

PRO BONO

A tale of two disaster declarations

20 August 20264 min read

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In recent years, South Africa has declared two national disasters aimed at protecting thousands of lives. One brought the country to a standstill, while the other barely makes news headlines. This response raises important questions about how crisis, urgency and protection are understood. When the COVID-19 pandemic reached South Africa, the State responded with speed and force using the law as a tool to protect lives. Within days, a National State of Disaster was declared under the Disaster Management Act 57 of 2002, and regulations were issued in terms of the Act. Lockdowns and curfews were imposed, movement was restricted, alcohol and cigarette sales were banned, budgets were redirected, and daily briefings and statistics reminded the nation that lives were at stake. The legal effects were immediate and visible to the public.

South Africa has one of the [highest female homicide rates](#) in the world, measured at 12.2 per 100 000 population in 2024, compared with the global average of 2.2 per 100 000. Add to this child murders, [over 12 000 sexual offences reported in the first quarter of 2026](#), and the fact that many crimes go unreported, and the real scope of the crisis becomes visible.

These figures point to a deeply rooted and ongoing problem. In December 2025, the government formally classified GBVF as a national disaster under the Disaster Management Act, following intense public advocacy and nationwide protests calling for urgent action. This recognition was widely welcomed as an important acknowledgement of the harm caused by GBVF. However, for many South Africans, there has been no meaningful change, leading to confusion and concerns about what the declaration means in practice. The Disaster Management Act provides a flexible framework for responding to disasters that cannot be managed through ordinary legal systems. It allows the head of the National Disaster Management Centre to classify an occurrence as a disaster and empowers the relevant minister to issue binding regulations, allocate emergency funding, and mandate coordination between different parts of government.

During Covid-19, these powers were put into operation and had a direct impact on daily life. However, the classification of GBVF as a national disaster did not automatically trigger the type of emergency regulatory framework that South Africans experienced during the COVID-19 pandemic. The government has indicated that the disaster response will be implemented largely through existing legislation, institutions and programmes rather than through new disaster management regulations or measures.

The language used in the Gazette declaring GBVF a disaster is also very different to the Gazettes detailing Covid-19 regulations. For example, the GBVF gazette "encourages individuals to refrain from acts of gender-based violence" while the Covid-19 regulations "direct" municipalities to "immediately close all public spaces that do not serve a public purpose".

To date, no comprehensive set of GBVF-specific disaster management regulations or measures comparable to those introduced during the COVID-19 pandemic have been promulgated. The State's response to the COVID-19 pandemic, and how it is responding to GBVF raises questions about what it truly means when something is declared a national disaster. GBVF is a complex social issue that is shaped by history, inequality, culture, economic stress, and power dynamics within families and communities. It is not easily addressed through short-term rules in the same way that a public health emergency can be. At the same time, the absence of a clear legal framework linked to the disaster declaration has practical consequences.

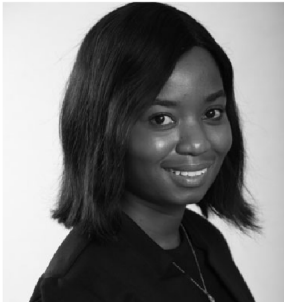
Without binding rules, measures, or clear lines of accountability, the response to GBVF continues to rely largely on existing systems, many of which are already stretched thin. For ordinary South Africans, this creates a sense of uncertainty. If GBVF is a national disaster, people naturally expect something to change in a visible and concrete way. When that change does not materialise, the declaration can feel distant from lived reality. It may also be perceived as a symbolic or performative act, rather than one that brings about meaningful change. If the language of "national disaster" is to retain its meaning within South Africa's legal framework, it must be accompanied by measures that are visible and capable of producing real change. Recognition is important, but that alone cannot protect those at risk of GBVF.



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