



The Interview of Nazley Sharif

South Africa's Shadow Deputy
Minister of Women, Youth and
Persons with Disabilities



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1. Introduction

The women's rights team of Global Human Rights Defence aims to shed light on violations that have been left in the shadows while bringing encouraging developments and news to the stage. Women's rights may seem to be an internal issue that takes place within the borders of countries. However, every advance or regression is important to all women around the world, thus proving that these issues are in fact transnational, international and universal.

In this context, the prevalence of gender-based violence and femicide, to which women are appallingly exposed, constitutes a global problem that touches and affects everyone, no matter where they are in the world. In 2019, the World Bank defined the situation in its publication Gender-Based Violence (violence against women and girls) as a global pandemic "affecting one in three women in their lifetime" (World Bank, 2019). Furthermore, in 2021, the World Health Organisation considered violence against women - in particular intimate partner violence and sexual violence - as "a major public health problem and a violation of women's human rights" (WHO, 2021).

Therefore, this interview with Nazley Sharif, who is the South Africa's Shadow Deputy Minister for Women, Youth and Persons with Disabilities, will provide us with an insight into the country's long-standing problem of gender-based violence (GBV) and femicide, and thus learn how they approach this critical issue. The interview consisted of nine questions addressing GBV, femicide, the role and



"Nazley Sharif", Member of Parliament, South Africa, via Debating Africa.
<https://debating.africa/leader/nazley-sharif/>

influence of the police, protection and prevention orders, and recent developments in South Africa.

1.1. Nazley Sharif

Q1: Nazley, we know that you have been the Shadow Deputy Minister for Women, Youth and Disabilities in the presidency since June 2019 in South Africa (SA). But can you tell us a little more about yourself and your role in SA?

Nazley Sharif: I first joined politics at university in 2009 through the Democratic Alliances Student Organisation. It's the DA on campus. Then, in 2014, I was elected for the first time as a proportional representative councillor for the city

of Johannesburg, and in 2016, I was re-elected and served as the head of Section 79 for gender, youth and disability. Therefore, I have been working in the gender space since about 2014. In 2019, I was elected as an MP to the National Assembly, and when I went to Parliament, I was with Women, Youth and Persons with Disabilities. I think that was a natural progression for me because I have been a gender activist for a long time. Being in the field of gender activism, I have learnt that there is a lot of work to be done, but to be fair, there is a lot of work that has been done.

Q2: Before we move on to our interview topic, have you encountered any difficulties or obstacles in your political journey due to your gender?

Nazley S: Absolutely. I think it frequently happens whenever a woman goes into a male-dominated space. When I went to the Council for the first time, I was catcalled by colleagues. I remember it as if it was yesterday. I was 24 years old at the time. I was walking during my lunch break, and this old

male colleague from a different political party grabbed my arm and pulled me forcibly and he went like “come here, baby”. That moment was the first time in my life that I was subjected to violence within the workspace. I then, went to report it to sexual harassment and then many adult women, especially senior politicians, came to me and said that we have been experiencing this with men for a very long time but you were the first one to speak up about it. At that moment, I realised that sometimes women normalise the violence and oppression we face in the workplace. For me, it was abnormal, I couldn't understand it. I had just come from the university. Moreover, I find the words that men use when talking to me, such as ‘sweetheart’, ‘my honey’ or ‘my baby’, absolutely disgusting. It seems like a cycle that keeps reproducing itself. And I believe that the only way to stop it is if we as women say ‘no’ and make them respect us.

To summarise and answer your question, yes, I have faced challenges in politics as a young woman and yes, I have felt the obstacles in government institutions such as local council, municipality and parliament. In 2020, I gave a speech about my experiences as a woman in politics and the oppression and inequalities I have faced. I don't think I am the only one but maybe I am the only one who stood up and spoke out about it.

2. Background Information on South Africa

2.1. Gender-Based Violence in South Africa

Gender-based violence continues to be a major threat to women's safety around the world, and statistics show how rooted and alarming this problem is in South Africa. According to the South African Police Service (SAPS) Crime Statistics Report, for 2019/2020, more than 146 sexual offences were committed every day, equating to a total of 53,290 sexual offences (African Health Organisation, 2021).



"South African Silent Protest" by AIDS Healthcare Foundation via Flickr/2018.

Q3: How much do these statistics change for 2021/2022? If the situation has improved, what has contributed to this outcome? If the situation worsens, what do you think, as a parliamentarian and women's rights advocate, SA should do to find an effective solution to this long-standing problem?

Nazley S: I am not 100 percent sure, I need to check it, but the SAPS has made a statement that GBV has decreased in South Africa. That's the narrative they are going with. But if you look a little bit deeper into the numbers, you will see that rape has not decreased. On the contrary, it has increased in some areas. Regarding sexual abuse, they either say the same thing or they say it has increased slightly. I can say that there has been no decrease. As a parliamentarian, I find this very concerning. When we sit in parliament, we review legislation and policies, but we also review. For example, budgets, monitoring and evaluation plans and updates so that we can consistently do our annual reports. So basically, we look at other departments to prevent and combat gender-based violence and femicide in South Africa.

First of all, the SA government has become really good at sort of collaboration between departments. If you look at the National Strategic Plan on GBV and Femicide, we have divided the policy into different pillars. And all of these pillars have departments from across government fields that will work on those pillars, implement targets and keep informed indicators but then also collaborate. For example, the prevention pillar will have social development, or SAPS - the South African Police Service- will have the justice community. All these will come together and collaborate between them. However, the problem is when we look at the implementation of these legislations and policies. It is one thing to have a really good and effective policy but it's another thing to be able to implement it properly. And let me say this, SA is very progressive in terms of policies and legislation, that is, what we say on paper. We have always been one step ahead of looking at human rights in a more progressive way. For instance, SA is one of the first African countries to legalise same-sex marriage or legalise abortion. Yet, when we reach the implementation level, this is where the problem comes in. That's why our statistics are not decreasing at a level we want to see. In fact, in some instances, it's even increasing. Why? Because SAPS is not properly trained, that's one. They are unable to deal with the amount of crime, especially facing women. Number two, the DNA-backed log is massive. I think they have about 3000 backed logs of DNA. So oftentimes, it takes a very long time for samples, buckle samples to come through to the Court in order to take a conviction. There is a continuous postponement of court cases. Hence, the victims or the survivors do not get essentially any justice in the end. Number three, we have this Court system that has a lack of resources. One of the biggest issues is if there isn't a video that records the processes or the interview, it has to be postponed. Therefore, as we don't have the basic resources, the road to justice becomes very hard and long. As a result, women drop the charges as they have no hope or belief that they will get justice.

We can clearly see that there is a failure in the departments that should actually implement the policies. As an opposition parliamentarian, the only blame I can put on is the leadership. If we have leadership that doesn't take accountability for themselves or hold their departments accountable for their failures, we will not see any change. On the contrary, we will see billions and billions of money being put into departments and entities with no results. So to me, the failures are rooted in a lack of accountability, lack of monitoring and simply lack of will. If people had the will to change it, they would change it.

Furthermore, I have to say that GBV and femicide have become super politicised in SA. I say in a way that is not necessarily bad. It is indeed promising to see GBV and femicide put on the agenda for women and for all gender activists that have been working for a long time. However, the problem now is that politicians only speak about GBV and femicide only with words, but not actions. When it comes down to doing the work, everybody is silent.

2.2. Femicide



"16 Days of Activism Campaign closing ceremony". Photo Source: GovernmentZA via Flickr/2021.

The gravest form of Gender-Based Violence is Femicide; the killing of a woman because of her gender. The World Health Organisation (WHO) estimates that globally 2.6 women out of 100,000 become victims of Femicide. In South Africa, this number is estimated to be five times higher than the global average, where 12.6 women out of the 100,000 become a victim. This information was further brought under attention and published in the 2021 Overview of National Strategic Plan on Gender-Based Violence and Femicide Roll-Out published by the Ministry of Women, Youth and Persons with Disabilities.

Q4: What do you think is the reason for the fact that women in South Africa have a higher chance of becoming victims of femicide, in comparison to the global average?

Nazley S: It is not an easy question to answer because these are questions that we constantly go back to. Like why in SA do we live in such a violent society? and it's not even only about femicide but also about such things as xenophobia or high rates of crime. These are sort of societal, perhaps even a little bit philosophical questions. Thus, maybe as a society, we should look into it deeper to be able to answer it. From my personal view on the subject, I do believe that apartheid definitely has a role to play in it. I think because apartheid was so violent and brutal, it has been engraved within our DNA as South Africans. Our grandparents, my parent's generations, thus we all grew up in a violent society. I, therefore, believe that there is a certain amount of generational trauma that may be one aspect of the current situation we are facing. Furthermore, because we don't have a very strong and effective justice system, it's almost a little bit easier to get away with crimes. People are not deterred from committing crimes because they are aware of the high potential of getting away with it.

On the other hand, I also believe there is a power struggle and a power dynamic when it comes to men and women. The power of gender stereotypes still has a strong influence on our society. A lot of cultures, including South Africa, consider that a woman's place is in the kitchen. According to this perspective, she must look after the baby and must serve their men. Whereas, the man's place is to be the head of the family and we see him as the "provider" of everything. Thus, looking at this ancient belief and comparing it to the modern women that we raise to become one, we see the two of them clash. Because we as modern women are more independent, more career-focused and so more outgoing now. It does conflict with the gender stereotypes that men in our country believe in.

Moreover, I would also like to emphasise that substance abuse also plays a role to a certain extent in the violence women face. Oftentimes, we return to the generational cycle of addiction, especially during the apartheid, when the government paid people of colour not with money but with wine. Then, what happened? The cycle of addiction started in our country. In the end, the more unhappy or dissatisfied men were with

their lives, the more they became alcoholics and thus aggressive. And the easiest targets for them to take it out on are their wives and children. However, the critical problem here stems from our culture of silence that perpetuates violence. Because in South Africa, we do not discuss family matters outside, so even if our husbands are abusive and aggressive towards us, we deal with it as a family through family meetings.



Protest to compel Comcast to shut down its toxic environment" by Joe Piette via Flickr/2019.

Therefore, as I said in the beginning, there are many various contributing factors to answer why South Africa is such a violent country. But also there are many different solutions that we need to approach as a society in order to see a way forward. Such as, giving importance to mental health and speaking about trauma, depression and anxiety, or speaking about the emotions and feelings that men have and creating safe spaces for men to deal with their issues and help them get better

because it is OK for men to feel these emotions and feelings as well. But also, speaking and educating society about toxic masculinity, consent and equality. However, one cannot be effective without the other, they all need to come together.

Nevertheless, the most important point remains to build trust in our justice system. If there is more trust in the SAPS or in the rehabilitation of victims and survivors - socially and psychologically - then I think we will start to see some changes. But again, it is still more important to have trust in our justice system than we can imagine.

Q5: Is there a safe place or organisation where women who have been abused by their husbands, partners, family members or strangers can talk and seek refuge?

Nazley S: Of course. We have many shelters. No matter where you are in the country, there is a shelter or a safe place. We have shelters that everyone knows about, that you can easily find on Google and where you can stay for a night, a week or a certain period of time, but we also have safe houses. It is not easy to find places to protect victims and survivors from their perpetrators. In order to get there, the woman first has to go to the police station and then they will escort her to a safe house. It is for women to stay for a few weeks until they report the case or until they feel safer. Then, we also have Thuthuzela Care Centres, which are a one-stop shop for gender-based violence. For example, when a victim is raped, she goes to these centres where she can get everything she needs. She can file a police report, get a DNA test, get counselling and psychological help, and if she needs any medication, she can get it there. Many of these centres are located in hospitals, so there is a partnership between hospitals and Thuthuzela Care Centres to provide all the resources needed for victims.

To protect more women in South Africa, multiple steps are already taken, mainly focusing on the prevention of femicide and GBV with the National Prevention Strategy. The first-year achievements were mainly focused on developing a national prevention strategy and communication and advocacy campaigns.

Thuthuzela Care Centres

According to the South African government website, “Thuthuzela Care Centres (TCCs) are one-stop facilities that have been introduced as a critical part of South Africa’s anti-rape strategy, aiming to reduce secondary victimisation and to build a case ready for successful prosecution. Fifty one centres have been established since 2006” (Republic of South Africa, n.d.).

Q6: What future steps do you feel like following to protect women in South Africa?



“End violence against women now” by Luisa via Flickr/2019.

Nazley S: First of all, you can’t keep writing new policies or legislations when the current ones are not being implemented. For example, for the National Prevention Strategy, we haven’t interrogated it as parliament on what it means or actually looked at the targets. In the last meeting, if I remember correctly, the department said they will bring it to the committee but we still haven’t seen it. That in itself is a failure. Therefore, it is impossible to say that we have a National Prevention strategy on one hand as a document when no

action is coming after. It is a waste of resources, a waste of time and waste of potential. Another similar example we had was the Emergency Response Action Plan (ERAP) on GBV. This was the biggest failure of the government. They gave us six months of the timeline but when I read the plan the first thing I said was: “you can never get any of these in six months”. What happened? They reached maybe five of the targets. The department of Women, Youth and Persons with Disabilities got zero of their targets. It was a complete failure.

Therefore, my answer to your question is that before we turn our eyes to making new policies or legislation, we need to implement the ones we have. So, we need implementation and proper accountability which means a need for monitoring and evaluation tools.

Q7: Do you think the police have an effect on the systematic increase in femicide in South Africa? What would you think about opening a special police station and system in SA to take action quickly on reports of femicides, domestic and sexual violence?

Nazley S: Do I think the police have a contribution? Yes, to some extent. There are many good and passionate police officers in South Africa. But there is a lack of trust in the SAPS. Often when I talk to survivors they tell me things like “I don’t want to go to the police station because they won’t help me”, “it won’t make any difference” or “I went to the police station but they didn’t help me and give me a second-degree trauma”. However, do I think that opening a branch of SAPS that focuses on GBV might help? To be honest, I don’t know because I haven’t thought about it too much yet. But instead of spending this money on opening a new station, it might be better to sensitise the SAPS on GBV or, for example, to have mandatory training on how to talk to victims. We need to train them to understand the climate we are in. In many cases the police say ‘go home, this is a family problem, you have to solve it with your husband. So I think it would make a real difference if they had ongoing training on this sensitive issue.

In terms of specific functions for gender-based violence, stations should have a gender-based violence desk and a victim empowerment room where women can get some assistance. We also have gender-based violence courts that only deal with issues such as protection orders or hearing cases. If I am not mistaken, the number of gender-based violence courts has increased. And they have a real impact on women’s litigation processes. Because these courts only deal with gender-based violence cases, thus it makes the processes move faster. But again, it all comes to the same point that it needs to be properly implemented, have sufficient resources and be capacitated in order for the work to run smoothly and not have any delays. So, I also think that we should have another DNA lab to help the process.

However, knowing South Africa, I feel that even if we had a SAPS to focus specifically on GBV, it would not be effective because of the problems I mentioned earlier.

3. Recent developments

In February 2022, South African President Cyril Ramaphosa signed three gender-based violence (GBV) bills into law to strengthen the country's protections for women and children, and for survivors to have a better chance of receiving justice. These are known as the Criminal and Related Matters Amendment Bill, Criminal Law (Sexual Offences and Related Matters) Amendment Bill and the Domestic Violence Amendment Bill.

Q8 : Can you explain to us what these bills will change in a practical way for victims and survivors compared to before? And has there already been any concrete improvement in GBV protection and prevention in South Africa since the last legislation?

These three GBV bills are actually great. As opposition MPs, we signed and passed them because we need laws to protect women. For example, under the new law, you can get a protection order online. This makes it easier for women, especially in modern times. Instead of waiting in line at the police station for a day to obtain a protection order, you can easily submit your application online 24-hours a day. This helps efficiency and effectiveness.

Also, thanks to our new laws, if my neighbour is being abused, I now have the right to go and report the crime to the police. This helps women who are perhaps too scared or don't know what to do to get help. Therefore, I believe that these three laws on GBV are important and can play a role in ensuring that the system is better equipped to help women experiencing gender-based violence. However, we have not seen any concrete progress so far because the government itself is extremely slow. It takes about a year for a research report to be written and another six months for it to go from the department to the Cabinet and be approved. This goes on and on. Therefore, the steps are long and complicated. Nevertheless, the fact that we have not achieved any results so far does not mean that we will not. Maybe next year or the year after that we can achieve some concrete results.

New Gender-Based Violence Laws

The bills were first introduced to the country's parliament in 2020 in response to public outcry for the government to take GBV cases seriously, particularly in the wake of the rape and murder of University of Cape Town student Uyinene Mrwetyana in August 2019 (Mlaba, 2022).

Accordingly, these three new laws introduced important changes to improve a system that is failing to adequately protect women in the country and consequently put an end to this epidemic of femicide. Among them, the Criminal and Related Matters Amendment Act provides vital and crucial new regulations to tackle this persistent problem. Meaning, from now on, people accused of GBV will only be granted bail in exceptional cases. If the circumstances are met, the court must take into consideration whether the victim would feel safe with the decision. In other words, the victim will be heard by the

court before a bail decision is made (Mlaba, 2020).

Furthermore, with regard to the Criminal Law (Sexual Offences and Related Matters) Amendment Act, the scope of the offence of incest is expanded and sexual intimidation is recognised as an official offence (Mlaba, 2020). This means that if you feel threatened by someone's verbal or other behaviour towards you, you can report it and seek legal action. These are generally offensive because of "their sexually inappropriate or otherwise gender-related content" (Phillips&Associates, n.d). In addition, it will be mandatory for all sexual offenders to be listed on the national register, and thus not only perpetrators who have committed acts against children and persons with disabilities, as was previously the case (Mlaba, 2022). Also, the names of sex offenders are now publicly available for greater accountability (Mlaba, 2022).

Lastly, as a controversial issue, thanks to the Domestic Violence Amendment Act, the legal definition of domestic violence has been broadened to include victims of assault who are engaged to be married, dating, in customary relationships and in actual or perceived romantic, intimate or sexual relationships of any duration (Mlaba, 2022). This expanded definition also covers older citizens who have been abused by family members (Mlaba, 2020).

Q9: Do victims of gender-based violence need any proof documents to obtain preventive and protective decisions from a judge? Or are their words and statements sufficient to obtain these measures?

Oftentimes, we rely on DNA samples for example in cases of rape. But I think we still do have the mentality of an "innocent until is proven to be guilty" mindset. Everything needs to go through the courts and the law. Therefore, it can be difficult for women to be believed. We see these kinds of examples in relationships. For instance, they say "Jake is a great guy, he is not that type of person, he would never do such a thing so you must be lying or exaggerating". Thus, women are not always believed by third parties when they tell their stories. This is why we are relying on DNA samples or taking pictures immediately when you go to the police station or hospitals, doctors do marks on your body like a medical report. But this is where the failure happens as the officials who are in charge of it are not doing their job properly so they can miss critical information and leads. Thus, the entire case falls apart. The biggest problem we are encountering in South Africa, however, is access to the legal consul. We don't have legal GBV-specific legal aid that helps women get lawyers to fight in the cases. Most of the time they are given government lawyers that have so many other cases so they can not necessarily focus on one case. That leads the cases to go off to the road and women are dropping charges. And this is something that I feel I need to fight for a little bit harder so there is legal representation for women who have experienced gender-based violence.

From a personal perspective, I believe society regards innocence but when it comes to the victims it should be believed until proven to be otherwise. And maybe this is a mentality that we should look at deeper. When the victim comes and says she's been exposed to sexual abuse from her boss or raped

by my bosses, instead of giving some time to the boss we should say we believe you until proven otherwise. That would be the real difference. I admit and am aware that in our times, not every woman is being honest or there are some cases of women taking advantage of the circumstances. Yet again, when it comes to the victims of gender-based violence, I personally believe that we should put the victim first until it is proven to be not.

Most of the time, for example in rape cases, we rely on DNA samples. But I think we still have the mentality of “innocent until proven guilty”. Everything has to go through the courts and the law. Therefore, it can be more difficult to believe women. We also see such examples in relationships with men. For example, they say, “Jake is a great guy, he is not like that, he would never do such a thing, so you are lying or exaggerating”. So when women tell their stories, they are not always believed by third parties. That’s why we rely on DNA samples, or when you go to the police station, you are immediately photographed, or when you go to hospitals, the doctor makes markings on your body like a report. But that’s where the failure happens because the officials who are responsible for that don’t do their job properly, they miss critical information and clues. Therefore, the whole case falls apart.

Moreover, the biggest problem we face in South Africa is access to the legal consulate. We don’t have GBV-specific legal aid to help women get lawyers to fight their cases. They are often given government lawyers who have many other cases, so they cannot focus on one case. This leads to

cases falling by the wayside and women dropping charges. I think I need to fight a little bit more on this issue so that women who experience gender-based violence can be legally represented.

From a personal point of view, I believe that society values innocence, but in the case of the victim, it has to be believed until proven otherwise. And maybe this is a mindset that we need to look deeper into. When the victim comes and says I was sexually abused by my boss or I was raped by my boss, instead of giving the boss some time, we should say we believe you until proven otherwise. That would be the real difference. I accept and realise that not all women today are honest or in some cases, women take advantage of the situation. However, when it comes to victims of gender-based violence, I personally believe that we should prioritise the victim until proven otherwise.

References

African Health Organisation. (January 14, 2021). Gender Based Violence Fact Sheet: South Africa. Retrieved September 7, 2022, from <https://aho.org/news/gender-based-violence-fact-sheet-south-africa/>

Mlaba K. (September 23, 2020). Understanding South Africa's New Gender-Based Violence Laws. Global Citizen. Retrieved September 7, 2022, from <https://www.globalcitizen.org/en/content/south-africa-new-laws-gender-violence-what-to-know/>

Mlaba K. (February 1, 2022). South Africa Just Adopted New Laws on Gender-Based Violence. Here's What to Know. Global Citizen. Retrieved September 7, 2022, from <https://www.globalcitizen.org/en/content/south-africa-adopts-three-new-gbv-laws/>

Phillips&Associates. (n.d). Sexual Intimidation. Retrieved September 7, 2022, from <https://www.newyorkcitydiscriminationlawyer.com/sexual-intimidation.html>

Republic of South Africa. (n.d). Thuthuzela Care Centres. Retrieved September 7, 2022, from <https://www.gov.za/TCC>

World Bank. (September 25, 2019). Gender-Based Violence (Violence Against Women and Girls). Retrieved September 7, 2022, from <https://www.worldbank.org/en/topic/socialsustainability/brief/violence-against-women-and-girls>

World Health Organisation. (March 9, 2021). Violence against women. Retrieved September 7, 2022, from <https://www.who.int/news-room/fact-sheets/detail/violence-against-women>



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