



NOWHERE TO SHELTER

IN SOUTH AFRICA, SURVIVORS OF DOMESTIC VIOLENCE HAVE FEW PLACES TO TURN FOR REFUGE OR REDRESS



HE THREATENED TO KILL ME
AND BURN DOWN THE HOUSE
IF I DID NOT TAKE HIM BACK.
SO I RETURNED BACK TO
STAY WITH HIM.

S.S., who fled to her relatives' home after being repeatedly beaten by her husband, May 2007

Domestic violence remains a pervasive problem for women in South Africa. Between July 2006 and June 2007, the police recorded nearly 90,000 incidents of abuse against women within the home.

Laws have been passed to protect women's right to be free from domestic violence. However, many women are still unable to access legal remedies or find a place of safety. The barriers to access are particularly high for rural women living in poverty.

E.Z.'s husband admitted to having extramarital relationships but refused to use a condom. He also beat her so badly that she went to a police station to report him. While telling her story, she says she was overheard by a relative of her husband, a police officer. She says that when this man said "stop, don't take this case", her case was dropped. E.Z. tested HIV-positive in early 2007 and had to give up working because of her poor health.

An effective police response is critical. Under the Domestic Violence Act, members of the police service must assist everyone who reports domestic violence, telling them about their right to lodge a criminal charge or obtain a protection order and helping them find shelter and medical care. However, some police officers are still not doing this – either they do not understand their legal responsibilities or they are not under sufficient pressure to uphold them.

South Africa has made commitments under the UN Convention on the Elimination of All Forms of Discrimination against Women and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. South Africa's obligations include preventing all forms of violence against women and providing redress for survivors through effective criminal justice and social support systems.



DOMESTIC VIOLENCE BOTH REFLECTS AND REINFORCES PATRIARCHAL DOMINATION AND DOES SO IN A PARTICULARLY BRUTAL FORM.

South African Constitutional Court, 1999

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J.A., a woman living with HIV, told Amnesty International in May 2007: *“He did not allow it [the use of condoms]. I did try. At the clinic I got them and took them home, but he said no. We quarrelled. He overpowered me. He was forcing me to sleep with him. He was raping me and infecting me.”*

While the number of domestic violence shelters increased to nearly 100 by 2008, there are still not sufficient, appropriate shelters, particularly in rural areas, to provide emergency and longer-term refuge. Many women fleeing violence have no alternative to staying with relatives, where they are at risk of being found. The National Shelter Movement launched in August 2008 is campaigning to address these problems.

S.S.’s abusive husband spent six months in prison after she reported him to police. When released he found her and forced her to return to him. The abuse continued. “If I asked for clothes or food, he beat me”, she said. There were no shelters in the rural area where she lived. In October 2006 he beat and raped her in front of their children. An NGO support organization helped her to lay another charge against him, and took her to hospital, but in May 2007 she said that she was too unwell and short of money to go and find out the results of her HIV test.

The authorities have a responsibility to ensure that all members of the police service are trained to understand and implement their legal obligations. They must also give urgent attention to increasing rural women’s access to places of safety and social support.

For more information, see Amnesty International’s report, *‘I am at the lowest end of all’: Rural women living with HIV face human rights abuses in South Africa*, Index: AFR 53/001/2008. Available online.

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