



THE EFF CALLS ON ALL WOMEN WHO WERE FORCEFULLY STERILISED TO CONTACT ITS HEADQUARTERS.

Friday, 13 November 2020

The EFF Women's Month 2020 program gave a platform to women who were tortured by the incompetence and sheer disregard for human life by the ANC government to share their horrific stories. Despite this, their constitutional rights to justice remain a struggle. Those implicated in butchering their bodies remain unpunished, and the Government remains unaccountable. We have since received complaints from women excluded from the Commission for Gender Equality (CGE) Report that investigated forced sterilisation of HIV positive black women. All the women are black, and not all are HIV positive. The complainants are from Provinces not investigated in the CGE Report.

The EFF through its public representatives in parliament and all provincial legislatures have utilised these platforms to demand accountability from Government departments, Chapter 9 institutions and state entities involved or implicated in torturing black women. In addition to the CGE Report findings, the EFF has submitted questions to determine whether all provinces have adhered to legislative frameworks for sterilisation since 1998. Forced or coerced sterilisation is a criminal offence and those involved must face imprisonment.

The National Department of Health (NDOH) continues to prolong the implementation of binding recommendations in the CGE Report. The CGE report asked the NDOH to, amongst other things:

- Interrogate and scrutinise the provisions of the Sterilisation Act and interrogate consent forms for sterilisations to ascertain whether the provisions contained therein provide for and protect the principle of informed consent in all respects. The NDOH must report to the CGE within 3 (three months) of receipt of this report as to what concrete steps the Department will take in order to ensure that the eradication of the harmful practice of forced sterilisation.

- Facilitate dialogue between themselves and the complainants in order to for them to find ways of providing redress to the Complainants.
- Revise consent forms to bring them into conformity with the guidelines provided by the International Federation of Gynaecology and Obstetrics and standardised for all sterilisation procedures. All consent forms must be printed in all official languages, and the explanation around the procedure, particularly its irreversible nature should be given in the patient's language of choice.

The Department has done none of these things, and instead, we have now experienced the same hostility from some Provincial Departments of Health. Others have failed to meet deadlines in responding to questions submitted by our Members of the Provincial Legislatures (MPLs).

The Gauteng Acting Health MEC, Mr. Jacob Mamabolo, during a sitting on the 1st of September 2020, deliberately misled the legislature in his oral response to questions on forced and coerced sterilisation. Subsequently, the EFF GP Party Leader lodged a complaint with the Public Protector in terms of Section 4 (1) (b) of the Executive Members Ethics Act 28 of 1998. The complaint was lodged on the 28th of September 2020. An acknowledgement of receipt of the complaint was received late evening on the 30th of October 2020. By law, the Public Protector has 30-days to report back not acknowledge receipt of the complaint.

The Public Protector also received a complaint against the Gauteng Department of Health on forced sterilisation in 2018 (reference number 7/2-008296/18). To date, the complainant has only received an acknowledgement of receipt of the complaint. Both the NDOH and the CGE continue to act in cohorts with each other in prolonging access to justice for the tortured women, and accountability from those involved.

The EFF will not be an enabler of their avoidance of justice and accountability. Our Gender-Based Violence and Femicide (GBVF) desk will lead protest action against NDOH and CGE and any other department or entity that refuses to carry out their duties in this regard.

The EFF in Kwa-Zulu Natal (KZN) submitted an urgent motion for the adoption of resolutions on the CGE report. On the 25th of September 2020, the speaker of the KZN Provincial legislature, Ms. NN Boyce rejected the motion on the grounds that in applying her political wisdom, the matter is merely 'important', and not urgent. In applying her mind, she has declared that motions that seek to address the mutilation of women's bodies do not qualify as

urgent. Furthermore, three of the women who were tortured in KZN hospitals have since passed away. How many years and how many more lives must be lost for the speaker to consider the mutilation of women's bodies as urgent?

In 2015, the Human Sciences Research Council (HSRC) submitted a report to the South African National Aids Council (SANAC) entitled "The People Living with HIV Stigma Index: South Africa 2014". This report stated that there was a total of 10 473 respondents in the study, and all were HIV positive, and 65% of respondents were female. The report, under the section "Sexual Reproductive Health", states that "Of concern is that 7% of respondents reported that they were forced to be sterilised" This means that about 476 women reported to the HSRC that they were forced to be sterilised. We are pursuing this matter relentlessly including with President Ramaphosa who chairs the SANAC and all Premiers who chair the provincial SANAC's. The HSRC and SANAC have ignored our letters on what actions they took after receiving complaints of criminality from 476 women.

A complaint has also been lodged with the South African Human Rights Commission (SAHRC) to investigate how a report, that states that respondents reported gross human rights violations was ignored by the board of HSRC, SANAC, Deputy President and all Provincial Premiers. The SAHRC has again demonstrated its inability to process complaints logically and independently. In its initial response to the complaint, the SAHRC response was that the matter was dealt with by the CGE. We now await their explanation on where in the CGE report is the 2014 HSRC referenced and how does the CGE report into 48 women provide justice to 476.

Let it also be noted that the SAHRC has not bothered to issue a mere statement following the release of the CGE report findings that black HIV positive women were tortured.

The EFF University of Witwatersrand (WITS) Student Command has lodged a complaint against one of its lecturers, Dr William Elridge who is implicated in the sterilisation of a 17-year old. A complaint was also lodged to the Health Professionals Council South Africa (HPCSA) against him on the 11th of March 2019. The HPCSA has not responded to date. Unsurprisingly, the media remains unconcerned in investigating the status on the CGE binding recommendations. Their reporting on the CGE report is as they report on the weather forecast. We note the loud silence from gender activists, groups and civil society.

Our engagements with the Government, Chapter 9 institutions and state entities have led us to believe that there is a cover up on the extent of the torture of women in hospitals across the

country. As a result, we are calling on all women across the country who were forced or coerced to be sterilised to immediately contact the EFF on 082 832 8716.

The EFF remains steadfast in its commitment to fight for the eradication of Gender-Based Violence and Femicide (GBVF), particularly at the hands of the ANC government. Every person involved in this tortuous and criminal act will be held accountable and where applicable, criminally prosecuted.



ISSUED BY THE ECONOMIC FREEDOM FIGHTERS

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