

SOUTH AFRICA

South Africa's score in the 2012 Human Development Index is 0.629, placing it in 121st place (out of a total of 187 countries). The country's Gender Inequality Index score is 0.462 that places South Africa at 90 out of 148 countries.¹

1. Discriminatory family code

The rights of South African women within the family depend on the type of marriage contract into which they entered: civil marriage, customary marriage, and religious marriage (Christian, Jewish or Muslim).² The government of South Africa has taken steps to equalize women's rights within all types of marriage, particularly customary marriage, which the state now recognizes under the 1998 Recognition of Customary Marriages Act.³

The legal **minimum age for marriage** for all forms of marriage in South Africa is 18 years for both sexes, and marriage requires the consent of both spouses, including for customary marriage.⁴ Anyone under the age of 18 cannot marry without the consent of the parents or a judge. The special consent of the Minister of Home Affairs is also required for the marriage of a girl under the age of 15.⁵

Parental authority is shared by the parents, both within the marriage and after **divorce**, unless a competent court specifies otherwise. In addition, under the 2005 Children's Act, both spouses in a customary marriage also have equal parental rights and responsibilities, including in regard to the economic maintenance of their children. The 1993 Guardianship Act stipulates that divorced parents have joint custody of their children. However, it is sometimes the case that women are not granted custody because they lack sufficient resources to provide for their children.⁶ In 2005 the Guardianship Act was repealed by the Children's Act, regulating the balance of power between joint guardians. The first principle is that each guardian may independently and without the consent of any other guardian exercise any right or perform any duty arising from guardianship.⁷ The court is supposed to put the 'best interests of the child' first.⁸ As religious marriages are not lawfully recognized, the mother is afforded sole custody and guardianship. The husband must apply to the High Court if he wants access rights or if he wishes to have custody of the children.⁹

¹ UNDP (2013), p. 143-158

² CEDAW (1998), p. 104-107

³ The Presidency of the Republic of South Africa (2008), p. 140-141; Recognition of Customary Marriages Act 1998 (No. 120); CEDAW (2010), p.143

⁴ The Presidency of the Republic of South Africa (2008), p. 148

⁵ Marriage Act, No. 25 of 1961, section 26

⁶ CEDAW (1998), p. 107-108

⁷ Children's Act 38 2005

⁸ Constitution of the Republic of South Africa Act 108 of 1996

⁹ Women's Legal Centre (2007), p. 19

There have been a number of developments with respect to women's **inheritance** rights in South Africa. The Intestate Succession Act 1987 provides that for civil marriages, widows and daughters have equal inheritance rights to widowers and sons respectively. Depending on the type of marriage, widows and daughters either inherit half the property or keep their own property. Previously, this law did not apply to customary marriages. However, the government has recently made progress in extending intestate rights and proprietary rights to women who are party to religious and customary marriages. Following a Constitutional Court decision, in 2009, the government introduced the Reform of Customary Law of Succession and Regulation of Related Matters Act 11 of 2009, so that the rights of women to inherit property under customary law are now governed by the Intestate Succession Act, which also accounts for the recognition of polygamous marriages.¹⁰ In Hindu or Muslim marriages the wife has no legal status to claim support after divorce.¹¹ Though legislative equality between men and women has been achieved in both civil and customary marriages, negotiation between the legislature and religious leaders have stalled the process of finalising the legislation aimed at granting the same rights to spouses in Muslim marriages.¹² In May 2014 the South African Department of Home Affairs announced that over a hundred imams had been registered as marriage officers, bringing marriages solemnised by them under the auspices of the Marriage Act and paving the way for more extended state recognition of Muslim marriages.¹³

More

Under South African civil law, women and men have the same **right to initiate divorce**.¹⁴

Polygamous marriages still occur in South Africa, particularly in rural communities. Polygamy is prohibited in civil marriages. However, South African law does recognise polygamous marriages performed under customary law, although not (currently) those performed under Islamic law.¹⁵ Nonetheless, the Constitutional Court has found that when a Muslim man in a polygamous marriage dies intestate, his other wives are recognised as spouses and can claim from his estate, along with his first wife and children.¹⁶ Otherwise, the property and inheritance rights of women in customary polygamous marriages are legally recognised.¹⁷ Furthermore, while polygamy is recognized if both marriages are customary, the monogamous nature of civil law marriage dictates that where a prior civil marriage exists, any subsequent customary marriage is invalid.¹⁸ The implementation problems around customary marriages and the primacy of prior civil marriages over subsequent polygamous customary marriages have resulted in many women being deprived of the potential protection offered by the legislation.¹⁹

There is evidence of other harmful traditional practices in South Africa, including virginity testing and abduction for **forced marriage**.²⁰

¹⁰ Women's Legal Centre (2010)

¹¹ Western Cape Government (n.d.)

¹² STBB (n.d.), p. 1

¹³ <http://www.southafrica.info/services/rights/muslim-020514.htm#.U25tqfmSyF8> (accessed 15 October 2014)

¹⁴ Women's Legal Centre (2007), p. 10

¹⁵ CEDAW (2010), p.145

¹⁶ Hassam v Jacobs NO and Others 2009 (5) SA 572 (CC)

¹⁷ CEDAW (2010), p.145; Recognition of Customary Marriages Act 1998 (No. 120)

¹⁸ Centre for the Study of Violence and Reconciliation et al. (2011), p. 58

¹⁹ Centre for the Study of Violence and Reconciliation et al. (2011), p. 58

²⁰ CEDAW (2010), p. 164

2. Restricted physical integrity

According to the 2012-13 South Africa Police Service (SAPS) annual report, in 2012/13 there were 175,880 crimes committed against women in comparison to 197,877 in 2009/10, a decrease of 11.1% over three years.²¹

South African law makes provisions for protection of victims of **domestic violence** under the 1998 Domestic Violence Act. The Domestic Violence Act provides a broad definition of domestic violence which includes provisions for spousal rape, violence in both marital and non-marital relationships, and abuse by parents, grandparents, guardians, and anyone co-residing with the survivor.²² The law also gives the police authority to arrest alleged perpetrators without a warrant at the scene of the incident on suspicion that they have committed a violent offence and are subject to a protection order.²³ Penalties for breaching a domestic violence protection order include fines and sentences of between two and five-year imprisonment.²⁴

However, there remain challenges with the application and enforcement of the law. As the 2010 CEDAW report notes, “one of its limitations is the absence of social interventions that address the causes or influencing factors in any domestic violence situation”.²⁵ As a result, some women who have obtained protection orders under the Act have then been subjected to further violence, or even murdered.²⁶ The US Department of State reports that domestic violence is still pervasive in South Africa and includes physical, sexual, emotional and verbal abuse.²⁷

The Criminal Law (Sexual Offences and Related Matters) Amendment Act 32 of 2007 consolidates South Africa’s laws on sexual offences. This law criminalizes all non-consensual sexual activity and expands the definition of **rape** to include all forms of sexual penetration, regardless of gender.²⁸ Rape, including spousal rape, is illegal.²⁹ The minimum sentence for rape is 10 years in prison for the first offense and 15 years for the second unless substantial and compelling circumstances exist. However, women’s access to justice remains a challenge, with UN Women research showing that around 1 in 6 reported rapes reach court, and just 6% ending in a conviction.³⁰ Between April 2012 and March 2013 66387 sexual offences were reported to the police.³¹

In 2013, the government established six dedicated sexual-offense courts throughout the country that included facilities such as waiting rooms, court preparation rooms, and closed caption television rooms for victims.³² The Department of Justice announced that dedicated courts would be reintroduced throughout the country.³³ Furthermore, it operated 86 integrated rape response centres, five of which were added during the year.³⁴

²¹ South African Police Service (2013), p. 15

²² IGWG (n.d.), p. 2

²³ Section 3 of the Domestic Violence Act of 1998, (Act No. 116 of 1998); US Dept. of State (2013), p.27

²⁴ US Dept. of State (2013), p.27

²⁵ CEDAW (2010), p.147

²⁶ CEDAW (2010), p.147

²⁷ US Dept. of State (2013), p.27

²⁸ IGWG (n.d.), p. 3

²⁹ US Dept. of State (2013), p.25

³⁰ UN Women (2011)

³¹ South African Police Service (2014)

³² US Dept. of State (2013), p.26

³³ <http://www.southafrica.info/services/court-070813.htm#U257cvmSyF8> (accessed 15 October 2014)

³⁴ US Dept. of State (2013), p.26

Sexual harassment is prohibited by law, and is covered by both the Labour Relations Act and the Employment of Educators Act.³⁵ The government leaves enforcement primarily to employers, with criminal prosecution a secondary step at the initiative of the complainant.³⁶ The Department of Labour issued guidelines to employers on how to handle workplace complaints, which allow for remuneration of the victim's lost compensation plus interest, additional damages, legal fees, and dismissal of the perpetrator in some circumstances. Tougher punishments can be generated for assault, which carries a range of penalties depending on the severity of the act, but only if the complainant presses charges.³⁷ The Commission for Gender Equality has recently recommended that the law be extended to cover sexual harassment outside the working environment.³⁸ Sexual harassment is understood to be also widespread in South African schools.³⁹

Although not widespread, **female genital mutilation** is reported in isolated zones in the north-eastern part of the country. The law prohibits FGM, and the government conducts initiatives to eradicate the practice, including national research and sensitization workshops in those areas where FGM is prevalent.⁴⁰

More

Following the 1996 Choice on Termination of Pregnancy Act, **abortion** is available upon request in South Africa.⁴¹ The Constitution does not explicitly mention abortion, but two sections of the Bill of Rights mention reproductive rights. Women in South Africa have the legal right to use and access information about **contraception**, and to decide freely the number, spacing and timing of their children.⁴² Contraception is widely available and free at government clinics. In general, women do not appear to face barriers to their reproductive freedom. The UN Population Fund reports that, as of 2012, nearly 60% of married women aged 15-49 were currently using a modern method of contraception as a form of family planning.⁴³

In July 2013, President Zuma signed the Prevention and Combating of Trafficking in Persons Act, which prohibits "ukuthwala" (a distorted form of a traditional practice that sometimes results in the non-consensual marriage of underage girls to older men)⁴⁴ if it amounts to "**forced marriage**" or "**trafficking in persons**" and meets certain requirements.⁴⁵

3. Son bias

There is very little evidence of son preference in South Africa. According to the Central Intelligence Agency, infant mortality is higher for boys than for girls, with 45.25 deaths over 1,000 live births compared to 37.9, respectively.⁴⁶

³⁵ Labour Relations Act, 1995 (Act No. 66 of 1995); Employment of Educators Act, 1998 (Act No. 53 of 1998) in CEDAW (2010) pp.30

³⁶ US Dept. of State (2013), p.27

³⁷ US Dept. of State (2013), p.28

³⁸ Commission for Gender Equality (2012)

³⁹ CEDAW (2010) p.163; Centre for the Study of Violence and Reconciliation et al. (2011), p. 35

⁴⁰ US Dept. of State (2013), p.30

⁴¹ United Nations (2011); Choice on Termination of Pregnancy Act (Act 92 of 1996)

⁴² US Dept. of State (2013), p.28

⁴³ UNFPA (2012), p. 109

⁴⁴ Karimakwenda, Nyasha (2013)

⁴⁵ US Dept. of State (2013), p.30

⁴⁶ CIA (2013)

CIA reports that South Africa has a male/female **sex ratio** at birth of 1.02 in 2013.⁴⁷ It remains at 1.02 for the working age population (15-64). The 2014 projected sex-ratio for the entire population is 0.99.⁴⁸ Analysis of sex ratios across age groups provides substantial evidence that South Africa is not a country of concern in relation to **missing women**.

More

Data from the 2003 Demographic and Health Survey (DHS) reveal that 2.3% of women aged 20-24 had no education at all, compared to 1.4% of men. In the same age bracket, rates for secondary school completion only differed by 0.4% (34% for men, 34.4% for women).⁴⁹ More recent data from the World Economic Forum show that the share of boys and girls in primary education is the same and is close to 85%, whereas more girls are enrolled in secondary education (65%) compared to boys (59%).⁵⁰ Boys are more likely to drop out of secondary school than girls in South Africa.⁵¹ This may reflect social and economic changes in South African society, where African women are now more often in a position of being the sole breadwinner in their family, meaning that parents have come to see the value in investing in their education, and ensuring that their daughters complete school.⁵²

4. Restricted resources and assets

Concerning secure **access to land and non-land assets**, South African women are entitled to the same legal ownership rights as men and the law guarantees them equality in the purchase, sale and management of property. According to the Recognition of Customary Marriages Act of 1998, men and women have equal legal status in regard to ownership of property (including land), with joint common ownership assumed in monogamous customary marriages unless a contract has been drawn up specifying an alternative arrangement.⁵³

Although security of land tenure is a right in the Constitution, it remains elusive for most women in South Africa. While some laws to protect land tenure security have been put in place, these do not cover people living in the former Bantustans or homelands. These areas are home to an estimated 16.5 million people, of which 59% are women. Women's land rights, already structurally vulnerable, have been made even more precarious in the context of the continued uncertainty around communal land tenure legislation. In the absence of a national communal land tenure law, access to land depends heavily on local power relations. Laws like the Traditional Leadership and Governance Framework Act (2003) and Traditional Courts Bill (which has been proposed but not passed) marginalise women's voices, shifting the balance of power more towards male household heads and traditional leaders. The legislation around traditional leadership affects single women, particularly those without male family members, who have little status in the eyes of some traditional leaders and structures.⁵⁴

Recent research shows that rural women are redefining land rights in the context of living customary law. According to official customary law, men were the only people entitled to inherit and manage land. Using evidence from surveys, parliamentary submissions and interviews at community

⁴⁷ CIA (2013)

⁴⁸ CIA (2013)

⁴⁹ DHS (2003), table 2.5

⁵⁰ WEF (2013), p. 55

⁵¹ AfrDB (2009), p. 5

⁵² ECA (2009), p. 91

⁵³ Recognition of Customary Marriages Act, No. 120 of 1998 in The Presidency of the Republic of South Africa (2008), p. 141

⁵⁴ Thiye (2013)

workshops, it has been shown that single women in the Eastern Cape, KwaZulu-Natal and the North West are increasingly being allocated residential sites after 1994.⁵⁵

Women comprise a majority of small business owners in South Africa, but make up a minority of workers in the formal sector. This limits women's total access to productive resources that could be used as collateral. Thus, they lag behind men in the ability to obtain credit and bank loans.⁵⁶ **Access to credit and bank services** remains a major obstacle for improving the economic situation of poor South Africans in general and women in particular. It has been estimated that in 2009 only 2.9% of women entrepreneurs received assistance from a commercial bank.⁵⁷ Instead, women rely heavily on saving circles or *stokvels*, government grants and borrowing from money lenders.⁵⁸

Since the end of Apartheid, numerous financial institutions have been established to help Africans obtain access to bank loans. Some financial institutions specifically target women. It is reported that the Department of Trade and Industry provides incentive grants to promote the development of small and medium-size businesses and microenterprises for women and young people.⁵⁹ The Department also operates the Isivande Women's Fund, which aims to accelerate women's economic empowerment by providing more affordable, usable and responsive finance than is currently available.⁶⁰

Global Findex data from the World Bank suggest that South Africa's financial sector is fairly inclusive. Some 54% of adults in South Africa report using a formal account enabling both deposits and withdrawals at a bank, credit union, cooperative, post office, or microfinance institution.⁶¹ Among these, women are 7 percentage points less likely to have an account than men, even after accounting for income levels.⁶²

5. Restricted civil liberties

Since Apartheid was abolished, all citizens of South Africa have been granted equal rights in regard to freedom of movement, including choice of residence.⁶³

Concerning **access to public space**, freedom of speech, assembly and association are legally protected and are respected in South Africa.⁶⁴ In 1999, the Independent Broadcasting Authority Act, 1993 (Act 153 of 1993) was amended to include a specific Code of Practice that addresses gender concerns such as identification of rape victims and the prohibition of material that stereotypes women, fosters sexism and undermines women's dignity.⁶⁵ Women's rights NGOs are numerous, active and outspoken in South Africa, working on a wide range of issues including gender-based violence, challenging gender stereotypes, sexual and reproductive rights, and the rights of women from minority groups (including lesbian, bisexual and transgender women).⁶⁶ Women NGOs can

⁵⁵ Claassens & Mnisi-Weeks 2009

⁵⁶ The Presidency of the Republic of South Africa (2008), p. 129

⁵⁷ AfrDB (2009), p. 9

⁵⁸ AfrDB (2009), p. 9

⁵⁹ AfrDB (2009), p. 9

⁶⁰ US Dept. of State (2013), p.28

⁶¹ World Bank, Findex 2013

⁶² World Bank (2013), p. 19

⁶³ The Presidency of the Republic of South Africa (2008), p. 141

⁶⁴ Freedom House (2013)

⁶⁵ Independent Broadcasting Authority Act, 1993 (Act 153 of 1993) in CEDAW (2010)

⁶⁶ CEDAW (2010), p.39-40

register and operate freely, and lawmakers regularly accept input from NGOs on pending legislation.⁶⁷

The Centre for Law and Society at the University of Cape Town has raised concerns about the Traditional Courts Bill (TCB). The Bill would distort customary law by centralising power in traditional leaders at the expense of existing multi-layered governance structures. The TCB would also have harmful effects because of its failure to prohibit many harmful norms that privilege men's rights in traditional courts. Because traditional courts are male-dominated cases brought by women are often treated as private or domestic matters which ought to be resolved in the home rather than in a court. Trivialising cases of violence, dispossession of property, and child maintenance, among others, as 'domestic' has material, social and emotional consequences for women's wellness, safety and security. The bill will entrench customary practices in relation to women's representation in court. Most customary laws and practices provide that women are represented by male relatives and as such the proposed bill perpetuates restrictions on women's access these courts. Widows are particularly disadvantaged because women in mourning face particular restrictions in relation to entering court spaces.⁶⁸

The Constitution does not provide for **quotas** to ensure adequate representation of women in elected public bodies, nor are any legal quotas established for national elections.⁶⁹ However, the rising levels of women's representation in local government is largely attributable to the ruling African National Congress's commitment to a minimal 30% quota for the representation of women at all levels since 1994.⁷⁰ There are quotas at sub-national level: parties must ensure that 50% of the candidates on the party list are women, according to the Local Government Act.⁷¹ In South Africa women hold 13 of 34 ministerial positions, including foreign affairs and defence, and 16 of 28 deputy ministerial positions. Women account for 42.3% of parliamentary seats.⁷² Women occupy two of four parliamentary presiding officer positions, including the deputy speaker of the National Assembly and deputy chair of the NCOP.^{73 74} Women also comprise 40% of officeholders at the level of local government.⁷⁵

There are also voluntary party quotas: in 2006 ANC adopted a 50% gender quota in local elections, and it was extended to national elections in 2009 also.⁷⁶

More

In terms of **employment**, according to the 2012-2013 Employment Equity Report, women held 19.8% of top-level management positions and 30.7% of senior management positions. The government-mandated target share of management positions filled by women is 44.4%.⁷⁷ The 1998 Employment Equity Act, which aims to promote equality in the workplace, does not expressly

⁶⁷ Freedom House (2013)

⁶⁸ University of Cape Town (2012)

⁶⁹ Electoral Institute for Sustainable Democracy in Africa (2009)

⁷⁰ Electoral Institute for Sustainable Democracy in Africa (2009)

⁷¹ The Quota Project (2014),

⁷² OECD (2014), Gender, Institutions and Development Database, <http://stats.oecd.org>

⁷³ US Dept. of State (2013), p.21

⁷⁴ UNSTATS, <http://mdgs.un.org/unsd/mdg/data.aspx> (accessed 15 October 2014)

⁷⁵ The Presidency of the Republic of South Africa (2008), p.7

⁷⁶ The Quota Project (2011),

⁷⁷ Commission for Employment Equity, Annual Report 2012-2013, pp. 9-10

prohibit unequal pay for work of equal value; however, it does prohibit discriminatory practices, including unequal pay and separate pension funds for different groups in a company.⁷⁸

South Africa has an extensive legal framework protecting women's **maternity leave** privileges. All employed women in the public and private sector are entitled to four months of paid maternity leave at up to sixty% of her salary, paid for via the national Unemployment Insurance Fund.

In addition, women undergoing a miscarriage in the third trimester period of pregnancy, or bearing a still-born child, are entitled to maternity leave.⁷⁹ In general, there are a number of laws in place that allow women to take additional time off in case of illness, prohibit dangerous work, and protect her from unlawful or discriminatory termination.⁸⁰

According to the Freedom in the World 2013 ranking, South Africa scores 2 out of 7 (1 = best, 7 = worst) in terms of both "Civil Liberties" and "Political Rights".⁸¹

⁷⁸ US Dept. of State (2013), p.28

⁷⁹ CEDAW (2010), p.59

⁸⁰ ILO (2009)

⁸¹ Freedom House (2013)

Sources

African Development Bank, African Development Fund (2009), 'South Africa: The National Gender Machinery, Gender Mainstreaming and the Fight against Gender Based Violence', available at <http://www1.uneca.org/Portals/ngm/CrossArticle/1/Documents/SouthAfrica-TheNationalGenderMachineryGenderMainstreaming.pdf>, accessed 26 March 2014.

Amnesty International (2013), Amnesty International Annual Report on South Africa, available at <http://www.amnesty.org/en/region/south-africa/report-2013>, accessed 26 March 2014.

CEDAW (2010) 'Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women Combined second, third and fourth periodic report of States parties South Africa', available at http://www1.chr.up.ac.za/images/files/research/gender/cedaw_project/state_party/southafrica_combined_second_third_fourth_periodic_reports.pdf, accessed 26 March 2014.

Central Intelligence Agency (CIA) (2013), *The World Fact Book: South Africa*, available at <https://www.cia.gov/library/publications/the-world-factbook/geos/sf.html>, accessed 25 March 2014.

Centre for the Study of Violence and Reconciliation; People Opposing Women Abuse; Western Cape Network on Violence Against Women (2011) 'South African Shadow Report on the Implementation of the Convention on the Elimination of all Forms of Violence Against Women', available at http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/Joint_NGO_Report_for_the_session_SouthAfrica.pdf, accessed 26 March 2014.

Claassens, Aninka and Sindiso Mnisi. (2009) 'Rural Women Redefining Land Rights in the Context of Living Customary Law'. *South African Journal on Human Rights* 25:491.

Commission for Gender Equality (2011), *Women, Land and Customary Law*, available at http://www.cge.org.za/index.php?option=com_docman&task=doc_details&gid=195&Itemid=, accessed 26 March 2014.

Commission for Gender Equality (2012), *Annual Report 2011-2012*, available at http://www.cge.org.za/index.php?option=com_docman&task=doc_download&gid=217&Itemid=, accessed 26 March 2014.

Committee on the Elimination of Discrimination against Women (CEDAW) (1998), *Consideration of Reports Submitted by States Parties Under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: South African Republic, Initial Report on States Parties*, available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N98/065/49/IMG/N9806549.pdf?OpenElement>, accessed 26 March 2014.

Department of Labour South Africa (2013), *2012-2013 Commission for Employment Equity Annual Report*, available at <http://www.labour.gov.za/DOL/downloads/documents/annual-reports/employment-equity/commission-for-employment-equity-annual-report-2012-2013/cee13report.pdf>, accessed 26 March 2014.

Economic Commission for Africa (ECA) (2009) 'African Women's Report 2009: Measuring Gender Inequality in Africa: Experiences and Lessons from the African Gender and Development Index',

available at http://www.uneca.org/sites/default/files/publications/awr09_fin.pdf, accessed 26 March 2014.

Electoral Institute for Sustainable Democracy in Africa (2009), 'South Africa: Women's Representation Quotas', available at <http://www.womensnet.org.za/sites/www.womensnet.org.za/files/conferences/resources/Quotas.pdf>, accessed 26 March 2014.

Freedom House, Freedom in the World 2013, available at <http://www.freedomhouse.org/report/freedom-world/2013/south-africa#.UzK7e6lDvHU>, accessed 25 March 2014.

Interagency Gender Working Group (IGWG) (n.d.), 'Case Study: Violence Against Women in South Africa', available at http://www.igwg.org/igwg_media/Training/CS_ViolenceWomenSouthAfrica.pdf, accessed 26 March 2014.

International Labour Organization (ILO) (2009), Database of Conditions of Work and Employment Laws, ILO, Geneva, Switzerland, accessed 26 March 2010.

Karimakwenda, Nyasha (2013), 'Today it would be called rape': a historical and contextual examination of forced marriage and violence in the Eastern Cape, *Acts Juridica* 339.

National Prosecuting Authority of South Africa (2013), 'Annual Report 2012/2013 – Vote 24', available at <http://www.npa.gov.za/UploadedFiles/Annual%20Report%202012%202013.pdf>, accessed 26 March 2014.

Smith Tabata Buchanan Boyes (n.d.), Spouses in Muslim Marriages – Know Your Rights, available at http://www.stbb.co.za/uploads/stbb_lu3-2012_s2.pdf, accessed 27 March 2014.

South African Police Service (2013), Annual Report, available at <http://www.gov.za/documents/detail.php?cid=387906>, accessed 26 March 2014.

The Presidency of the Republic of South Africa (2008), South African CEDAW Report: Progress Made of the Implementation of the Convention for the Period 1998 to 2008, The Presidency of the Republic of South Africa: Pretoria, South Africa.

The Quota Project (2011), South Africa, <http://www.quotaproject.org/uid/countryview.cfm?country=246> [accessed 18/06/2014]

Thipe, T. (2013). "Defining Boundaries: Gender and Property Rights in South Africa's Traditional Courts Bill." *Laws* 2, no. 4: 483-511.

UN (2011), 'World Abortion Policies 2011', UN Department of Economic and Social Affairs, Population Division, New York, available at <http://www.un.org/esa/population/publications/2011abortion/2011wallchart.pdf>, accessed 26 March 2014.

UN Population Fund (UNFPA) (2012), State of World Population 2012, By Choice Not by Chance, available at http://www.unfpa.org/webdav/site/global/shared/swp/2012/EN_SWOP2012_Report.pdf, accessed 26 March 2014.

UN Women (2012), 2011-2012 Progress of the World's Women in Sub-Saharan Africa, available at <http://progress.unwomen.org/wp-content/uploads/2011/06/EN-Factsheet-SSA-Progress-of-the-Worlds-Women.pdf>, accessed 26 March 2014.

United Nations Development Programme (2013), Human Development Report 2013, online edition, available at http://hdr.undp.org/sites/default/files/reports/14/hdr2013_en_complete.pdf, accessed 25 March 2014.

University of Cape Town (2012) Submission on the Traditional Courts Bill to the Select Committee on Security and Constitutional Development, available at http://www.lrg.uct.ac.za/usr/lrg/docs/TCB/2012/legal_submission_lrg_2012_final.pdf, accessed 25 March 2014.

US Department of State (2013), South Africa 2013 Human Rights Report, available at <http://www.state.gov/documents/organization/220371.pdf>, accessed 26 March 2014.

USAID (2003), Demographic and Health Survey South Africa, available at <http://www.measuredhs.com/pubs/pdf/FR206/FR206.pdf>, accessed 25 March 2014.

Western Cape Government (n.d.), Online website available at <http://www.westerncape.gov.za/service/getting-divorced#africancustomarylaw>, accessed 26 March 2014.

Women's Legal Centre (2007), A simplified guide to marriage and relationships, available at <http://www.out.org.za/index.php/library/literature?download=1:a-simplified-guide-to-marriage-and-relationships>, accessed 26 March 2014

Women's Legal Centre (2010), A simplified guide to inheriting property, available at <http://www.wlce.co.za/images/relationship%20rights/general/WLC%20Inheritance%20ENG%20web.pdf>, accessed 26 March 2014.

World Bank (2013), 'South Africa Economic Update, Focus on Financial Inclusion', available at <http://www.worldbank.org/en/country/southafrica/publication/south-africa-economic-update-financial-inclusion-critical-for-south-africa-s-poor>, accessed 25 March 2014.

World Bank Financial Index Data Portal, available at <http://datatopics.worldbank.org/financialinclusion/country/south-africa>, accessed 26 March 2014.

World Economic Forum (2013), The Global Gender Gap Report 2013, available at <http://www.weforum.org/reports/global-gender-gap-report-2013>, accessed 26 March 2014.