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TELEFAX NUMBER: 02231-774336
+27+2231-774336 INTERNATIONALOFFICIAL/PRIVATE: OfficialDATE: 2 March 1992TELEFAX NO OF RECEIVER: 011 397 2211 of 011 397 2106TO: CODESA Working Group 2ADDRESS: World Trade Centre Kempton ParkFROM: Dr A GamsADDRESS: Dept of Political Science
University of Stellenbosch

MESSAGE: This is a Women's Charter to be submitted to Working Group 2. The charter was drafted by Dr Amanda Gams of the Political Science Department at the University of Stellenbosch and are strongly supported by the members of the Stellenbosch Feminist Study Group. We submit 2 drafts: one included the right to abortion and the other not. We are not in agreement on this issue. We feel, however, that women's rights should be entrenched in a new constitution. We are also appalled by the lack of women's representation at CODESA.

WE ARE SENDING 6 PAGES (including cover sheet)

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TELEFAX INQUIRIES: 02231-772201

Document on the Rights of Women DRAFT 1 (with r,ght to abortion)

The following clause should be protected in the constitution of South Africa:

Equality of rights under the law shall not be denied or abridged in South Africa by the state on account of sex.

To prevent gender discrimination in specific areas the following clauses should be protected in a Women's Charter with legal status with proper mechanisms for enforcement.

Concept Women's Charter

Labor

To improve the position of women in the paid labor force policies should be adopted with the effect of:

- equal pay for equal work, coupled with laws prohibiting discrimination against women.
- equal pay for work of equal value (comparable worth) - the value of the work done by women in certain job categories should be compared to the value of work done by men in comparable job categories. Pay and benefits should be calculated accordingly.
- the eradication of unequal labor contracts.
- affirmative action programmes to address past discrimination on grounds of gender, including training programmes.
- the improvement of working conditions for women - including maternity and parental leave without the loss of income, and the provision of childcare.
- sexual harassment policies in the workplace - employers should be forced to adopt sexual harassment policies.

Reproduction

Women should have control over their own reproduction.

This should include:

- safe, easily available contraception accompanied with enough information so that women can make informed choices.
- sex education.
- education on family planning.

- access to medical care and treatment during pregnancy and delivery of babies.
- maternal child health care.
- the right to an abortion if a woman so chooses.

Rape

- Rape should be made a criminal offence, also inside the marriage.
- Victims should have the right to legal representation of her choice, paid for by the state.
- Offenders should be subjected to therapy paid for by the state.

Domestic Violence

- Police powers to intervene in domestic disputes.
- Women and children should have access to shelters for domestic violence when they are forced to leave the home. These shelters should be funded by the state.

Marriage

- equal legal rights and equal protection under the law of husbands and wives also in the case of the break-up of marriages.

Health

- State health care for women and children who are destitute and cannot afford health care.

Draft by the Stellenbosch Feminism Study Group:

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Document on the Rights of Women DRAFT 2 (without right to abortion)

The following clause should be protected in the constitution of South Africa:

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