



Province of the
EASTERN CAPE
COOPERATIVE GOVERNANCE
& TRADITIONAL AFFAIRS

**GUIDELINES ON THE ROLE OF TRADITIONAL LEADERS IN
COMBATING GENDER-BASED VIOLENCE AND FEMICIDE IN
TRADITIONAL COMMUNITIES**

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Date Completed	20 March 2025
Date Approved	March 2025
Year for last Amended	N/A
Year for next Review	2030/31

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GUIDELINES ON THE ROLE OF TRADITIONAL LEADERS IN COMBATING GENDER-BASED VIOLENCE AND FEMICIDE IN TRADITIONAL COMMUNITIES

SIGN OFF

1. Acting Head of Department:

These Guidelines on the Role of Traditional Leaders in Combating Gender Based Violence and Femicide in Traditional Communities has been recommended by **Mr. V Mlokothi**, in my capacity as the Acting Head of the Department of Cooperative Governance and Traditional Affairs. I am satisfied and concur with the contents of the Guidelines.

The development of these Guidelines will provide guidance on the involvement of Traditional Leaders in GBVF programmes and the support to be provided by the Department to Traditional Leaders in their efforts to combat and prevent GBVF in traditional communities.

Sign	
Designation	Acting Head of Department (Mr V. Mlokothi)
Date	09/04/2028


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SIGN OFF

2. Executive Authority:

The Department of Cooperative Governance and Traditional Affairs has unprecedented opportunity to improve the lives of the people by effectively rendering many services that it is expected to provide and provide the necessary support to Traditional Leaders for the same perform their legislative and customary functions. We have envisaged a department that has the required capacity to respond adequately to challenges of its people, including GBVF related challenges.

I therefore trust that these Guidelines on the role of Traditional Leaders in combating Gender-Based Violence and Femicide will be a tool through which Traditional Leaders would be motivated to become change agents.

Signed	
Designation	MEC: Honourable Zolile Williams Department of Cooperative Governance and Traditional Affairs
Date	23 April 2025

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1. ABBREVIATIONS AND ACRONYMS

COGTA: Cooperative Governance & Traditional Affairs

GBVF: Gender-Based Violence & Femicide

HOD: Head of Department

MEC: Member of the Executive Council

NCPS: National Crime Prevention Strategy

NSP on GBVF: National Strategic Plan on Gender-Based Violence & Femicide

NGO: Non-Governmental Organisation

SAPS: South African Police Service

SGB: School Governing Body

TKLA: Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019)

2. DEFINITION OF CONCEPTS

TERM	DEFINITION
Child	A person under the age of 18 years as defined in Section 1(1) of the Children's Act (Act 38 of 2005).
Committee	Means a committee of the Provincial House responsible for matters related to GBVF.
Department	means the Eastern Cape Provincial Department responsible for Traditional Affairs.
Domestic Violence	According to South African law, includes physical abuse; sexual abuse; emotional, verbal and psychological abuse; economic abuse; intimidation; harassment; stalking; entry into the complainants' residence without her consent or any other controlling or abusive behaviour taking place in domestic relationships.
Economic abuse	Includes the unreasonable deprivation of economic or financial resources which a complainant is entitled to under law or requires out of necessity and the unreasonable disposal of household effects or other property in which the complainant has an interest.
Family	A group of people living together and functioning as a single household, that will provide for the needs and protection of children and all its members, a well-functioning family provides members with emotional, social, spiritual and material support that is sustained throughout life and it also represents the cradle from which

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	the values and norms of a society are transmitted and preserved, and is therefore, a key institution for transforming values and norms within the community.
Family violence	Is a form of inter-personal violence that includes a range of abusive behaviours, such as physical, sexual, verbal and emotional abuse and neglect that occur within relationships of care, kinship, dependency, or trust.
Femicide	It is generally understood to involve intentional murder of women because they are women but broader definitions include any killing of women or girls. In South Africa, it is defined as the killing of a female person, or perceived as a female person on the basis of gender identity, whether committed within the domestic relationship.
Gender	The socially constructed identities assigned to the biological characteristics of people in society. The concept of gender includes the values, attitudes, feelings, and behaviours as well as the interaction and relationships associated with being a woman and being a man in a given culture and setting and these are also influenced by social, historic and cross-cultural factors.
Gender-Based Violence	The general term used to capture violence that occurs as a result of the normative role expectations associated with the gender associated with the sex assigned to a person at birth, as well as the unequal power relations between the genders, within the context of a specific society.
Gender Inclusive	In ways that do not discriminate against a particular sex, social gender or gender identity
Human Rights	Means Rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human Rights includes civil, political, social, and economic rights. Human Rights includes the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education. Everyone is entitled to these rights without discrimination.
Institution	Means the institution of traditional leadership established in accordance with the provisions of applicable legislations.
Provincial house	Means Eastern Cape Provincial House of Traditional and Khoi-San Leaders established in accordance with the provisions of TKLA.
Ukuthwala	means a form of abduction under the guise of patriarchal tradition and culture that involves kidnapping a girl or a young woman by a man and his friends or peers

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	with the intention of compelling the girl or young woman’s family to agree to marriage. In some areas the practice has been marked by violence and rape.
Social Norms	Are unwritten rules that regulate acceptance behaviour in a group. Social norms define what is expected of a woman and a man in a society, they are both embedded in institutions and nested in people’s minds.
Violence	The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation.
Violence Against Women	Any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life. It refers to violence directed at a woman because she is a woman and that affects her disproportionately.
Woman	Used in this document to refer to a person that defines themselves as female and includes not only cis women, but also trans women and femme/feminine-identifying genderqueer and non-binary persons.

3. PREAMBLE

In 2020, the Cabinet adopted the National Strategic Plan on Gender-Based Violence and Femicide primarily to provide the guidelines for governmental & non-governmental actors in terms of how best they should collaborate their efforts & resources in the implementation of the following six pillars that are geared at combating and preventing the elements of GBVF in the country:

Pillar 1: Accountability, coordination & leadership:

Pillar 2: Prevention & rebuilding social cohesion

Pillar 3: Justice, safety & protection

Pillar 4: Response, care, support & healing

Pillar 5: Economic power

Pillar 6: Research & information management

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4. PROBLEM STATEMENT

The Human Sciences Research Council conducted the First South African Gender-Based and Violence Study in 2022 and it was revealed that, “South Africa remains a society profoundly marked by violence and continues to grapple with the enduring effects of decades of institutionalised racism, sexism, exclusion, structural violence, and other factors that have persistently undermined human development and positive social cohesion. The country contends with some of the globe’s highest homicide data and some suggest the country has one of the highest rates of GBV, encompassing intimate femicide, rape, and intimate partner violence.” Cyril Ramaphosa the President of South Africa acknowledged that GBV is a severe socio-economic problem, which is fundamentally rooted in unequal power dynamics between women and men.

The Department of Cooperative Governance and Traditional Affairs deemed it necessary to develop the Guidelines that would necessitate the Traditional and Khoi-San Leaders in the Eastern Cape Province to play a meaningful role in combating and preventing the elements of GBVF in their respective traditional communities.

5. PURPOSE OF THE POLICY

The overall purpose of these Guidelines is to:

- 5.1 Put in place framework to guide Traditional Leaders on their roles and responsibilities in relation to preventing and combating GBVF in traditional communities.
- 5.2 Provide direction on the engagements with Traditional Leaders by the Department and the implementation of GBVF programmes with Traditional Councils and traditional communities by the Department.

6. SCOPE OF APPLICABILITY

The Guidelines is applicable to:

- 6.1 All recognised Traditional Leaders in the province.
- 6.2 All established traditional leadership institutions.
- 6.3 Departmental directorates/units (under Traditional Affairs Branch) championing/implementing GBVF programmes with Traditional Leaders, traditional leadership institutions and traditional communities.

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6.4 Relevant committees of the Provincial House of Traditional and Khoi-San Leaders and members of such committees.

7 GOALS OF THE GUIDELINES

The goals of the Guidelines can be encapsulated as follows:

- 7.1 An enabling environment is created to ensure the effective and efficient involvement of Traditional Leaders in programmes aimed at combating and preventing GBVF.
- 7.2 Provide direction on the engagement of Traditional Leaders by the Department to be part of the role players in raising awareness on GBVF and combating incidents of GBVF in rural areas.

8 OBJECTIVES OF THE GUIDELINES

- 8.1 To build capacity of Traditional Leaders as activists and change champions on matters related to GBVF in traditional communities.
- 8.2 To equip Traditional Leaders with knowledge and practical tools to promote gender equality within their jurisdictional areas.
- 8.3 To build capacity of Traditional Leaders to establish integrated peer support network for the advocacy and resources mobilisation to combat GBVF within their jurisdictional areas.
- 8.4 To ensure proper coordination and implementation of departmental GBVF programmes implemented with traditional leadership institutions and within traditional communities.
- 8.5 To create an enabling environment to ensure effective involvement of Traditional Leaders in GBVF programmes.

9 GUIDING PRINCIPLES

- 9.1 Recognition of the importance of gender equity and gender equality in traditional communities and within traditional leadership institutions.
- 9.2 Equal access to health, social services, and justice for all people affected by GBVF in traditional communities.
- 9.3 Accountability at all levels for all those involved in programmes targeting GBVF.
- 9.4 Equal participation of Traditional Leaders in the planning, implementation, monitoring, and evaluation of GBVF programmes.

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9.5 Confidentiality: All responses to GBVF cases must maintain the confidentiality and privacy of the complainants (survivors / victims of GBVF and their families) whose trust, safety and physical and psychological needs must be always prioritised.

9.6 Complainant-centred: Assistance to the complainant must support and encourage their sense of personal control, which includes respecting the complainants' informed decision at every stage of the process. Reporting, investigative, or support staff must offer comprehensive information about all processes and options in a manner which is non-judgemental, appropriate, clear, and sensitive to the complainant in terms of language, culture, disability, gender, and sexuality.

9.7 Non-discriminatory laws, policies, by-laws and programmes on GBVF and respect for diversity based on race, sex, age, religion, and ethnicity.

10 LEGISLATIVE AND REGULATORY FRAMEWORK

The development of the Guidelines is informed and guided by, but not limited to the following government statutory / legislative and regulatory frameworks:

- 10.1 Constitution of the Republic of South Africa.
- 10.2 Children's Act, 2005 (Act No. 38 of 2005)
- 10.3 Criminal Law Amendment Act, 1997 (Act No. 105 of 1997)
- 10.4 Criminal Law (Sexual Offences & Related Matters) Amendment Act, 2012
- 10.5 Criminal Procedure Second Amendment Act, 1997 (Act No. 85).
- 10.6 Customary Initiation Act.
- 10.7 Domestic Violence Act, 1998 (Act No. 116 of 1998).
- 10.8 Promotion of Equality and Unfair Discrimination Act, 2000 (Act No. 4 of 2000).
- 10.9 Protection from Harassment Act, 2011 (Act No. of 2011).
- 10.10 Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019). (TKLA).
- 10.11 Eastern Cape Traditional Leadership and Governance Act, 2017 (Act No. 1 of 2017).
- 10.12 National Crime Prevention Strategy (NCPS) of 1996.
- 10.13 National Strategic Plan on Gender-Based Violence and Femicide 2020.

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11 RELEVANCY OF THE LEGISLATIVE AND REGULATORY FRAMEWORKS DEALING WITH GBVF TO THE CONTEXT OF TRADITIONAL LEADERSHIP.

11.1 The Constitution of the Republic of South Africa

11.1.1 The Constitution as the supreme law of the country sets the framework for an effective legislative response to GBVF. Chapter one of the Constitution regard human dignity, the achievement of equality and the advancement of human rights and freedom as well as non-racialism and non-sexism as the guiding principles of the South Africa's constitutional democracy.

11.1.2 Whereas chapter two affirms equality, human dignity, life, freedom, and security of the person.

11.1.3 The inclusion of these rights in the Constitution is a clear indication of government's endeavours of building a society that is free from all forms of violence and that respects, protects, and fulfils the human rights principles of bodily integrity and autonomy.

11.2 The Children's Act, 2005 (Act No. 38 of 2005)

11.2.1 The Act governs the laws relating to the care, contact, and protection of children.

11.2.2 The Children's Act advocates for a coordinated and integrated approach by all government departments and civil society organisations to maximize efficient utilisation of resources and enhance an effective response system for child victims and those at risk of abuse.

11.2.3 The Children's Act further makes provisions for the reporting of suspected cases of child abuse for the purposes of triggering immediate response and measures to assist a child whose life is at risk.

11.2.4 In terms of section 110 (1) of the Children's Act the following professional persons are obliged to report child abuse cases, such persons are listed as follows. "any correctional official, dentist, homeopath, immigration official, labour inspector, legal practitioner, medical practitioner, midwife, minister of religion, nurse, occupational therapist, physiotherapist, psychologist, religious leader, social service professional, social worker, speech therapist, teacher, traditional healer practitioner, **traditional leader** or member of staff or volunteer worker at a partial care facility, drop-in centre or child or youth care centre who on reasonable grounds concludes that a child has been abused in a manner causing physical injury, sexually abused or deliberately neglected, must

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report that conclusion in the prescribed form to a designated child protection organisation, the provincial department of social development or a police official.

11.3 The Criminal Law Amendment Act, 1997

11.3.1 The Act establishes mandatory minimum sentences for certain serious offences including rapes.

11.4 The Criminal Law (Sexual Offences and Related Matters) Act, 2007 (SORMAA)

11.4.1 The Act classified and broadened the definition of rape and other sexual offences and introduced new offences that relate to GBVF, including using or exposing children to child pornography and pornography (both off and online). It also makes it mandatory for any person to report sexual offences committed with or against children or persons who are mentally disable.

11.5 The Criminal Procedure Second Amendment Act, 1997

11.5.1 The Act provides for the tightening of bail conditions in cases of people who are charged with rape. In doing so it regulate the factors which should be taken into account by the court in considering bail application.

11.6 The Domestic Violence Act, 1998

11.6.1 The Act sets out to offer options to victims of abuse through identifying certain obligations on law enforcement bodies and making provision for interim protection orders. Relations governed by this Act include “engagement, dating or customary relationship, including an actual or perceived romantic, intimate or sexual relationship of any duration” irrespective of whether these relationships are heterosexual or same sex.

11.6.2 It also provides for the introduction of measures to ensure that the relevant organs of state, including traditional leadership give full effect of the provisions of the Act.

11.7 The Promotion of Equality and Prevention of Unfair Discrimination Act, 2000

11.7.1 The Act provides for the prohibition of discrimination of any kind on the grounds of sex, gender, or sexual orientation and makes it clear that GBVF is considered a prohibited form of discrimination.

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- 11.7.2 The provisions of the Act have broad application that extend beyond the workplace as it implies for the advancement, by special legal and other measures, of historically disadvantaged individuals, communities (including traditional communities), social groups who were dispossessed of their land and resources, deprived of their human dignity.
- 11.7.3 The inclusion of communities and individuals as well as social groups in the application of the Act confer duties and obligations on the part of traditional leadership to promote equality within the institution and communities, hence the Guidelines provide for their role in GBVF matters.

11.8 The Protection from Harassment Act, 2011

- 11.8.1 The Act addresses harassment and stalking behaviours which violate constitutional provisions of right to privacy and dignity of individual persons.
- 11.8.2 It also provides for inexpensive civil remedy to protect a person from behaviour which may not constitute a crime but may impact negatively on various rights of an individual. In terms of the Act certain harassment behaviours may be address by means of a court order, wherein a harasser is prohibited from continuing with the act of harassment.
- 11.8.3 If the harasser breaches a protection order, he or she commits an offence which is punishable with a fine or imprisonment. Further, the Act introduces important protection from digital forms of harassment.

11.9 Traditional and Khoi-San Leadership Act, 2019

- 11.9.1 Section 2 of TKLA provides that traditional leadership institution must “transform and adapt customary laws and customs relevant to the application of the Act, so as to comply with the relevant principles contained in the Bill of Rights in the Constitution”.
- 11.9.2 It is for this reason that the institution is required to prevent unfair discrimination, promote equality, and seek to progressively advance gender representation in the succession to traditional leadership positions.
- 11.9.3 TKLA further provides that, Traditional Leaders performs the functions provided for accordance with customary laws and customs of the relevant traditional community as well as in accordance with the provisions of applicable national and provincial legislations.

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11.10 Eastern Cape Traditional Leadership and Governance Act, 2017

11.10.1 The Act set out amongst others the roles and functions to be performed by individual Traditional Leaders within their respective communities.

11.10.2 The roles and functions conferred to Traditional Leaders in terms of this Act include their role in upholding the Constitution and other applicable laws and ensure that members of their traditional communities enjoy the rights enshrined in the Constitution.

11.10.3 The Act also require on the part of Traditional Leaders to promote democracy and unity within their respective traditional communities.

11.11 Customary Initiation Act

11.11.1 To provide for the effective regulation of customary initiation practices; to provide for the establishment of a National Initiation Oversight Committee and Provincial Initiation Coordinating Committees and their functions; to provide for the responsibilities, roles and functions of the various role-players involved in initiation practices as such or in the governance aspects thereof.

12. FORMS/TYPES OF GENDER-BASED VIOLENCE AND FIMECIDES

Emanating from the research conducted, GBV manifests in various forms in and around communities (including traditional communities) against Children, Women and Men. But for the purposes of these Guidelines, GBVF shall be understood to encompass, but not limited to the following:

12.1 Physical, Sexual and Psychological Violence.

This form of violence occurs in different ways such as:

12.1.1 Battering.

12.1.2 Sexual abuse of children in the household.

12.1.3 Marital rape.

12.1.4 Female genital mutilation.

12.1.5 Non-spousal violence.

12.1.6 Violence related exploitation; and

12.1.7 Other traditional practices harmful to women

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12.1.8 Rape.

12.1.9 Sexual abuse.

12.1.10 Sexual harassment and intimidation; and

12.1.11 Trafficking of women for sexual and prostitution purposes.

12.2 Emotional Violence

Emotional violence often involves, but not limited to the following:

12.2.1 Verbal abuse

12.2.2 Insults / humiliation

12.2.3 Isolation

12.2.4 Name calling

12.2.5 Belittling

12.2.6 Home confinement

12.2.7 Silent treatment

12.2.8 Controlling of socialisation

12.2.9 Unfaithfulness.

12.3 Harmful Cultural Practices

The harmful cultural practices related to GBVF and occurring in some traditional community setup includes, but not limited to the following:

12.3.1 Early child marriages.

12.3.2 Forced marriages (including *ukuthwala*).

12.3.3 Widow inheritance.

12.3.4 Disinheritance due to sexual orientation.

12.3.5 Forced virginity testing for girls and boys

12.3.6 Codification of girls as the property of their fathers and women as the property of their husband; and abuse of status within the household.

12.3.7 *Ukungenwa*.

12.4 Economic Violence

Economic violence includes, but not limited to the following:

12.4.1 Control of a partner's assets.

12.4.2 Control of a partner's access to money and other economic resources.

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12.4.3 Refusal of a female partner / spouse to work opportunities.

12.4.4 Control of partner's salary or payment.

12.5 Femicide

It relates to the killing of a female person, or perceived as a female person based on gender identity as defined in Clause 2 of this policy.

13. ROOT CAUSES OF GENDER-BASED VIOLENCE AND FEMICIDES

Root causes of GBV in communities (including traditional communities) cannot be attributed to a single factor. The research conducted shows that factors or causes of GBVF happens in different levels, such as individual, community, economic, cultural, and religious level.

13.1 Individual level

GBVF at an individual level is caused by but not limited to the following:

13.1.1 Growing in a home characterised by violence.

13.1.2 Absent parents, particularly fathers or fathers who are not a positive role model.

13.2 Community level

At the community level GBVF is attributed include but not limited to the following factors:

13.2.1 A community where violence against women is seen as a norm culturally and religiously.

13.2.2 Lack of education and awareness on issues related to human rights, gender equality and GBVF prevention.

13.2.3 Use of alcohol and ownership of guns

13.3 Economic level

At the economic level GBVF factors include but not limited to the following:

13.3.1 Poverty.

13.3.2 Unemployment.

13.3.3 Changing economic statuses among men and women.

13.3.4 Economic dependence on men by women.

13.3.5 Lack of financial stability by men

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13.4 Cultural level (norms and beliefs)

Traditional gender roles and patriarchal beliefs contribute to the normalisation of GBVF in some rural areas. These patriarchal attitudes often favour men over women as they often perpetuate the notion that men have the right to use control over women, including the use of violence to maintain dominance. The following are some of the practices that implicitly and explicitly condone and tolerate GBVF in some traditional communities in the province when practiced without close monitoring by Traditional Leaders and traditional leadership institutions:

13.4.1 Child Marriages

13.4.2 *Ukuthwala*.

13.4.3 Girls and boys virginity testing.

13.4.4 Forced male initiation.

13.4.5 *Ukungenwa*

14. CONSEQUENCES OF GENDER-BASED VIOLENCE

It is a fact that the consequences / effects of GBVF to the victims are profound. The available evidence as documented identify three levels of the effects of GBVF particularly on women namely:

14.1 Physical effects

The physical effects of GBVF which include but not limited to:

14.1.1 Body injuries.

14.1.2 Miscarriages.

14.1.3 HIV infections.

14.1.4 Unwanted pregnancies.

14.1.5 Death.

14.2 Psychological effects

The psychological effects of GBVF include but not limited to:

14.2.1 Posttraumatic stress disorder (nightmares, flashbacks, numbing hypervigilance).

14.2.2 Major depression (temper outbursts, tiredness, worthlessness, hopelessness, restlessness, and overeating).

14.2.3 Complex trauma (anger, sadness, self-mutilation, preoccupation with perpetrator).

14.2.4 Generalised anxiety disorder (overanxious, fearful, constantly worried).

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14.3 Behavioural effects

The behavioural effects of GBVF include but are not limited to the following—

- 14.3.1 Alcohol abuse (to numb & forget the traumatic memories).
- 14.3.2 Suicidal ideations (to escape from abuse).
- 14.3.3 Lack of self-esteem (due to be told that you are useless and stupid all the time).
- 14.3.4 Lack confidence (due to being told that you are nothing and stupid).
- 14.3.5 Living in fear (due to the violent nature of the relation).
- 14.3.6 Isolation from family members, friends, and colleagues (due to the controlling behaviour of the abuser).
- 14.3.7 Making excuses for violent behaviour of the abuser.

15. ROLE PLAYERS IN GBVF

15.1 The Department

The role of the Department in supporting Traditional Leaders in their fight against GBVF within their jurisdictional areas will be through programmes implemented by different directorates or units from different programmes of the Department.

15.2 Capacity Building Component

The roles and responsibilities of the directorate include but not limited to the following:

- 15.2.1 Develop an action plan for the conducting of training workshops on GBVF, with Traditional Leaders and members of relevant committees of the Provincial House of Traditional and Khoi-San Leaders.
- 15.2.2 Ensure that Traditional Leaders receive appropriate training to address the challenges of GBVF and promote equality in rural areas.
- 15.2.3 Develop GBVF training manual for the conducting of training workshops with Traditional Leaders on GBVF.
- 15.2.4 Facilitate the conducting of formal training of Traditional Leaders by accredited institutions on GBVF related matters.
- 15.2.5 Facilitate the conducting of awareness sessions by sector departments and other stakeholders in areas under traditional leadership.
- 15.2.6 Continuously train, support, and capacitate Traditional Leaders and members of Traditional Councils on how to support victims of GBVF.

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- 15.2.7 Ensure that these Guidelines are continuously presented with Traditional Leaders during inductions of newly recognised and re-orientation of already recognised Traditional Leaders.
- 15.2.8 Assist Traditional Leaders in the development of annual action plans for Traditional Councils for the planning, implementation of activities around GBVF (including conducting of awareness, dialogues, reporting GBVF incidents and empowerment activities) and prevention of GBVF within their jurisdictional areas.
- 15.2.9 Develop a tool for the collection of database and reporting by Traditional Leaders/Councils on the quarterly and annual report by the same to the Department. Such a tool must provide but not limited to the recording of the following:
- a) The number of awareness sessions conducted by the relevant Traditional Leader / Council with members of the relevant traditional community.
 - b) The number / percentage (%) of GBVF cases reported with the relevant Traditional Council, including those where counselling / information was only sought and provided.
 - c) The number of GBVF cases dealt with by the relevant Traditional Leader/Council through an alternative justice process (Traditional Court system) and the number of GBVF cases referred to relevant authorities. Where practical possible this section must also provide an overview of the outcome of the case.
 - d) The nature and extent of efforts made by the relevant Traditional Leader/Council to provide information about government policies and legislations dealing with GBV, including the platform utilised for the dissemination of such information.
 - e) Any programmes or other interventions undertaken by the relevant Traditional Leader/Council to improve safety and reduce incidents of GBVF within the relevant traditional community.
 - f) Interactions / engagements with external stakeholders on GBVF programmes, processes, and procedure of reporting GBVF incidents with relevant authorities.
 - g) The number of dialogues conducted by the relevant Traditional Leader/Council with men, women, young boys, and girls within the relevant traditional community.
 - h) Facilitate the establishment of departmental multi-sectoral GBVF committee.

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15.2.10 The multi-sectoral committee must comprise of the representatives of the following directorates / units:

- a. Capacity Building Directorate.
- b. Traditional leadership Institutional Administration Support.
- c. Traditional leadership Regional Coordination.
- d. Traditional leadership Rural Development Facilitation
- e. Provincial House Committees.
- f. Special Programmes Unit (SPU).
- g. One member but not more than two members designated by a committee or committees of the Provincial House dealing with GBVF programmes.
- h. One designated by the relevant Local House of Traditional and Khoi-San Leaders.
- i. Any other representative of the relevant directorate or unit as may be identified by members of the committee. Provided that Capacity Building Directorate may be represented by the more one representative at any work positional level.
- j. The committee must be chaired by the Director responsible for Capacity Building within Traditional Affairs Branch.
- k. Members of the committee in case of representatives of directorates or units must be at the level of a director: Provided that a directorate or unit may designate any official not below the level of a deputy director as a representative in the committee.
- l. The committee must meet at least once per quarter: Provided that the chairperson may convene a meeting of the committee whenever a need arises, to consider any GBVF matter that require the attention of the committee.
- m. Capacity Building Directorate must coordinate the consolidation and completion of a holistic report on GBVF activities and programmes conducted and implemented by various directorates or units and committees of houses of Traditional and Khoi-San Leaders, on matters related to GBVF with Traditional Leaders, Traditional Councils and communities, on the prescribed format.

15.3 Rural Development Facilitation

15.3.1 Support development programmes of Traditional Councils relating to the conducting of awareness and campaigns in traditional communities as they are partnering with

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- relevant sector departments and Non-Governmental Organisations, or any organisation, on GBVF and other related programmes.
- 15.3.2 Engage and support Traditional Councils and their traditional communities on the implementation of programmes aimed at empowering and educating members of Traditional Councils and communities about human rights, laws, policies dealing with GBVF and penalties relating to GBVF cases.
- 15.3.3 Mobilise relevant stakeholders for the purposes of collaboration with Traditional Councils and communities for the advancement of gender equality within traditional communities and the institutions of traditional leadership.
- 15.3.4 Support Traditional Councils and communities in the initiation and implementation of programmes / activities aimed at promoting gender equality using resources at the disposal of Traditional Councils.
- 15.3.5 Support Traditional Councils and communities especially in supporting and upholding customary laws and practices that prevent incidents of GBVF.
- 15.3.6 Link Traditional Councils and communities with the Justice systems, the Police, Social Services, Health systems and any other body or organisation championing GBVF programmes.
- 15.3.7 Facilitate the establishment of structured engagements, development partnerships and agreements with sector departments on the awareness campaigns to be conducted in areas under the jurisdiction of Traditional Councils.
- 15.3.8 Link Traditional Councils and communities with relevant sector departments and NGOs for the provision of social, economic services and youth empowerment programmes aimed at preventing and combating GBVF in rural areas.
- 15.3.9 Monitor and evaluate the implementation of partnerships and agreements entered into by Traditional Councils with external stakeholders on the conducting of GBVF awareness and campaigns in relevant traditional communities.
- 15.3.10 Facilitate the establishment of GBVF desks by Traditional Councils under which GBVF awareness sessions and campaigns have been conducted by stakeholders.
- 15.3.11 Assist and support Traditional Councils with GBVF desks on the establishment of implementing committees at the administrative areas and capacitation of members of the same on GBVF matters.
- 15.3.12 Facilitate the involvement and participation of Regional Heads responsible for the coordination of activities and programmes of Traditional Affairs at the regional level,

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in awareness and campaigns programmes implemented in Traditional Council and communities under their respective regions.

15.4 Special Programmes Unit (SPU)

For the purposes of these Guidelines, the Special Programmes Unit must perform but not limited to the following functions:

- 15.4.1* Advise the Traditional Affairs Branch and other role players involved in programmes and activities aimed at addressing issues of the vulnerable groups, on the development of policies and strategies on GBVF matters.
- 15.4.2* Advocate and monitor the empowerment of women and gender equality and inclusion of matters that affect vulnerable groups in the departmental policies impacting on traditional leadership institutions.
- 15.4.3* Conduct advocacy alongside role players as identified by these Guidelines, for the implementation programmes by traditional leadership institutions aimed at empowering vulnerable groups (i.e., women, youth, children, senior citizens, and people with disabilities) in rural areas.
- 15.4.4* Promote, advocate, and monitor men's rights and responsibilities within the institutions of traditional leadership.
- 15.4.5* Mainstreaming issues of the vulnerable groups in all processes and programmes implanted by sister departmental directorates and committees of the houses of Traditional and Khoi-San Leaders with the institutions of traditional leadership and traditional communities.
- 15.4.6* Promote, advocate, and monitor the inclusion of vulnerable groups and historical disadvantaged groups in the structures and institutions of traditional leadership.
- 15.4.7* Participate alongside other role players of GBVF programmes, in the establishment of GBVF desks / committees in Traditional Councils and GBVF implementing committees in administrative areas with traditional leadership.
- 15.4.8* Participate in GBVF programmes and activities conducted and implemented by various directorates within the Department within traditional leadership institutions and traditional communities.

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15.4.9 Advocate for non-discrimination of members of traditional communities of membership positions within traditional leadership institutions and community structures based on their cultural and religious belief.

15.4.10 Ensure compliance by role players with all prescribed legislation dealing with GBVF matters.

15.5 Provincial House (Committee dealing with GBVF programmes).

The Committee or Committees of the Provincial of Traditional and Khi-San Leaders dealing with GBVF matters must perform but not limited to the following:

15.5.1 Develop an action plan for the implementation of GBVF programmes each financial year.

15.5.2 Monitor the implementation of these Guidelines by Traditional Leaders.

15.5.3 Promote compliance with the provisions of the Guidelines by Traditional Leaders in respect of their roles and responsibilities in terms of these Guidelines.

15.5.4 Guide Traditional Leaders in the implementation of these Guidelines and the conducting of awareness campaigns on GBVF matters by Traditional Leaders.

15.5.5 Identify GBVF hotspot areas and make recommendations to the Department for the training of relevant Traditional Leaders and conducting of awareness campaigns by the Department and other external stakeholders.

15.5.6 Promote the meaningful involvement of Traditional Leaders including conceptualising and implementing projects and programmes in their respective traditional communities to address violence against, men, women, and children.

15.5.7 Recommend steps that the Department must take to both create awareness of GBVF programmes and prevent incidents of GBVF in traditional communities.

15.5.8 Oversee the conducting of awareness campaigns as must be conducted by Traditional Leaders.

15.5.9 Facilitate the training of royal women on GBVF matters by relevant stakeholders.

15.5.10 Assist in consultation with relevant Traditional Leaders victims of GBVF in getting the necessary counselling and support by relevant stakeholders.

15.5.11 Facilitate the establishment of *Thithuzela* Centres in rural areas by the Department of Justice and Constitutional Development and other relevant stakeholders.

15.5.12 Provide guidance to the Department around the structured, mechanisms and processes that Traditional Leaders and Councils must put in place to address cases of GBVF.

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15.5.13 Work with female Traditional Leaders to sensitise women in rural areas on GBVF matters.

15.5.14 Conduct workshops to strengthen the capacity of Traditional Leaders and educate them about the connection between harmful gender stereotypes and patriarchal cultures with GBVF.

15.5.15 Participate in GBVF awareness campaigns including programmes facilitated and hosted by the Department, sector departments, any organ of state or any other body or organisation as may be invited.

15.5.16 In respect of the preceding six months, prepare a report on the performance of functions related to GBVF and table such report to members of the Executive Committee of the Provincial House.

15.6 The Committee or Committees of the Provincial House may—

15.6.1 Investigate any alleged GBVF cases involving Traditional Leaders, as may be reported with the Provincial House.

15.6.2 Where appropriate, use cultural ceremonies for the gender equality, and GBVF education.

15.6.3 Conduct awareness campaigns with Traditional Leaders.

15.7 Local Houses of Traditional and Khoi-San Leaders

Each local house of Traditional and Khoi-San Leaders must have committees or committees dealing with GBVF related matters, and such committee(s) must perform but not limited to the following functions:

15.7.1 Initiate partnerships or agreements with relevant sector departments and the private sector on programmes aimed at preventing GBVF and related incidents of the GBVF within traditional leadership institutions and traditional communities.

15.7.2 Facilitate and advocacy for GBVF programmes by the relevant local house with Traditional Councils and communities under the jurisdictional area of the relevant local house.

15.7.3 Enhance awareness and advocacy on GBVF related matters with members of the relevant local house and Traditional Leaders falling within the jurisdiction of the relevant local house.

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- 15.7.4 Initiate and implement educational programmes moral regeneration, social cohesion, and nation building within traditional communities.
- 15.7.5 Ensure and promote gender equality in all structures of traditional leadership established within its boundaries and those of Traditional Councils under its jurisdiction.
- 15.7.6 Develop an action plan for the implementation of GBVF programmes each financial year.
- 15.7.7 Monitor the implementation of these Guidelines by members of the relevant local house and Traditional Leaders falling under the relevant local house.
- 15.7.8 Promote compliance with the provisions of the Guidelines by members of the relevant local houses and Traditional Leaders in respect of their roles and responsibilities in terms of these Guidelines.
- 15.7.9 Identify GBVF hotspot areas and make recommendations to the Department for the training of relevant Traditional Leaders and intervention of the Provincial House on matters related to GBVF.
- 15.7.10 Promote the meaningful involvement of Traditional Leaders including conceptualising and implementing projects and programmes in their respective traditional communities to address violence against, men, women, and children.
- 15.7.11 Recommend steps that the Department must take to both create awareness of GBVF programmes and prevent incidents of GBVF in traditional communities.
- 15.7.12 Oversee the conducting of awareness and campaigns by Traditional Leaders and Traditional Councils on GBVF related matters.
- 15.7.13 Facilitate the training of members of the relevant local house by the Department and other sector departments on GBVF matters.
- 15.7.14 Assist in consultation with relevant Traditional Leaders victims of GBVF in getting the necessary counselling and support by relevant sector departments and NGOs or structures that provides psychosocial services.

15.8 The Committee or Committees of a Local House may:

Investigate any alleged GBVF cases involving Traditional Leaders under its jurisdiction, as may be reported with the Provincial House.

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15.8.1 Where appropriate, use cultural ceremonies for the gender equality, and GBVF education.

15.8.2 Conduct awareness campaigns with Traditional Leaders and members of Traditional Councils failing under the relevant Local House.

15.9 Traditional Leaders

Cultural beliefs and norms are some of the root causes of GBVF in rural communities. The custodian of these norms and beliefs are Traditional Leaders who have been given powers to oversee their subjects' using by-laws and customary practices. As the custodians of norms and beliefs, the Traditional Leaders preside over customary law, and as such have a large role to play in establishing, maintaining, and shifting acceptable norms within their communities. Therefore, they must perform the following roles in their endeavour to combat GBVF within their communities:

15.9.1 Encourage and ensure the creation of protective cultural environments within their traditional communities.

15.9.2 Promote positive and culturally sensitive behaviour change and address socio-cultural norms and beliefs that fuel the spread of GBVF.

15.9.3 Create platforms for open discussion of cultural beliefs and practices in their respective communities for the identification of cultural beliefs and practices that promote GBVF and those that prevent GBVF within their communities.

15.9.4 Ensure that by-laws developed and adopted by Traditional Councils are gender inclusive and sensitive.

15.9.5 Facilitate the reviewal of by-laws or clauses of by-laws that perpetuate discrimination of women and children and ensure that such clauses are replaced by progressive one that cater for both men and women.

15.9.6 Facilitate and ensure the establishment of GBVF desk at the level of a relevant Traditional Council and GBVF committees (implementing committees) at the level of relevant administrative areas.

15.9.7 Ensure the protection of women and children against any violence by ensuring the enforcement of traditional sanctions and laws in Traditional Courts.

15.9.8 Provide support to victims and perpetrators of GBVF by providing counselling and advising community members to speak out against violence to men, women, and children as well as child marriages.

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- 15.9.9 Encourage and support members of the community to report any case of GBVF with the relevant Traditional Court or relevant / local South African Policy Service (SAPS).
- 15.9.10 Facilitate the development of action plans by Traditional Councils and report mechanism of GBVF related cases with relevant authorities and structures.
- 15.9.11 Ensure that traditional ceremonies include awareness programmes and messages that discourage GBVF, child early and forced marriages and teenage pregnancy.
- 15.9.12 Ensure the collection of baseline data on the number of men, women, boys, and girls who are in the villages, schools, clinics, their distances, and all cases of GBVF that take place.
- 15.9.13 Ensure the conducting of dialogues by Traditional Councils focusing on men, women, young boys, and girls as a tool to raise awareness on GBVF and economic empowerment.
- 15.9.14 Facilitate working relations between Traditional Councils and School Governing Bodies (SGBs) to ensure the promotion and enhancement of good learning environment for learners.
- 15.9.15 Facilitate the conclusion of partnerships between Traditional Councils and school authorities to monitor children who are having challenges to stay in schools and devise interventions to encourage them to stay in school.
- 15.9.16 Collaborate with relevant sector departments, Non-Governmental Organisations (NGOs) for the purposes of mobilising resources to support vulnerable families and prevent incidents of child early marriages.
- 15.9.17 Facilitate and encourage women in rural areas to be part of the women associations aimed at empowering women.
- 15.9.18 Advocate for increased number of women beneficiaries for agricultural input from government.
- 15.9.19 Facilitate and promote the allocation of land by Traditional Councils to women for agricultural activities.
- 15.9.20 Facilitate the quick and timely referral of all GBVF cases by Traditional Councils to relevant authorities, as reported with Traditional Courts / Councils.
- 15.9.21 Inculcate individual and collective change through combination of education, awareness, campaigning and other forms of activism and programmes aimed at transforming gendered norms within traditional communities.

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16. Approval of the policy

The Guidelines shall be approved by the Executive Authority on the recommendation of the Acting Head of Department as per the updated departmental delegations.

17. Administration of the policy

Responsibility and accountability for implementing of the Guidelines rests with the Acting Head of Department and ultimately the Executive Authority.

18. Effective date of the policy

The Guidelines shall become effective on the date it is signed by the Executive Authority (MEC) responsible for Cooperative Governance and Traditional Affairs.

19. Procedure of the policy

There is no separate procedure for the implementation of the Guidelines as the Guidelines will be incorporated into the daily activities of the management of all affected directorates and programmes. It is therefore critical that the management of affected programmes or directorates familiarise themselves with the contents of the policy.

20. Review of the Policy

These Guidelines will be reviewed in five (5) years from the date of its approval by the Executive Authority or when the need arises.

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