



UNIVERSITY OF
KWAZULU-NATAL™
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PARTNERSHIPS, ADVOCACY AND PROMOTING SYSTEMIC GENDER EQUITY

AORC GLOBAL WEBINAR - GENDER-INCLUSIVE POLICIES: A GUIDE FOR
OMBUDSMAN OFFICES

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KZN

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EDGEWOOD CAMPUS



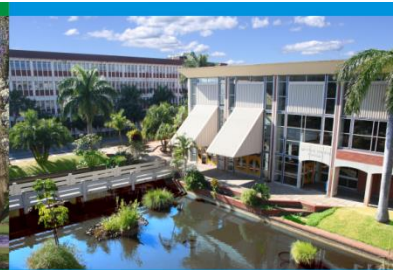
HOWARD COLLEGE CAMPUS



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UKZN INSPIRING GREATNESS

PROMOTING SYSTEMIC GENDER EQUALITY

1. What is the role of the Ombudsman in driving a gender equity agenda in the public sector?
2. What advocacy interventions are required?
3. What strategic partnerships can assist in delivering on this objective?

DRIVING A GENDER EQUITY AGENDA IN THE PUBLIC SECTOR: ROLE OF THE OMBUDSMAN

Mandate to investigate, report and remedy **improper conduct in state affairs...**

Driving gender equity internally, within state departments:

Investigate state **administrative deficiencies in addressing gender transformation in the public sector**, specifically state failures in promoting women's' representation in leadership, and in responding to gender discrimination, sexual harassment and GBV in the workplace.

Requires **interrogation** of state policies, resources, capacity, implementation failures, and individual complaint management.

Requires **collaboration** with sister institutions such as Gender Equality Commissions, Public Service Commissions, Employment Equity Commissions, public sector organized structures/trade unions

... AND GENDER MAINSTREAMING?

Driving systemic gender equity externally?

Role of the Ombudsman in advocating for state gender mainstreaming of service delivery?

Investigate state institutions' **failure to implement obligations** to international conventions, constitutional commitments to equality, and domestic legislation (In SA: Employment Equity Act, PEPUA, Protection from Harassment Act, Domestic Violence Act, Sexual Offences Act...)

Investigate state institutions' **failure to gender mainstream service delivery**, and resulting violations of rights to equality – impacting on women's access to housing, land, social security, health care...

Requires a **new set of strategies and partnerships** to elicit and investigate systemic issues

STRATEGIES TO DRIVE GENDER EQUALITY IN STATE SERVICE DELIVERY

Analysis of **legislative gaps that invisibilise women's exclusion and marginalization, and perpetuate gender inequality**

(exclusion of domestic workers from occupational injury framework; exclusion of informal economy workers from social security, maternity benefits/parental benefits; marginalizing and excluding same sex couples, gender diverse people from access to civil rights – marriage, childcare, inheritance)... and

Research into **policy implementation that fails to address rights violations, discrimination and marginalization** – impact of climate change and mitigation strategies; land reform processes and mechanisms; small business and economic development support; state response to GBV

Requires **engagement with policy-makers** and **partnerships** with community advocacy groups and social movements.

CHAMPIONING GENDER-INCLUSIVE RESPONSE TO COMMUNITY ENGAGEMENT:

Consider this scenario, and the skillset required of Ombudsmen:

Your office is investigating state maladministration in land reform and land claims programmes, as statistics reveal that the state has failed to ensure that women benefit from these programmes, and gender discriminatory patterns of land ownership are being perpetuated.

You facilitate a community engagement in a traditional area to solicit input from the community pertaining to women's land ownership, and how women have been excluded from state land reform processes.

Male participants express gender biased views and comments towards women participants and the issue of women's land ownership, and typically, the community listens to men more than women. As a result, women's voices and issues are not prioritized. Women are not allowed to attend key meetings and tell you that they have no right to speak and express their own ideas and opinions. Women representatives say further that they have decided to stay home, as being engaged in these consultative processes process requires a lot of time, keeping them away from other household and livelihood duties.

STRATEGIES TO CONSIDER

Conduct a **gender-sensitive assessment**

- ✓ Assess project's impact on all gender groups
- ✓ Identify interest and needs of all gender groups
- ✓ Identify community gender dynamics, norms, stereotypes, roles
- ✓ Carefully manage expectations

Promote **diversity in Ombudsman team**, and **question your own gender awareness**

- ✓ Composition of the team appropriate to the needs of the parties
- ✓ Reflect on your gender assumptions, prejudices and stereotypes
- ✓ If necessary, ask support from gender experts

STRATEGIES (CONT.)

Do no harm:

- ✓ Challenging discrimination, discussing gender equality, and advocating for gender inclusive representation may put women and gender diverse stakeholders at risk
- ✓ Assess the risk at the assessment stage
- ✓ Tailor approach to local context

Be **gender inclusive** in your community interactions:

- ✓ Provide a safe space for all gender groups to participate
- ✓ Identify all practical constraints that may prevent some gender groups from participating in meetings
- ✓ Engage communities on the importance of diverse gender representation and the positive consequences of gender-inclusion
- ✓ Support parties in finding culturally appropriate ways to make sure all gender groups' interests are represented in deliberations

CONCLUSION

Ombudsmen can adopt strategies to **enhance women's voice and agency**, and ensure that your **complaints mechanisms and own investigation procedures are gender-responsive**.

There can be **resistance to the inclusion of women and gender diverse stakeholders** in policy engagement with communities and the state.

Ombudsmen need **to build the capacity of your teams to ensure gender inclusive** approaches.

Gender inclusiveness enhances the robustness of investigation and complaints-handling processes, the responsiveness of process outcomes, and the sustainable and effective implementation of the resulting recommendations.

Resource:

[CAODisputeResolutionGenderGuidanceNoteFINAL \(1\).pdf](#)

'How to adopt a gender-inclusive approach to dispute resolution', Compliance Advisor Ombudsman, World Bank Group