



African Policing Civilian Oversight Forum

NGO observer status no. 372

**Statement in response to the activity report of the Special Rapporteur
on the Rights of Women in Africa**

**73rd Ordinary Session of the African Commission on Human and
Peoples' Rights**

20 October to 9 November 2022

Banjul, The Gambia

**ITEM 10: Activity Reports of the Members of the Commission & Special
Mechanism**

Honourable Chairperson and Commissioners,

The African Policing Civilian Oversight Forum (APCOF) welcomes this opportunity to make a statement in response to the activity report of the Special Rapporteur on the Rights of Women in Africa. We are a not-for-profit Trust based in Cape Town, South Africa, working on police accountability and governance in Africa.

Emerging research has shown that all types of gender-based violence (GBV) have intensified in countries affected by the Covid-19 pandemic. This submission examines the ineffective police response to GBV in South Africa,

African Policing Civilian Oversight Forum

Building 23B, Suite 16, Waverley Business Park, Wyecroft Road, Mowbray, Cape Town, 7925

PostNet Suite 63 Private Bag x11, Mowbray, 7705

Tel: +27 21 447 2415

www.apcof.org.za

Trust no. IT1900/2012

PBO 930041858, NPO 119 688- NPO

Trustees: T Gandidze (Chair), G Cronje (Treasurer), P Tlakula, E van der Spuy, A Van Wyk, S Africa

South Sudan and Uganda.

1. South Africa

APCOF recognises the positive developments pertaining to South Africa's release of the progressive National Strategic Plan on gender-based violence (GBV) ("the NSP"). In spite of this development however, South Africa is still facing extreme levels of GBV.

While the NSP serves as a symbol of hope, implementation has unfortunately slowed, particularly in relation to improving the police response to GBV. This is especially evident in research that has demonstrated that the policing response to intimate femicide has deteriorated over recent years underscoring that "there is a continuing failure to prioritise these cases."ⁱ

Disturbingly, South African Police Service (SAPS) leadership has also claimed that domestic violence is a private issue and therefore beyond the scope of the state,ⁱⁱ and that survivors of rape are "lucky" to have been raped by only one man.ⁱⁱⁱ

2. Policing responses to GBV in South Sudan

In spite of efforts to train police officers on GBV and to recruit female officers, South Sudan is struggling with high rates of GBV.^{iv} Decades of conflict have also fostered a culture of violence that intersects with gendered cultural norms resulting in high levels of abductions, sexual slavery, domestic violence, rape, sexual assault, and early and forced marriages.^v

The police response to GBV has been criticised for being insensitive and ineffective, with complainants often ridiculed.^{vi} The biggest drivers for this ineffective policing response relate to entrenched social norms, a lack of capacity and insufficient training.^{vii}

3. Policing responses to GBV in Uganda

APCOF recognises the efforts that have been made to increase the representation of women to 30% within the Ugandan Police Force. An increase in representation on its own is insufficient however, given the persistent lack of investigation of and accountability for GBV within Uganda.^{viii} Examples of forms of GBV plaguing Uganda include domestic violence, sexual violence, and child marriage, trafficking in persons and violence against the LGBTQI community.^{ix} Specific challenges relating to policing include victim blaming, corruption and entrenched gender bias.

We therefore call on the African Commission to:

- Urge the South African government to facilitate the speedy implementation of the NSP.
- Encourage South Africa, South Sudan and Uganda to further train and capacitate police officers to effectively recognise and respond to GBV.
- Encourage South Africa, South Sudan and Uganda to develop gender leadership and technical capacity in their policing agencies.
- Urge South Sudan to ratify the Maputo Protocol.
- Encourage the Ugandan government to assist the Uganda Police Force with implementing the Police’s Gender Policy, Strategy and Action Plan

Submitted on behalf of APCOF by:

Louise Edwards

Director of Research and Programmes

louise@apcof.org.za

+27 21 447 2415

ⁱ I South African Medical Research Council (2022) “Decrease in femicide in South Africa: Three national studies across eighteen years” <<https://www.samrc.ac.za/sites/default/files/files/2022-03-15/DecreaseFemicideSouthAfricaResearchBrief.pdf>> (accessed 13/09/2022).

ⁱⁱ The South African “He’s at it again, Bheki Cele causes uproar with ‘tone deaf’ GBV comments.” <<https://www.thesouthafrican.com/news/bheki-cele-comments-gbv-what-said-offensive/>> (accessed 12/09/2022).

ⁱⁱⁱ W Da Costa IOL news (August 2022) “Cele’s rape comment sparks outrage” <<https://www.iol.co.za/ios/news/cele-rape-comment-sparks-outrage-e87cc83f-49bf-49c2-8c59-d7c9e80f4583>> (accessed 12/09/2022).

^{iv} South Sudan Women’s Empowerment Network (2021) “Initial Assessment and Mapping: Reducing Inequality and Gender-Based Violence in South Sudan” <https://www.eeas.europa.eu/sites/default/files/south_sudan_womens_empowerment_network_6.12.2021_1_002.pdf> (accessed 30/09/2022).

^v South Sudan Women’s Empowerment Network (2021) “Initial Assessment and Mapping: Reducing Inequality and Gender-Based Violence in South Sudan” <https://www.eeas.europa.eu/sites/default/files/south_sudan_womens_empowerment_network_6.12.2021_1_002.pdf> (accessed 30/09/2022).

^{vi} The North-South Institute, *Police Reform in an Independent South Sudan*, 2012.

^{vii} Refugees International, *Still in Danger: Women and Girls Face Sexual Violence in South Sudan Despite Peace Deal*, 2019, p. 22.

^{viii} US Department of State (2021) *Uganda 2021 Human Rights Report* <https://www.state.gov/wp-content/uploads/2022/03/313615_UGANDA-2021-HUMAN-RIGHTS-REPORT.pdf> (accessed 04/10/2022).

^{ix} US Department of State (2021) *Uganda 2021 Human Rights Report* <https://www.state.gov/wp-content/uploads/2022/03/313615_UGANDA-2021-HUMAN-RIGHTS-REPORT.pdf> (accessed 04/10/2022).