



GENDER RESEARCH & ADVOCACY PROJECT OF THE LEGAL ASSISTANCE CENTRE



OBJECTIVE

The Gender Research & Advocacy Project seeks to promote gender equality and the empowerment of women through legal research, law reform and related advocacy work.

GOALS

The following are the key goals of the project:

- to conduct **research** aimed at assessing the effectiveness of existing laws in serving the needs of women and men and making proposals for new laws where necessary
- to encourage and facilitate **law reform**
- to increase **public involvement** in the law reform process
- to raise **public awareness** of new and existing laws and the underlying issues they address
- to provide **training materials** and training of trainers for key service providers involved in the implementation of gender-related laws.

ACTIVITIES

It has been noted time and time again that the Namibian Constitution provides a strong backdrop for sexual equality. But the Constitutional guarantees of sexual equality do not work automatically. All laws in force at the date of independence remain in force until they are explicitly repealed or amended by Parliament, or declared unconstitutional by the courts. Furthermore, rights do not become realities unless people know about the laws which can protect them. Since its establishment in 1993, the Gender Research & Advocacy Project has been working to make equality between men and women meaningful in Namibia.

Understanding the problem is often the first step. The Gender Research & Advocacy Project regularly conducts **RESEARCH** on legal issues, having produced major research reports on more than 16 different topics in the last 20 years – including issues relating to family law, gender-based violence and children’s rights.

RESEARCH TOPICS

- marital property
- inheritance
- child maintenance
- affirmative action for women
- domestic workers
- divorce
- customary marriage
- domestic violence
- rape
- women and communal land
- commercial sex work
- maintenance
- stepchildren
- cohabitation
- corporal punishment
- child protection .
- birth and death registration
- learner pregnancy

Information from such research has enabled the Gender Research & Advocacy Project to push for appropriate **LAW REFORM**. Working in partnership with the Law Reform and Development Commission and various ministries, it has influenced the content of a number of laws aimed at advancing gender equality.

For example, **affirmative action** provisions in the Local Authorities Act have resulted in strong representation for women at the local level, and the law on affirmative action in employment is seeking to improve the representation of women in the formal workforce. **Labour legislation**, including both the Labour Act and the Social Security Act, has addressed gender issues such as maternity protection, pregnancy discrimination and sexual harassment. There is also a **new legal framework for violence against women and children** which includes the

Combating of Rape Act, the Combating of Domestic Violence Act and amendments to the Criminal Procedure Act designed to protect vulnerable witnesses. **Family law reforms** have been more limited -- the Married Persons Equality Act deals with certain aspects of inequality between husbands and wives, the Communal Land Reform Act provides for secure land tenure for widows and the Maintenance Act attempts to advance women's economic independence through a more workable system for obtaining child maintenance.

GENDER-RELATED LAW REFORMS

The Gender Research & Advocacy Project has been involved in **formulating** the following pieces of legislation

- *Combating of Rape Act 8 of 2000*
- *Combating of Domestic Violence Act 4 of 2003*
- *Maintenance Act 9 of 2003*
- *Criminal Procedure Amendment Act 24 of 2003 Children's Status Act 6 of 2006*
- *draft Child Care and Protection Bill*
- *draft Marriage Bill I*
- *draft Divorce Bill*
- *draft Marital Property Reform Bill.*

The Gender Research & Advocacy Project has provided **input** on specific aspects of the following pieces of legislation:

- *Social Security Act 34 of 1994*
- *Married Person Equality Act 1 of 1996*
- *Affirmative Action (Employment) Act 29 of 1998*
- *Communal Land Reform Act 5 of 2002*
- *Labour Act 11 of 2007*
- *draft Recognition of Customary Marriage Bill*
- *draft Succession Bill*
- *draft Mental Health Bill.*

In an effort to raise public awareness of gender laws, the Gender Research & Advocacy Project undertakes a range of **PUBLIC EDUCATION** initiatives. It distributes hundreds of thousands of **educational publications** annually, in English and indigenous Namibian languages, including training guides for service providers, and posters and pamphlets aimed at the general public. Staff regularly write **newspaper and magazine articles**, make **radio and television appearances** and conduct **workshops** for service providers and community

groups. the Gender Research & Advocacy Project also maintains a **Facebook group** and makes increasing use of **text messaging** to provide **legal information to people in far-flung parts of the country.**

Another key area of work involves trying to improve **IMPLEMENTATION** of gender-related laws, including the **training** of service providers, the development of various **training and implementation guides** and **advice to individual clients** on what they have a right to expect from service providers.



Service providers and community members using materials produced by GR&AP

GENDER RESEARCH & ADVOCACY PROJECT BY NUMBERS IN 2012

- **Distribution of over 435 000 publications** in English, Afrikaans and a range of indigenous languages, aimed at raising awareness of gender-related legal issues.
- Media outreach including **56 radio show appearances, 54 television appearances** and **65 print appearances.**
- **Launch of 4 research reports** on (a) domestic violence, (b) stepfamilies, (c) access to justice and (d) adolescent attitudes towards gender and sexuality
- Hosting or presenting **23 workshops**, involving **603 people** (249 men and 357 women).
- Produced two groundbreaking **animations** on “how to get a protection order” and “what to do if someone stops paying maintenance”, and a **film** entitled *Maintenance Matters.*

The work of achieving gender equality in Namibia is far from complete. There is a need for **ADDITIONAL LAW REFORMS** and continued work to achieve **MORE EFFECTIVE IMPLEMENTATION** and **BROADER PUBLIC AWARENESS**. The entire legal framework on **children's rights** is currently being overhauled, and the Child Care and Protection Bill should soon be tabled in Parliament. There have been few **family law reforms** to date, and virtually nothing in the field of customary law. But this wave of law reform is coming, with substantial changes in the law on divorce, marriage and inheritance expected. Getting appropriate law reforms in place to serve the interests of women and children in this most personal of fields is sure to be an uphill battle, given the fact that gender stereotypes are so strongly alive and well in Namibia. These issues will be the focus of the Gender Research & Advocacy Project in the next three to five years.

STAFFING

GR&AP currently has four permanent staff positions. It extends capacity by making use of short-term **consultants, interns, volunteers** and **visiting academics**.



The **Coordinator** is **Dianne Hubbard**, a lawyer who has held the post since the inception of the project. She takes responsibility for planning and coordinating projects, as well as being deeply involved in the project's legal research and advocacy activities. She has also taught Gender Law in the Law Faculty at the University of Namibia and is currently the Deputy Chairperson of the government's Law Reform and Development Commission.

Rachel Coomer is the **Public Outreach Manager**. She bears primary responsibility for the production of the Project's educational materials and media liaison, as well as being involved in its research and advocacy initiatives.



Yolande Engelbrecht is the **Paralegal**, and is responsible for educational outreach through the planning and presentation of workshops for service providers and members of the public. She also provides information to clients and assists with media outreach.

Yolanda Itamba is the **Project Assistant**. Her primary tasks are to run the office and manage the logistics of publications distribution (recently 400 000 – 800 000 publications per year).



For more information:
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