children to assert their rights and deconstruct gender stereotypes. This will help to instil a new culture and values of gender equality and equity in communities. By providing such

platforms and opportunities, girls can develop confidence and learn to be in charge and in control of their lives. The clubs promote self-love, respect, and appreciation. They encourage girls to be positive role models to others, and to use acquired information to make the right choices in life. The clubs facilitate confidence-building among girls through use of art in the form of poetry, drama, pictures, stories, songs, dances and speeches which depict issues affecting the girl-child. They present this art at public exhibitions and school assemblies.

The programme's beneficiaries include girls in high school and primary school, ranging in age from nine to 12 years. Girls join voluntarily and due to SWAGAA's minimal resources it concentrates on 40 girls per school. The group focuses on urban, peri-urban and rural schools, because violence against females is prevalent throughout Swaziland. Many school officials now request that SWAGAA establish clubs in their schools, as some SWAGAA schools have reported a zero percent pregnancy rate. Some schools also ask SWAGAA to consider the fact that boys face many of the same challenges as girls.

SWAGAA identifies schools to work with through other programmes such as the school sensitisation programme or the counselling department, where cases get reported. Once a school is identified, SWAGAA makes an appointment with the school authorities to sensitise them on the concept. Once it gets buy-in from the authorities, SWAGAA staff members then identify two volunteer female teachers, preferably career guidance teachers who already work closely with the children. SWAGAA then presents to all the girls in the school and distributes forms for those who wish to join (these include parent consent and membership).

Upon return of these forms, SWAGAA staff members choose the group's first 40 members as well as a day for the first weekly meeting. They select a committee (consisting of a president, vice-president, secretary, vice-secretary and treasurer) and five girls who will go for training and report back to share what they learned with the entire club. The club is then expected to share this knowledge with the whole school during the morning assembly.

Once a training date is set, girls attend with the two club coordinators. They receive training on eight topics with the help of other stakeholders such as the police, Family Life Association of Swaziland (FLAS) and other relevant stakeholders. After the training, club coordinators go back to train other teachers and girls



SWAGAA staff members take part in the launch of the 16 Days of Activism campaign in Swaziland in November 2013.
Photo: Trevor Davies

train other girls. The group then convenes weekly visits and discussion is based on the topics covered in training. The club is evaluated after nine months to see if it is ready to be launched. "Club launch" is when the club can continue on its own with minimal supervision from the organisation. Once a club is launched it is expected to continue by taking full ownership without relying much on SWAGAA. This is the phase out strategy, in which SWAGAA expects clubs to be fully owned by their communities and schools.

The outcomes of SWAGAA girls' empowerment clubs include:

- More schools are coming up to ask SWAGAA to establish similar clubs in their schools;
- Girls who have been exposed to empowerment clubs have established clubs in their new schools;
- Higher education institutions have also requested the organisation to establish similar clubs;
- A zero percent pregnancy rate has been reported by some schools;
- Girls are excelling academically (the top student in the whole country comes from a girls' empowerment club);
- Communities and churches have also expressed an interest for such clubs to be established through their structures;
- Partners doing similar work have formed a network through SWAGAA to standardise their approach;
- The number of girls constituting club membership has increased from 40 to 100;
- Three international partners have asked SWAGAA to pilot this programme in more schools;
- Club members have shown confidence in all that they do;
- Girls have organised debates and concerts; and
- Groups have fundraised to help needy girls with their school fees.

Response and support



The SADC Protocol provides that by 2015 state parties shall: Enact and enforce legislation prohibiting all forms of gender-based violence; ensure that laws on gender-based violence provide for the comprehensive testing, treatment and care of survivors of sexual assault; review and reform their criminal laws and procedures applicable to cases of sexual offences and gender based violence; enact and adopt specific legislative provisions to prevent human trafficking and provide holistic services to the victims, with the aim of re-integrating them into society; 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.

Table 5.2: GBV response and support

Provisions	What is in place?	What needs to be put in place?
Laws/ policies		
Legislation prohibiting all forms of GBV.	The Crimes Act/1889 and the Girls and Women's Protection Act/1920, the Criminal Procedure and Evidence Act No 67/1938 and Common Law Crimes covering rape, incest, indecent assault, abduction, kidnapping, public indecency, common and assault with intention to do grievously bodily harm.	Comprehensive legislation needs to be implemented that addresses all forms of GBV, such as the Sexual Offences and Domestic Violence Bill of 2005 (with amendments from stakeholders). This should include marital rape, indecent treatment of children that does not necessarily include penetration as well as sexual harassment and trafficking.
Ensuring that all perpetrators of GBV get brought to book.	The Criminal Procedure and Evidence Act No 67/1938.	Consolidated legislation such as a Sexual Offences and Domestic Violence Act and monitoring institutions.
Comprehensive testing, treatment and care of survivors of sexual offences - emergency contraception.	There is provision within the national guidelines for antiretroviral treatment and Post Exposure Prophylaxis (PEP) for administration of PEP within 72 hours.	There is need to ensure access to PEP at all public hospitals and clinics. People need to be made more aware of the service.
Social and psychological rehabilitation of perpetrators of gender-based violence.		Male involvement programmes and several awareness creation programmes need to be developed.
Review of criminal laws and procedures on sexual offences and GBV to eliminate gender bias and ensure that justice and fairness are accorded to the survivor.	The Sexual Offences and Domestic Violence Bill, which is yet to be passed.	Pass the Sexual Offences and Domestic Violence Bill. The Sexual Offences and Domestic Violence is still a bill and the present parliament has failed to make it law. One of the controversial issues in it is that of sexual harassment such as stalking. Some male MPs feel that it takes away their right to propose love to a woman. They believe that they need to pester a woman until she agrees.
Human trafficking		
Specific legislation to prevent human trafficking.	Prevention of People Trafficking and Smuggling Act. There is now a secretariat dedicated to implement the Prevention of People Trafficking and Smuggling, which collects and disseminates material on human trafficking.	Criminal Procedure and Evidence Act together with common law needs to be put in place.
Mechanisms to eradicate national, regional and international networks.	The Royal Swaziland Police Service is part of Interpol and is part of a network of policing agencies within the SADC region and beyond. World Vision (WV) and Women and Law in Southern Africa-Swaziland (WLSA) conduct project activities	National, regional and international campaigns on human trafficking. Research on the nature of human trafficking and the experience of Swaziland.

Provisions	What is in place?	What needs to be put in place?
	that prevent trafficking in persons, protect victims, and ensure prosecution of perpetrators.	
		Need to gather data and statistics from various sources, e.g. immigration statistics and cases reported on human trafficking or human smuggling.
Capacity building, awareness raising and sensitisation campaigns on trafficking.	The Prevention of People Trafficking and People Smuggling Secretariat is in place with a mandate to coordinate all Inter-Agency Task Force activities on human trafficking in the country.	Need to implement well-coordinated time-bound programme of action.
Sexual harassment		
Adopt laws, policies and programmes that define and prohibit sexual harassment.	The Criminal Procedure and Evidence Act No.6/of 1986 as amended. Sexual harassment is beyond its scope.	Establish a law review commission to expedite the alignment of the legislative framework with the constitution and domesticated ratified sub-regional, regional and international instruments. These will include the enactment into law of a sexual offences and domestic violence legislation. It should include sexual harassment.
Gender balance in bodies adjudicating sexual harassment cases.	No bodies adjudicate over sexual harassment per se as this is not defined in law.	Institutionalisation of affirmative action in decision-making at all levels including the judiciary, both civil and customary laws. There should also be gender balance and awareness in workers' unions.
Support services		
Cases on GBV to be heard in a gender sensitive environment.	Not all judicial officers are aware of how to deal with GBV and the environment under which the cases get heard is insensitive. However, the amendment of the Criminal Procedure and Evidence Act (section 223) facilitated the formation of a children's court.	One stop centre for all GBV-related matters in a gender-sensitive environment. Enactment of the Sexual Offences Bill into law. Gender mainstreaming and capacity building in all structures and hold all responsible for delivery. There is a need for in service training courses for the judiciary. Gender-based violence should be included in university law school curricula.
Special counselling services.	Counselling is carried out by the Domestic Violence Child Protection & Sexual Offences Unit (DCS), located in the Royal Swaziland Police.	This service should be available 24 hours a day, seven days a week, and under the same roof as other services.
Dedicated and sensitive services provided by police units; health; social welfare.	The Domestic Violence Child Protection & Sexual Offences Unit (DCS) within the Royal Swaziland Police and <i>Lihlombe lekukhalela</i> includes the police, the DPP's office, NGOs and community-based organisations that coordinate community outreach programmes on GBV.	The service should be provided by the state and decentralised. The decentralisation of services is supported by the Government of Swaziland Decentralisation Policy of August, 2005.
Accessible information on services available to survivors of GBV.	The first point of accessing information by survivors of GBV is through the Domestic Violence and Child Protection Unit member on duty, with referrals made primarily to <i>lihlombe lekukhalela</i> and Swaziland Action Group Against Abuse (SWAGAA).	The law should provide for and ensure implementation of an agreed minimum package of information both verbally and through another form (audio or written) by law to all survivors. For continued support all survivors should also be referred to organisations nearest to them.
Accessible, affordable and specialised legal services including legal aid to survivors of GBV.	There is no specialised and/or affordable legal aid service to survivors of GBV. The limited services offered by NGOs have now been compromised by lack of funds; some of the NGOs might have to close. The government has commissioned a study funded by UNDP to look into the feasibility of establishing legal aid in Swaziland.	The implementation of the Sexual Offences and Domestic Violence Act should include decentralised state legal aid services based on an advertised means test based on consultation with stakeholders.
Specialised facilities, including support for survivors of GBV.	Specialised facilities can only be accessed for children through the children's courts. By judicial decision, all rape cases now occur in the High Court, allowing for tougher sentences.	One stop centre for survivors of GBV.
Rehabilitation and reintegration facilities for survivors of GBV.	The national guidelines state that survivors should be offered ongoing counselling and psychological support.	One-stop centre for survivors of GBV.
Training of service providers.	Sensitisation workshops for service providers, including community groups.	Training of trainers.

Provisions	What is in place?	What needs to be put in place?
Gender sensitisation training for all service providers engaged in the administration of justice, such as judicial officers, prosecutors, police, prison, welfare and health officials.	Such trainings are run at the initiation of the Gender Unit. The Gender Unit's collaboration with the CANGO Gender Consortium and other civil society organisations is being undermined by funding constraints. There is no standardisation in the content, monitoring and evaluation.	Mandatory gender sensitisation trainings should be provided as part of in-service training for all service providers engaged in administration of justice. Fundraise for sensitisation and training of judicial officers, prosecutors, police, prison, welfare and health officers.
Community sensitisation programmes for survivors of GBV.	These are sporadic, reaching few survivors. Programmes typically run primarily by NGOs that focus on GBV such as SWAGAA and Save the Children Fund (SCF). The Lutheran Development Service, which focuses on livelihoods from a rights-based approach, sometimes conducts GBV workshops in rural areas.	There needs to be community-based groups that offer continuous support to GBV survivors. The community support groups require capacity building.
Formal training programmes for service providers.	Induction training and awareness programmes and workshops for service providers.	There should be training for service providers who work with survivors of GBV at all levels.



The Protocol provides for measures, including legislation to discourage traditional and cultural practices that exacerbate GBV and to mount public campaigns against these.

An attempt to deal with this situation is Section 19 (1) Of the Sexual Offences and Domestic Violence Bill 2005 which states that:

No person must, without consent, be subjected to any of the following cultural practices:

- a) *kungenwa*;
- b) *kwendziswa*;
- c) *kutekwa*;
- d) *kuzila*;
- e) *kuhlanta*;
- f) *kulamuta*;
- g) virginity testing;
- h) female genital mutilation.

Additionally, and probably more for immediate use, is Section 28(3) of the constitution that provides that "a woman shall not be compelled to undergo or uphold any custom to which she is in conscience opposed" (The Constitution of the Kingdom of Swaziland, 2005). The weakness in this provision, though, is the state's failure to make a provision to assist the woman if she is

subjected to these harmful customs and other areas such as marital rape, which have not been dealt with.

Gender sensitisation and public attitudes towards GBV

The government's Gender Unit focuses on disseminating information on gender to communities through the *tinkhundla* constituency areas and when possible directly to communities. Due to its limited capacity, the Gender Unit tries to work with the Gender Consortium. The Gender Unit also has more direct access at national gatherings such as *umhlanga* (the women's and girls' national gatherings) and *lusekwane* and *emabutfo* (the male regiments).

Civil society hosts gender awareness programmes both in the communities and nationally. These have been coordinated jointly under coalitions such as the gender consortium (CANGO), the Women and Girls Coalition against HIV and AIDS and other organisations. Civil society also takes advantage of events such as fairs and community outreach days to create public awareness.

Lavumisa Town Board walks against gender based violence



Participants take part in an ice breaker during a 16 Days of Activism event in Lavumisa, a small town that has made great strides in tackling GBV. Photo: Trevor Davies

Following an increase in gender-based violence and crime levels, community members and stakeholders in Lavumisa took part in an inaugural “walk against crime and abuse campaign” in 2013. They included the Royal Swaziland Police from the Shiselweni region, Médecins Sans Frontières/Doctors Without Borders (MSF), Population Services International (PSI) and Nhlanguano AIDS Training Information and Counselling Centre (NATICC).

The project involved a 15 kilometre walk during which participants shared information about the prevention of crime, abuse and gender-based violence (GBV) with community members. Participants carried placards with information about these topics. The walk ended at a local park where participants engaged in aerobic exercises to help teach them how to remain healthy and fit.

Members of participating organisations delivered educational speeches, thanked the participants and condemned gender-based violence and any form of abuse. The walk strengthened the connection between the local community and police officers in one of the smallest towns in Swaziland. Lavumisa, which is located at the eastern tip of the country, is a border town linking Swaziland and KwaZulu-Natal in South Africa. The area has few job opportunities and there is no major economic activity in the town which means unemployment is widespread. Those with employment often work in faraway places such as Manzini (150km), Mbabane (180km) or in Phongola in South Africa. Very few remain to work in the sugar fields and grocery shops in the local authority.

The level of crime and gender-based violence has been increasing, a rise often blamed on the fight for survival due to scarce resources. The Lavumisa police and other organisations working in the Shiselweni region thus planned the walk to fight against the above mentioned problems. All the police posts in the region united in the fight against abuse, especially GBV, which is

responsible for the creation of many single-headed households.

The walk also provided an opportunity to reach people with messages about gender-based violence. Speakers also tackled the issue of substance abuse: another factor that is fuelling crime in the region. Stakeholders noted the campaign should be expanded to include other parts of Lavumisa and the entire Shiselweni region. They also agreed to create a forum to discuss issues such as crime, abuse, GBV and the prevention of the spread of HIV and AIDS.

The campaign targeted Lavumisa residents and the surroundings communities within the area served by the local authority. It also targeted students from the nearby schools, many of whom participated in the walk. The police have established anti-crime clubs to help the youth fight against crime and other forms of violence. The campaign also targeted women who work in the market place due to their vulnerability to robbery and violence, both in the market and at their homes.

Stakeholders undertook the campaign in conjunction with the RSP Lavumisa, the Lavumisa Town Board, PSI, Lavumisa Aids Training, Information and Counselling Centre (LATICC) and other stakeholders in the town including different local government offices and faith-based organisations. The group initially met with the RSP Lavumisa station officer and the town clerk of the Lavumisa Town Board. It later involved the three Members of Parliament (MP's), the Lavumisa town clerk, the station officers from the RSP Lavumisa and regional crime prevention officers and representatives from all the organisations working in the town.

Another later meeting included the working committee established to list all the activities in the campaign and to assign responsibilities to members of the subcommittees with time frames for each responsibility. The group created subcommittees and assigned responsibility to request T-shirts, caps and other materials needed on the day. The rate of GBV and child abuse has decreased since the campaign started and very few cases have been reported.

The community is now talking openly about the issues. Any form of violence is reported to the enforcement agencies immediately and appropriate action is taken. Information dissemination is vital - and this had also broken the barrier between the community and the RSP. They have now had a chance to mix and share ideas freely. This campaign has since been implemented in all the other police posts in the Shiselweni region. Many believe it is the best way to fight against crime and GBV and to strengthen the relationship between the public and the police officers.

Impact of the 16 days of Activism campaign

Stakeholders have not studied the impact of the 16 Days of Activism campaign against women and child abuse in Swaziland. A study conducted by MISA in collaboration with GEMSA focused on analysis of the media coverage of the 2006 16 Days of Activism

campaign. It exposed a lack of ethical, fair and detailed, analytic and gender-aware reporting. The study demonstrated the media's shortfalls in challenging gender stereotypes, raising public awareness of gender violence and child abuse, and teaching women about their rights. Moreover, the 16 day campaign has been elevated to a 365-Day campaign in Swaziland.

Integrated approaches



The SADC Protocol on Gender and Development calls on states to adopt integrated approaches, including institutional cross sector structures, with the aim of reducing current levels of gender-based violence by 2015.

National action plan to end gender violence

Swaziland elevated the 16 Days campaign to a 365 Day campaign in 2007. The key stakeholders include the Gender Unit (within government), the UN theme group, the Gender Consortium, the Church Forum, National Emergency Response Council on HIV and AIDS (NERCHA), Royal Swaziland Police, SWAGAA, Coordinating Assembly for Non Governmental Organisations (CANGO) and WLSA.

The Gender Unit coordinator states that although the unit has launched the action plan, there has been only piece-meal implementation mainly due to funding shortages. In August 2013, the Gender Unit reviewed the action plan to end gender-based violence. The review meeting included stakeholders from the government and civil society who planned to launch a reviewed plan during the 16 Days of Activism campaign.

Anti-trafficking measures

In 2012, World Vision (WV) undertook to sub-grant funds to WLSA to be used for the Kuvikela project, which has activities aimed at preventing trafficking in persons (TIP), protecting victims, and prosecuting perpetrators. Over the course of this two-year project, WV and WLSA will use their local presence and technical expertise to respond to TIP while running

programmes that mitigate future trafficking. The Kuvikela project will collaborate with a range of organisations, including the interagency task force, government ministries, health facilities and law firms, to promote a comprehensive and coordinated response for victims and mitigate future trafficking. It will accomplish this goal through:

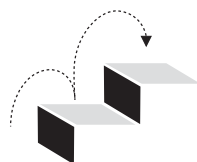
- Research in TIP to influence policy and promote quality services for victims;
- Raising awareness and capacity to prevent and respond to incidents of trafficking; and
- Promoting the integration of services for victims through the creation and implementation of a referral mechanism that also includes services and partners in bordering countries.



Gender budgeting workshop participants illustrate the importance of proper funding in order to reduce GBV in Swaziland.

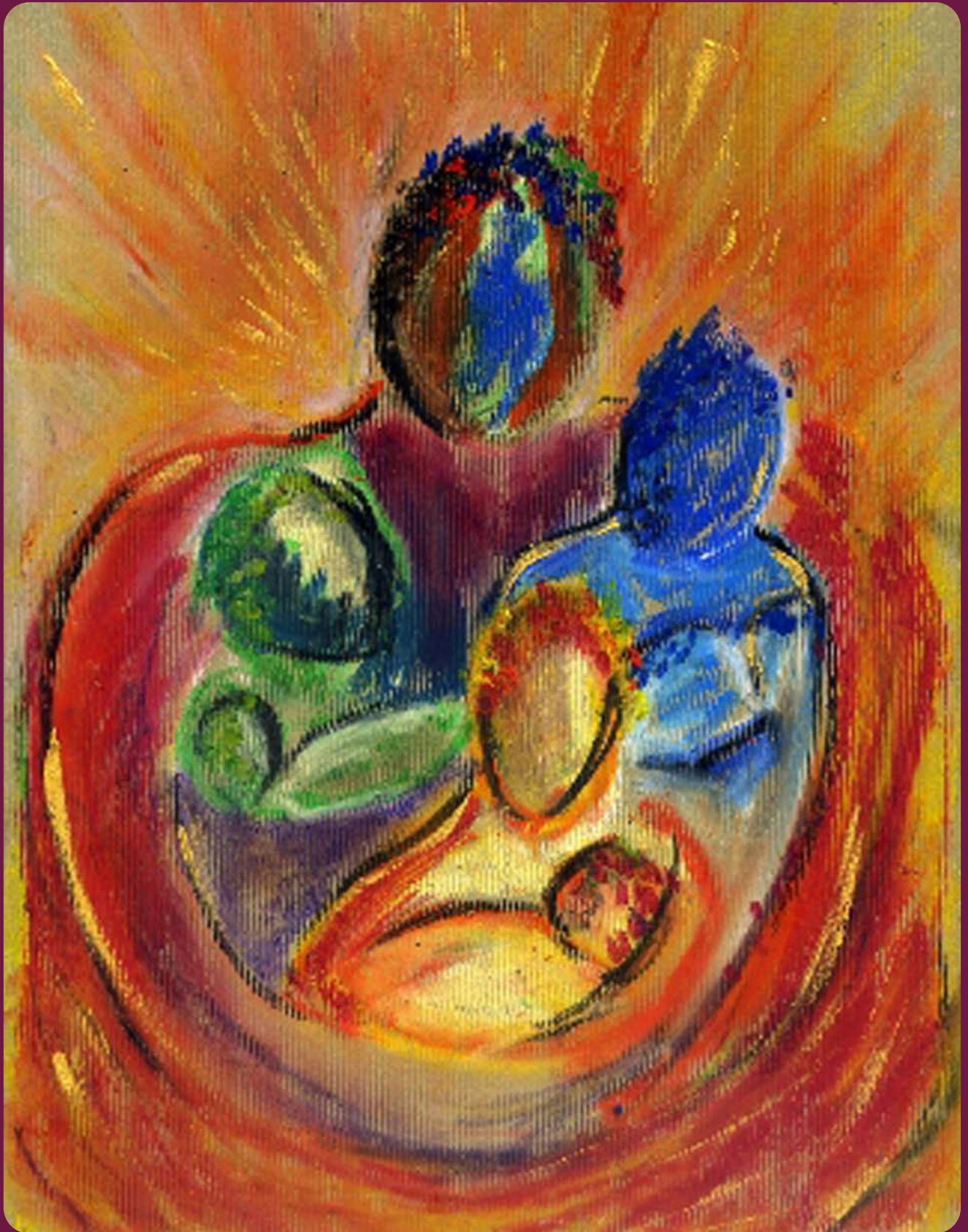
Photo: Nomthandazo Mankazana

The partnership will integrate Kuvikela into WV's community-level presence and capitalise on the momentum generated by recent efforts in Swaziland while responding to recommendations provided by the TIP report. Kuvikela will also address trafficking issues created by the absence of anti-trafficking legislation. The project will engage in a variety of awareness-raising strategies, including the provision of IEC materials to key stakeholders and target communities as well as training and coaching.



Next steps

- Implement comprehensive legislation that addresses all forms of GBV, such as the Sexual Offences and Domestic Violence Bill of 2005 (with amendments from stakeholders). This should include marital rape, indecent treatment of children, sexual harassment and trafficking.
- Create a one-stop centres for all GBV-related matters in a gender-sensitive environment.
- Initiate service training courses for the judiciary.
- Include gender-based violence in university law school curricula.
- Increase training of media practitioners to better report on issues linked to GBV.



A different kind of family

Anushka Virahsawmy



CHAPTER 6

Health

Article 26



Mothers to Mothers exercise as part of a wellness session in Mbabane, Swaziland, in 2012.

Photo: Swazi Observer

KEY POINTS

- The SGDI score of 63% places the country at number six in the region. Swaziland is performing relatively well in this area.
- The CSC score of 58% places the country at number 12 in the region.
- 420 women die for every 100 000 live births.
- About 19.6% of women still give birth at home with assistance of only relatives or traditional birth attendants.
- Only 42.9% of sexually active women aged 20-24 years old use contraception.
- Modern contraceptive prevalence among women stands at 55%.
- Abortion is illegal except for certain medical reasons.

Table 6.1: CSC scores on health

	SGDI	CSC
Scores	63%	58%
Ranks	6	11

Table 6.1 shows with an SGDI score of 63% that Swaziland is making encouraging progress toward meeting the SADC Gender Protocol health targets in some areas. Citizens, however, scored the country lower based on their perceptions of government's performance in this area.

The SGDI is an empirical score which is a composite index of:

- Women's use of contraception: the percentage of women aged 15 to 49 years reporting that they use a modern form of contraception;
- Maternal mortality ratio: the number of women who die while pregnant or within 42 days of termination of pregnancy for every 100 000 live births of babies; and
- Births attended by skilled personnel: the percentage of births in a given year in which trained staff such as midwives or nurses assist women.

Background

The country's health care system is comprised of modern health centres and traditional healers, with much of the general populace relying on both for care.¹⁰ The national system is decentralised into the four governmental regions but overseen at the central level.¹¹ Private and public clinics operate throughout the country and rural health motivators educate local communities

about condom use, sanitation, breastfeeding and general disease prevention.¹² Eighty percent of the population lives within eight kilometres of a facility that provides at least pre-natal care.¹³ Swaziland has approximately 0.2 physicians available for every 1000 people¹⁴ and one nurse for every 356 people.¹⁵ Swazi nurses rallied in 2002 and 2004 for pay raises, winning a 7.5% increase in 2002.¹⁶ Despite this, it is estimated that between 100 and 150 nurses leave the profession each year as a result of low pay, lack of HIV and AIDS training and personal assaults.¹⁷ The Mbabane and Manzini Universities graduate approximately 100 new nurses each year.¹⁸

Traditional healers continue to play a significant role in providing health services, for HIV and other ailments, particularly in rural areas with little access to modern medicine.¹⁹ Many Swazis consult both traditional healers and modern health centres when they fall ill.²⁰ World Health Organisation (WHO) statistics showed that there is one traditional healer per every 100 people.²¹ Medicines derived from plants continue to play a large role in traditional Swazi healing.²²

After Swaziland gained independence, life expectancy rose to 65 years for women and 58 years for men.²³ In 2003, life expectancy for women had dropped to 32.9 years, compared to 32.1 for men.²⁴ The infant mortality rate stood at 105 deaths/1000 live births in 2003.²⁵ That same year, the probability of a child dying at less than five years old rose to 159/1000 live births among boys and 147/1000 among girls.²⁶

Moreover, poverty has increased women's vulnerability to opportunistic infections because they do not have financial resources that would enable them to access

¹⁰ Swaziland National AIDS/STDS Programme. *Ninth HIV Sentinel Serosurveillance Report*. Mbabane, Swaziland: Ministry of Health and Social Welfare; 2004:14.

¹¹ Swaziland National AIDS/STDS Programme. *Ninth HIV Sentinel Serosurveillance Report*. Mbabane, Swaziland: Ministry of Health and Social Welfare; 2004:15.

¹² Swaziland National AIDS/STDS Programme. *Ninth HIV Sentinel Serosurveillance Report*. Mbabane, Swaziland: Ministry of Health and Social Welfare; 2004:14.

¹³ Swaziland National AIDS/STDS Programme. *Ninth HIV Sentinel Serosurveillance Report*. Mbabane, Swaziland: Ministry of Health and Social Welfare; 2004:14.

¹⁴ The world rate is 1.5:1000. The rate for Southern Africa is 0.1:1000. The rate for upper middle income countries is 1.8:1000. World Bank. *World Development Indicators 2005*. Table 2.14. While geography, training levels and other contextual factors should be taken into account, the general standard recommended by WHO is 1:1000. Oji DE, Utsumi T, Uwaje C. International Centres of Excellence for e-Health in Africa with Global University System in Nigeria. *EHealth International Journal*. Available at: <http://www.ehealthinternational.org/vol2num1/Vol2Num1p23.pdf>. Accessed on April 20, 2006.

¹⁵ Ministry of Health and Social Welfare of the Government of Swaziland. *A Situation Analysis of the Health Workforce in Swaziland*. World Health Organization. 2004:9.

¹⁶ International Council of Nurses. "Nurses in Swaziland Get Pay Raise." *Socio-Econ News*. January - March 2002. Available at: <http://www.icn.ch/sewjan-mar02.htm#8>. Accessed October 9, 2005.

¹⁷ "Swaziland: Nurses Seek Greener Pastures." IRIN. May 12, 2004. Available at: http://www.queensu.ca/msp/pages/In_The_News/2004/May/33.htm. Accessed October 9, 2005.

¹⁸ "Swaziland: Nurses Seek Greener Pastures." IRIN. May 12, 2004. Available at: http://www.queensu.ca/msp/pages/In_The_News/2004/May/33.htm. Accessed April 9, 2006.

¹⁹ "Traditional Healers, New Partners Against HIV/AIDS." IRIN. February 25, 2003.

²⁰ Makhubu L. "Traditional Medicine: Swaziland." *Sharing Innovative Experiences: Conservation and Wise Use of Indigenous and Medicinal Plants*. 2001:7:1.

²¹ Gbodossou E, Davis Floyd V, Katy Cl. "AIDS in Africa: Scenarios for the Future The Role of Traditional Medicine in Africa's Fight Against HIV/AIDS." The Association for the Promotion of Traditional Medicine/UNAIDS. Available at <http://www.prometra.org/Documents/UNAIDSpercent20Scenariopercent20percent20article.pdf>. Accessed October 28, 2005.

²² Makhubu L. "Traditional Medicine: Swaziland." *Sharing Innovative Experiences: Conservation and Wise Use of Indigenous and Medicinal Plants*. 2001:7:1.

²³ "Focus on the Social Impact of AIDS." IRIN. February 22, 2003.

²⁴ By contrast, women in Niger (like Swaziland, a "Low Human Development" Country) had a life expectancy of 44.4 years and men had a life expectancy of 44.3 years in 2003. Women in Ghana, a "Medium Human Development" Country had a 2003 life expectancy of 57.3 years and Ghanaian men 56.3 years. UNDP. Human Development Report. 2005:301.

²⁵ The average infant mortality rate for "Low Human Development Countries" is 108/100,000.

²⁶ UNDP. Human Development Report. 2005:252. The average infant mortality rate for "Low Human Development Countries" is 108/100,000.

proper and appropriate treatment from health centres or hospitals. Rural women remain unable to access health services because they do not have money to pay for transport, let alone for services rendered at the hospitals or health centres. Health centres do not always exist close to where people stay, forcing women living with HIV and AIDS to walk long distances to access health services, thus aggravating their health condition.

Government health centres and hospitals charge a minimum of E10.00 (US\$1) for consultation, which is often unaffordable for poor women who live in rural, peri-urban and border towns. This situation is aggravated when men, who typically provide for a household, are ill. From a policy viewpoint, while mobile clinics are expensive they remain relevant because health resources can be brought closer to women and men who cannot afford the cost of transport.



Male involvement ensures better health outcomes for the family. Bheki Maseko with his son in Mbabane, August 2007. Photo: Trevor Davies

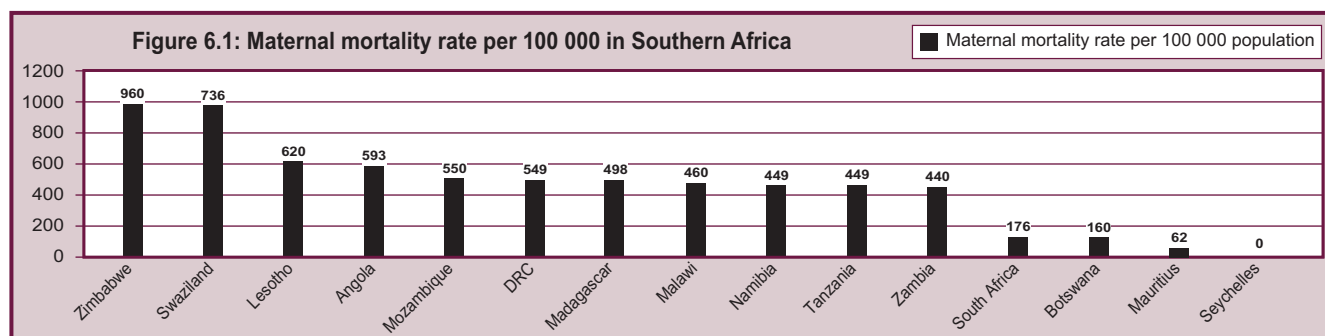
Maternal mortality ratio



The SADC Gender Protocol calls on member states to reduce the maternal mortality ratio by 75% by 2015, in line with MDG five.

The maternal mortality ratio is the number of women of child bearing age who die during pregnancy or within 42 days of termination of pregnancy, irrespective of the duration and site of the pregnancy, from any cause related to, or aggravated by, the pregnancy or its management, but not from accidental or incidental

causes, per 100 000 live births.²⁷ While global and continent wide attention has been focused on reducing the maternal mortality ratio (which is also a Millennium Development Goal - number five), this ratio has increased in Swaziland,²⁸ mainly as a result of HIV and instability.



Source: Gender Links 2013 SADC Gender Protocol Barometer.

Figure 6.1 reveals high levels of maternal mortality throughout the SADC region. However, Swaziland's maternal mortality rate which was one of the region's

highest, at 736 deaths per 100 000 has since gone down to 320 deaths per 100 000.

²⁷ ADD a comparative rate. World Health Organization. Swaziland Country Report. 2005. Available at: <http://www.who.int/countries/swz/en/>. Accessed September 30, 2005.

²⁸ MMR definition.

Nutrition and food security as a health issue

Good and appropriate food is medicine that is affordable and easy to acquire as far as HIV treatment is concerned.²⁹ Although it takes time to notice the benefits of eating a healthy diet, it is better treatment than solely relying on drugs. People who eat foods that

Deepening poverty has contributed to the suffering of the rural poor, many of whom live with HIV and AIDS and cannot afford to regularly access nutritious food. In border towns, rural areas and company towns, being unable to access food has given rise to the phenomenon of exchanging sex for food. Women in Lavumisa, Big

Poverty, food insecurity and malnutrition have been recognised as critical development problems in Swaziland and thus given the highest priority in the international development agenda as contained in the Food and Agriculture Organisation Plan (1997). These problems have a disproportionate negative impact on poor rural women due to their inferior socio-economic, legal and political status as well as their critical roles as producers and household managers. The causes and effects of these impacts remain systemic, with far-reaching implications on the infection and spread of HIV and AIDS.

According to the Swazi culture, women do not eat protein-rich foods like eggs and men receive the largest portion when it comes to serving meals, followed by children; women receive food last which means they often get left with nothing if there is not enough to go around. Thus, due to lack of nutrition, women's bodies degenerate quickly if they contract HIV.

HIV and AIDS and malnutrition are interrelated in such a way that in Southern Africa, AIDS initially became known as a "slim disease" because of the wasting syndrome associated with it. Malnutrition increases the risk of progression of HIV infection. Health, nutritional care and food security focuses mainly on adequate quantities and qualities of food. Improved nutrition alone is not enough to keep people healthy as those living with HIV can suffer from the development of opportunistic infections that can progress to fully blown AIDS and death. But good nutrition may help prolong the period between HIV infection and the onset of opportunistic infections.

A key ministry of health worker in an urban area mentions in a 2007 WLSA study (2007) that some women who test positive quickly progress to full blown AIDS because they do not have enough food, and even if food is available it lacks in nutritional value. In depth interviews with people living with HIV and AIDS

enrich, heal and rejuvenate their bodies live longer, stronger and healthier lives. It is therefore, logical to conclude that the role of nutrition in managing HIV-related infections should never be underestimated. In fact, medical care and nutrition play complementary roles in an interdisciplinary approach to continuity of care.

Bend and Sithobela risk their lives just to make sure they get something to eat. There is a saying in SiSwati - "*indlala idlisana ludzaka*" - which can be loosely translated to mean "when you are hungry, you can do anything just to get food."

belonging to support groups in urban and rural areas revealed that these groups emphasise the importance of a balanced diet. It is clear that food is critical in the treatment of HIV and AIDS and ARVs alone cannot improve the health condition of a person living with HIV.

In the same study, women living with HIV and AIDS in rural areas and border towns also mentioned the importance of nutritious food to their overall health. It has to be accessible in adequate quantities and quality is important. The challenge for these women is they live in lowveld areas where there is often a shortage of food due to recurring drought. Some people have stopped producing food in these areas due to persistent drought; food security remains an ongoing challenge in this region. Sometimes it rains and crops can be planted, but many people do not have money to purchase farming inputs such as seeds and fertilisers.

Deepening poverty has contributed to the suffering of the rural poor living with HIV and AIDS because they cannot afford to access enough nutritious food. In border towns, rural areas and company towns, food scarcity and poverty has exacerbated the phenomenon of trading sex for food.

Sexual health

The World Health Organisation (WHO) has defined sexual health as: "A state of physical, emotional, mental and social well-being related to sexuality. It is not merely the absence of disease, dysfunction or infirmity. Sexual health requires a positive and respectful approach to sexuality and sexual relationships, as well as the possibility of having pleasurable and safe sexual experiences, free of coercion, discrimination and violence. For sexual health to be attained and maintained the sexual rights of all persons must be respected, protected and fulfilled³⁰."

²⁹ AUC, UNECA, AfDB & UNDP. 2013. MDG Report 2102. Pg 68.

³⁰ Nutrition, your best cure to everyday Ailments, A nutritional guide by Women Fighting AIDS in Kenya; WOFAK, by C.O. Kaduwa, Programmes Officer, WOFAK.

Sexual and reproductive health



The Protocol provides for state parties to by 2015, adopt and implement legislative frameworks, policies, programmes and services to enhance gender sensitive, appropriate and affordable quality health care; reduce the maternal mortality ratio by 75% and ensure the provision of hygiene and sanitary facilities.

Table 6.2: Key sexual, reproductive and health indicators

Indicators	Country statistic/policy	Comment
Current maternal mortality rate	320 per 100 000 ³¹ live births	The number of women dying due to childbirth is high; more births need to be attended by trained personnel.
% Births attended by skilled personnel	82	Whilst this is a marked improvement from the DHS 74% in 2007, more births need to take place in hospital. About 19.6% of women still give birth at home, with assistance of relatives and traditional birth attendants (TBAs), which is risky if there are complications. Continuous training, particularly on timely referrals and equipping TBAs with basic supplies is key.
% Contraceptive use among married women	51	The figure is low and increases the risk of unwanted pregnancies and HIV infection.
Country policy on abortion	Illegal except on certain medical grounds in the Constitution Section 15(a).	Procedures for access are not clear. There is a need for abortion in other circumstances.
Total Coverage of sanitation facilities		
Urban coverage	64%	
Rural Coverage	55%	

Source: DHS of 2007 and WHO 2012, SADC Protocol regional barometer 2013.

Table 6.2 shows that the country's maternal mortality rate is 320 per 100 000 live births according to a 2012 WHO report. This is still high, although it has dropped tremendously. There seems to be a trend towards women choosing home delivery with traditional birth attendants. Conditions in maternity wards and waiting areas still require improvement.

The issue of safe abortion needs to be addressed in Swaziland as women and girls commonly engage in unsafe abortion using sharp instruments and concoctions such as blue soap and water.

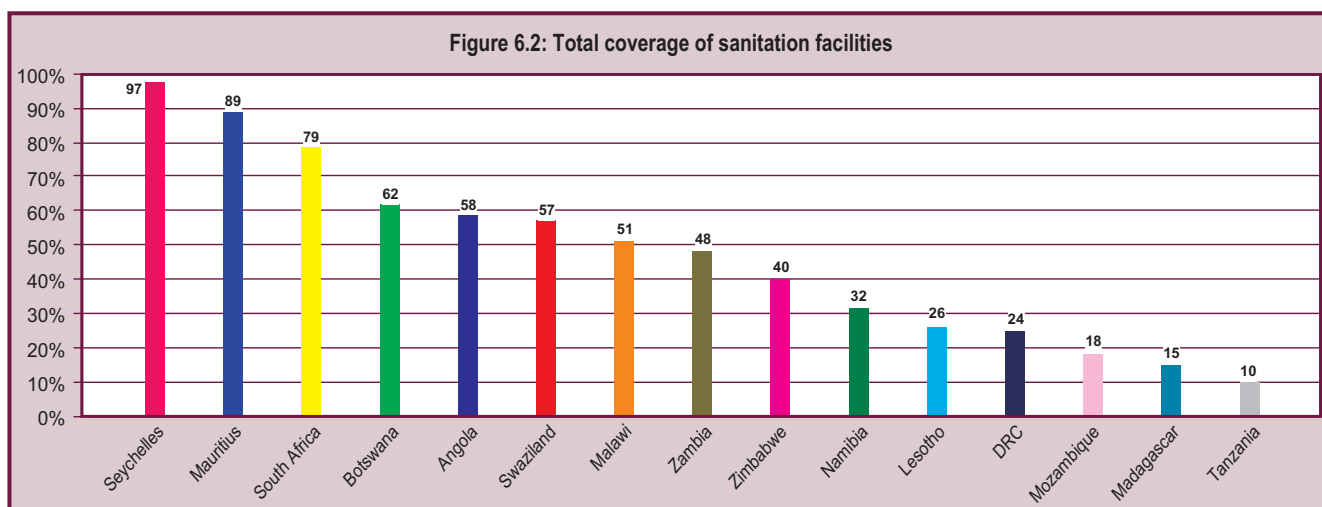
Water and sanitation

Most people in Swaziland have access to improved water sources such as piped water into the dwelling/yard/plot and boreholes. Because of the

perennial drought in some communities, many face ongoing water challenges. Some boreholes do not have water all year - this is a problem particularly in winter. Some communities continue to use unprotected water sources such as rivers and man-made dams. Access to unprotected water sources has health implications as these communities could be more prone to waterborne diseases. Sanitation coverage is 64% in urban areas and 55% in rural areas.

The Ministry of Health and other institutions that provide water to communities make toilets a precondition to access service. Communities in the peri-urban and rural areas construct a pit latrine in order to access water from a protected source. This practice has ensured better sanitation for most communities and less reliance on open veld or bush. Improved sanitation facilities include pit latrines and flush toilets.

³¹ World Health Organisation (2002). The world health report 2002 Reducing risks, promoting healthy life.



Source: SADC Gender Protocol Barometer, 2012.

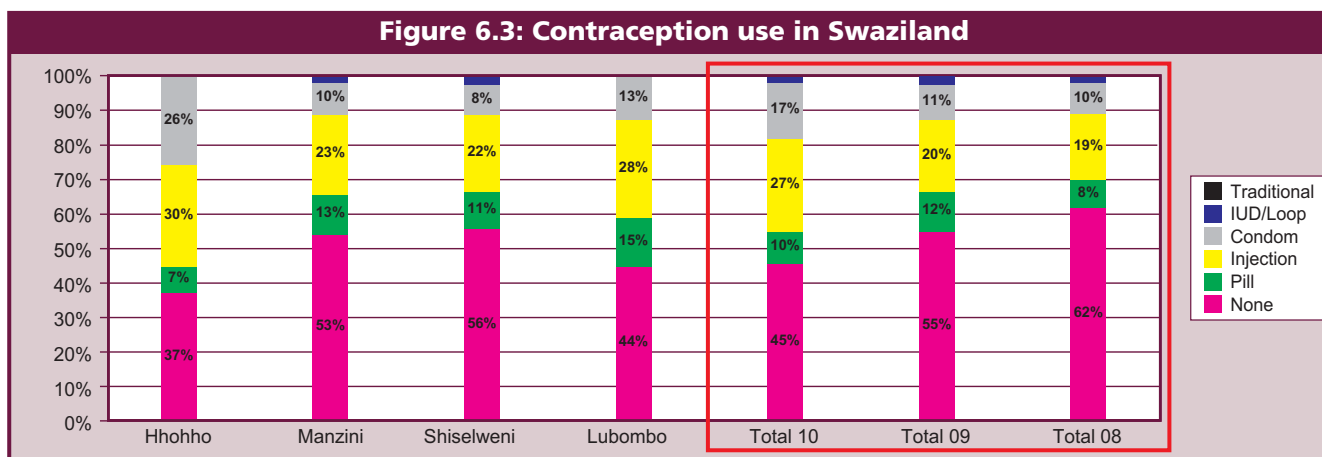
Figure 6.2 Indicates that Swaziland is progressing in terms of sanitation facilities, coming in sixth place in the region.

Family planning /contraceptive usage

Although the government remains the primary provider of free contraception at public and private health facilities, uptake is low. Health practitioners say women have not been empowered to make decisions about their sexual health care. Many women fear their hus-

bands' reaction to their taking contraceptives which means there is a need to involve men in family planning.

The country does not have a family planning policy but it has family planning guidelines. In addition, as part of the HIV response, a programme for men - known as "*sidla inhloko*" - is facilitated by men and targets men in traditional communities with the aim of educating them about HIV and reproductive health, as well as giving them support. Modern contraceptive prevalence in Swaziland among women currently stands at 51%.



Source: Swaziland Vulnerability Assessment and Analysis Report July 2010.

Figure 6.3 shows that the most popular contraceptive method is the male condom, followed by injectables and pills, according to the 2010 Swaziland Vulnerability Assessment Report and Analysis.

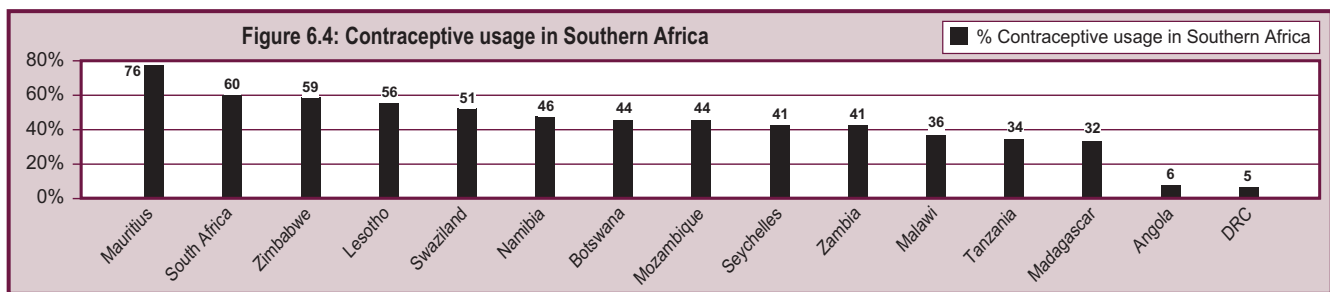
Use of contraceptive by educational level

- Women with least education remain least likely to use a contraceptive (29%).
- Women with higher education levels are most likely to use contraceptives (74%).

Use of contraceptives by rural urban divide

- Contraceptive use among urban women is the highest at 53%.
- Popular methods amongst urban women include male condom (20%), injectables (18%) and the pill (10%).
- Contraceptive use amongst rural women is 48%. Popular methods amongst rural women include injectables (18%), the pill at (10%) and male condom (9%).

Even with sensitisation and awareness campaigns about the female condom, usage remains very low at only 5.5%.



Source: Gender Links, Regional Barometer Report, 2013.

Figure 6.4 shows contraceptive use is still low in Swaziland, but it is improving compared to past years. Only five (Mauritius, South Africa, Zimbabwe, Lesotho and Swaziland) out of the 15 countries in the region have a usage level more than 50%.

Female adolescents still face challenges because society expects them to maintain their virginity. As a result, they often face unfriendly adults when they seek out family planning services. A study about attitudes and perceptions among Swazi youth revealed that contraceptive information and services offered in Swaziland often excludes young adults. Consequently adolescents' sexual and contraceptive needs remain poorly addressed, possibly contributing to the high prevalence of adolescent pregnancies in Swazi society.

Adolescent males reported they have been denied access to condoms because family planning providers perceive them to be too young to engage in sexual intercourse. One boy said a family planning provider who happened to know his mother threatened to report that he had attempted to obtain condoms. Such attitudes from family planning providers prevent adolescents from accessing contraceptives, enforcing continued unprotected sexual intercourse in a society with high HIV prevalence rates among adolescents as well as high adolescent pregnancy rates.

Adolescent girls have also reported they had to change out of their school uniforms and into ordinary clothes prior to accessing contraceptives, which can be denied to school girls. Adolescents from a rural area reported that family planning providers ridiculed them when they tried to access contraceptives. Meanwhile, financial constraints prevent adolescents from purchasing contraceptives at pharmacies. Failing to access contraceptives at the clinics, some adolescents end up getting pregnant despite their knowledge about contraceptives and their willingness to use them.

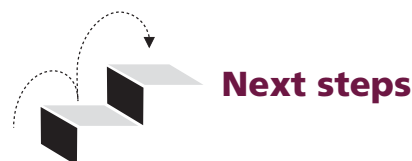
Termination of pregnancy

The SADC Protocol does not mention women's right to abortion. In Swaziland, as in other countries in SADC,

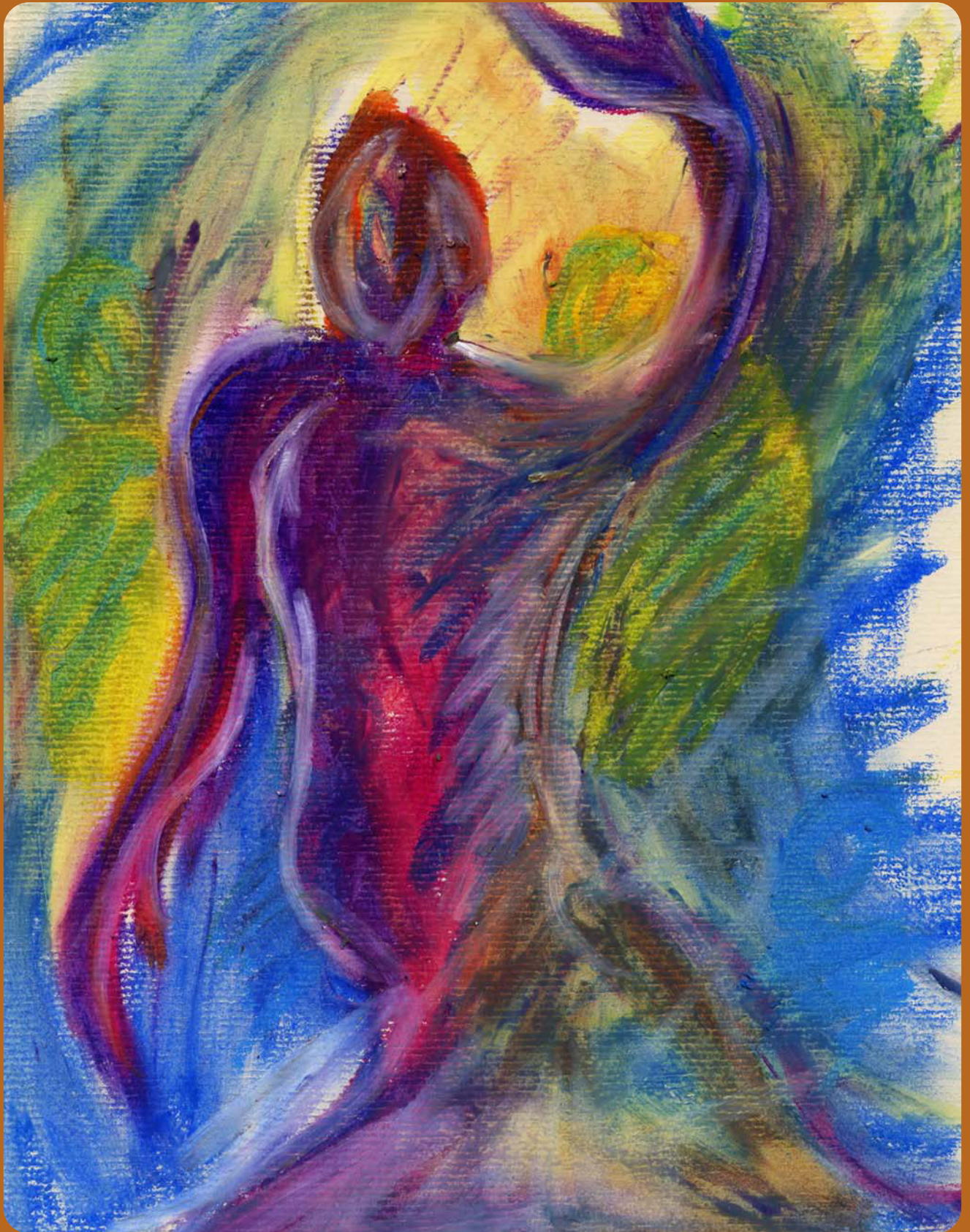
abortion remains a controversial and divisive issue. Debate about abortion ensued in Swaziland following media reports in 2008 of the arrest of a group of girls after the discovery of 100 fetuses in the peri-urban area of Matsapha, the largest industrial area in Swaziland.

Unsafe abortion contributes to about 19% of the maternal mortality rate (MOH-SRH Needs /Audit 2002). Findings from the assessments show that across all regions, respondents are aware of abortion-related deaths: Hhohho (4%), Manzini (5%), Shiselweni (3%) and Lubombo (9%) hence a need for a policy on safe abortions.

Pro-choice advocates argue that access to abortion is currently dependant on wealth, which is one reason why it should be legalised. Women who can afford abortions can travel to neighbouring South Africa, where it is legal to terminate a pregnancy.



- Increase advocacy in order to reduce the high maternal mortality rate.
- Establish campaigns to encourage women to give birth in hospitals.
- Involve men in family planning and reproductive health classes to ensure good health outcomes for the entire family.
- Review the country's position on abortion.
- Increase advocacy about adolescent sexual and reproductive rights and ensure that young people do not face discrimination when they attempt to access contraceptives.
- Mount a campaign to raise awareness about the danger of unsafe abortions.



"Anita"

Anushka Virahsawmy



CHAPTER 7

HIV and AIDS

Article 27



Uniting against HIV/AIDS through campaigns in Swaziland.

Photo: Courtesy of Swaziland Observer

KEY POINTS

- With a SGDI score of 63%, Swaziland has made notable progress in addressing HIV and AIDS. The citizen score is 64%.
- Swaziland has the highest HIV and AIDS prevalence rate in the SADC region at 26%.
- The HIV prevalence rate among women is 57% and 43% among men.
- Ninety-five percent of HIV-positive pregnant women access the Prevention of Mother to Child Transmission (PMTCT) programme. Swaziland ranks first in this category, a tie with four other countries in the region. This is an improvement from last year's access of 67%.
- Some 58% of the estimated number of women and 33% of the estimated number of men needing treatment received it. The low percentage of men receiving treatment is attributable to their poor health-seeking behaviours.
- Thirty-five percent of people infected with HIV and AIDS are receiving treatment.
- The 2007 Demographic Health Survey found that 31% of Swazi children younger than 18 years can be classified as either orphaned or vulnerable.

Table 7.1: SGDI and CSC scores for HIV and AIDS

	SGDI	CSC
Scores	63%	64%
Ranks	4	9

Table 7.1 shows that Swaziland is ranked at 63% based on empirical information. The citizen's score is close at 64% and is based on perceptions about the country's progress in this area.

The current situation

Table 7.2: Key Gender, HIV and AIDS indicators

	% women	% men
Extent of comprehensive knowledge on HIV and AIDS	89%	87%
HIV infection	26%	
Voluntary Counselling and Testing	22%	9%
On ARV treatment	58.2%	33.1%
HIV positive pregnant women receiving PMTCT	69%	N/A

Source: UNGASS 2010 Country progress reports; IAS 2009 Fact sheet on HIV and AIDS in sub-Saharan Africa.

Table 7.2 illustrates that there is an increase on extent of comprehensive knowledge of HIV and AIDS showing that the investments on prevention campaigns are paying off.

In 1999 the government declared HIV a disaster, resulting in the adoption of the first multi-sectoral HIV and AIDS strategy. It outlined the areas of intervention in the national response. Currently, the country is on the third generation strategy. Stakeholders tasked the National Emergency Response Council on HIV and AIDS with facilitating the implementation of this strategy.

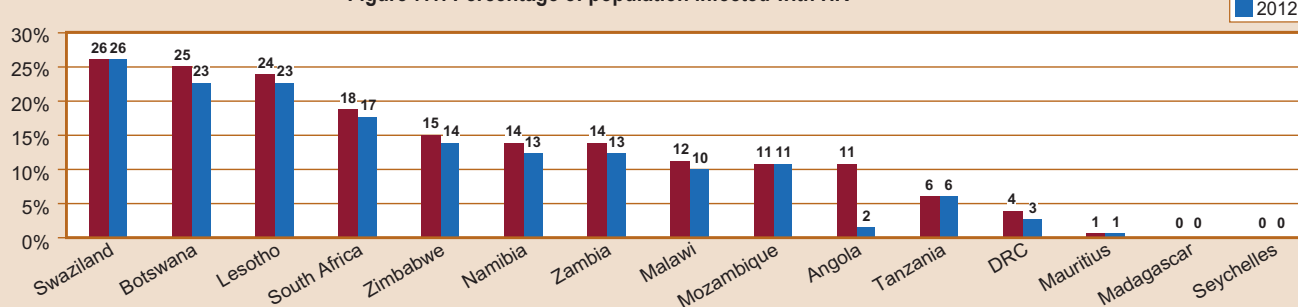


Bongiwwe Gwebu is an HIV-positive Swazi woman who participated in a Mothers to Mothers wellness event. Courtesy of Swaziland Observer

The Coordinator of Care, Treatment and Support at the National AIDS Commission confirms that men have poor health-seeking tendencies and will only present themselves for voluntary testing and counselling (VCT) if they have become extremely sick. The Swaziland HIV Estimates and Projections Report (July 2010) states that the number of people living with HIV continues to increase and the number of HIV-positive women continues to be higher than men.

Swaziland adopted the multi-sectoral HIV policy in July 2006. Section 2.3 on the impact of the epidemic recognises that vulnerable people - women, children, orphans, widows, widowers, youth, the poor, sex workers, inmates and people with disabilities - are most likely to suffer disproportionately from the impact of HIV and AIDS.

Figure 7.1: Percentage of population infected with HIV



Source: UNAIDS 2010 and UNAIDS 2012.

Policies

The policy applies to all governmental, other stakeholders and partners involved in the country's

response to HIV and AIDS. It obligates all government ministries and organs, stakeholders and partners to mainstream HIV and AIDS into their plans and programmes. Preventing transmission of HIV is one of

its specific targets. The guiding principles of this policy define approaches for implementing the response to HIV and include the following principles:

- Gender equality and equity;
- Promoting positive cultural practices;
- Full meaningful involvement and participation of People Living with HIV (PLHIV) and other vulnerable groups in all issues affecting them;

- Protection, non-discrimination, non-stigmatisation of PLHIV and other vulnerable groups;
- Respect for human rights; and
- Compliance with international treaties, conventions and declarations signed and ratified by government and national laws (Swaziland HIV Prevention Response and Modes of Transmission Analysis March 2009).

Population Services International mainstreaming gender into HIV programmes

This intervention ensures equal access to HIV programmes by men, women, boys and girls. It guarantees the sustainability of programmes, minimises or eliminates harmful practices that may hinder people from accessing HIV interventions, and ensures that stakeholders consider women's and men's issues or concerns in the planning, implementation, monitoring and evaluation of HIV interventions.

The project seeks to adopt and implement legislative frameworks, policies, programmes and services to enhance gender-sensitive, appropriate and affordable quality health care (e.g. through condoms and male circumcision).

It assists in the planning and implementation of HIV and AIDS programmes that integrate approaches to achieve gender equity or equality. It does this by determining gaps and strengths in programme design and implementation, with the aim of ensuring that PSI departments have been capacitated to plan and deliver gender-sensitive services. This involves identifying gender indicators in reporting tools and mainstreaming gender in reporting mechanisms. PSI has recently been awarded funding under the Combination Prevention Programme (CPP), which calls for a strong integration of gender into HIV prevention. Stakeholders took part in an assessment in order for the organisation to implement this activity and inform future programming with the aim of addressing gender equity in policies and programmes.

The beneficiaries include PSI programmes and (indirectly) the people with whom they work. HIV testing and counselling (HTC) is an essential component of public health attempts to reduce HIV incidence and improve access to HIV care and treatment. PSI provides HTC services through networks of directly managed sites throughout the country. Other components include:

- *Male circumcision*: findings show that it can reduce the risk of female to male sexual transmission of HIV up to 60%.
- *Condoms*: male and female condoms, when used correctly and consistently during sexual intercourse, help reduce the risk of sexually transmitted infections, including HIV, and unintended pregnancies. PSI uses private-sector marketing strategies to increase demand for and access to attractively packaged and affordable high-quality condoms.

- *Corporate AIDS prevention programme*: this is an innovative package of products and services aimed at large employers as a tool to ensure support for both HIV-negative and HIV-positive employees and to increase productivity by ensuring a healthy, supportive work environment.

PSI designed the assessment form and shared it with its departments. Heads of departments completed the form with the assistance of the HIV prevention manager. Stakeholders analysed the assessment form, compiled a report and presented it to the departments. The main outputs include the formulation of a gender mainstreaming strategy and the provision of gender mainstreaming training for PSI personnel.

Apart from the distribution of condoms in churches and schools, the main outcomes have addressed the following issues:

- Consent for male circumcision is often determined by fathers;
- Concern over a partner's sexual needs during the healing period after circumcision;
- Fear of disclosing HIV test results, as it may lead to gender-based violence;
- Stigma based on cultural and religious beliefs;
- Community perceptions surrounding women carrying condoms or talking about sex;
- The rights of other groups, e.g the gay community and sex workers;
- Cultural issues (e.g. burial of foreskin in male circumcision); and
- Legal consent, which is a gender issue for women and children.

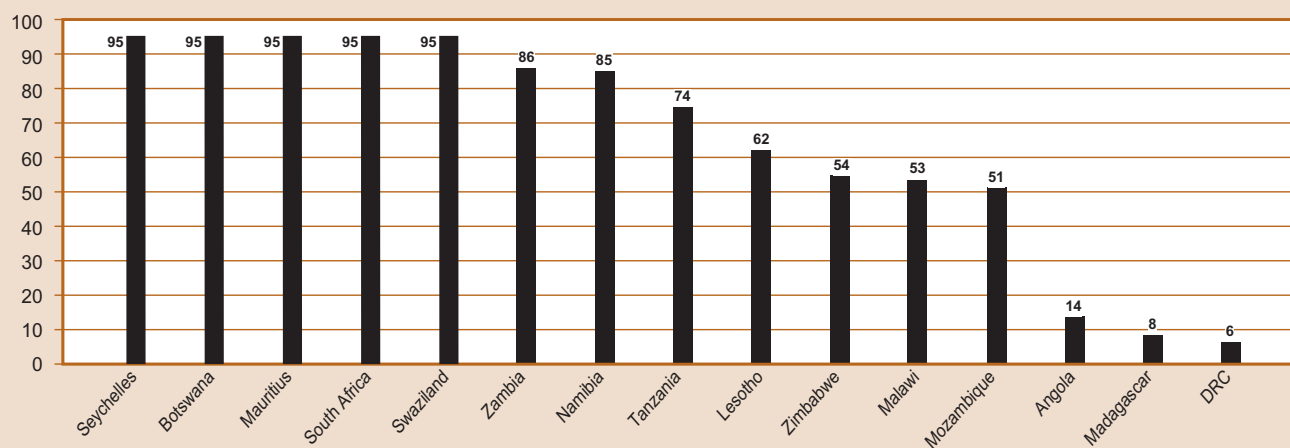
Legal frameworks, policies and cultural beliefs or norms all present challenges. The reports do not have gender indicators, other than disaggregation of men and women. Stigma and gender-related legal, cultural and religious beliefs have been identified as some of the major barriers to effective implementation of programmes. Strategic planning in terms of human resources needs to be strengthened to balance the response to services. The intervention can be replicated and it is critical for programmes to identify gender issues in their intervention in order to identify gender issues that can hinder or promote their services.

Prevention



The Protocol requires that by 2015, state parties shall develop gender-sensitive strategies to prevent new infections, taking account of the unequal status of women, and in particular the vulnerability of the girl child as well as harmful practices and biological factors that result in women constituting the majority of those infected and affected by HIV and AIDS.

Figure 7.2: Percentage pregnant women living with HIV on PMTCT



Source: UNAIDS 2012.

Figure 7.2 shows that 95% of HIV-positive pregnant women now take part in a PMTCT programme - an improvement from the 2012 percentage of 67%. Swaziland initiated its PMTCT programme in 2003. It also developed National PMTCT Guidelines and an operational manual covering the period 2007-2011.

PMTCT coverage currently stands at 95% of the 162 health facilities that reported provision of PMTCT services. The country uses the single dose NVP as the primary method of ARV prophylaxis. Stakeholders agreed that the 2010 universal target for the country should ensure that 80% of pregnant HIV-positive mothers access PMTCT. By June 2007, 64.8% of HIV-positive women received a course of ARV prophylaxis to reduce MTCT. Swaziland has surpassed the universal target.

The number of HIV-positive pregnant women is expected to decline from

11 031 in 2008 to 9999 by 2015. It is also projected that, moving toward 2015, the gap will narrow between HIV-positive pregnant women and HIV-positive pregnant women needing PMTCT.

The policy also recognises the protection and empowerment of orphans and vulnerable children.

There is a huge demand for services, particularly for educational, psychosocial, nutritional, health care, protection and socialisation programmes. The 2007 Demographic Health Survey found that 31% of Swazi children younger than 18 years have been classified as either orphaned or vulnerable. Furthermore, it revealed that 41.2% of the OVC received at least one type of support. Disaggregated, the level of support is 41.8% for boys and 40.6% for girls.



Swaziland needs to accelerate HIV and AIDS prevention campaigns because of the high prevalence of HIV and AIDS. Photo: www.avert.org

Treatment



The Protocol requires state parties to ensure universal access to HIV and AIDS treatment for infected women, men, boys and girls.

Swaziland started providing ARV drugs in December 2003 and approved guidelines to standardise their distribution in 2006. By March 2008, 43% of those in need of treatment had received it: a total of 26 812 people. Some 58% of the estimated number of women and 33% of the estimated number of men needing treatment received it. The low percentage of men receiving treatment is attributable to poor health-seeking behaviour among men in the country.

Stakeholders had set the national target of people on treatment in the country in 2008 at 51 000 people: in actuality, 26 812 accessed treatment (only 53% of the target). This is partly due to slow roll out of the drugs

to only 15.5% of the public and private facilities with the capacity to provide ART, as well as 27 outreach sites. In addition, many people did not know their HIV status.

A number of NGOs have embarked on a MaxART programme with the Ministry of Health to increase the numbers of people living with HIV on ART. The strategy is to reach as many people as possible, particularly men and adolescents. HIV testing occurs at the chiefdoms, dip tanks and men's places of employment. This initiative has seen an increase in the number of people who have gone for testing. NGOs involved in this initiative include SAFAIDS, the Swaziland chapter, Clinton Health Access Initiative (CHAI) and ICAP.

Care work



The Protocol requires Member States to develop and implement policies and programmes to ensure the appropriate recognition of the work carried out by care givers; the majority of whom are women, to allocate resources and psychological support for care givers as well as promote the involvement of men in the care and support of people living with AIDS.



In 2010, inspired by Article 27(c) of the SADC Protocol on Gender and Development, Gender and Media Southern Africa (GEMSA) and VSO-RAISA developed the *Making Care Work Count Policy Handbook*. The objectives of the handbook include to influence the development, adoption, implementation and enforcement of policy frameworks that promote the recognition and support of care providers in the context of HIV and AIDS, and to promote public engagement on care work related issues.

The handbook proposes six principles that need to inform care work policies:

- **Remuneration:** People doing the work of government have a right to be financially rewarded.
- **Logistic and material support:** It is imperative that care providers have access to care kits as well as other support, such as uniforms for identification, bicycles, food packs, monthly monetary allowances, soap, free medical treatment, financial support for income

generating projects, raincoats, umbrellas, agricultural inputs, stationery and transport allowances, among others, to provide quality care.

- **Training and professional recognition:** Protocols of training and accreditation should be developed through a governing body within the country to regulate and standardise the training.
- **Psychosocial support:** Care for care providers should be prioritised with psychosocial support programmes developed and provided to care providers.
- **Gender equality:** The gender dimensions of HIV should be recognised and catered for.
- **Public private partnerships:** There is a need to advocate for stronger public private partnerships in the delivery of PHC services through Care and Home-Based Care (C&HBC) programmes.

Through community mobilisation, care work can have a huge impact on various vulnerable populations as illustrated in the example about the OVC care point.

Community health mobilisation yields care point for orphans and vulnerable children



Tibuyile Dlamini and OVC care point leader Cindy Nkambule receive an award for their work at the 2013 Swaziland gender summit awards.
Photo: Gender Links

The orphans and vulnerable children (OVC) care point empowers women, men and children. It encourages women to be independent and motivates them to start small businesses so they can take care of themselves and their children. It also ensures that others respect and observe their rights.

The OVC care point, led by Cindy Nkambule, is essential in empowering the community and especially children. The programme educates both men and women about gender equality and fairness. The OVC care point helps communities to understand that laws that have abolished the minority status of women can assist in development that includes equal participation of both sexes.

It is important that awareness is raised to ensure that authorities understand that women should participate in parliament, in senior positions, in royal kraals and other parts of society. The OVC care point brings the community together and raises awareness about testing and treatment for HIV and AIDS. It also educates men and women about the dangers of sexual violence and implements policies and programmes to ensure the recognition of care work.

The OVC care point is affiliated to Community Health Evangelism (CHE), an NGO which seeks to help communities spiritually, physically, emotionally and mentally. The OVC care point ensures the local community is informed about changes in the law. It offers services that deal with gender sensitivity and address mental, sexual and reproductive health for women and men. It is important that men fully understand that equality is not meant to emasculate them but to ensure that services are provided for both men and women.

The OVC care point accepts that there is still ignorance about HIV and AIDS and encourages the community to gather to hear lectures about how to prevent new infections. The care point also organises discussions about the need for universal access to HIV and AIDS treatment for infected men, women, boys and girls. It also provides psychological support to those infected and affected.

The OVC care centre intends to invite the media in order to promote women's representation in the media's ownership and decision-making structures.

The idea for the programme came about after Nkambule discovered many orphaned and vulnerable children during a visit to the outskirts of Siteki in the Lubombo region - mostly as a result of the HIV and AIDS pandemic. The children had almost nothing to eat or to wear. They lived eight kilometres from the nearest school. She came up with the idea of developing an OVC care centre in the community. However, the group could not implement the OVC care centre without involving the community and the elders of the area. The team approached them and told them about the proposal. The elders approved the idea and provided the group with a piece of land for the project.

With the help of CHE, the group trained several community members using a holistic approach before sending proposals to organisations asking for financial help to start building an OVC care centre. Eventually they began construction of the OVC care point, involving men and women from the community.

Presently, the children get two meals a day and receive informal education. The immediate challenge is to extend the OVC care point garden and to find resources or income-generating projects that will enable the community to take care of the maintenance of the OVC care point and the children it serves. It is hoped that in the future there will be a primary school, a high school and a vocational centre.

The overall goal is to bring holistic and sustainable change to the orphaned and vulnerable children and their care-givers. A community thrives when its children have been fed, sheltered, educated, protected, valued and loved.

The care point's main objectives include provision of free pre-school education and psychosocial support (PSS). Other objectives support income generation initiatives, provide community education to reduce the perceived stigma associated with HIV and AIDS, encourage gender equality and improve OVC care.

The beneficiaries comprise the community's orphaned and vulnerable children. The other main group of beneficiaries include young mothers who have been abused or have dropped out of school or been forced into early marriages because of a pregnancy. In addition, the community is home to many elderly people who have been left behind by children who have died, run away, gone missing or live with HIV and AIDS. Finally, the OVC gives support to the youth of the community irrespective of whether they use drugs or are unemployed.

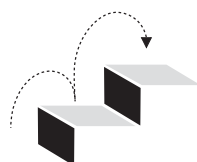
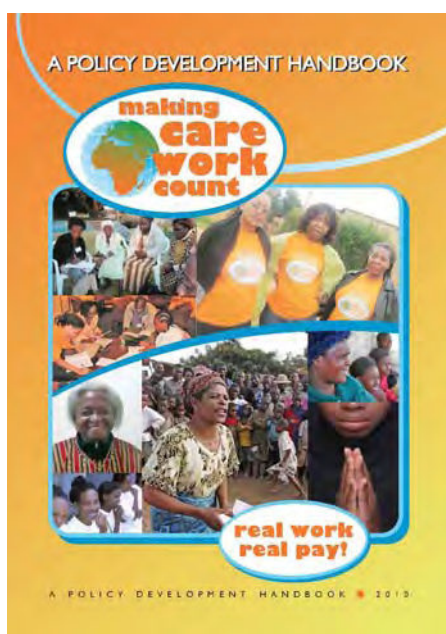
Table 7.3: Progress in addressing care work in Swaziland

ISSUE	PROGRESS
Remuneration	The current CHBC policy calls for a monthly incentive of E200 (roughly USD\$25) for Registered Health Monitors (RHMs). Attempts to integrate Swazi care givers into RHM system are ongoing. More effort required to secure government subsidies and other support for care givers.
Logistical and material support	All RHMs and care givers receive CHBC kits and uniforms as a requirement for easy identification within the community, an identity card, t-shirt, shoes, umbrella, a home-based care kit, and a monthly, monetary incentive as above. Community care givers are not entitled to this support.
Training and professional recognition	The Ministry of Health and Social Welfare (MOH&SW) last trained care givers in 2005 and training continues to be the same despite changes in the area of care work. Care work is not recognised as a profession in Swaziland. Only one training manual and reporting tool exists that is applicable to both government and independent care givers.
Psychological support	There is no policy document that exists on psychosocial support for care workers. The evaluation report on CHBC has looked into support for care-givers. MOH&SW requests that all CHBC organisations promote stress management techniques, help care givers adjust to the pace and approach to work, provide peer counselling, and establish a support network.
Gender equality	No policy.

Table 7.3 outlines progress on policy and legislative initiatives to regulate care work in Swaziland based on information available to researchers at the time of writing.

Stakeholders have facilitated care work capacity-building sessions in Swaziland with CSOs. The main components of these processes included:

- Country mapping and stakeholder analysis;
- Building a coalition;
- Influencing policy uptake and implementation;
- Developing an advocacy and lobbying plan; and
- Monitoring and evaluation.



Next steps

- Accelerate and intensify prevention in order to reduce the annual rate of new HIV infections.
- Encourage men to get tested for HIV and access treatment if needed.
- Implement a campaign to encourage more men to be involved in home-based care.
- Mitigate the socio-economic impact of HIV and AIDS, especially among the most vulnerable groups, orphans and vulnerable children (OVC), PLHA, and their caregivers and families.
- Lobby for the state to increase budgetary allocation on HIV and AIDS as a cross-cutting issue.



"Nicole"

Anushka Virahsawmy



CHAPTER 8

Peace building and conflict resolution

Article 28



Few women are represented in peacekeeping and security sector. Wendy Hleta, Royal Swaziland Police (PRO).
Photo: Swazi Observer

KEY POINTS

- The overall CSC score for the peace-building and conflict resolution sector for Swaziland is 58%.
- Swaziland falls at 11th place out of 15 SADC countries on this score.
- However, the 2013 CSC score is an improvement from the 2012 score of 43%.
- Data for this sector is not readily available in Swaziland.

Table 8.1: SGDI and CSC scores for peace and security

	SGDI	CSC
Scores	N/A	58%
Ranks	N/A	11

Table 8.1 shows that information on this sector is not available, which could mean that Swaziland has a long way to go before it meets the 28 targets of the SADC Gender Protocol female representation in peace-keeping and security operations. Although more than 50%, Swaziland is ranked by citizens at position 11 in terms of peace and security.

Women's representation and participation



The Protocol calls on state parties to ensure that by 2015, women have equal representation and participation in key decision-making positions in conflict resolution and peace building processes in accordance with United Nations Security Council Resolution 1325 on Women, Peace and Security.



Princess laMagongo a Senior army official.

Photo: Swazi Observer

With just one year until 2015, the target date for meeting the target of the SADC Protocol on Gender and Development, Swaziland has a long way to go to ensure its security sector has a gender balance and is gender sensitive and responsive. It is unlikely that the country will meet the targets in Article 28, which also calls for State Parties to adopt and implement United Nations Security Council Resolution (UNSCR) 1325.

In 2004, the UN Secretary General urged member states to adopt National Action Plans (NAPs) for the implementation of UNSCR 1325, noting that the "creation of an action plan provides an opportunity to initiate strategic actions, identify priorities and resources, and determine responsibilities and timeframes at a national level."³²

Officials recently appointed a Swazi woman as deputy commissioner in the correctional services - the first appointment of its kind of a woman in a male-dominated profession.

Policy provisions

National legislation governing state security service providers is an entry point for examining the extent of governments' commitment to promoting gender sensitivity and gender equality in the security sector. Swaziland has a Police Force and Auxillary Services Act of 2002 and a Prisons Act 40 of 1964. The Royal Swaziland Police Service Annual Report (2009) is available but the 2010 was still being compiled. Gender-disaggregated data for the peace and security forces is scarce.

³² Peacewomen, "National Implementation Overview" <http://www.peacewomen.org/pages/about-1325/national-action-plans-naps>

Representation

Table 8.2: Gender representation in the defence sector in Southern Africa

Country	Male %	Female %
Angola		
Botswana	99	1 ³³
DRC	93	7
Lesotho		
Madagascar	99.9	0.1
Malawi	95	5
Mauritius	No defence	
Mozambique	force	5
Namibia	95	26
Seychelles	74	20
South Africa	80	27
Swaziland	73	
Tanzania		
Zambia	90	10
Zimbabwe	80	20

Source: ISS and country reports.

Table 8.2 reflects the proportion of women in the defence forces of ten SADC countries for which this data could be obtained. No data is available for Swaziland.

Swaziland accepts females for voluntary military service but it could not be determined how many women serve in its defence forces, police force or correctional service.

Militarisation of politics has been observed in Swaziland, particularly in the 2013 elections. Newspaper reports recorded a number of instances in which police clashed with civilians and banned political parties. OSISA told the ACHPR meeting that in February 2013, a battalion

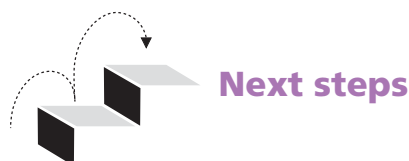


Swaziland soldiers participate in a World Aids Day event.

Photo: Trevor Davies

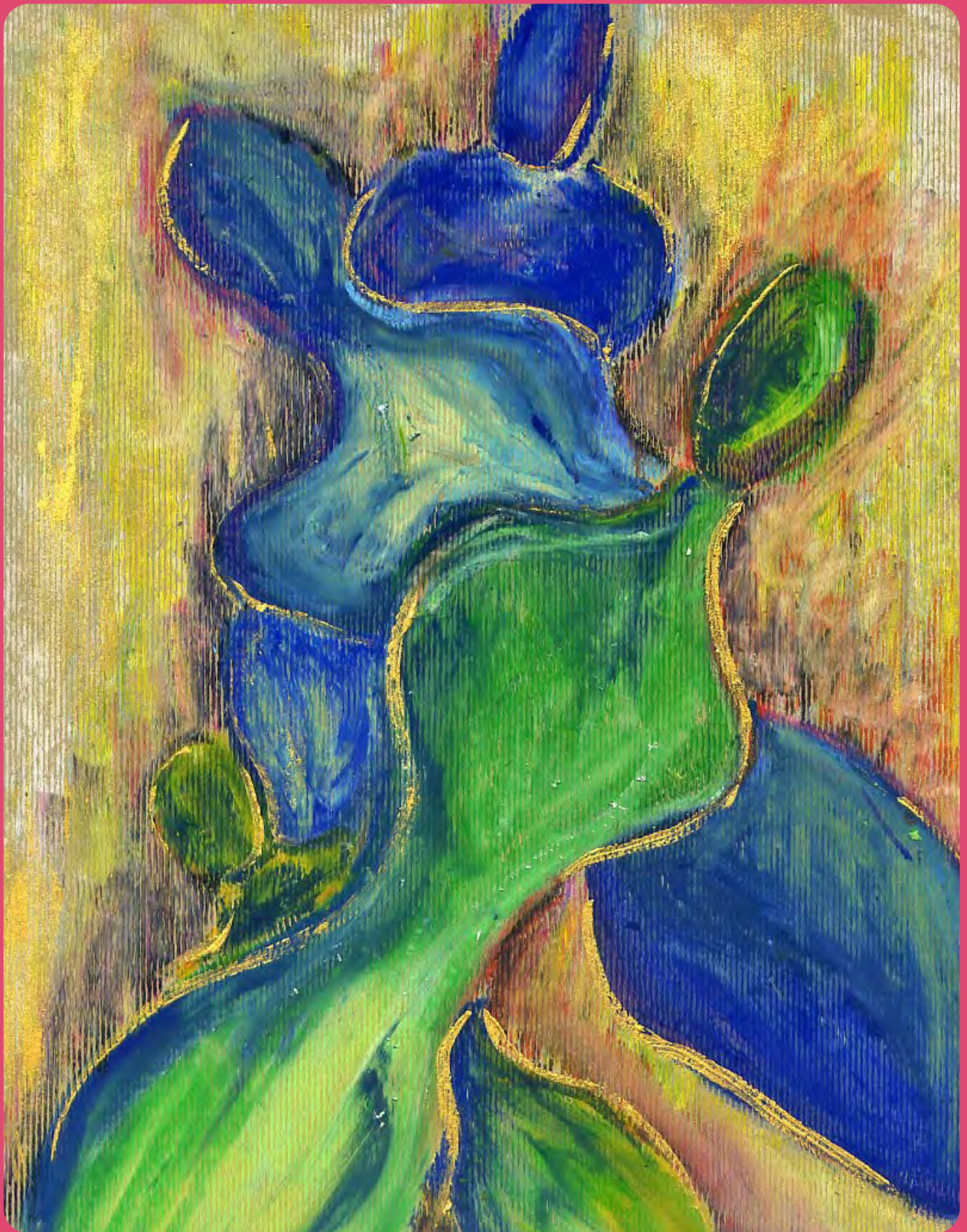
of armed police invaded the Our Lady of Assumption Cathedral in Manzini and forced the congregation to vacate the church, alleging that the service "intended to sabotage the country's general elections." OSISA added: "A month later, a heavily armed group of police backed up by the Operational Support Services Unit prevented members of the Trade Union Congress of Swaziland (TUCOSWA) from holding a peaceful commemoration prayer in celebration of the federation's anniversary. In both instances there was no court order giving the police the legal authority to halt the prayers."

Another incident involved the landing of a plane with arms of war a few months before the elections. This shows that the government is geared for war in defence of its system of government. Current expenditures indicate that more public spending goes to the army than social services such as health, education and food security.



- Review legislation to ensure that it is gender sensitive and does not discriminate against women: the state must ensure gender sensitive police, defence and correctional or prison services acts that provide for women's special needs.
- Ensure that special measures and incentives to attract women to join the security services sector accompany new laws. Without such incentives and retention packages for women to join and stay in the course, this sector will remain male-dominated. It is important to create an enabling environment to achieve greater inclusion of women. For example, women should be able to balance time spent on peace missions or combat roles with family responsibilities.
- Implement gender disaggregation in record-keeping. All departments within the peace and security sector should be mandated to keep gender disaggregated data for the sector. If this is achieved it will be easier to monitor whether progress is made towards equal representation and participation in key decision-making positions in conflict resolution and peace-building processes by 2015. Currently, data is scarce.
- Make gender training compulsory: all levels of personnel, including senior management, should receive gender training to respond to gender-based violence and to challenge those cultural stereotypes that perpetuate gender discrimination.
- Implement gender budgeting and costing in the sector: if coordinated properly, the allocation of resources with gender in mind will help to ensure that women's and men's specific and unique needs can be catered for.

³³ Since 2008 Botswana has trained a 100 women recruits.



"Growing up"

Anushka Virahsawmy



CHAPTER 9

Media, information and communication

Articles 29-31



Journalist Nqobile Hlatshwako participates in a media literacy training workshop in Swaziland in 2009.
Photo: Ncane Maziya

KEY POINTS

- Swaziland's SGDI score of 64% in the media category shows that the country is making steady progress towards meeting the media targets to be achieved by 2015.
- Citizens have been more critical with a CSC score of 56%.
- However, a lot still needs to be done, especially on working with media houses to increase female news sources.
- The proportion of women sources in the news in Swaziland increased marginally from 17% in the 2003 *Gender and Media Baseline Study (GMBS)* to 19% in the 2010 *Gender and Media Progress Study (GMPS)*.
- Gender violence receives more coverage than gender equality; coverage still tends to be sensational, with little information on advocacy campaigns and where to go for help.
- HIV and AIDS coverage has decreased compared with earlier studies, although more people live with HIV and almost everybody is affected by it.

Table 9.1: SGDI and CSC scores for media

	SGDI	CSC
Scores	64%	56%
Ranks	8	14

Table 9.1 shows that with an SGDI score of 64%, Swaziland is making steady progress in increasing the representation and participation of women in the media. The CSC score, eight percentage points lower, probably reflects on qualitative nuances not captured by the SGDI score such as sensationalised coverage of gender-specific stories.

Background

Citizens' access to accurate information on diverse political, economic and social issues is essential for the development of an informed population within a democracy. The mainstream media is a major resource in societies for the dissemination of information, knowledge and ideas and messages, as well as spaces

for the public to engage in discourses on current affairs. Gender activists recognise the critical importance of the media in changing attitudes and mind-sets, but have not always been strategic in engaging journalists. Figure 9.1 demonstrates the different entry points for gender and the media. This begins with gender-aware policies and laws, implemented by regulatory authorities. Media education and media development NGOs have the capacity to influence attitudes, skills and knowledge of media practitioners, particularly at the entry level, but also through ongoing courses. Activists and decision-makers, especially women decision-makers, help to set the gender and media agenda through well coordinated campaigns and a proactive approach to the media. Ultimately, the ball is in the court of the media to change. This change needs to be within the media: that is in its institutional make up, as well as in media content.

There is only one time-bound media target in the Protocol: the achievement of gender parity in media decision-making by 2015. The wording of the provisions is careful not to be prescriptive or make assumptions about the extent to which government can regulate or influence the media (especially the private media). However, the provisions are significant in that:

- They cover both media content and the institutional make ups of the media;
- They touch on both policy and training; and
- They touch on both the sins of omission (the absence of women's voices and need to give women equal voice) as well as the sins of commission (the perpetuation of gender stereotypes in the way in which media covers women; especially the coverage of gender violence).

The provisions are consistent with freedom of expression. Indeed, they underscore the argument that gender and media activists have been making: that the subliminal silencing of women in the media is - the world over - one of the worst violations of freedom of expression.

Figure 9.1: Entry points for gender in the media

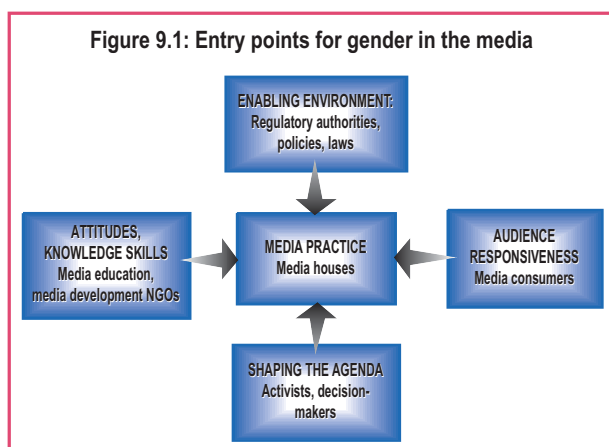
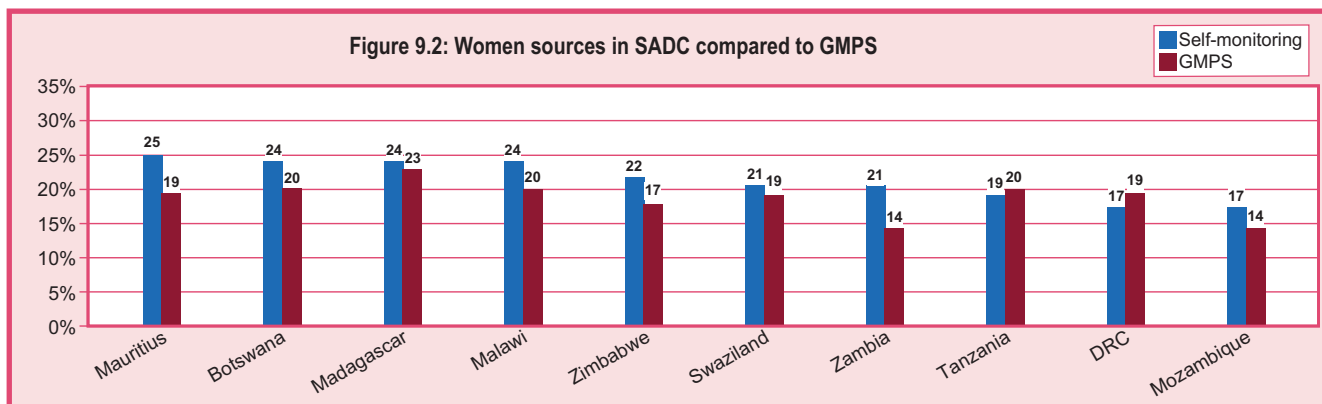


Figure 9.2: Women sources in SADC compared to GMPS



Source: SADC Protocol Barometer 2013.

Figure 9.2 shows that Swaziland (21%) scored higher than many other SADC countries in terms of proportion of women sources. Mozambique (17%) registered the lowest.

Training

The audit of *Gender In Media Education in Southern Africa (GIME)* is the most comprehensive study yet undertaken of the gender dimensions of journalism and media education and training in tertiary institutions in Southern Africa. The audit of the University of Swaziland (UNISWA) is part of a larger GIME audit administered in 25 institutions in 13 countries. Gender Links (GL) undertook the study through its Gender and Media Diversity Centre (GMDC) and through a partnerships between media development organisations and knowledge institutions. For this research, researchers interviewed 10 persons comprising two male staff members and eight students. Of the students, researchers interviewed 50% women.

Table 9.2: Number of staff and students at UNISWA

	No of women	No of men	Total	% women
Staff	1	2	3	33%
Students	14	24	38	37%

Table 9.2 shows that Swaziland has fewer female staff (33%) and students (37%). Researchers found that in most SADC countries schools have more women as students and more men as lecturers.

Key findings

The key findings of this audit include:

Institutional policy framework

- **There is no gender policy at the University of Swaziland:** UNISWA is, however, in the process of formulating an equal opportunity policy.
- **Gender is not covered in curriculum policies at institutional or departmental level:** There are no institutional or departmental policies, guidelines or procedures for incorporating gender into the curriculum and/or course content of UNISWA's journalism and media education and training programme. However, the study found lecturers have been willing to incorporate gender into curriculum.
- **There is a stand-alone sexual harassment policy:** UNISWA is a member of the Southern African Network of Higher Educational Institutions Challenging Sexual Harassment and Sexual Violence (NETSH). The Sexual Harassment Policy gives strategies for reporting cases; addresses counselling services; and outlines the disciplinary action for perpetrators. The policy applies to both students and staff.
- **Knowledge of the sexual harassment policy and how it should be applied is low among staff and students:** Some staff and students interviewed during this audit showed little knowledge or understanding of the Sexual Harassment Policy. The audit could not establish the number of sexual harassment cases reported or whether the policy had been used.

Gender within the media studies departments

- **The staff and students in the Department of Journalism and Mass Communication are predominately males:**

Of the three staff members in the department, two are males and men 24 (67%) of the 38 students in the programme are males. Swaziland's department of journalism has one of the lowest numbers of female students in Southern Africa.

Curriculum development and course content

- **There are no gender-specific courses in the Department of Journalism and Mass Communication.** UNISWA does not have any gender and media-specific modules in its media education and journalism courses. Gender is incorporated into the content of a few courses, including the advertising course.

Teaching/learning

- **Students expressed a keen interest in having gender incorporated into their media programme and there is a fair degree of gender awareness among staff:** Students said the department should mainstream gender into media education and journalism training and they showed reasonable gender and media literacy. Some staff indicated they may highlight gender in their courses, depending on the subject.

Prescribed texts/readings/learning materials

- **Gender is missing from course material:** The wealth of gender and media literature, research and training materials that has been published internationally and within the Southern African region is missing from the prescribed texts, readings and course materials used in the media education and journalism training department's curriculum.

Assessments

- **Gender is not incorporated into assessments:** Gender is not included as a standard in any systematic way in UNISWA's media education and journalism training department's curriculum assessments. The department's assessments of students' learning (exams, special assignments, etc.) also do not incorporate gender.

Research/publication

- **Academic research could be improved:** While examples exist of students' projects on gender and media issues, the topic has not become an area of academic research and scholarship among the lecturers in the University's Journalism and Mass Communications programme.



Entrepreneurs training workshop combines the use of IT for communication. Photo: Gender Links

Equal representation of women and men in the media by 2015



The Protocol urges Member States to take measures to promote equal representation of women in the ownership of, and decision-making structures of the media in accordance with Article 12.1 that provides for equal representation of women in decision making positions by 2015.

In 2007/2008 GL and GEMSA conducted *Glass Ceilings*, the most comprehensive survey to date on women and men in Southern African media houses against the provisions. The study covered 126 media houses and

more than 23 000 employees in all SADC countries, except for Angola. The Swaziland results from this study have been summarised in Table 9.3.

Table 9.3: Percentage of employees in Swaziland by sex

CATEGORY	% SWAZILAND		% REGION	
	Female	Male	Female	Male
Percentage of employees by sex	40	60	41	59
OCCUPATIONAL LEVELS				
Non-permanent	56	44	36	64
Unskilled	36	64	29	71
Semi-skilled	57	43	55	45
Skilled technical	50	50	45	55
Professionally qualified	21	79	31	69
Senior management	29	71	28	72
Top management	33	67	23	77
Board of directors	33	67	28	72

As illustrated in Table 9.3, overall women's representation is 40%. But they comprise only 33% of boards of directors, 29% of senior management and 33% of top management. Most interestingly, women constitute just 21% of those considered "professionally qualified."

This finding shows a clear need for more training of female media professionals. Where women do surpass men is as non-permanent (56%) and semi-skilled employees (57%).

Gender in media content



The Protocol calls on Member States to encourage the media to give equal voice to women and men in all areas of coverage, including increasing the number of broadcast programmes for, by and about women on gender specific topics and that challenge gender stereotypes. The Protocol urges member states to take measures to discourage the media from:

- Promoting pornography and violence against all persons, especially women and children;
- Depicting women as helpless victims of violence and abuse;
- Degrading or exploiting women, especially in the area of entertainment and advertising,

and undermining their role and position in society; and

- Reinforcing gender oppression and stereotypes.

In 2003, GL and MISA, with technical support from the Media Monitoring Project (MMP) of South Africa, conducted the *Gender and Media Baseline Study (GMBS)* study (which covered 12 Southern African countries). This study, conducted over one month and covering more than 25,000 news items, is the largest regional media monitoring study ever to have been conducted anywhere in the world.

In 2006, GL, as part of the MAP partnership, conducted the HIV and AIDS and Gender Baseline study, extending

this and the GMBS to the DRC, Madagascar and Seychelles the following year.

In 2009, GL undertook a sequel to the GMBS - the *Gender and Media Progress Study (GMPS)*. This is a follow-up study to measure whether or not the strategies - advocacy, training and the policy roll-out process - have assisted in the transformation of some of the media's ethical shortcomings identified in the GMBS. This study was conducted in tandem with the global study (GMMP 2010), providing a further opportunity for global benchmarking.

Table 9.3: Summary of key findings

GENERAL MEDIA PRACTICE	GMBS SWAZILAND 2003	GMPS SWAZILAND 2010	GMPS REGIONAL	GMMP GLOBAL
Topics	%	%	%	%
Economics	N/A	9	12	17
Gender equality	N/A	0	1	N/A
Gender violence	N/A	1	1	N/A
Politics	N/A	7	19	28
Sports	N/A	25	18	N/A
Geographic scope of stories	%	%	%	%
International	N/A	27	22	26
SADC	N/A	11	8	N/A
National	N/A	53	42	N/A
Local/community	N/A	3	10	N/A
Province	N/A	6	18	N/A
Type of sources	%	%	%	%
Primary sources	N/A	88	69	N/A
Anonymity	%	%	%	%
Anonymous sources	N/A	6	18	N/A
Diversity of sources	%	%	%	%
Single source	N/A	82	67	N/A
GENDER IN THE MEDIA	GMBS SWAZILAND 2003	GMPS SWAZILAND 2010	GMPS REGIONAL	GMMP GLOBAL
Who speaks	% women	% women	% women	% women
Overall	17	19	19	24
Private media	N/A	19	19	N/A
Public media	N/A	18	20	N/A
Community	N/A	0	22	N/A
Who speaks on which topic	% women	% women	% women	% women
Economics	22	18	15	21
Education	N/A	28	24	N/A
Gender Equality	60	20	43	N/A
Gender Violence	50	23	41	N/A
Political Stories	12	17	13	18
Sports	5	17	12	N/A
Sex of sources by medium	% women	% women	% women	% women
Print	N/A	19	18	24
Radio	N/A	18	20	19
Television	N/A	18	25	26
Who is seen	% women	% women	% women	% women
Images in newspapers	N/A	29	27	N/A
Ages - sources	% women	% women	% women	% women
35 - 49 years	N/A	45	37	N/A
50 - 64 years	N/A	15	20	N/A
65 years or older	N/A	3	0	N/A
Ages - images	% women	% women	% women	% women
35 - 49 years	N/A	47	26	N/A
50 - 64 years	N/A	15	33	N/A
65 years or older	N/A	4	11	N/A
Occupation	% women	% women	% women	% women
Beauty contestant	100	30	73	N/A
Business person	18	23	15	14
Government official	N/A	19	14	17
Health worker	24	25	27	31
Homemakers	100	43	63	72
Politicians	12	20	11	17
Sex worker	0	38	62	39

Sportsperson	4	8	8	11			
Personal identity	%	%	%	%			
Women	8	16	10	N/A			
Men	1	18	5	N/A			
GENDER IN NEWSROOMS	GMBS SWAZILAND 2003	GMPS SWAZILAND 2010	GMPS REGIONAL	GMMP GLOBAL			
Who does what	% women	% women	% women	% women			
All reporters	N/A	36	29	N/A			
TV reporters	32	33	42	44			
TV presenters	56	36	58	52			
Radio reporters	41	33	30	37			
Print reporters	15	25	25	33			
Who reports on what	% women	% women	% women	% women			
Economics	13	29	28	40			
Gender Equality	23	25	32	N/A			
Gender Violence	0	15	38	N/A			
Political stories	19	23	24	33			
Sports	6	30	18	N/A			
Sources and sex of reporter		%W	%M	%W	%M		
Female sources by sex of reporter	N/A	22	19	31	15	28	22
GENDER VIOLENCE AND THE MEDIA	GMBS SWAZILAND 2003	GMPS SWAZILAND 2010	GMPS REGIONAL	GMMP GLOBAL			
GBV stories compared to total	N/A	7	4	N/A			
Advocacy and protest stories	N/A	11	11	N/A			
Who speaks on GBV	% women	% women	% women	% women			
% of women in stories on and mentioned in GBV	N/A	21	27	N/A			
Function of GBV sources	%	%	%	%			
Victim/survivor	N/A	33	19	N/A			
Alleged perpetrator/perpetrator	%	16	11	N/A			
Who reports on GBV	% women	% women	% women	% women			
Percentage of women reporters	N/A	31	35	N/A			
GENDER, HIV AND AIDS AND THE MEDIA	2006 STUDY SWAZILAND	GMPS SWAZILAND 2010	GMPS REGIONAL	GMMP GLOBAL			
	%	%	%	%			
HIV and AIDS coverage compared to total	10	4	2	N/A			
Subtopics	%	%	%	%			
Prevention	44	23	26	N/A			
General	25	43	37	N/A			
Treatment	12	3	12	N/A			
Care, support and rights	12	12	14	N/A			
Impact	5	18	12	N/A			
Geographical scope	%	%	%	%			
International	7	8	12	N/A			
Regional	6	6	8	N/A			
National	77	73	56	N/A			
Local	10	14	15	N/A			
Function of sources	%	%	%	%			
Official and UN Agencies	40	25	19	N/A			
Civil society and NGOs	22	19	18	N/A			
Experts	11	36	17	N/A			
Traditional and religious leaders	5	2	2	N/A			
People living with HIV and AIDS	6	4	7	N/A			
Person affected	5	15	36	N/A			
Sources	% women	% women	% women	% women			
Who speaks on HIV and AIDS	34	15	20	N/A			
Reporters	% women	% women	% women	% women			
Who reports on HIV and AIDS	37	39	37	N/A			

Source: GMPS 2010, Gender Links.

Key findings

Table 9.4 shows that the proportion of women sources in the news in Swaziland has increased marginally, from 17% in the 2003 GMBS to 19% in the 2010 GMPS. However, variations exist across individual media entities. While gender violence receives more coverage than gender equality, coverage still tends to be sensational, with little information on advocacy campaigns and where to go for help. HIV and AIDS coverage has also decreased compared with earlier studies, although more people live with HIV and almost everybody is affected by it.

The results showed that:

- Gender equality is not given much media coverage in Swaziland making up only 0.2% of all topics covered: Sport and economics dominated coverage during this period, contributing 25% and 9% of stories respectively.
- The proportion of primary sources is higher in Swaziland than the regional average: Primary sources make up 88% of all sources compared to the overall regional average of 69%. But variations exist between individual media from Swazi TV and Channel Swazi at 97% each, to *Times of Swaziland* at 78%.
- Journalists identify most of the news sources in Swaziland by name, with unknown sources making up only 6% of sources: Swaziland Radio did not use anonymous sources during the monitoring period.
- The proportion of single-source stories is higher at 82%: This finding may account for the low proportion of women sources. If there is only one source in a story there is a high chance that this is a voice of authority and a male source. The media typically give voice to those who make decisions (predominantly men) rather than those affected by decisions.
- Subjects constitute the highest proportion of sources, followed by spokespersons. Journalists only accessed the voices of ordinary people expressing popular opinions in 1% of stories and eye-witnesses at 5%.

Gender in media content

- There has been a marginal increase in the proportion of women sources in Swaziland from 17% in the 2003 GMBS to 19% in this study: This corresponds with the regional average of 19%. Notwithstanding, news is still told mainly from a male perspective at 83% of sources.
- But differences exist across individual media: The Swazi Observer has the highest proportion of women sources with 22%, followed by Swazi TV, Channel Swazi and Swazi Radio all with 18%. The *Times of Swaziland* at 12% has the lowest proportion of women sources in the country.
- Women's voices remain most likely to be heard on children's issues (38%) and sex and sexuality (33%)



Journalists exchange ideas at the Gender, Elections and the Media workshop, Mbabane.

Photo: Thandokuhle Dhlamini

than they would be in stories about other topics such as land and agriculture (7%) and mining 10%: media in Swaziland continue to seek women's voices on so-called women's issues, such as gender violence (23%) and health (28%).

- The voices of women start to disappear when they reach 50: Most women sources remain in the age category of 35-49 years (45%). Older people (men and women) remain virtually non-existent as sources, with men constituting 1% of sources and women at 3%.
- Unlike in other countries, men are more likely to be identified by personal tag in the media in Swaziland than women: journalists identify men with a personal tag such as father, brother or husband in 22% of stories, compared to 16% for women identified as wife, daughter or mother.
- The level of gender stereotyping in the media in Swaziland is decreasing. This is especially seen in the increase in women sources in non-traditional fields such as business, from 18% in the GMBS to 23%, and as politicians, from 12% to 20%.

Gender in newsrooms

- The Swazi media has more women presenters than women reporters: women predominate as television presenters at 41%, while women constitute 21% of reporters.
- Women reporters dominate reports about children, religion and education. Men, on the other hand, predominate in labour, human rights and HIV and AIDS stories. Men make up 86% of those reporting on HIV and AIDS.
- Having more women in top and senior management positions does not always result in more women sources. In Swaziland, women constitute 29% of those in top management positions yet women make up less than a fifth of media sources.
- Women journalists more frequently cite women sources than male journalists. Having more women reporters is making a difference in media in Swaziland, where 22% of women reporters seek women's comment compared with 19% of male reporters.

Media follow-up highlights the plight of pregnant pupils

Zulu Joseph, a journalist at the *Swazi Observer*, wrote a story after receiving information that a pupil from one of the schools around Mbabane had been expelled due to pregnancy. He also heard that although she had been expelled, she wanted to continue learning. He called the minister of education to find out if the minister could determine some way the pupil could return to school.

It turned out that the education policy allows pregnant girls to continue schooling, as noted in earlier chapters. The minister also said the country's constitution provides equal opportunity for girl students.

This is a good example of gender in media content because it resulted in many people debating about and discussing gender. Although the issue of teenage pregnancy affects the whole country, it mostly affects young girls at a very personal level. This provided a test case of the country's constitution and whether the authorities and society respect it.

Teenage moms still find it difficult to continue education whereas boys who impregnate school girls continue

going to school. However, this article is a good example of the media working to help achieve the SADC Gender Protocol targets. It also highlighted the provision that "state parties shall adopt laws, policies and programmes to ensure the development and the protection of the girl child." The article also highlighted Article 14 of the SADC Protocol which states that countries shall provide laws that promote equal access to and retention in primary, secondary, and tertiary, vocational and non-formal education, in accordance with the Protocol on education and training and the Millennium Development Goals.

The story also sparked an important debate among women's empowerment groups, government departments and churches. Eventually, cabinet said the education policy should be sent back for review. Joseph's sources included several women from the public, including his workmates. He also called organisations such as Gender Links, SWAPOL and even SWAGAA to hear a variety of views on the issue. In addition, he conducted street interviews with other schoolgirls - the majority who felt pregnant pupils should be allowed back into schools.

Gender-based violence

- There is minimal coverage of gender-based violence compared with other topics in Swaziland: GBV stories make up only 7% of the topics covered.
- This is significantly higher than the regional average, where GBV stories make up 4% of topics with some country variations.
- Women make up 21% of GBV sources, but men also predominate on this topic. Men speak for women even on issues that affect women the most.
- Survivors make up 33% of sources in GBV stories. Considering the sensitivity and fear of reprisals, this result seems fair. Gender-based violence is generally underreported and rarely publicly discussed.
- Gender-based violence is mostly covered by male reporters at 69%: Women reporters covered 21% of these stories.

HIV and AIDS

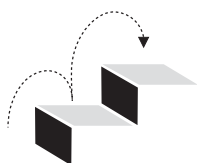
- Coverage of HIV and AIDS in media in Swaziland is very low: making up just 4% of topics covered in the country. Coverage of HIV and AIDS is even lower in the region making up only 2% of topics. It has decreased from 10% in the GMBS.
- The voices of people living with HIV and AIDS remain underrepresented in media coverage: making up only 4% of sources. Affected people's voices receive more space with 15% representation.

- Experts dominate as sources at 36%: This is followed by official/UN agency sources at 25% and civil society and NGOs at 19%.
- General stories receive the most coverage at 43%, followed by impact stories at 18%. General stories comprise those that mention HIV and AIDS in passing and not as the main topic.
- The gender dimensions of the HIV and AIDS epidemic is not adequately covered by media. For example, women make up the majority of care-givers, yet remain underrepresented as sources.
- Coverage of HIV and AIDS is mainly news and news briefs, making up 78% of all stories on the topic. Features and analysis on the topic make up 10% of stories.

Recommendations for the government of Swaziland

- Pledge to mainstream gender in all information, communication and media laws.
- Pledge that statutory regulatory authorities use whatever leverage they have at their disposal, especially in relation to publicly-funded media, to ensure gender accountability. This could include requiring gender balance and sensitivity in institutional structures as well as making editorial content part of licensing agreements, as well as annual reports stating progress in this regard.
- Pledge to ensure that gender will be mainstreamed in all publicly-funded media training institutions, and,

where they exist, encourage privately-funded media training institutions to follow suit.



Next steps

- Develop gender-responsive editorial and employment policies and guidelines in order to direct and manage

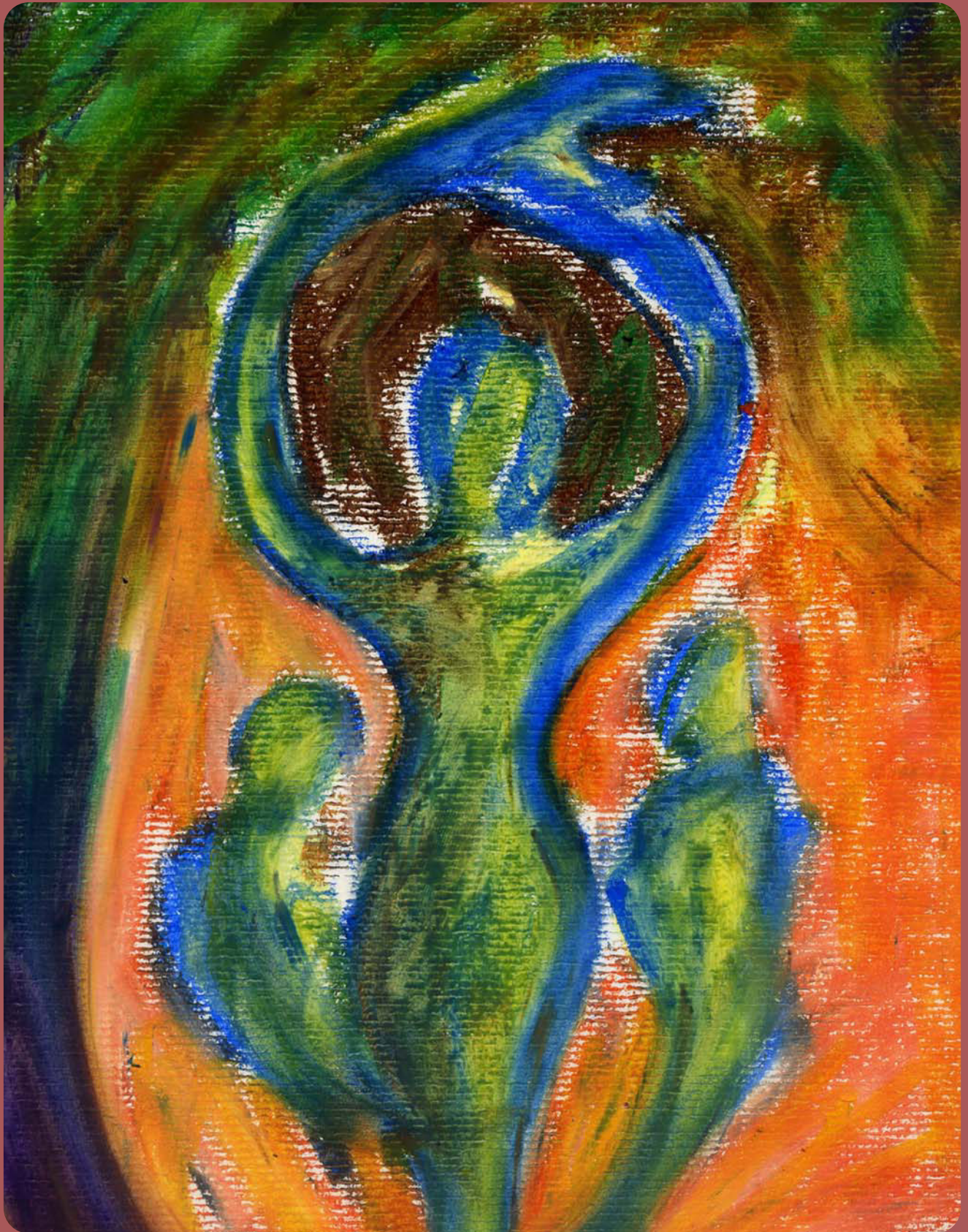
change in media houses and address many of the gaps and inequalities identified in gender and media studies.

- Continue ongoing activism within the gender equality and women's empowerment sector and broaden its focus to include the media as one of the institutions for changing mindsets and attitudes.
- Implement gender and media literacy for the wider population and work with media training institutions. This sphere of work is critical for building a broad base of informed citizens who can engage with the media and use their voices to demand accountability, media professionalism and high ethical standards.



Radio journalists produce a show at the Swaziland Broadcasting and Information Services (SBIS) office in Mbabane.

Photo: Saeanna Chingamuka



"Isabella"

Anushka Virahsawmy



CHAPTER 10

Implementation

Articles 32-36



Sheila Sithole, Gender Focal Person for Police, takes part in a costing workshop at the Esibayeni Lodge in Matsapha, Swaziland in 2012.

Photo: Ncane Maziya

KEY POINTS

- Swaziland signed the SADC Protocol on Gender and Development.
- Swaziland ratified the Protocol in September 2012
- Swaziland has joined Namibia and Seychelles to develop a costed gender action plan aligned to the SADC Gender Protocol targets. Zambia is also following a similar process. This provides a roadmap for accelerating implementation.
- The Family and Gender Unit has spearheaded implementation of the Protocol.
- The Gender Consortium of the Coordinating Assembly of NGOs (CANGO) is the focal network for the Alliance in Swaziland.

Signing



Article 39 provides that the Protocol shall be duly signed by the authorised representatives of Member States.

Swaziland is among 13 of the 15 SADC countries which have signed the SADC Gender Protocol. Botswana and Mauritius have yet to do so.

Ratification



The Protocol states that it shall be ratified by the Signatory states in accordance with their Constitutional procedures and shall enter into force 30 days after the deposit of instruments of Ratification by two thirds of the Member States.

Swaziland ratified the Protocol and deposited its instruments of ratification in September 2012. To date 11 countries have ratified with two yet to deposit their instruments of ratification. With only one year to go, the country must intensify its efforts to implement the Protocol.

Table 10.1: Signing and ratification of the SADC Gender Protocol by country

COUNTRY	SIGNED	RATIFIED	DEPOSITED INSTRUMENTS
Angola	✓	✓	✓
Botswana			
DRC	✓	✓	
Lesotho	✓	✓	✓
Madagascar	✓		
Malawi	✓	✓	✓
Mauritius			
Mozambique	✓	✓	✓
Namibia	✓	✓	✓
Seychelles	✓	✓	✓
South Africa	✓	✓	✓
Swaziland	✓	✓	✓
Tanzania	✓	✓	✓
Zambia	✓	✓	✓
Zimbabwe	✓	✓	✓

Source: Gender Links 2013 and SADC Gender Unit.

Table 10.1 indicates that Swaziland has joined other SADC countries that have signed, ratified and deposited instruments for the Protocol.

Implementation mechanisms and processes



Article 35: Implementation, Monitoring and Evaluation State Parties shall ensure the implementation of this Protocol at the national level: State Parties shall ensure that national action plans with measurable time frames are put in place, and that national and regional monitoring and evaluation mechanisms are developed and implemented. State Parties shall collect and analyze baseline data against which progress in achieving targets will be monitored.

Table 10.2: National gender machinery and processes

Component	Yes/No	Comments
Gender ministry	No	Gender and Family Unit within the Deputy Prime Minister's Office.
National Gender Policy	Yes	National Gender policy was adopted in 2010 but through costing there is an opportunity to align it to the 28 targets.
National Gender Policy aligned to the SADC Protocol	Yes	The Policy is guided and influenced largely by various international and regional Covenants and Declarations including the Protocol itself. The vision of the Policy is a Swaziland where women, men, girls and boys have similar opportunities to participate freely as equal partners in all spheres of public life, including all decision-making processes and have fair access to and control over resources. It covers almost all the Protocol target areas. However, the Policy makes no mention of time lines for its objectives and respective strategies.
Gender focal points in all line departments	Yes	Gender focal points and are deployed in all ministries.
Gender action plan	Yes	Drafting one to accompany existing strategy.
Aligned to Protocol.	Yes	With technical support from GL the gender action plan be aligned to the SADC Gender Protocol targets set for 2015.

Table 10.2 shows that Swaziland has made remarkable progress in mainstreaming key targets of the SADC Gender Protocol in national policy and planning documents, but implementation remains a challenge. This provides a roadmap for achieving gender equality.

Costing and gender budgeting

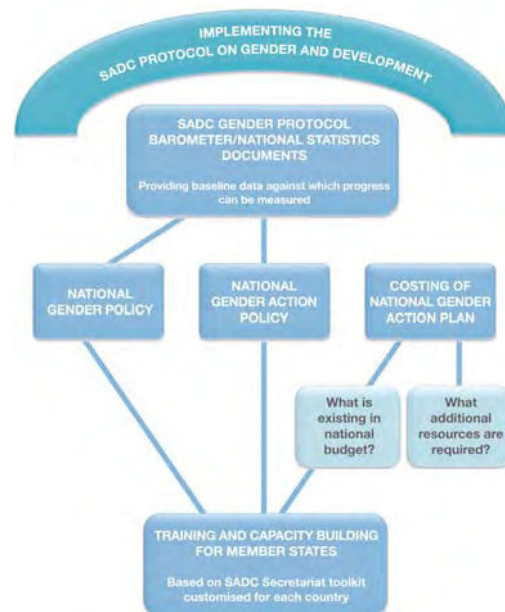


Article 33: Financial Provisions: State Parties shall ensure gender sensitive budgets and planning, including designating the necessary resources towards initiatives aimed at empowering women and girls. State Parties shall mobilise and allocate the necessary human, technical and financial resources for the successful implementation of this Protocol.

The SADC Gender Protocol underscores the importance of ensuring adequate resources to ensure its implementation. Gender budgeting initiatives have taken root in Swaziland, building on work begun by the Gender Consortium and UN agencies as discussed in Chapter 4. The country has begun the process of costing implementation of the SADC Gender Protocol through developing a costed gender action plan that will accompany the reviewed national gender policy.

The Gender Unit is working with the backing of UN agencies, SADC Gender Unit, civil society, including the local Alliance network led by CANGO, and technical assistance from Gender Links. The process is guided by a model developed by GL: the SADC Gender Protocol Barometer-Policy-action plan-Gender Responsive-Capacity Building Model that brings several components together, as illustrated in Figure 10.1.

Figure 10.1: Costing model developed by Gender Links



At a glance, Figure 10.1 shows the key components of the model: The implementation of the SADC Gender Protocol requires a multi-sectoral approach on existing work.

Implementation of the SADC Gender Protocol: is the broad objective.

Gathering baseline data: This will entail using data from the national central statistical offices and reports to the SADC Secretariat by government, complemented by the SADC Gender Protocol Barometer produced by the Alliance, as well as other national gender reports to various bodies. This will provide baselines against which progress will be measured.

Training and capacity building: The development of national gender policies and costed gender action plans requires capacity building workshops with modules on gender mainstreaming, gender budgeting and costing implementation of policy at national levels. Key line ministries' gender focal points and budgeting officers should ideally attend for sustainability of the process, along with leading civil society leaders, to support the relevant ministries over time.

Review of the 365 Days national strategy

The 2007 Swaziland 365 Day National Action Plan to End Gender Violence is a comprehensive multi-sector plan to end gender violence crafted by representatives of government and civil society. It uses the SADC Addendum to the Declaration on Gender and Development on the Eradication of Violence Against Women and Children as a framework. It provides specific targets, time frames, outputs and budget over a three year period and allocates responsibilities for achieving them. The action plan, launched during the 16 Days of Activism in 2007, includes a coordinating structure for ensuring that all sectors of society mobilise in the fight against gender violence. Stakeholders framed the Action Plan against the SADC Addendum on the Prevention and Eradication of Violence against Women and Children, which outlines five key areas in which measures must be adopted to address violence against women and children:

- Legal
- Social, economic, cultural and political
- Services
- Education, training and awareness
- Integrated approaches and budgetary allocation

The Gender and Family Unit held a workshop in August 2013 to review the national action plan. The group launched the new strategy during the 16 Days of Activism campaign in November 2013.

Resource allocation for implementation of key provisions of the SADC Protocol on Gender and

Development: It is important for the national gender machinery to lobby and ensure there is allocation of resources for the implementation of the costed gender action plan. This should include looking at existing resources within national budgets, gender entry points and an assessment of additional resources required. This includes advocacy and lobbying by the national gender machinery to the national treasury.

Gender focal points in line ministries

The line ministries have Gender Focal Point (GFP) persons whose main responsibility is to enhance gender mainstreaming in all sectors. The GFPs should have a strong link with the MGCD on gender mainstreaming of the public sector. In some cases, ministries have Gender-Sub-Committees tasked to facilitate and enhance gender-based planning and costing.

Stakeholders have implemented provincial and district committees as well as well as other community level sub-committees to ensure engendering of planning and budgeting processes at the community level. There is a need to strengthen the links between the planners, accountants and GFPs and MGCD. All these three require training in gender mainstreaming and gender-responsive budgeting. Many pieces of legislation can be enacted, but without resources not much can be achieved.

Implementation of the SADC Gender Protocol at local government level

A sphere of governance closest to the people, local government structures, especially councils, have emerged as key allies in implementing the SADC Gender Protocol, as well as taking it to local communities. This comes from the realisation that the only way to have a real impact at the local level is to work at council level.

Several research studies, such as *Ringling up the Changes, Gender in Politics in Southern Africa*, found that local government is a neglected area of the gender and governance discourse. Similar research conducted in 10 Southern African countries in the series *At the Coalface, Gender and Local Government* made the same observations. This led to GL's launch of the Centres of Excellence in gender mainstreaming and local government process. It came from the realisation that the only way to have a real impact at the local level is to work at council level.

While policies and strategies at national level remain important, they exist as so many words if they do not get translated into action on the ground. Similarly, it has become clear that the ambitious targets of the SADC Protocol on Gender and Development need to be localised.

GL is working in at least ten councils in 10 SADC countries to cascade the COE model and it has formed strategic

partnerships with local government associations, ministries of local government, community-based organisations and other stakeholders to ensure that local government is an avenue for promoting gender equality and equity.

Key targets of the local council gender-planning framework have been aligned to the SADC Protocol on Gender and Development. Flagship projects include key

targets of the SADC Protocol to be achieved by 2015, such as training for women in politics aimed at contributing to the 50/50 target, and reducing by half the current levels of gender-based violence.

The work at the local government level has therefore evolved. Some of the key achievements arising from taking implementation of the SADC Protocol to local level through the COE model include:

Municipal Council of Mbabane takes a stand in mainstreaming gender

Before it became a COE, the council had no interest in gender issues. Its staff focused mainly on its HIV response. It did not have any structure or policies pertaining to gender. Due to lack of knowledge, its staff did not realise that men can also be care-givers.

It was only in 2011, with the arrival of GL's country manager, that the council took an interest in gender. This began because of the relationship between gender and HIV. The Gender Links country coordinator started her work with the council by explaining GL and the organisation's objectives. After her first visit, she organised a workshop for the council. After that workshop, the council took a stand on gender mainstreaming. The CEO then appointed a gender focal person, Fikile Mathunjwa, and tasked her with creating a gender policy for the council.

Since that time, the council has progressed so well that it now has a first policy draft for gender. The gender focal person, along with her team, goes into communities to teach about gender disparities. They have started working on the election of a committee that will be responsible for the issue of gender in the wards. As a council, they acknowledge the contribution of care-givers. They have implemented an HIV policy as well as a wellness policy because of the relationship between gender and HIV/AIDS. They also have a child protection programme which they call Lihlombe Lekukhalele. Through these programmes, the group trains people not only to focus on abuse issues, but also to incorporate gender issues more broadly. Since the challenges remain interlinked, the solutions must be too.

The council endeavours to be gender sensitive in all its activities. Its calendar states in bold letters: "WE EMBRACE GENDER EQUALITY, NON-DISTRIMINATION, ANTI-AIDS AND ANTI-XENOPHOBIC INITIATIVES." The council distributes pens, t-shirts and coffee mugs with positive messages about gender.

Meanwhile, for those on the council, a lot has changed when it comes to gender issues. The council has appointed a focal person on gender which illustrates that people have begun to give attention to gender issues. Some of the employees within the council have taken the initiative to get clarity on gender issues,

something that had not occurred in the past. There is also increased public interest in gender mainstreaming on the council. Some people have shared their experiences of gender-based violence.

The adoption of gender mainstreaming has been well received by women who have seen how this changes the council's approach. Women have noticed a change of attitude. Now, both women and men have begun to view council decisions with an eye to creating gender equality. There have been suggestions within the council to go over the human resource policies to make sure that every policy is gender sensitive; for example, the sexual harassment policy and the procurement policy. The organisation has taken on board affirmative action in advertising jobs, by explicitly stating that it is an organisation that offers equal opportunities to all classes or categories of people.

One change in the council is evident in the numbers of women in senior management. At the moment senior management includes four men and three women. Recruitment of all positions is based on competence. The council has a leader who is enthusiastic about gender education and he has encouraged the gender focal person to go for trainings and attend conferences on gender issues. He doesn't end his support there and also expects a report of the workshops attended so that everyone is on board. The Mbabane City Council is the first city in the country to have a draft gender policy, and it is one of the few in the SADC region. As a council, it facilitates community dialogues once or twice a month to teach people about gender.

The main challenge faced by the council is getting past the way both men and women have been socialised. These issues have not yet been overcome, but through educating and dialogues with people, there is a slight change. The council is now working towards creating women's empowerment activities such as income generating projects. At the moment, the council needs a capital injection to enable women's empowerment activities. There is agreement that these activities remain necessary in the community. All councillors concur that it is important to encourage women and men to distribute work, both in and out of the house, more equally.

Civil society



The Southern Africa Gender Protocol Alliance - a “network of networks” - started as a loose coalition in 2005 when the campaign for the adoption of the SADC Protocol on Gender and Development began. As the SADC Gender Protocol campaign shifted from pushing for signing and ratification to lobbying for implementation, it became apparent that there is a need for the network to reorganise to be effective in monitoring implementation by member states.

In Swaziland, the Gender Consortium of Coordinating Assembly of NGOs (CANGO) coordinates the Alliance at national level. Over the coming year ahead of 2015, the local network, backed by the regional secretariat, will focus on strengthening institutional mechanisms in order to facilitate advocacy work on raising awareness about the SADC Gender Protocol. It will also work on tracking its implementation. There is a need to develop gender champions for each of the 28 targets in order to move forward in a coordinated way.

Grouping of the Alliance in Swaziland as per cluster

The two groups assisted in identifying which cluster each Gender Consortium member fall under as follows:

Cluster/Thematic Area	Organisation Responsible
Constitutional & Legal Rights	SWYON FHI CSC World Vision WLSA (not active member) Save (Children's Rights) but not an active member for now
Gender & Governance	SWYON FHI CSC
Education & training	Shape Lusweti FAWESWA (partners of the Consortium) SWANCEFA (partners of the Consortium) Save
Economic Justice & Gender	Imbita WUS Gone Rural World Vision Red Cross LDS
GBV	Men In Action against Abuse Msimisi SWAGAA LDS
Health	PSI FLAS Lusweti LDS
HIV/AIDS	PSI FLAS Lusweti LDS
Peace Building	No organisation is working in this area as it is an area not affecting Swaziland, however Red-Cross does work on this area globally)
Gender & Climate Justice	A new area in gender issues, no organisation is focusing on this area at the moment
Gender & Media	Gender Links MISA (partner of the Consortium)

Key priorities of the Alliance in Swaziland by theme

THEME	ISSUES	ACTIONS	COORDINATING ORGANISATION
Constitutional & Legal rights	<ul style="list-style-type: none"> • Knowledge of the Constitution • Minimal knowledge of Gender issues • Citizenship • Land • Inheritance • Marriage & Family rights at community level • Human Rights Violations 	<ul style="list-style-type: none"> • Civic Education - (workshop, seminar) • Knowledge of the constitution • Land issues • Inheritance rights / issues (have precedents) • Lobby for political will to implement the commitments made through the Constitution, Laws, Protocol etc 	CSC SYWON
Gender & Governance	<ul style="list-style-type: none"> • Representation of women in decision making positions (private sector, legislature and government) • Women's Representation in Political arena • Gender stereotypes • Women's gender roles. 	<ul style="list-style-type: none"> • Lobby for political will to implement commitments. • Lobby for enactment of the Equality / Affirmative Action legislation. • Undertake programs and campaigns to ensure women's participation in politics: • Host a dialogue for the Women nominees for the 2013 elections soon • Capacity building for women on Leadership Skills. • Host Dialogues to sensitise stakeholders on gender stereotypes for women in leadership positions • Call for inclusion of women: Meeting with EBC on the quota of women in parliament. • Community Dialogues-host follow-up dialogues by way of taking up issues that arise to make examples of them. • Dialogue with women nominees on post elections strategies. • Share the information on some of the strategies that are being undertaken to address women's participation. 	SYWON CSC
Education & Training	<ul style="list-style-type: none"> • Education Policy and Pro-pregnancy policy. • Financial issues- affording school fees (grants are not sufficient) • Preference of boys going to school than girls (Rural Areas) • Statistics do not regard the ratio of the population. 	<ul style="list-style-type: none"> • Lobby for the formulation of the education policy and pro- pregnancy policy. • Conduct a regional situational analysis on what is obtaining in the region and use it to lobby in Swaziland • Sensitise community on gender issues relating to education. • Dissemination of information on gender to via Media, dialogues etc. • Update Curriculum for teacher training and pupils to include gender issues and remove stereotypes 	Save The Children SWANCEFA
Economic Justice and Gender	<ul style="list-style-type: none"> • Poverty has a female face • High unemployment rate for women • Informal trading- cross border. • Poor working conditions, no proper markets, not highly skilled in entrepreneurship. • Women's unpaid production work. Women's access and control over resources and limited access to credit/capital (use micro-lenders) 	<ul style="list-style-type: none"> • Implement programs to keep girls in school up to tertiary level.(retention) • Sponsorship and mentorship for careers in engineering, science, aviation and technology. • Dissemination of SME policy. 	FHI360 Gone Rural WUS Imbita Red Cross Save the Children Shape
Gender Based Violence	<ul style="list-style-type: none"> • High incidence rate of GBV in Swaziland vs. women & girls • Poor response i.e. health psycho-social & legal • No final GBV national strategy 	<ul style="list-style-type: none"> • Implement programs to: • To raise awareness on GBV • Implement the 365 campaign on GBV • Empower girls on their rights • Re-socialise boys and men on gender and masculinity • Build government & community capacity to respond to GBV(health psycho-social & legal) • Finalise and implement a Strategy on GBV. • Finalise standards for multi-sectorial response to SGBV. 	SWAGAA SYWON Gone Rural Men Against GBV

THEME	ISSUES	ACTIONS	COORDINATING ORGANISATION
Health	<ul style="list-style-type: none"> • Access to quality services • SRH (male involvement) • Access to health services by the Youth access • sanitary hygiene • Food security • Mental health services 	<ul style="list-style-type: none"> • Conduct community dialogues to raise awareness on the issues • Have programmes targeting the youth 	FLAS PSI FHI360 Lusweti
HIV/AIDS	<ul style="list-style-type: none"> • HTC • Treatment • Stigma • Myths • Discordancy • PMTCT • Care-giving support 	<ul style="list-style-type: none"> • Host dialogues to educate communities on the issues 	FLAS PSI FHI360 Lusweti Council of Churches
Peace building	<ul style="list-style-type: none"> • Domestic abuse / conflict in the home 	<ul style="list-style-type: none"> • Host community dialogues 	Council of SD Churches SWAGAA
Gender & Climate	<ul style="list-style-type: none"> • Low fuel cooking • Food security 	<ul style="list-style-type: none"> • Host community dialogues 	REASWA Women in Development
Gender & Media	<ul style="list-style-type: none"> • Dignified & accurate representation of women / women's rights; • How women can use media to get accurate information & to share messaging strategies. 	<ul style="list-style-type: none"> • Host dialogues on gender for the media 	Gender Links Lusweti

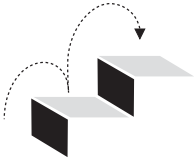
Source: Interviews.



Gender champions such as Sthembile Mazibuko from Mankayane are eager to implement the SADC Protocol on Gender and Development at local level.
Photo: Trevor Davies

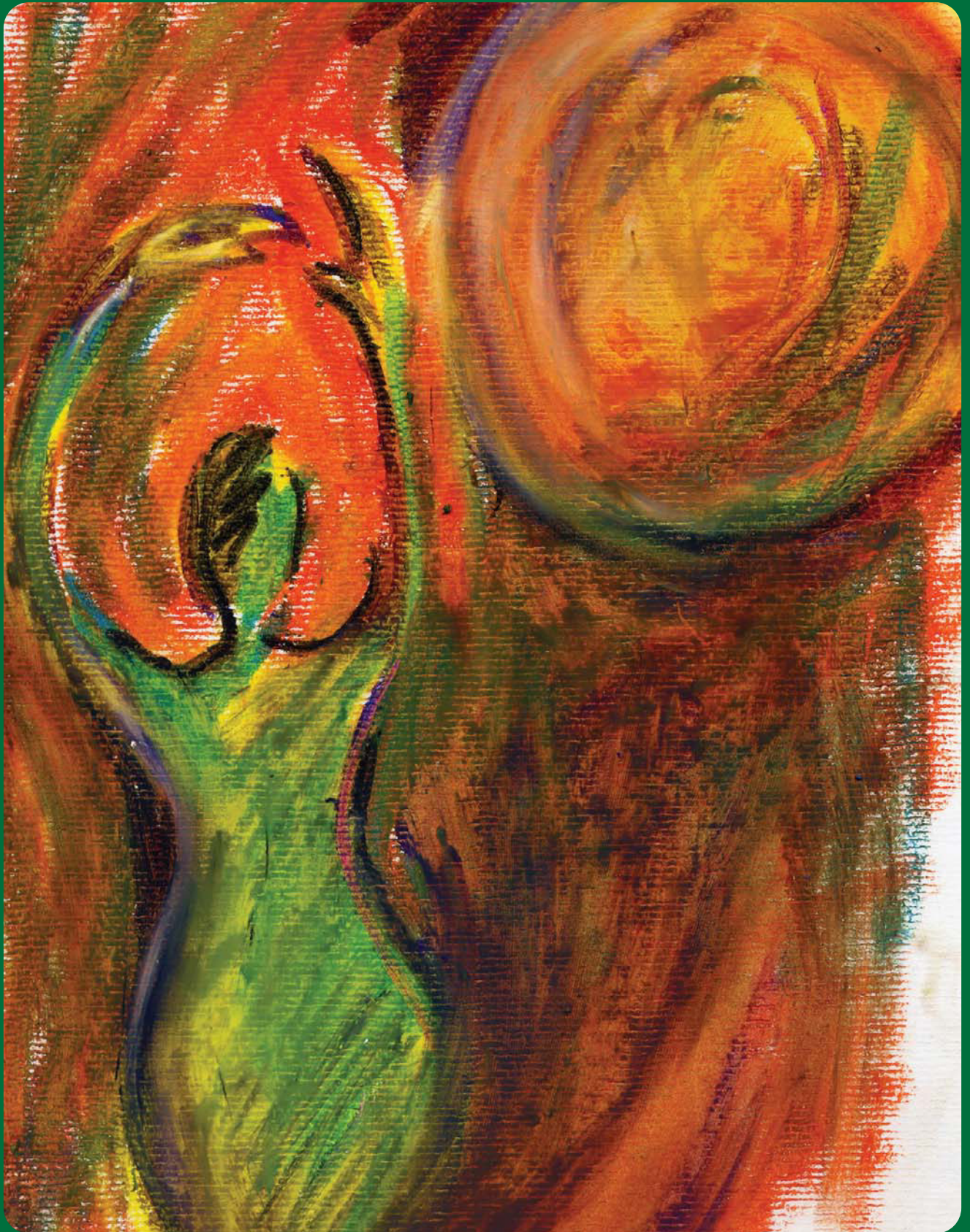
Conclusion

Swaziland has only signed and ratified the 2008 SADC Protocol on Gender and Development. Moreover, although legislators and stakeholders have enacted an array of policies, most have not been fully implemented due to lack of resources.



Next steps

- Continue advocacy to ensure the engendering of the constitution. Women must participate fully and be mobilised at community, district, provincial and national forums.
- Finalise costing of the Swaziland National Action Plan.
- Increase sensitisation of the Anti-Gender Based Violence and Education Acts in order to ensure they can be fully enforced.
- Swaziland faces huge challenges in preparing for the implementation of the SADC Protocol. The Gender Unit and civil society will need to push for coordinated efforts in aligning CEDAW and the constitution with legislation. Civil society organisations need to disseminate the Protocol and create more awareness in the communities, particularly through the media.
- Strengthen the country alliance network through country level meetings and popularising the SADC Gender Protocol.
- Have a media watch within the consortium to revive gender and the media
- Monitor the daily papers to ensure that there is a coordinated response from the gender consortium members.
- Gender consortium members need to mainstream advocacy into their programs.



Anushka Virahsawmy



CHAPTER 11

Gender, climate change and sustainable development



Flooding caused by climate change poses travelling hazards in Swaziland.

Photo: Swazi Observer

KEY POINTS

- Climate change will affect all countries but its impacts will be spread differently among different regions and different groups of people.
- Swaziland is prone to floods and prolonged drought.
- Women are worst affected by climate change in Swaziland.
- The SADC Gender Protocol Alliance has embarked on a regional campaign to lobby and advocate for the adoption of an addendum to the SADC Gender Protocol to address climate change and sustainable development.
- Of the four key ministries related to the environment, only two women have decision-making positions.
- Budgeting for climate change mitigation and adaptation strategies remains a challenge.
- The Southern Africa Gender Protocol Alliance is stepping up the campaign for gender and climate change, including lobbying at the national level.

Global context

Climate change is a significant and lasting altering of the statistical distribution of weather patterns over periods ranging from decades to millions of years. It may be a change in average weather conditions or in the distribution of weather around the average conditions (i.e. more or fewer extreme weather events). Global warming will have catastrophic effects such as accelerating sea level rise, droughts, floods, storms and heat waves. These will impact everyone, including some of the world's poorest and most vulnerable people, disrupting food production and threatening vitally important species, habitats and ecosystems. Sadly, climate change effects affect mainly women globally who experience gross suffering due to the multiple roles society expects them to play.

Climate change threatens to erode human freedoms and limit choice, and gender inequality intersects with climate risks and vulnerabilities.³⁴ Women in developing countries have limited access to resources; restricted rights, limited mobility and a muted voice in shaping decisions make them highly vulnerable to climate change. The nature of that vulnerability varies widely, but climate change will magnify existing patterns of inequality, including gender inequality. Women play an important role in supporting households and communities to mitigate and adapt to climate change. Across the developing world, women's leadership in natural resource management is well recognised. For centuries, women have passed on their skills in water management, forest management and the management of biodiversity, among others. Through these experiences, women have acquired valuable knowledge that will allow them to contribute positively to the



Way to go: Recycled products in Sunduze, Swaziland.

Photo: Ncane Maziya

identification of appropriate adaptation and mitigation techniques, if only they are given the opportunity.

National context

Swaziland lies at the transition of major climate zones as it is influenced by air masses from different origins including the equatorial convergence zone, subtropical and Eastern Continental moist maritime (with occasional cyclones). Only about 10% of the total area is suitable for agriculture in Swaziland, where more than 95% of the water resources get used for irrigation.³⁵ The symptoms of the adverse effects of recurrent droughts, associated with climate change, continue to be visible on the livelihoods of the population. Small-scale farmers in particular have limited resources to cultivate large portions of their arable land. Hence there is a notable realisation that managed or policy-driven climate change adaptation strategies have become necessary in some key economic areas: water, agriculture, forestry and energy.

Swaziland is party to the UN Framework Convention on Climate Change (UNFCCC). Despite positive strides in implementing the objectives of the convention, Swaziland is facing challenges, which include:

- Constraints in research and systematic observation systems;
- Lack of financial support for institutionalisation of the National Commission Committee;
- Lack of understanding of models and use of estimate values for national conditions;
- Insufficient well trained skilled people in climate change work; and
- Lack of climate change data and information collection framework and data base management system.

Swaziland has been able to receive technical and financial support for putting in place national policies and a legal framework that conform to global standards. Swaziland is a member of key international organisations and signatory to more than 20 international agreements. Organisations include SADC, United Nations Environment Programme and the World Meteorological Organisation.

Swaziland has also signed and ratified several international environmental conventions and agreements. The most important for sustainable development include the three Rio Conventions, ratified in 1994 and 1996 as follows:

- United Nations Convention on Biological Diversity (UNCDB) (1994);
- United Nations Convention to Combat Desertification (UNCCD) (1996); and
- United Nations Framework Convention on Climate Change (UNFCCC) (1996).

³⁴ UNDP: Gender and Climate Change; Last Accessed 07/11/2013

³⁵ L. Simelane; Dec 2012; An Investigation Of Climate Change Adaptation Strategies And Innovation Of Swazi Farmers

Other important International environmental conventions, protocols, treaties ratified by Swaziland include:

- Prohibition of the Development, Production, stock-piling and use of Chemical Weapons and on their Destruction (1996);
- Convention on the International Trade in Endangered Species of Wild Fauna and Flora (1997);
- Vienna Convention for the Protection of the Ozone Layer (2005);
- Montreal Protocol on Substances that Deplete the Ozone Layer (2005);
- Basel Convention on the Trans-boundary Movement of Hazardous Waste and their Disposal (2005);
- Stockholm Convention on Persistent Organic Pollutants (2006);
- Cartagena Protocol on Bio safety to Convention on Biological Diversity (2006);
- Convention Concerning the Protection of the World Cultural and Natural Heritage (2006);

- Kyoto Protocol (2006); and
- Convention on Wetlands of International Importance Especially as Waterfowl Habitat-Ramsar Convention (2010).

SADC environmental protocols that have been signed by Swaziland and relate to the climate include:

- Protocol on Shared Watercourse Systems (1998);
- Protocol on Energy (1998);
- Protocol on Mining (2000);
- Protocol on Wildlife Conservation and Law;
- Enforcement MOU on Cooperation in Standardisation, Quality (2003);
- Revised Protocol on Shared Watercourse (2003);
- Protocol on Fisheries (2003);
- Protocol on Forestry (2002); and
- Declaration on Agriculture and Food Security (2004).

Ministry of Tinkhundla prioritises climate change

The ministry has encouraged citizens to plant moringa trees because they help control carbon dioxide emission, which assists in tackling climate change. Ministry staff implemented this practice when they realised the need to grow more trees, especially in the rural areas, to mitigate the effects of climate change. Some bene-

ficiaries use moringa for other purposes including tea. Others dry and pound moringa leaves which have nutrients that benefit the communities. This initiative has also helped communities create income thanks to the by-products of the tree.

SADC level

Against this background, the Southern African Gender Protocol Alliance has embarked on a campaign for an addendum to the SADC Gender Protocol on Gender and Climate Change. This underscores the fact that, like a constitution, a protocol is a living document that should be open to amendment, reflecting specific needs and concerns at any given time. This is yet another example of how - by being organised and strategic - civil society is yet again prying open democratic spaces and getting gender into key areas of the regional agenda.

There are precedents in the region to governments elaborating on gender instruments in response to civil society demands. In 1998, a year after the signing of the SADC Declaration on Gender and Development, heads of state adopted an addendum on violence against women and children. Just as women's organisations drafted this addendum, so the Alliance has drafted the Addendum on Gender and Climate Change for consideration by heads of state through their ministers.

Even before the adoption of this addendum, the Alliance decided in 2012 to include an 11th chapter in the Barometer on gender and climate change. This measures the performance of governments against the draft provisions of the addendum. The message is simply that there is no time to waste.



Municipal Council of Mbabane invests in the “3 Rs”

This good practice of waste minimisation is implemented under the North-South Local Government Cooperation Programme led by Ellen Matsenjwa, senior health inspector at Environmental Health Services. Sustainable development and coping with urban growth is one of the core components of the project, which supports best practices of waste management and promotes gender mainstreaming in all developmental projects within council. The project is implemented along the principles of Local Agenda (LA) 21 that supports sustainable waste management practices. The practice advocates for waste reuse and recycling at sources of generation to encourage product use and to minimise the costs of product manufacture from virgin materials. The main focus is on waste prevention through waste reduction, reuse and recycling (the 3Rs), including composting initiatives.

Increased diversion rates create jobs and significantly reduce greenhouse gas emissions that contribute to climate change. This also decreases the emission of toxic pollutants that can be dangerous to human health and ecosystems. The practice is implemented holistically through an integrated approach to environmental and socio-economic sustainable development. In doing so, it contributes significantly to sustainable human development at grassroots level through mainstreaming gender, climate change and community-based adaptation approaches.

The Municipal Council of Mbabane is committed to building an organisation devoid of gender discrimination, guaranteeing equal access to political, social and economic wealth creation opportunities for women and men. In furtherance of this objective - and responding to MDG3 - the council has developed a draft policy to build a just society devoid of discrimination, to harness the full potential of all social groups regardless of sex or circumstance, to promote the enjoyment of fundamental human rights and to protect the health, social, economic and political well-being of all city dwellers in order to achieve equitable rapid economic growth.

Activities under the waste minimisation project directly provide for women's empowerment, which is an objective of the SADC Protocol under Article 13.2 (a). The activity is mainly dominated by women and allows for effective participation in a conducive and enabling environment, so affirmative action is achieved meaningfully. The activities provide widows with equal opportunities to access employment. They have contributed significantly towards women's sustainable livelihoods (Article 10.d). The waste minimisation activities support vocational and non-formal education, effectively responding to Part 4 (education and training) and to ensure gender equality in education (Article 14).

The women participating in the activities receive further training as service providers, enabling them to offer



Sifiso Dube, Fikile Mathunjwa and the chairperson of the climate change project in Mbabane, Swaziland in February 2013. Photo: Trevor Davies

services to people with special needs and to implement strategies to prevent new HIV infections - Articles 24 (c) and 27.3 (HIV and AIDS). Further waste minimisation activities include training on dry sanitation options (green toilets) that promote composting practices through the provision of sanitary facilities and the establishment of organic gardens to ensure that the nutritional needs of women are met (Part 7 Health).

Stakeholders initiated the waste minimisation project as a result of the city of Mbabane's friendly cooperation with the city of Salo in Finland. In 2008, the State of Environment Report (SOER) developed under the project provided baseline information on environmental, socio-economic conditions in Mbabane. It identified several developmental gaps such as the lack of systematic management of solid wastes, poor land use and biodiversity management plans, and the lack of strategies to respond to the socio-economic needs of the people of Mbabane.

Stakeholders used the results of the study as a basis for developing innovative sustainable approaches that can be used in meeting demands for job creation and poverty alleviation in the informal areas of Mbabane. On the economic dimension, stakeholders developed the Local Economic Development Strategy to incorporate best practices and practical approaches to stimulating business development and growth. The focus on sustainable management of solid wastes is part of the waste minimisation initiative, which promotes management of waste through the 3Rs to solve the long-standing solid waste management struggles faced by the city. It mainstreams gender equality issues, which remain high on the national agenda due to the very low participation of women in decision-making and gender-based violence. The City of Mbabane tends to follow these national trends. In the waste minimisation activities, it has been observed that more women than men participated - a positive indicator towards achieving Article 13.2 (a, b and c).

Partners from the north and south developed goals and objectives on identified sustainable good practices that

have been realised through case studies, learning from each other's experiences, knowledge exchange and skills sharing.

One of the main objectives of these activities is economic empowerment; to ensure that women benefit equally from economic opportunities through enabling policies that ensure equal access, benefit and opportunities for women and men in trade and entrepreneurship. In addition this should take into account the contribution of women in formal and informal sectors (Article 17 of the SADC Protocol). The Salo/Mbabane Cooperation Project is aimed at increasing understanding and knowledge through the integration of sustainable development best practices in all major developments within the city, including communities and school environments. This is done through creating awareness and education programmes at community level and in schools. Additional activities have been aimed at the development of environmental strategies to eradicate urban poverty and to address unemployment through mainstreaming gender into existing programmes to create jobs through green practices (e.g. waste minimisation activities).

The activities further increase awareness and understanding of the nature of the environmental emissions, and how these impact on human lives. Stakeholders plan the activities with best environmental practices that continually create awareness and build the capacity of communities to understand, cope, adapt and mitigate environmental impacts in their immediate environments.

The activities seek to provide sustainable solutions to increase mitigation and adaptation, while building resilient communities to cope with the pressures brought by climate change in order to tap the potential of women for development.

Mbabane Municipality consists of 11 informal communities which have been given priority in the partnership with the City of Salo to address sustainable development issues. The communities have been characterised by climate change vulnerabilities, such as insufficient means to access energy sources due to increasing costs experienced in the grid system. This means that citizens have been forced to look for and use diminishing natural reserves of fuel wood with its attendant health and environmental impacts. The waste minimisation activities have been a key step in reducing extreme poverty while combating the impacts of climate change and providing equal opportunities to women and men for economic empowerment.

Process

In 2004, Finland's Turku University of Applied Sciences (TUAS) identified Msunduzi, an informal community - one of the largest - on the eastern outskirts of the city as a case study area. The university sent a pair of student interns to conduct an in-depth baseline survey and to

gather information on the landscape of the community and project location. Researchers then analysed the data to provide the socio-economic and environmental setting of the community. They used this background information to describe the issues that had to be addressed. Waste management emerged as the number one problem, followed closely by the need to provide sanitation options since the community is without space to dig new latrines. Researchers determined that community mobilisation should be the next step in order to raise awareness on the findings of the study.

It became clear that a sound proposal had to be developed, one that would bring to light the model practices supported under the awareness activities. This gave birth to the Environmental Health Education Project (EHEP), a project that is today implemented by TUAS in partnership with council under the Salo/Mbabane Cooperation Project. Over the years the project has given birth to many sub-projects, including the Environmental Health Educators and Sanitation Experts of Msunduzi, the Msunduzi Community Recycling Centre (which stakeholders built as a pilot model to promote large-scale waste recycling at community level), the Waste Information Centre (a central distribution point for information on waste), The Reuse Women's Empowerment Group and the Dry Sanitation Project (involving compost toilets, implemented by the Salvation Army and TUAS and Monitored by the Municipal Council of Mbabane).

Another spin-off is the Fuel Efficient Stove Model, a pilot project implemented with a group from the Bahai community. It investigates alternative renewable energy options. Researchers obtain funds for implementing the projects through the Salo/Mbabane Cooperation Project. The City of Tampere (also in Finland) is the sponsor engaged by TUAS to support the Dry Sanitation Toilet practice models.

SOER is the main document that identified gaps in sustainable management of the environment in Mbabane and it serves as the reference document that has yielded positive outputs. From this study, the council budgeted for the establishment of nine waste drop-off points in schools, the Community Recycling Centre at Msunduzi, the Waste Information Centre, the Reuse Group for product use and economic gains, organic gardens for nutritional needs and to combat hunger in less privileged families, creating a link between recycling activities and the Buy Back Centre to provide a local market for recyclables, tree planting programmes with schools and communities to promote carbon sequestration, Sanitation Toilets (Compost and Enviro Loo) as sustainable sanitation options, success stories for improved livelihoods and many other benefits reflected in several project evaluation reports. One of the latest achievements is the Municipal Council of Mbabane Waste Management Strategy of 2012, developed to guide all future plans of waste management in Mbabane.

Measures for adapting to climate change and sustainable development

Table 11.1: Measures for adapting to climate change and sustainable development in Swaziland

Measure	Description
1. Crop production <ul style="list-style-type: none"> Promoting irrigated agriculture through large, medium and small scale dams. Introducing conservation agriculture. Diversifying crops grown to reduce the risk of failure. Converting to development other than grazing conservation, ecotourism and hunting. 	<ul style="list-style-type: none"> The Komati Downstream Development Project and Lower Usuthu Smallholder Irrigation Project (LUSIP) is promoting agriculture through large scale dams. The Shewula COSPE project adopting zero or low tillage to protect soils from heat, drought and intense rainfall; Large scale production of cassava for starch; and Options include extensive grazing, nature and bio-diversity conservation, eco-tourism. Examples are the COSPE project above, NISELA and Ecotourism In Pigg's Peak.
2. Water <ul style="list-style-type: none"> Integrated water resources master plan. 	To improve overall governance of water the country embarked upon the development of an integrated Water Resources Master Plan (IWRM) in 2008. This is intended to broaden awareness of water issues and promote sustainable utilisation of the resource. Climate change issues have been included in the IWRM plan.
3. Small earth dams	For several decades small earth dams have been used in rural areas to provide domestic, crop and livestock water. Under an EU project in the 1990s, builders constructed more than 25 earth dams. Eight will be constructed under the FAO Swaziland Development Project with downstream infrastructure to store runoff water for domestic, crops and livestock.
4. Establishment of 5 river basin authorities	The Department of Water Affairs under the Ministry of Natural Resources established under the 2003 Water Act River Basin Authorities to better plan and manage basin water resources. Climate change adaptation is central to these initiatives through increasing irrigation water use efficiencies, water distribution infrastructure improvement, water accounts, expansion of domestic or community water schemes, catchment management and alien plant eradication.
5. Conversion of irrigated systems to drip	Royal Swaziland Sugar (RSSC) is implementing a programme of converting sprinkler irrigated fields to drip irrigation as well as improving water use efficiencies. The conversions allow for water saving that can be used for further expansion of the hectares under cane.
6. Research	Dlamini (2010) and Monadjem have been conducting studies to ascertain the possible impacts of climate change on vegetation and avifauna. It is anticipated that these research initiatives will provide the impetus and direction for future adaptation of species and biodiversity in general.
7. Lower Usuthu Smallholder Irrigation Project (LUSIP)	The objective of this project is to reduce land degradation and biodiversity loss in the Lower Usuthu River Basin through the application of sustainable land management practices. The LUSIP project will address the undesirable environmental trends related to land and water mismanagement in the area, which include land degradation, ecosystem and biodiversity losses and worsening conditions in human settlements.

Table 11.1 indicates various possible projects that can be used to mitigate climate change effects in the country. In some cases, a combination of methodologies is essential to ensure that all aspects of climate change have been covered. Research studies form a baseline

that provides credible evidence of climate change and ensures that stakeholders employ the correct intervention in each particular area. Public participation is essential in ensuring that both men and women benefit equally from climate change interventions.

Smart agriculture empowers rural women

Climate smart agriculture refers to the implementation of agricultural practices that emphasise the mitigation of climate change impacts while also encouraging farmers to adapt to these impacts for increased resilience, improved productivity and improved livelihoods. Led by Lynn Kota, the project presents new alternatives to sustainable agriculture.

The need for climate smart agriculture for Swaziland's smallholder farmer cannot be over-emphasised. Smallholder farmers provide a large percentage of food in the country and manage vast areas of land. They also make up the larger share of Swaziland's most under-nourished. As the most vulnerable and marginalised people in the country, many of the smallholder farmers are women heads of households that remain especially exposed to climate change. Continued cultivation of marginal areas without adequate management is a major driver of widespread land degradation. Climate change is adding pressure to the already stressed ecosystems in which smallholder farming takes place.

With the practice of climate smart agriculture, yield losses associated with climate impacts will be reduced through improved land management and climate resilient agricultural practices. There will also be efficiency of water use for smallholder agricultural production and processing.

Variations in climate have been documented in the SADC region and have begun to show that climate change is a serious threat to livelihoods. The adverse effects of climate change on women and other vulnerable groups have become evident and threaten to be even more severe. Women suffer more from the impacts of climate change because of their limited access to services and goods, even as they remain responsible for providing food for their families. Increased food insecurity as a result of decreased productivity of lands caused by climate change places a heavy burden on women. Water shortage also adds more stress on women as they have to increase their effort to secure adequate water for their families. Introducing and practicing climate smart agriculture in the drought prone areas of Swaziland contributes to ensuring that the poor families in these areas, and in particular women, can be well equipped to mitigate the impacts of climate change, and able to adapt to its adverse effects.

Agricultural production and food security are expected to be grossly compromised by climate variability and change in many African countries, including Swaziland. Swaziland's agriculturally-based economy is highly vulnerable to increased climate variability and climate change, with potentially huge social and economic impacts for the sustainable development of the country. This vulnerability is exacerbated by existing developmental challenges (endemic poverty, limited access to capital and markets, poor infrastructure, low technology and ecosystem degradation). The effects of climate change will be compounded by the country's high poverty levels, weak rural infrastructure, poor natural resource management and relatively high dependence on rain-fed agriculture.

Declining soil quality due to decreasing soil organic carbon (SOC) and nutrient mining is widespread, affecting the land potential and productivity of crops. This results from the continuous cropping practiced by resource-poor families, most of whom have abandoned traditional fallow, rotation or mixed cropping systems in their struggle to sustain their households. Many now endeavour to grow only maize monocultures. Farmers lack knowledge about how to apply sustainable land management practices (return of organic matter to the soil after harvesting, fallows, low or zero tillage, integrated crop-livestock, agro-forestry systems), so there is pervasive poor vegetative cover resulting in the reduction in soil organic matter content, which reduces rainwater infiltration, exacerbating drought. As a result



Members of the Lower Usuthu Project work on the land.

Photo: Thando Dlamini

of climate change, the country could see major reduction in the production of food crops. Climate smart agriculture is one way to adapt to, and mitigate, the impacts of climate change.

Water-related problems will likely worsen as a result of climate change. Intense rainfall events will increase rates of runoff, resulting in land degradation and high sediment content. The semi-arid areas of Swaziland have experienced droughts on a regular basis, but recent changes in rainfall distribution have increased the frequency and duration of droughts (attributable to climate change), affecting supplies of freshwater and aquifer replenishment. Aquifer replenishment, which is vital at all levels (local and global), is also reduced due to the development of surface encrustations on degraded soils, reducing the infiltration of rainwater. Reduced run-off as a result of drought will exacerbate water stress and reduce the quality and quantity of water available for domestic, crop and livestock use. Without adequate mitigation and adaptation practices, the effects of climate change will indeed grossly affect agricultural production and food security in the country.

In order to achieve the reduction of yield losses associated with climate impacts, there is a need to improve soil quality through increases in soil organic carbon (SOC), resulting in nutrient retention. This is being achieved through the continued adoption of sustainable land management practices, including minimum tillage, integrated crop, livestock and agro-forestry systems. Monitoring current climate change impacts, predicting future trends and communicating weather and climate information to local communities for agricultural planning purposes contributes to the empowerment of smallholder farmers to contend with variability in rainfall and temperature. Availability of weather and climate information also empowers communities to change crop varieties and crop calendars in response to climate variability.

Increase in the availability and efficiency of water use for smallholder agricultural production and processing is being achieved by using integrated water resources management to maintain and improve the healthy functioning of watersheds. It also builds resilience to climate change by combining watershed management with resilience oriented land-use planning, climate-proof infrastructure, water users associations, water recycling and grey water use. Availability and efficiency of water use is also being achieved by adopting a range of water harvesting techniques, water-efficient irrigation systems and climate-proofed small- to medium-sized reservoirs.

An increase in institutional capacity for adaptation at local and national levels, and in particular an increase in traditional knowledge, is being promoted. A coherent response to climate change also requires promotion of good governance both to empower farmers and to

recognise the relevance of their traditional knowledge in addressing issues of climate variability, and the differences between women and men's knowledge and roles in responding to climate change.

Beneficiaries

The project has several main groups of stakeholders who will benefit from its implementation. Most important: the primary stakeholders who will be participating in the project, and will be the direct beneficiaries. These rural communities consist largely of land users who have relatively small individual holdings on Swazi Nation Land (SNL) and have the right to use the communal grazing areas for their crops and stock. Women comprise a large percentage of these. The traditional leadership of the rural chiefdoms, the chiefs (who administer SNL on behalf of the king) and *indvunas*, are also primary stakeholders in the project.

Process

- Capacity-building undertaken at local level (extension services, NGOs, private sector) to promote coordinated sustainable land management (SLM) planning;
- Community mobilisation, SLM awareness-raising among project area communities;
- Development and strengthening of Chiefdom Development Committees;
- Preparation of inventories of chiefdom natural resources using participatory rural appraisal (PRA) techniques (including community mapping);
- Chiefdom SLM plans prepared, including identifying degraded crop, range and woodlands; options to restore degraded areas and avoid future degradation (e.g. afforestation of riparian areas); opportunities for conservation and sustainable use of wild and agro-biodiversity; approaches which contribute to adaptation to the increasing frequency of extreme weather events and mitigation of climate change;
- Communities assisted to implement elements of SLM plans to restore degraded areas and ecosystem functions, protecting integrated agro-ecosystems, biodiversity, mitigate climate change and contribute to raising communities' resilience to the impacts of climate change;
- New strategies promoted to increase the productivity and reliability of crop yields by restoring soil fertility, above and below ground biomass (mitigating climate change) thereby increasing the resilience of the cropped areas to the adverse impacts of climate change;
- Promoting the planting of deep-rooted species in rotations that include legume fallows, increasing agro-biodiversity and integrating cover crops or perennial species into the cropping systems;
- Encouraging minimum tillage and conservation agriculture approaches, which is only effective in restoring soil fertility (increasing yield totals and reducing variability in yields) and mitigating climate change (*inter alia* by increasing soil organic matter content - hence contributing to carbon sequestration),

but have often also been widely shown to be labour saving;

- Encourage household composting, providing an additional source of nutrients and organic matter for soils in croplands; and
- Promote rainwater harvesting to combat decreased availability and to improve soil moisture management.

Main outputs

- Capacity building of local NGOs and extension workers to promote coordinated SLM planning and implementation of activities. Facilitators trained a total of 45 community development facilitators across 14 institutions on a variety of topics;
- Community training and establishment of permaculture gardens in three chiefdoms - women account for 95% of the community members trained (and who have established backyard gardens); and
- Community training (followed by practical planting using the knowledge gained) on the concept of conservation agriculture and orchard establishment.

Farmers have established food plots using the conservation agriculture principles. Communities have been trained in household water harvesting, and water tanks have been constructed at the homestead level to harvest rain water.

Main outcomes

One of the major outcomes of practising climate smart agriculture has been the improvement of livelihoods. One of the women trained in permaculture gardening shared her story as follows:

Sbulelo Gamedze is full of smiles as she opens the gate and welcomes us into her beautiful garden. She had never been involved in any form of farming before attending training in permaculture gardening. She started attending the training, which took place at Madlenya area. Now she has her own beautiful permaculture garden, which will help her to feed a family of six people. So far from her garden she has harvested spinach and lettuce, which takes a much shorter time to be ready for consumption. Her garden has other vegetables such as beetroot, carrots, garlic, onions and cabbages. Through attending the training she became motivated to start a garden. What motivated her even more was the thought of saving money, because if she had a garden then she would not have to spend money buying vegetables from the markets.

"Madlenya area is faced with a serious issue of shortage of water so this is the perfect way of growing vegetables because you only water the garden twice a week and your produce is very good and healthy," she notes. "I

didn't have all the necessary garden tools to start and maintain a garden but during the trainings we were encouraged to use any available tools around the house."

Gamedze has great plans for the future of her garden and she hopes to extend it to a larger scale for commercialisation. She says this will not be too difficult for her, since she will not be spending too much money - she will use already available resources to start and maintain her garden. She dreams of supplying stores with her good organic produce one day. "I would encourage every member of my community to try this kind of gardening. They will not regret it, just like me. I now have something to keep me busy all day while my family is working and at school. Most importantly I now save a lot of money and hopefully I will make some money in the future through this practice."

Challenges

Climate smart agriculture is a new concept in Swaziland, emerging with the reality of the impacts of climate change hitting the country. Adoption of sustainable land management practices is still difficult. Smallholder farmers still find it difficult to adopt these practices. The SLM agenda is weakly articulated at the highest national policy level and needs to be prioritised, notably in the public expenditure framework. There is little evidence that sector policies (agriculture, livestock, forestry, water, land) have been modified to address SLM. It will be necessary to raise awareness at the local and national levels.

The SLM policy and legislative framework in Swaziland is unclear and contradictory. A single sector approach prevails, with a lack of coordination and collaboration between various sectors and different stakeholders, resulting in high transaction costs due to lack of coordination and harmonisation among investments. To address this, a consultancy to review and harmonise all land-related policies and legislations is currently under way.

A set of barriers in the enabling environment render ineffective or insufficient the various policy initiatives which the Swazi government has attempted to reduce land degradation and loss of biodiversity. These key barriers include:

- Lack of institutional and human resource capacities;
- Lack of awareness and capacity for SLM;
- Weak or absent policy formulation and lack of enforcement;
- Knowledge and technological barriers; and
- Lack of resources (financial and others).

Table 11.2: Representation of women and men in key decision-making positions in environment and agriculture

	MALE	FEMALE
Minister of Environmental Affairs and/or Sustainable Development/Natural Resources	✓	
Deputy Minister of Environment and/or Sustainable Development/Natural Resources	N/A	N/A
Principal Secretary/DG - Ministry of Environment		✓
Ministry of Agriculture/ and/or Mechanisation/Irrigation Development	✓	
Deputy Minister of Agriculture and/or Mechanisation/Irrigation Development	N/A	N/A
Principal Secretary of the Ministry of Agriculture and/or Mechanisation/Irrigation Development	✓	
Minister of Natural Resources		
Deputy Minister of Natural Resources	N/A	N/A
Principal Secretary to the Minister of Natural Resources	✓	

Table 11.2 indicates that women are underrepresented in decision-making when it comes to environment and climate change issues. Men dominate as decision-makers in the ministries of agriculture, environment and natural resources. The principal secretary with the Ministry of Environment is acting and has been in this position for six months. People in acting capacity typically can only have limited decision-making powers.

Officers within these departments have said environmental policies and programmes continue to be gender blind although the officers described themselves as gender conscious. The Ministry of the Environment is in the process of mainstreaming gender in environmental issues during the implementation of the National Gender Policy of 2010. The second objective of the Prioritized Action Plan for the Implementation of the National Gender Policy specifies that “ensuring equal participation of both women and men in environmental management will be measured against the increase in number of women involved in environmental management by 2014.”

Land policy

The Draft National Land Policy 1.4.6 addresses gender equity by stating that, “obstructions to the human development of any individual should not be imposed on the basis of gender or marital status. Land-related legal impediments to gender equity are to be removed. The growth towards gender equity in customary tenure is to be encouraged.”

The basic principles of the proposed National Land Policy have been based on a fair and equitable distribution of land on a sustainable basis. This is evident in human rights issues and policies as follows:

- It is national policy that all land-related gender discrimination in legislation or administration be prohibited under the constitution;
- It is national policy that all citizens responsible for raising a family can khonta (be allocated communal land by the chief directly);

- It is national policy that land held through khonta be considered as joint tenure for households; and
- It is national policy that all Swazis are free to buy, lease or khonta anywhere in Swaziland.

These welcome policy statements address issues central to gender inequality and set out to ensure that women and men have equal access and/or control over land. The policy suggests legislative reform, “to amend the Marriage Act, and to revise the Deeds Registry Act in order to remove gender biases. Provisions in the Marriage Act that institute a wife's inferior status regarding property rights should be revisited to remove aspects of it that institutionalise gender bias.”

The Draft National Land Policy 1.4.6 addresses gender equity by stating that “obstructions to the human development of any individual should not be imposed on the basis of gender or marital status. Land-related legal impediments to gender equity are to be removed. The growth towards gender equity in customary tenure is to be encouraged.”

Agriculture policies

The Food Security Policy developed by the Ministry of Agriculture is one of the few agriculture policies to place an emphasis on gender issues. Development principles put in place to reach the stated objectives of gender equity include:

- The fundamental right of everyone to be free from hunger will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status;
- The distribution of food supplies will be carried out equitably;
- The right to food security is an integral part of universal, inter-dependent, indivisible and inter-related human rights; and
- Women, poor and disadvantaged segments of society are to have full and equal right to own land and other property, including the right to inherit.

It is national policy to improve the impact of gender on food availability by special programmes.

- (a) Support and implement commitments made at the Fourth World Conference on Women, Beijing 1995, that a gender perspective is mainstreamed in all policies.
- (b) Promote women's full and equal participation in the economy and for this purpose introduce and enforce gender-sensitive legislation providing women with secure and equal access to and control over productive resources including credit, land and water including irrigation and appropriate credit services and that job creation opportunities are focused on those most in need.
- (c) Develop special programmes and social measures for direct assistance to the most vulnerable groups (elderly, widowed, children, orphans, disabled, and ill) to access food.
- (d) Promote careers and participation of youth in agriculture, provide vocational training programmes in

agricultural production and marketing, and support agricultural income-generating activities for youth and other vulnerable groups at community level.

- (e) Gather information on women's traditional knowledge and skills in agriculture, fisheries, forestry and natural resources management and integrate such findings into all programmes directed at improving food availability.

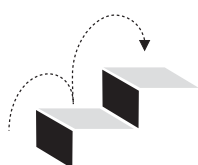
Gender and climate change financing

Officials have budgeted for gender and climate change programmes in the ministries of agriculture, tourism and environment and natural resources and energy. This includes local funds for the establishment of demonstration plots and training of farmers on proper wattle management skills. Women use wattle for firewood and forests turn to jungles without proper management.

Table 11.3: Summary of financing related to climate and the environment

Area	Amount
Establishment of demonstration plots and training of farmers on proper wattle management skills	E455 000
Disaster relief management programme - Deputy Prime Minister's Office	E15 000 000
Ministry of Natural Resources - finalisation of the draft national land policy	E500 000
Implementing reforms in the energy sector	E2 000 000
Local and donor funds for providing electricity to rural institutions, health facilities and communities	E29 050 000
Local and donor funds for the installation of energy saving solar heaters and other energy saving equipment at public institutions and education and awareness campaigns on energy saving technologies	E11 400 000
Local funds for the long term programme for monitoring of fuel volume	E5 500 000
Completion of the ethanol blending rollout programme to government depots; public awareness on bio fuels; training and study tours on the development of the bio fuels industry	E530 000
Local funds for conducting correct use of cooking demonstrations, making of marketing of wood saving/replacing technologies, studies and surveys, briquetting and stove builders monitoring, quality control, training and audit fees and national advisory group meetings	E1 500 000
Department of Rural Water - borehole installation, provision of portable and safe water and sanitation to rural communities	E24 000 000
Procurement of tools and equipment for potable water schemes.	E8 750 000

The above programmes in Table 11.3 have benefited both women and men. Women will benefit more as they hold more responsibility for water and energy provision.



Next steps

- Continue local lobbying efforts to include the Addendum on Climate Change to the SADC Protocol on Gender and Development.
- Increase financial support for institutionalisation of the legislation linked to climate change and sustainable development.
- Educate citizens on the importance of climate change through awareness campaigns.
- Add to the already existing data by conducting further research on the effects of climate change in the country.
- Replicate successful initiatives such as the climate smart agriculture project in other parts of the country.
- Lobby for increased funding for gender and climate change in all government ministries.

BACKGROUND NOTE ON GENDER AND RELATED INDICATORS

This background note provides information on the various existing indicators considered in developing the **SADC Gender and Development Index (SGDI)** that is introduced for the first time in this Barometer.

The **Human Development Index (HDI)** - which is **not** a gender indicator - has four components which are meant to reflect Amartya Sen's "capability" approach to poverty rather than a simple income/expenditure monetary measure of poverty. The HDI components are (a) life expectancy at birth for health, (b) adult (15+ years) literacy rate and (c) combined gross enrolment rate for primary, secondary and tertiary education for education, and (d) gross domestic product (GDP) per capita for income. The four component scores are averaged to get the HDI number. The HDI thus gives a single simple (some would say simplistic) measure of the average achievement of the country in terms of human development. A league table was published in the annual Human Development Reports of the UNDP until 2009, and is widely quoted.

The HDI - like all measures - can be criticised on many grounds. Some of the criticisms are relevant from a gender perspective.

Firstly, composite indices are appealing because there is only one number. But having a single number is not useful for policy-making purposes unless one knows WHY the single number is lower than one wants it to be. For example, South Africa's HDI has fallen in recent years. The main reason for this is a significant drop in life expectancy, which is one of the four components. The HDI indicator cannot tell you this. It is only by looking into the components that you can see it.

Secondly, there are data problems. UNDP uses international data-sets in the interests of having a uniform approach. This is probably the only feasible approach for an index covering so many countries and compiled from a single office. However it results in the use of data that are relatively old, and thus indicators that are out-of-date. It also results in individual countries contesting the indicators. The need to have indicators for as many countries as possible can also lead to the use of lowest-common-denominator variables, rather than the variables that would best reflect what the indices aim to measure. Where data are not available, sometimes heroic assumptions have to be made. In the case of the **Gender-related Development Index (GDI)** (see below), this is especially the case in relation to sex-disaggregation of GDP.

Thirdly, the indicators are all based on averages, and thus do not capture inequalities within a single indicator.

In 1995, at the time of the Beijing Conference, UNDP developed two gender-related indices - the Gender-related Development Index and the **Gender Empowerment Measure (GEM)** - to complement the HDI.

The GDI uses the same variables as the HDI, but each of the components is adjusted for unequal achievement between women and men. The GDI thus shares all the problems that the HDI has, but also has some further problems.

One problem with the GDI is that it assumes that equality on longevity would mean equal life expectancies for men and women. However, biologically women can expect to live longer than men. So when life expectancies are equal this suggests that women are disadvantaged in some way. This is not reflected in the GDI.

A confusing feature of the GDI is that the method uses only the male-female gap, without considering whether it is males or females who are "doing better". So a country where women outperform men in education will have the same penalty as a country where men outperform women by the same amount. We might think this is not a problem (in that men and boys should not be disadvantaged), but it does complicate how we interpret the GDI if the index combines some components where males are advantaged and others where females are advantaged.

Probably the biggest problem with the GDI is that it is heavily influenced by the income variable, so that wealthier countries will - all other things being equal - be reflected as having less inequality than poorer countries. Analysis has shown that for most countries the earned-income gap is responsible for more than 90% of the gender penalty. Exacerbating this problem is the fact that the income estimates are based on "imputed" rather than real data. Thus for many developing countries the earned income gap is assumed to be 75% because reliable data are not available. The 75% was chosen on the basis of 55 countries (including both developed and developing) for which data are available. Yet another exacerbating feature is that the data for the 55 countries relate only to formal non-agricultural wages. Yet in many African countries only a small proportion of the workforce - and an even smaller proportion of employed women - is employed in the formal non-agricultural sector.

The final problem to be raised here is lack of sex-disaggregated data in some cases. As a result, each year there are fewer countries that have GDI scores than have HDI scores. This means that a higher place in the inter-country ranking for the GDI than the HDI does not necessarily mean that the country is doing relatively well on gender.

The GEM focuses on political, economic and social participation rather than Sen's capabilities. The components are women's representation in parliament, women's share of positions classified as managerial and professional, women's participation in the labour force and their share of national income. Fewer countries have data on all of these elements than on the GDI elements and each year there are therefore fewer countries in the GEM index than in the GDI index.

The GEM measures income in more or less the same way as the GDI, so this component has the problems described above. The influence of the absolute level of income - and thus the bias favouring wealthier countries - is, in fact, stronger for the GEM than the GDI. The political component is problematic in that a parliamentary quota for women will automatically increase the GEM score, but will not necessarily mean that women exercise greater political power in the country.

The **Millennium Development Goals (MDGs)** are eight goals that 192 United Nations member states and at least 23 international organisations committed themselves to achieving by 2015. One or more targets have been agreed in respect of each goal, with one or more indicators for each of the targets.

Goal 3 is to promote gender equality and empower women. Target 4 is assigned as the measure of achievement in respect of Goal 3. Target 4 is expressed as eliminating gender disparity in primary and secondary education preferably by 2005 and in all levels of education no later than 2015. There are four indicators, the first of which has three elements.

The third and fourth indicators relate to employment and decision-making respectively. These additional indicators were included by the team which proposed the standard indicators to emphasise that education is not only an end in itself, but also a means to other ends. The third and fourth targets thus reflect back on the goal, which is about "empowerment" as well as equality. The targets attempt to measure the economic and political aspects of empowerment. The four indicators are: (a) ratio of girls to boys in primary, secondary and tertiary education; (b) ratio of literate females to males of 15-24 year olds; (c) share of women in wage employment in the non-agricultural sector;

and (d) proportion of seats held by women in national parliament.

These indicators are very similar to those used in the other well-known international indices. The second education indicator differs from most other indices by focusing on 15-24 year olds. This focus captures changes in education levels better than a measure that covers all adults, as the all-adult measure will be biased downwards by past discrimination against women rather than reflecting what is happening now within education.

The MDG Gender Task Force proposed that further indicators be added to the standard set to measure (a) gender gaps in earnings in wage and self-employment; (b) the hours per day or year that women and men spend fetching water and collecting fuel; (c) the percentage of seats held by women in local government bodies; and (d) the prevalence of domestic violence. These additional indicators were not added to the standard set.

Development of the **Gender Equality Index (GEI)** was motivated, at least in part, by the standard measures' lack of attention to issues related to the body and sexuality, religious, cultural and legal issues, ethics, women's rights and care.

The index was called the GEI, rather than the **Gender Inequality Index (GII)**, so as not to focus only on gender imbalances. Instead, the index would measure the extent to which gender equality was achieved in any country.

It was recognised that as a global, comparative measure, the GEI would lose cultural and national specificity and would not capture gender equality in all its dimensions. It was thus proposed that each country also describe the historical and cultural context, and develop country-specific "satellite" indicators to complement the GEI.

The GEI covers eight dimensions, each of which has a number of indicators. The dimensions are:

- Gender identity;
- Autonomy of the body;
- Autonomy within the household;
- Political power;
- Social resources;
- Material resources;
- Employment and income;
- Time use.

The availability and adequacy of the GEI indicators have been tested only in Japan and Indonesia. These tests revealed the especial difficulty of measuring the first two dimensions quantitatively.

In the early 2000s, the United Nations Economic Commission for Africa (UNECA) developed the African **Gender Status Index (GSI)** and the **African Women's Progress Scoreboard (AWPS)**. The AWPS is based on more qualitative judgments, although these are given numeric scores. The existence of the AWPS alongside the GSI is noteworthy, as it highlights the realisation that some aspects of gender equality cannot be adequately captured by quantitative indicators. The GSI is similar to the GDI and GEM in being computed from quantitative data. A major difference is that there are far more indicators - 43 in all!

The use of 43 indicators has two major drawbacks. Firstly, it means that most countries are likely to lack data on at least one indicator, or be forced to use unreliable data from small samples. Secondly, it means that the meaning of the index - and its direct usefulness for policy-making purposes - is even more obscure than for the HDI, GDI or GEM as one has to examine all the elements in detail to work out why a country is scoring higher or lower. The developers of the GSI acknowledge that there may be too many indicators.

UNECA tested the index in twelve countries (Benin, Burkina Faso, Cameroon, Egypt, Ethiopia, Ghana, Madagascar, Mozambique, South Africa, Tanzania, Tunisia, Uganda). The process took substantially longer than predicted. The delays in part reflected the challenges involved in collecting and checking so many indicators. Even with these delays and despite specifying five-year periods for each indicator, it was not possible to find all the indicators for each country.

The indicators are divided into three blocks, namely social power, economic power, and political power. The indicators all deal with gender issues, understood as the relations between women and men, and thus as needing to compare indicators for men and women. This means that maternal mortality and violence against women are not covered because they only concern women.

Each indicator represents a simple arithmetic comparison of the number of women to the number of men, thus reflecting the gender "gap". (A few of the indicators need a bit of manipulation to be able to get a gap.) Unlike the HDI and GDI, the GSI does not take the overall level of achievement into account. As a result, a good score on the GSI could reflect a high level of equality, but at a level of achievement that is poor for both women and men (girls and boys).

For weighting purposes, each of the three blocks - social, political and economic - has equal weight. Further, within each component of each block, each of the indicators has equal weight. In effect, this means that indicators that are in a component with relatively

few indicators "count" more than those in a component with a greater number of indicators. The developers of the GSI suggest that other weighting approaches could be considered, such as:

- Weighting more heavily the components or blocks where there are the biggest gaps.
- Weighting more heavily those that can be changed more easily in the short term so that one can more easily "see" the impact of advocacy and policy changes.
- Giving less weight to the "political power" block because it deals with a small population than the other two blocks.

The table shows all the GSI indicators, and the component and sub-component into which they fit.

In the 2010 Human Development Report the GII replaced the GDI. This measure, unlike the GDI, is not influenced by the absolute level of achievement or development. Instead, like the GSI, several of the components focus on the degree of inequality in achievement between males and females on different measures while others focus on levels of women's achievement. The consequence is that a country can score well on this measure even if absolute levels of achievement are low as long as the measures for females and males are equally low.

The three equally weighted dimensions covered by the GII are reproductive health (maternal mortality ratio, adolescent fertility rate), empowerment (share of parliamentary seats held by women and men, attainment at secondary and higher education levels) and labour market participation (labour market participation rate). The rating works in the opposite direction to that of the GDI i.e. a level of 0 indicates no inequality while 1 indicates extreme inequality.

The SGDI on the status of women in SADC countries is based on 23 indicators. The indicators are grouped under six categories, namely Governance (3 indicators), Education (3), Economy (5), Sexual and Reproductive Health (3), HIV and AIDS (3), and Media (6). There are, unfortunately, no indicators for the Protocol articles on Constitutional and legal rights, gender-based violence and peace building and conflict resolution. The fact that there are no indicators for some topics reflects the difficulty in finding appropriate indicators with reliable data for these. These are areas that the Southern African Gender Protocol Alliance hopes to address these gaps in future years.

Within some of the categories there are disappointing gaps. Ideally, the SGDI would have included an indicator measuring the disparity in pay between women and men doing paid work. Unfortunately, as discussed in the section on other indicator measures such as the GDI, the

available datasets of disaggregated earned income are heavily based on assumptions rather than on empirical data. In respect of the maternity leave indicator, the time given to a woman worker does not necessarily mean that she will receive pay while on leave. In some cases, no pay is guaranteed, in other cases only a proportion of the pay is guaranteed, and in some cases paid leave is only available to certain categories of employees, such as those employed by government. For next year's index, more detailed information on maternity leave as well as paternity leave will be included.

To create the composite index, two challenges needed to be addressed. The first was the differing number of indicators in the various categories and how this should be dealt with in weighting. This was necessary so that, for example, media was not given twice the importance ("weight") of governance or education because it had six indicators while governance and education each had three indicators. The second challenge was the difference in the range of "raw scores" that were possible for each indicator and how these could be standardised so that averages were not comparing apples and giraffes. If this standardisation were not done, an indicator for which the score could range from 0 to 50 would have only half the weight of another indicator for which the score could range from 0 to 100.

Weighting

Each category was given equal weight by calculating the average score across the indicators in that category. So, for example, for categories with three indicators, the score for that category was the average across the three. This approach also solved the problem of how to deal with countries for which some indicators were missing, as the average was calculated on the available indicators for each country. Nevertheless, while this generated a score for all categories across all countries except for media in Angola, the averages for countries with missing indicators should be treated with caution as they are not exactly comparable with those of countries for which all indicators were available. The number of missing indicators ranged from zero for Madagascar, Mauritius, Namibia, South Africa, Tanzania and Zambia, to nine for Angola.

Standardisation

Standardisation aimed to convert all "raw scores" into values that range from 0 (for the worst possible performance) to 100 (for the best possible performance). The indicators consist of several types in terms of what they are measuring:

- Many of the indicators measure the female percentage of people with given characteristics. All the

governance, education and media indicators have this form. For these indicators, the raw score could range from 0 to 100. However, if our aim is to ensure that women do not face discrimination, then a raw score of 50 is the target. In standardisation, all scores of more than 50 - of which several were found, for example, for tertiary education - were therefore changed to 50.

- Several of the indicators measure the percentage of women and girls with a given characteristic. Two examples of such indicators are the percentage of women using contraception and the percentage of women aged 15-24 with comprehensive knowledge on HIV and AIDS. For these indicators, the raw score could range from 0 to 100 and the score therefore did not need further standardisation.
- Several of the indicators measure the female rate for a given characteristic as a percentage of the male rate. Examples here are female labour force participation as a percentage of male labour force participation, and the female unemployment rate as a percentage of the male unemployment rate. In these cases possible scores could range from 0 to more than 100 where the female rate is more than the male rate. In the one case where the score was more than 100 (unemployment rate in Zambia), the score was changed to 100.
- Finally, two of the indicators that relate specifically to gender or women's issues have scores that fall outside the above categories. The first is the number of weeks of maternity leave to which employees are entitled. The second is the maternal mortality rate, which is expressed as the number of deaths for every 100,000 live births. For the first of these indicators, we assumed that the possible range was from 0 to 16 weeks, and calculated the actual number of weeks as a percentage of 16. For the second of these indicators, we set the possible range between 0 and 2000 out of 100,000 (see http://en.wikipedia.org/wiki/Maternal_death), and calculate a score out of 100 by dividing the raw score by 20.

A further challenge in the standardisation process was that while the majority of indicators measure a desirable characteristic, for which a high score indicates good performance, there are a few indicators that measure undesirable characteristic for which higher scores reflected poorer performance. The negative indicators are the ones relating to unemployment rate, female share of people living with HIV, and maternal mortality rate. For these indicators the rate was inverted by subtracting the standardised rate from 100.

Components of the Gender Status Index

Block	Component	Sub-component	Indicator
Social power 'Capabilities'	Education	Enrolment	Primary enrolment rate
			Secondary enrolment rate
			Tertiary enrolment rate
		Dropout	Primary dropout ratio
			Secondary dropout ratio
		Literacy	Ability to read and write
			Primary school completed
	Health	Child health	Stunting under 3
			Underweight under 3
			Mortality under 5
		Life expectancy at birth	
		New HIV infection	
		Time spent out of work	
Economic power 'Opportunities'	Income	Wages	Wages in agriculture
			Wages in civil service
			Wages in formal sector (public and/or private)
			Wages in informal sector
		Income	Income from informal enterprise
			Income from small agricultural household enterprise
			Income from remittances and inter-household transfers
	Time-use or employment	Time-use	Time spent in market economic activities (as paid employee, own-account or employer)
			Time spent in non-market economic activities or as unpaid family worker in market economic activities
			Time spent in domestic, care and volunteer non economic activities
		Employment	Or: Share of paid employment, own-account and employer in total employment
	Access to resources	Means of production	Ownership of urban plots/houses or land
			Access to family labour
			Access to credit
			Freedom to dispose of own income
		Management	Employers
			High civil servants (class A)
			Members of professional syndicates
Political power 'Agency'	Public sector		Administrative, scientific and technical
			Members of parliament
			Cabinet ministers
			Higher courts judges
	Civil society		Members of local councils

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The SADC Protocol on Gender and Development



Encompasses

commitments made in all regional, global and continental instruments for achieving gender equality.

Enhances

these instruments by addressing gaps and setting specific, measurable targets where these do not exist.

Advances

gender equality by ensuring accountability by all SADC Member States, as well as providing a form for the sharing of best practices, peer support and review.



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Countdown to 2015!

In August 2008, Heads of State of the Southern African Development Community adopted the ground-breaking SADC Protocol on Gender and Development. This followed a concerted campaign by NGOs under the umbrella of the Southern Africa Gender Protocol Alliance.

By the 2013 Heads of State summit, 13 countries had signed and 12 countries had ratified the SADC Gender Protocol. The Protocol is now in force. With two years to go, time is ticking to 2015, when governments need to have achieved 28 targets for the attainment of gender equality. In keeping with the Alliance slogan: "Yes we must", this 2013 Barometer provides a wealth of updated data against which progress will be measured by all those who cherish democracy in the region. The SADC Gender and Development Index (SGDI), introduced in 2011, complements the Citizen Score Card (CSC) that has been running for five years to benchmark progress.

