

**WOMEN & HUMAN RIGHTS  
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**THE WOMEN WITH DISABILITIES  
INTERNATIONAL FORUM**

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**T**he term "women with disabilities" is utilized broadly in this article to include race, class, ethnicity, sexual orientation and culture. It also recognizes that disability is socially constructed and therefore a shifting concept. "Disability" means different things to different people with different disabilities and abilities.

On 16 June 1997 in Bethesda, USA, the International Leadership Forum for Women with Disabilities was opened. Present in the banquet room were over 600 representatives from 81 countries. The participants cut across race, disability, professions and religion.

The mantra of the Forum was "loud, proud and passionate". The premise was simple - "everybody counts, respect diversity and build unity". For an entire week workshops, special sessions and study groups shared experiences on issues such as organizational development, violence, sexuality, research and disability studies, disability culture and the arts and systems change. What follows is an abridged version of the paper that I presented at the Forum.

Women with disabilities have made a significant contribution in the political growth of South Africa. Yet, the reality remains that women with disabilities are among the poorest of the poor. Little or no education,

limited access to information and meagre resources are factors that contribute significantly to a cycle of poverty and disability. Complex debates around transformation, growth and economics often overshadow the attainment of basic needs of the most vulnerable. It must also be said that sustainable transformation and development should see the alleviation of poverty and integration of disability issues as part of a human rights culture for all of society.

**Ascension to International  
Legal Instruments**

On the 15 December 1995, South Africa ratified the United Nations Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). CEDAW sets standards of what must be done to achieve equality. CEDAW does not address *per se* women with disabilities. It does, however, speak to ge-

neric issues related to women's equality which clearly impact on the lives of women with disabilities.

Furthermore, the Government committed itself to the Beijing Platform of Action which recognizes the rights of women with disabilities. It is also quite apparent that post-apartheid legislation, as it relates to people with disabilities, is guided by the United Nations Standard Rules on the Equalization of Opportunities for Disabled Persons (1993).

**National Machinery and Policy**

The National Machinery for the advancement of women is co-ordinated by the Office on the Status of Women (OWS) which is situated in the Office of the Deputy President. The OWS is responsible for ensuring that all government departments adhere to and implement policy that is gender sensitive and promote equal participation. The OWS has also been tasked with

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training and advising departments in gender sensitivity programmes.

The Office on the Status of Disabled Persons is similarly placed in the Office of the Deputy President. Early in 1996 this Office released a Green Paper on the Integrated National Disability Strategy. The core of this Strategy is to create a society for all. Importantly, this strategy articulates the need to introduce a new paradigm shift that views disability not exclusively as a welfare issue or a health issue but rather as a human rights issue. The Green Paper outlines the key policies which need to be developed by line func-

do not filter down to the actual service providers and women with disabilities continue to carry the burden of indirect discrimination.

In addition, the Youth Commission enjoys representation from both the women and disability movement.

Finally, the Constitutional Court is the guardian of the Constitution. Its main function is to uphold the rights guaranteed in the Bill of Rights which are fundamental to a democracy and equalizing the rights of all South Africans. The Constitution has yet to be tested with regard to discrimination on the basis of disability. However, the SAHRC has

action to be taken. A policy by the Department of Health that subsidizes assistive devices at 60% has been employed in most of the provinces.

However, there are still outstanding issues that need to be addressed in this department. The forcible sterilization of women with disabilities which is reported with some frequency is one such example.

## Education

The Constitution articulates the right to education as a fundamental right in Section 29. The right to education is premised on the past imbalances and redress, hence the inclusion of Adult Basic Education. Furthermore, the Constitution provides for the right to be instructed in the a person's language of choice. This provision allows for Sign language in schools.

The South African Schools Act (1996) provides for compulsory school attendance from the age of 7-15 including children with disabilities. Some provincial Acts make provision for assistive devices for learners with special education needs.

The President established a National Commission on Special Learners Educational Needs and the National Commission on Educational Support Services. The Commission's brief is to investigate broadly the needs of learners with special educational needs in the new South African school system. The Commission does not confine its definition of learners to the traditional school going pupils but covers early childhood development, general education, further education and ABET, which are important for women with disabilities.

The Commission is currently consulting widely in communities and with particular target groups. After the public hearings, the Commission will submit a report to the Minister of Education.

## Budget Allocations

Last year an historical milestone was laid when the Women's budget was moved at national Parliament. This budget is not a separate

*A new paradigm shift that views disability not exclusively as a welfare issue or a health issue but rather as a human rights issue is welcomed.*

tion ministries. They include *inter alia* inclusive education for all, community development, self representation, public awareness and accessibility. The Green Paper has since evolved into a White Paper which is expected to go to Cabinet before the end of the month.

The Commission on Gender Equality seeks to promote respect for gender equality and the protection, development and attainment of gender equality. Furthermore, the South African Human Rights Commission (SAHRC) has the protection and promotion of human rights in South Africa as one of its primary objectives. The SAHRC has, by way of statutory regulations, set up various sub-committees that are tasked with advising it on issues related to monitoring, protecting and promoting of fundamental rights of, among other things, previously disadvantaged clusters. It is in this vein that recently a Committee on Disability was established.

The Public Protector is the official watchdog against government's maladministration, unfairness and the mis-allocation of public funds. This statutory institute is very important for women with disabilities since much of the legislation and policies

recently successfully challenged discrimination based on disability using the equality clause.

## Provincial Structures

In many provincial departments Gender Desks have been established. It is important that women with disabilities utilize these structures and make them work for them. Furthermore, at a provincial level, negotiations are ensuing regarding the establishment of Disability Desks in Premier's Offices. Already, two out of the nine Provinces have staffed these Offices. The function of these Offices is to co-ordinate functions and to plan and advise provincial government on issues related to disability. This Office, in turn, reports and liaises with the National Office that is situated in the Office of the Deputy President.

## Health

Health services and access to medicine in South Africa have traditionally been the preserve of the privileged. The introduction of free primary health care for under sixes and pregnant mothers has been highly applauded. Within this plan, health care programmes such as the identification of risk factors before birth or in childhood enables preventive



budget for women. It is rather a concept that monitors budgetary allocations at all three tiers of government with the view to determining its impact on women. This initiative is clearly significant for women with disabilities who have historically been left out of mainstream planning.

### Employment, Job Creation and Training:

The lack of employment opportunities for women with disabilities often makes them financially dependent on their families throughout their entire lives or dependent on state welfare. Research shows that dependency of this nature corrodes peoples self respect and exacerbates social isolation.

There is accordingly a need for more formalized training programmes for women with disabilities. Government is obliged to create jobs that are market driven. This needs to be done in tandem with appropriate training. The equalizing of opportunities goes a long way in alleviating poverty.

### Research and Policy Development

Research is key if women with disabilities want to take control of their own lives. However, research should not be esoteric but informed by what happens on the ground with the aim to effect change and optimally better the lives of all women. In addition, it is vital that in conducting such research disaggregated data be collected.

### Justice

Women with disabilities in the justice arena face the same obstacles most women face, but with the added dimension of being disabled. It is significant that the Minister of Justice recently announced that "violent crimes against women and children will fall within the ambit of priority crimes."

Women with disabilities are seen as "soft targets" of crime and hence often victims of crime. Further, the dualism of being a women and having a disability often lends itself to secondary victimization by and in the legal system. More generally, the Departments of Justice, Safety and Security and Correctional Services are collectively collaborating on implementing the National Crime Prevention Strategy which recognizes vulnerable groups as potential victims and seeks to address crime proactively.

### Welfare

Historically, welfare services for people with disabilities were uncoordinated and disempowering in that, they tended to create dependence rather than sustainable development and self reliance. However, today the Department of Welfare has adopted an inter-sectoral approach in its provision of services. Their proposed guidelines to meeting the needs of people with disabilities are generic and community based. Partnerships and programmes with civil society is high on their agenda. The Department has also committed itself to public awareness campaigns regarding the need for improved public communication measures to facilitate the integration of people with particular disabilities (such as people who are deaf and blind) into all spheres of social life.

### Programmes at Community Level

The Disabled People of South Africa (DPSA), the largest Disabled People Organisation in the country, has with much foresight set up the Women Development Programme. This organized effort is an illustration of women with disabilities carving out their political space and honing into the politics of the day. The objectives of this programme are focused mainly on building capacity of women with disabilities as well as leadership skills.

Women with disabilities want and need access to services, many of which were denied in the past, as well as equal opportunities and social development. They too want to participate in the wider community and have a better quality of life. To attain these objectives the following need to occur:

- Equity of access to opportunities for all women with emphasis on women with disabilities, regardless of their race, status, sexual orientation or religion.
- The development of programmes in communities that will facilitate self help and sustainable development.
- The development of leadership programmes that emphasize the protection and development of the girl child with disabilities.
- Encouragement of involvement in local government politics.

### Communication and the Role of the Media

The recognition of Sign language in the Constitution as a language to be developed by the Pan South African Language Board is triumphant. Sign has also been recognized by the South African Schools Act, 1996. This victory needs to be linked to and developed by ongoing partnerships with the Deaf community and other role players. The role of the media is central to changing attitudes of civil society.

### Conclusion

In principle, the development and reform of legislation in South Africa is very important. However, legislation in and of itself cannot stand alone. It must be accompanied by progressive concepts of social justice and social development, diversity and tolerance that are packaged in the form of sustainable programmes and appropriate training that empower women with disabilities to champion the many obstacles ahead.



# THE NATURAL FATHERS OF CHILDREN BORN OUT OF WEDLOCK BILL AND THE FRASER CASE

Coriaan de Villiers

Lawrie Fraser's quest to gain rights to adopt his child "born out of wedlock", as the Bill would have it, received much sympathetic press coverage. Few, if any of the reports came out in support of the mother's decision to put up her child for adoption without obtaining the father's consent to the adoption. The impression created was "How could she possibly have been so selfish?"

Whilst one must acknowledge that fathers of children born out of wedlock should be granted some rights in respect of their children, the position of mothers in such circumstances must be carefully considered to ensure that the granting of rights to the father do not exacerbate women's inequality and disadvantage. Naturally, any such considerations must be underpinned and informed by the best interests of the child.

Both the Natural Father's Born out of Wedlock Bill and the Fraser case address the rights of fathers of illegitimate children, (for ease of reference referred to as "illegitimate fathers"). The Bill provides for rights of access, custody and guardianship to illegitimate fathers. Significantly, such rights do not flow from mere biological fatherhood. An illegitimate father can gain one or all of these rights if he brings an application to the High Court and the High Court exercises its discretion to grant these rights. This aspect of the Bill is welcome.

However, the most controversial aspect of the Bill is the provision requiring that notice of intended adoption proceedings be given to illegitimate fathers. The notice provision of the Bill provides that a children's court to which an application for an order of adoption is made in terms of the Child Care Act shall not grant the application unless it is satisfied

that the natural father of the child concerned has been given reasonable written notice of the intended adoption.

The notice may be dispensed with in certain limited circumstances; namely where the father cannot be identified, where the father cannot be located despite reasonable attempts to do so, where the child was born of rape or incest or it is in the best interests of the child. The introduction of the notice procedure must be understood and consid-

ered in the light of the Fraser case.

ered in the light of the Fraser case. The issue placed before the Constitutional Court in the Fraser case was whether Section 18(4)(d) of the Child Care Act 74 of 1983 is inconsistent with the Constitution in so far as it dispenses with a father's consent to the adoption of his illegitimate child. The relevant section of the Child Care Act provides that a children's court shall not grant an application for an adoption unless it is satisfied that consent to the adoption has been given by both parents of the child or, if the child is illegitimate, by the mother of the child. The court held that the section is unconstitutional on two bases. The section discriminates between the rights of fathers in different unions in so far as the section excludes the consent of fathers of Customary and Islamic unions. The section is also discriminatory to the extent that the section always requires the consent of mothers to adoption and requires

the consent of fathers only where they are married or have been married to the mother.

Having found the section to be unconstitutional, the court did not declare it to be invalid with immediate effect but afforded Parliament an opportunity to correct the defect in the impugned section within two years of the order. Extraordinarily, the Bill which was introduced by Parliament subsequent to the decision, leaves untouched the impugned section. To notify fathers of an intended

*"The question of parental rights in relation to adoption bears directly on the question of gender equality. Parliament should be particularly sensitive to the deep disadvantage suffered by single mothers in our society."*

adoption does not address the question of whether their consent is required in order for the child to be adopted.

The Bill will accordingly have to be amended or further legislation introduced. Regardless of which legislation ultimately addresses the Fraser court order, there are numerous problems for women which arise both in relation to an illegitimate father's notification of a proposed adoption and his consent thereto. In the Fraser case the judge noted that "The question of parental rights in relation to adoption bears directly on the question of gender equality. Parliament should be particularly sensitive to the deep disadvantage suffered by single mothers in our society."

The question which arises is whether all fathers have an inherent right to be notified that their child is to be put up for adoption. There are many factors which weigh in a mother's decision to put up a child for adoption, such as adverse eco-



conomic circumstances with little prospect of support from the father, social stigma, career choices, the duration and nature of the relationship between the father and the mother and whether the child was born as result of rape.

The decision is often painful and difficult and many women prefer not to have any knowledge of the proposed adoptive parents. To notify the father of the adoption adds a whole new dimension to adoption and could impact harshly on women.

From a gender equality perspective, there are instances where the notice should be dispensed with that are not covered by the Bill. An adoption procedure which follows almost immediately on the child's birth appears to be one of these.

Closely linked to the notification procedure is the question of whether the father's consent to the adoption is required once he has received notification of the adoption.

The *Fraser* case failed to recognize a crucial distinction between the consent of the parents of children born of a marriage and outside of a marriage. Where children are born of a marriage the father has guardianship and/or custody of the child and therefore the father's consent is required for adoption.

Where an illegitimate father has obtained rights of custody and guardianship by bringing an application to the High Court, prior to the adoption he would be similarly situated to a father of a child born of a marriage and the illegitimate father's consent would be required for the child to be adopted by third parties.

However, where an illegitimate father has not obtained rights of custody and /or guardianship the question of whether his consent to the adoption is required is more difficult. Where such a father wishes to adopt the child himself the question is not really whether his consent would

*The most controversial aspect of the Bill is the provision requiring that notice of intended adoption proceedings be given to fathers of children born out of wedlock.*

be required but rather whether he would be able to withhold his consent to the child being adopted by third parties in order to gain an absolute right to the adoption, as Fraser sought to do.

In these circumstances, it is argued that although biology should factor into the equation, the test should remain whether the father is fit and proper to adopt the child and accordingly that the illegitimate father should not be able to exercise such a veto right where the child has already been put up for adoption.

The question would also arise as to whether the illegitimate father can, at the stage where the child has already been put up for adoption, bring an application for custody and guardianship of the child prior to the

finalization of the adoption. It would be strategic for the illegitimate father to do so as the High Court would consider his application for custody and guardianship without the father having to compete with the proposed adoptive parents.

However, the most difficult aspect which arises is where the illegitimate father does not wish to adopt the child himself or obtain custody and/or guardianship of the child.

It is strongly arguable that it would exacerbate women's inequality and disadvantage should such a father be able to force a mother to keep a child by withholding his consent to the child being adopted by third parties and accordingly his consent to the adoption should not be required. This would apply both where children are put up for adoption at birth and at a later stage, irrespective of whether the illegitimate father has a relationship with the child. He can after all apply for custody and /or guardianship of the child.

Careful consideration must be given to the issues raised prior to the passing of the Bill and in possible future legislation governing the rights of mothers, fathers and children on adoption, in order to strike an equitable balance between the rights of the parties.

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# THE 1997 ZIMBABWE INTERNATIONAL BOOK FAIR

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**O**n 2-9 August 1997, I attended the Zimbabwean International Book Fair on behalf of the Women and Human Rights Documentation Centre in the country's capital Harare. This is an international event which brings together publishers, librarians, writers and booksellers from all over the world. Most importantly, it provides African publishers and writers a space to promote their ideas and Africa's indigenous publications. It is one of the foremost events where Africa and its needs are the central focus.

## The Indaba - Focus on the Role of Libraries

The theme for this year's book fair was "Libraries" and the vital role that they play in the provision of access to information. During the first two days of the Fair, we participated in an Indaba (an Ndebele word for discussion or conference) on "access to information". A key issue was the need to find ways of redressing the imbalance of access to information and technologies in Africa in the age of globalisation. The key-note address was delivered by Dr. Yvonne Vera from Zimbabwe who is this year's Commonwealth Writer's Award Winner for her novel, "Under the Tongue".

After the indaba, delegates could choose to participate in any of the following four groups:

- National Book Policy;
- Information Technology and Rights;
- Scholarship and research;
- Community access to information.

## Community Access to Information

I participated in the latter group. Within this group, discussion focused on regional responses to the

problems of information-gathering, sharing and dissemination. What emerged as a common problem was the need to formulate definite policies and collective strategies to reach rural and marginalized communities. The important role of NGO's and the private sector was

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emphasized in this context. I was particularly stimulated by an address by Mr. Lawton Hikwa who is the Training and Publications Officer of the Rural Libraries and Resource Development Programme (RLRDP), a consortium which facilitates the establishment of community libraries or resource centres in rural areas. The Programme is presently working with 72 communities in Zimbabwe. Their community libraries share resources and network with one another. They have what is called a book box which holds books and is loaned from one library to another through delivery by bicycle. The RLRDP has also developed four donkey-drawn mobile cart libraries for less easily accessible communities.

Mr. Hikwa highlighted the important roles for libraries. They can offer solutions to many daily living problems - such as community access to health, water, sanitation, and education. In this way they can contribute to the empowerment of marginalized communities. Community libraries can also be used as cultural centres for education and entertainment. Potentially they fulfil the dual role of enabling a rural community to become aware of developments affecting their lives outside the boundaries of the community while at the same time pro-

viding a forum for promoting the gathering and dissemination of local forms of knowledge and culture. He also referred to the Zimbabwean Women's Resource Centre and Network (ZWRNC) which is working on "repackaging" information to make it more accessible to communities. He warned that a task of this nature, although vital, is laborious and costly.

What emerged clearly from the group discussion was the need for material in the local languages of communities. Special initiatives around funding were needed to promote local languages and cultural traditions. A key problem identified was illiteracy, and the need for libraries to develop forms of oral transmission of ideas and information.

Another session in our group looked at sourcing and sustaining funding for libraries. An issue which generated some controversy and debate was whether library services should be free. Many participants were concerned that charging users for library services in developing countries would have the effect of making resources less accessible to poorer communities. There is clearly a need for resource centres to develop appropriate policies in this regard.

## Scholarship and Research

One of the sessions I participated in was on "Scholarship and Research". Within this session, discussion focused on the responsibility of librarians and archivists, and the critical role that they play in the research chain. Mr. Tom Butterfly of the Zimbabwe Library Council referred to the rapid developments in information technology and said that the library of the future might be one without paper. He also mentioned many of the problems of the Internet as a medium for disseminating information in Africa - mainly, poor and expensive telecommuni-



cations networks. However, he warned librarians that they could not neglect this medium. They have a key role to play in organizing and formatting the materials on the Internet so as to facilitate accessibility. Governments in Africa should be made to realize that the development of appropriate information technology was a vital ingredient for economic development.

The Indaba highlighted the fact that Africa is lagging behind in the new information age and that the gap between information rich and information poor countries was becoming greater. The development of national policies concerning in-

rich information base on current issues. Many NGO libraries are attached to research institutes, and thus have access to many valuable unpublished papers. She stressed the need for NGO libraries to share databases and develop co-operative strategies and networks.

The key recommendations emerging from this seminar were the following:

- National and regional linkages should be forged and strengthened:

This would provide projects with an opportunity to develop focus areas and common objectives, to expand resource bases, standardize information tools,

*There is a need to reach out to marginalized and illiterate communities and find creative ways to extend access to information on women's rights to these communities.*

formation-gathering and transmission should be a priority. This policy must be appropriate to our context and promote local languages and culture. The wholesale borrowing of Western ideas on information policy will not provide workable local solutions. In addition, it is critical that African libraries and resource centres share information and embark on joint initiatives to end the marginalization of poor and rural communities.

#### NGO Librarians Seminar

I participated in a seminar for NGO-librarians organized by the South African Research and Documentation Centre. Jennifer Radloff of the African Gender Institute delivered a paper on the status of NGO libraries in South Africa. She referred to the fact that civil society, policy-makers and parliamentarians are using NGO-libraries for information-gathering and research in specific areas. These libraries and documentation centres are developing an important role as providers of a

promote greater management of information, and the exchange and sharing of information resources and skills.

- The relevance of access to information should be promoted:

Librarians and users should be made aware of the benefits of information through workshops and information-meetings.

- Connectivity to the Internet should be promoted:

This would involve sharing technical skills among the community of NGO-libraries and documentation centres. Another idea was to form e-mail discussion groups to promote awareness on current issues. A key need identified was for NGO's to gather and collate information on Africa and its needs, including the creation of a home-page on the Internet which promotes African materials.

#### The Exhibitions

The exhibition took place in the Mayor's Garden and the Sculp-

ture Garden of the National Gallery. It was a valuable opportunity for networking and for collecting materials relevant to the focus of the Women and Human Rights Documentation Centre. It was a rich and colourful event which included book stalls, plays, seminars, story-telling, paper-making and book-binding workshops.

#### Recommendations for our Centre

We should aim next year to have a stall of our material at the Fair, if possible, by forming a collective with other organizations focusing on the promotion of women's rights in the African context.

A key emerging area of work is for our Centre to develop accessible materials. This could include written materials (for example, pamphlets and manuals on women's rights) as well as providing forums for the oral transmission of information (for example, workshops, information-meetings etc.). It also reinforced the importance of the work we are currently doing in distributing a regular newsletter, acquisitions lists and subject-bibliographies. However, there is a need to reach out to marginalized and illiterate communities and find creative ways to extend access to information on women's rights to these communities. The initiatives of the Zimbabwean Women's Resource Centre and Network (ZWRNCN) to "repackage" information are particularly relevant to the aims of our project.

I found the Book Fair highly relevant to the vision of our Centre - particularly its focus on facilitating access to information by more marginalized communities and promoting African materials and networks. I am inspired to explore the implications of these ideas for our work, and would like to thank the Carnegie Corporation of New York and the Community Law Centre for the opportunity to attend this important event.



The following materials are some of the latest acquisitions in the Women and Human Rights Documentation Centre. A comprehensive list of all new acquisitions from July to September is now available as well. The Centre also has the latest edition of the Women's Budget, *The Second Women's Budget* edited by Debbie Budlender and published by Idasa in 1997.

## **Sexing the Benefit: Women, Social Security and**

### **Financial Independence in EC Sex Equality Law**

Julia A. Sohrab

Dartmouth; 1996

ISBN 1855217058

This book considers social security systems in four member states of the European Union: the Netherlands, Belgium, the United Kingdom and Ireland. The aim is to examine EC equality law in the field of statutory social security in terms of its effectiveness in bringing women closer to financial independence. The author maintains that EC equality law fails to reach this goal as a result of a lack of recognition of women's unpaid caring work and a greater focus on workers' "equality".

## **South Africa: Violence Against Women and the Medico-**

### **Legal System. A Human Rights Watch Report; Vol 9,**

No. 4 (A)

Human Rights Watch

Human Rights Watch; 1997

ISSN 1041-9197

This Report focuses mainly on one aspect of the criminal justice system in South Africa and its handling of violence against women, that is, the performance of those involved in providing medical expertise to the courts when it is alleged that women have been abused. The Report concludes that the medico-legal system is deeply flawed with problems of inaccessibility, prejudice and lack of training at all levels. The Report also looks briefly at recent policy initiatives and proposals for reform, as well as at international law and the fact that South Africa is obliged, under these agreements, to ensure that women are guaranteed respect for their human rights.

## **Improved Justice for Survivors of Sexual Violence?**

### **Adult Survivors' Experience of the Wynberg Sexual**

#### **Offences Court and Associated Services**

Sharon Stanton, Margot Lochrenberg, Veronica Mukasa

Rape Crisis, Cape Town; African Gender Institute, University of Cape Town; Human Rights Commission; 1997

This Report evaluates the success of the Wynberg Sexual Offences Court Project, which ran for three years, from the perspective of adult women who had reported sexual offences to police stations. It presents the women's recommendations, as well as general recommendations for the ongoing development of an integrated, appropriate and sensitive system for the treatment and processing of sexual offence cases which can be implemented on a national level.

## **Women's Health and Human Rights: The Promotion and Protection of Women's Health Through**

### **International Human Rights Law**

Rebecca J. Cook

World Health Organization; 1994

ISBN 9241561661

This book, originally prepared for the World Conference on Human Rights in 1993, examines the subject of women's health from the perspective of international human rights law. States often fail to fulfil the obligations of treaties they have signed and many women suffer health disadvantages compared to men. Human rights lawyer, Professor Rebecca Cook, examines international human rights treaties and argues that many disadvantages are in fact injustices in terms of these agreements. The book looks at the implications those treaties have for action to improve women's health and provides guidelines for doing so.

## **Violence Against Women in Relationships: Submissions to the South African Law Commission in the Light of International and Constitutional Human Rights**

### **Jurisprudence**

Karrisha Pillay, Helene Combrinck, Bronwyn Pithey, Lorraine Wolhuter and Pamela Shifman

Women and Human Rights Project, Community Law Centre, UWC; Rape Crisis, Cape Town; ANC Parliamentary Women's Caucus; 1997

This paper assesses the Domestic Violence Bill proposed by the South African Law Commission (SALC) and its recommendations. The authors believe that certain fundamental issues have been left out and so this publication goes beyond the parameters of the SALC Discussion Paper. The South African government has committed itself to gender equality and the eradication of violence against women by entrenching these rights constitutionally and by ratifying international agreements. It is in the light of this commitment that the Discussion Paper is assessed.