INTRODUCTION

Public transport is an essential part of everyday life for many South Africans. A 2013 National Household Travel Survey found that nearly 40% of workers used public transport as their main mode of travel to work. Of the approximately 5.4 million people who used public transport daily, 68% used mini-bus taxis, 20% used buses, and 13% used trains. As of 2018, The majority of these public transport commuters are from low income earning households.

The scourge of gender-based violence (GBV) crisis in South Africa has extended to impacting the experiences of commuters in public spaces, particularly public transport. Women are faced with experiences of GBV, sexual harassment, cat-calling (unsolicited sexual advances, unwanted attention and verbal harassment, predominantly perpetrated by men) this includes crime, petty theft and various other forms of violence, which are negatively affecting the personal safety and security of vulnerable commuters.

Making public transport safe for women and children will not only contribute to Government’s commitment to eradicating gender-based violence, but will also make it safe for other vulnerable groups, such as: children commuting alone, persons with disabilities, LGBTQIA+, the elderly, pregnant women and women commuting with children, adolescents, youth, migrants, refugees and persons’ from poor households.

This entails mainstreaming gender in the infrastructural and policy design and implementation of transport systems and strategies, to make them more responsive to the practical needs of girls and women, and other vulnerable groups.
Sonke Gender Justice conducted a research study in Western Cape and Gauteng documenting the experiences of gender-based violence, sexual harassment and crimes against girls and women using public transport, which are attributed to lack of safety. The research report titled: “Women and girls experiences of Gender Based Violence in Gauteng and the Western Cape Province”, was released on 31st October 2019.

This research was undertaken as a response to the many personal experiences shared by commuters of public transport, particularly mini-bus taxis, selected buses and Metrorail trains. The findings provided a gendered perspective on the impact on women and girls, due to the lack of safety on public transport in Western Cape and Gauteng.

There were 1,021 women and girls that revealed that they persistently face serious issues related to the lack of safety and security on public transport.

These are a violation of their constitutional rights to; protection against violence, right to safety and right to freedom and security of the person, particularly the right to be free from all forms of violence from public sources and right not to be tortured in any way. They have the right to freedom of movement and right to life.

All these issues are happening due to the policy environment being hostile and irresponsible to safety and security issues of women and children.
POLICIES AND LAWS

South Africa is a signatory to regional and international conventions that deal with transport and gender issues, alike. Several international agreements stress the need for inclusive and sustainable development in urban areas, many of which include gender equality as a criterion for success, towards the fulfilment of their mandates. Addressing women’s access to safe public transport is crucial to achieving poverty reduction and overall development goals.

Within the South African legislative framework, there are several instruments that address women and girls constitutional rights, namely:

- Section 12(1) of the Constitution speaks of the right to freedom and security of the person, and the right to freedom of movement can be intrinsically linked to access to safe public transport.

- Section 8 of the Promotion of Equality and Prevention of Unfair Discrimination Act (PEPUDA), addresses access to economic opportunities without discrimination, in the context of access to safe and efficient public transport for women, especially those who reside in under-resources communities.

- The draft (revised) 2017 White Paper on National Transport Policy highlights the promotion of “a safe, reliable, efficient, effective, coordinated, integrated and environmentally friendly system for rural and urban passengers” however, there is no clear strategy and/or plan that outlines how “safety” will be ensured. Therefore there is a strong need for a National Safety in Public Transport Policy and/or Plan, that will outline commuter-centered and women-centric access, safety and security in public transport. The White Paper on National Transport Policy should also be finalised as a priority.

Despite these policies, there is a short fall of addressing the unique needs of women and other vulnerable groups utilising public transport, and there has been no thorough consideration of commuters-specific experiences or a gendered perspective of public transport addressing strategies to mitigate gender-based violence, sexual harassment and crimes perpetrated against women and children while commuting and utilizing public transport.

Access to transport is critical for growth and poverty reduction in South Africa, transport is often seen as gender neutral and transport policies tend to not address gender differences.

Although women and men are reported to have different expectations, needs and constraints regarding transport, gender is not considered in transport planning and projects, resulting in their not meeting the unique gender influenced demands. This often leads to transport being unsafe.

Furthermore, conventional transport planning that only relies on aggregate data and cost benefit analysis, does not often adequately address the needs of vulnerable groups generally – and fails to integrate issues around gender-specific safety and access into infrastructure development.
RECOMMENDATIONS

1. Ensure the visibility of public transport as a sector and area needing serious intervention in addressing violence and crime perpetrated against women and children in public spaces - in the National Strategic Plan on Gender-based Violence (2019). Public transport needs to be prioritized and incorporated accordingly in the NSP on GBV.

2. Conduct an official National Safety Audit on Public Transport – that will prompt commuters of public transport to share their perspectives, and ultimately lead to improvements that will reduce risks. Safety audits should be additionally conducted by the public transport sector, particularly mini-bus taxi’s, Metrorail commuter trains, and buses. The safety audits should be conducted annually, and input to the NSA on PT that Concan be released periodically.

3. There is a need for a holistic and comprehensive National Safety in Public Transport Policy, that will prioritise women and children’s safety needs and highlight gender-based violence, sexual harassment and crime in public transport.

4. Establishment of a National Public Transport Reference Group that will contribute towards the design and development, implementation, monitoring and evaluation and oversight of the NSPTP.

5. The need for mini-bus taxi associations, bus industry service providers and systems, and commuter-rail agencies to adopt and institute safety plans, that will be commuter-centered and priorities the needs of women, children, persons with disabilities and other vulnerable groups and key populations.

6. Ensure re-evaluation of current public transport policies and other legislative instruments, and ensure that they encompass and reflect a zero-tolerance stance on gender-based violence, sexual harassment and crime against women and women.

CONCLUSION

Sexual violence is a global pandemic that needs immediate redressal. When women and children lose access to public spaces due to fear of sexual violence and being victims of gender-based violence and other crimes perpetrated against them, they lose out on vital opportunities as well as civic rights, and all these have a direct impact on the economy - in the long-run – if systems remain unchanged.

The availability of safe, reliable, efficient and effective public transport is not only desirable, but mandatory. Guidelines and interventions that ensure gender mainstreaming in all aspects, including and not limited to planning, operations, leadership and governance, sector participation, infrastructure, design and maintenance and procurement of public transport is essential to ensure the realization of gender equality and creation of safe spaces in public spaces, especially in public transport.

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