

Monthly magazine of the Parliament of the Republic of South Africa

# in session



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## Meet the Speaker





**PARLIAMENT**  
OF THE REPUBLIC OF SOUTH AFRICA



**Mace** of National Assembly

## Vision Statement

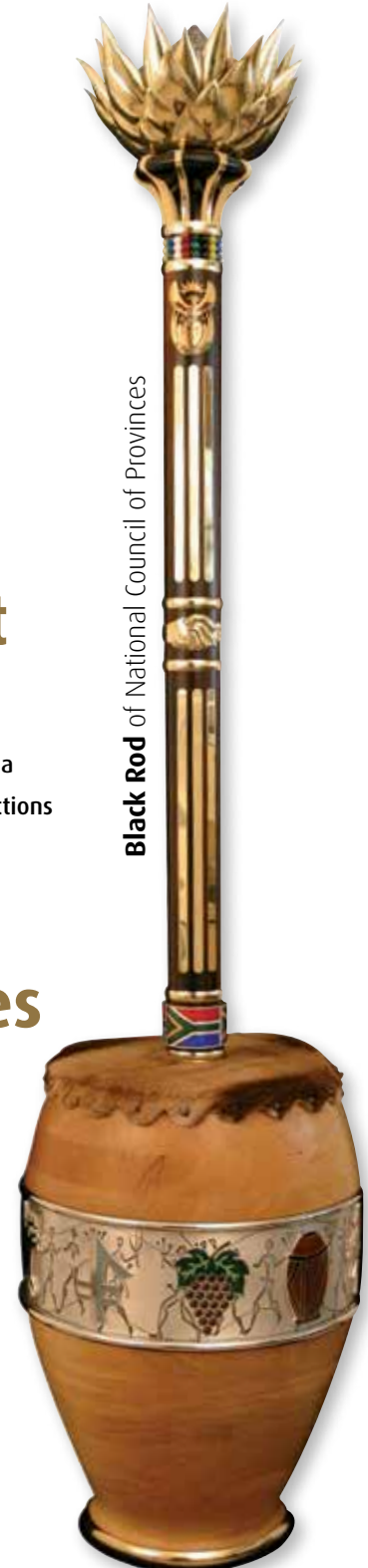
To build an effective people's Parliament that is responsive to the needs of the people and that is driven by the ideal of realising a better quality of life for all the people of South Africa.

## Mission Statement

As the freely elected representatives of the people of South Africa, our Mission is to represent, and to act as a voice of the people, in fulfilling our Constitutional functions of passing laws and overseeing executive action.

## Strategic Objectives

1. Strengthen oversight
2. Build a People's Parliament
3. Strengthen co-operative government
4. Improve international participation
5. Build an effective and efficient institution



**Black Rod** of National Council of Provinces

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#### OUR IDEALS

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# letters from readers

## I challenge our MPs

I would like to say thanks to the team who produce the parliamentary magazine for giving us good news and informing us about what is happening in Parliament. I'm still enjoying the 20 years of democracy in South Africa and the fifth democratic Parliament, after the ANC won the election of 2014. I would like to congratulate all the new MPs and returning MPs. I wish God blesses them and guides them all the way and gives them power to think for poor South African people.

I'm glad to see youth in Parliament and I hope the young MPs can do better. I read what they said or what they think is supposed to be done (*InSession*, June 2014), but my concern is that no one [mentioned the] rural areas. If I was an MP, I would make sure the rural areas get services and delivery in time and check all the jobs are [filled].

The youth in our rural areas don't have any study equipment like a library, computer lab or science laboratory. They need to be helped with all those things. They don't have proper sports fields, or balls and soccer kits, and so on. It is hard for them to develop the skills they have [so] they give up, even in sport, because our leaders don't visit the rural areas to check the lifestyle of our people.

An organisation like the National Youth Development Agency (NYDA) is not helping rural youth; in the rural areas you won't find any NYDA offices. The youth of the rural areas don't have career guidance life coaches, motivators or mentors. Some of them have never finished school. They may have skills, but need some training to polish the skills they have.

I believe there is little development in our rural areas and people end up going to urban areas with the hope [that] they will get jobs. This increases informal settlements and unemployment, and the crime rate increases because of those people. Some get pregnant at an early age because they need money to survive. Most of the people in Parliament are not staying in rural areas and this is making it difficult to get services and delivery in time. I challenge all the MPs to visit the rural areas; they must stop making empty promises. You will see the political leaders in the rural areas when they need votes and it is good [that they] make door-to-door visits. But after they get what they looking for you won't see them. I wish they can come to do door-to-door to give us services and delivery.

**Simphiwe Daniel Gwegwe**  
Verulam, KwaZulu-Natal

*Dear Simphiwe, I hope you find the coverage of the National Council of Province's Provincial Week interesting. Permanent delegates to the NCOP did exactly what you requested, they went out to assess the situation for themselves.*  
Editor

## Hear Dr Ambrosini's message

I read the tribute to the late Mario Oriani-Ambrosini in your August 2014 issue – a moving piece indeed. He was a man with money to afford specialised treatment from Italy and the United States.

The bottom line is that all chemical substances are dangerous to the human body, depending on the strength and amount consumed. Alcohol is lethal if a human was to consume it in 100% undiluted form. Nicotine in cigarettes is equally harmful, depending on [the] amounts taken.

I therefore do not see why governments cannot ensure that medicinal substances that can cure people, like the extract of marijuana, [cannot] be allowed in reasonable amounts that would not compromise human health.

Rest in peace Mario Oriani-Ambrosini

**Dikatso Selemogwe**  
via e-mail



Speaker of the National Assembly,  
Ms Baleka Mbete



The Chairperson of the National Council of  
Provinces, Ms Thandi Modise

# Presiding Officers *meet editors*

**The** *Presiding Officers of the fifth Parliament held a fruitful and successful networking session with the South African National Editors' Forum (Sanef) and senior journalists in Rosebank, Johannesburg, writes Cedric Mboyisa.*

Characterised by frankness and mutual respect, the interaction saw Parliament's Presiding Officers, National Assembly (NA) Speaker Ms Baleka Mbete, National Council of Provinces Chairperson (NCOP) Ms Thandi Modise, National Assembly Deputy Speaker Mr Lechesa Tsenoli and NCOP Deputy Chairperson Mr Raseriti Tau, talk about the fifth Parliament and the last 20 years of democracy. Also present were NA and NCOP House Chairpersons (those who are the Chairpersons of the Portfolio and Select Committees) and Chairpersons of Committees responsible for internal arrangements of Parliament.

In attendance from the media fraternity were editors and senior journalists from *Business Day*, *Sunday Times*, *City Press*, the South African Broadcasting Corporation, the *Mail & Guardian*, *Independent Newspapers*, *eNCA*, *SAfm*, *The Sowetan* and *Drum* magazine. Sanef Deputy Chairperson Mr Makhudu Sefara spoke on behalf of the forum.

Ms Mbete emphasised the importance of the interaction, adding that it was long overdue. The main focus of her speech was on the 20 years of democracy – how far the country has moved since the first democratic elections in 1994. “Twenty years into our democracy, for the vast majority of our people, there is no need to remind us of what we left behind. But for the small minority of society who so nostalgically cling to the past, we need to remind ourselves that South Africa is indeed a much better place than it was before 1994,” Ms Mbete said.

Ms Mbete explained her role: “From time to time the assertion has been made that the Speaker is not sufficiently insulated from party politics. The evidence suggests that this argument is redundant and baseless. The Speaker is guided by the Constitution and the Rules, and therefore acts within the ambit of these. The Rules therefore are applied in equal measure to all Members. But I have to ask the question: How

does any person remain non-partisan in a developmental state? I cannot be neutral about our democracy. I do not feel that it is stretching the nature of the Office in which I serve to champion democracy, social and economic transformation.”

The Chairperson of the National Council of Provinces (NCOP), Ms Thandi Modise, reported on the first 100 days of the fifth Parliament. “There is an energy in the fifth Parliament that we must harness into more representative modes.”

She reminded those present that 86% of the fifth NCOP are new members. “But this is an advantage because we were forced to train and retrain and retrain.

“We have inducted (NCOP) members on time, we have set up committees on time. We have ticked all the boxes in the NCOP. With all the energy of the fifth Parliament we have to be on our toes, and we are happy that people are making sure we are on our toes.

“Parliament must be a space that continues to mirror the interests of our people. In this new Parliament we are looking at how we balance the imperatives of the Constitution, the promises we have made in our mandates and the reality that a public representative has a responsibility to represent. We will find the time to be available.”

Other Presiding Officers also stressed the importance of the interaction between the media and Parliament. The fifth Parliament intends to have more interaction with the media during its five-year term. 🇿🇦

# i put the question

The Deputy President, Mr Cyril Ramaphosa, answered questions in the National Council of Provinces recently.



Deputy President, Mr Cyril Ramaphosa

**Ms Cathlene Labuschagne (DA, Western Cape) asked the Deputy President** to explain the stance of the Ministerial Advisory Council on Energy regarding the privatisation of the energy sector.

**The Deputy President replied:** The Ministerial Advisory Council on Energy has not yet been established. The Energy Ministry has received a number of nominations for the council and is currently processing 180 nominations.

The private sector has a significant role to play by participating in programmes that seek to boost our electricity generating capacity. The private sector can participate through the Independent Power Producer Procurement Programme, in terms of which generation capacity will be constructed on a Build, Operate and Transfer (BOT) basis. The BOT process has worked well around the world, and I believe it can serve us well here too.

To date, the Department of Energy has determined the quantity of megawatts to be derived from renewable energy sources such as wind, solar, small hydro and biomass. Most of these will be produced by private sector players or independent power producers. Already, the Department of Energy has committed up to 4 000 megawatts of renewable energy generation through private-sector funding.

**Ms Leigh-Anne Mathys (EFF, Gauteng) asked the Deputy President** whether he will establish a commission to investigate the extent of tax evasion

and capital flight from South Africa.

**The Deputy President responded:** There is currently no plan to establish a commission to investigate this. Tax evasion and the illegal transfer of capital across borders is dealt with by the SA Revenue Service (Sars), the SA Reserve Bank (SARB), and the law and prosecuting authorities.

The most significant form of tax evasion practices are often done via what they call Base Erosion and Profit Shifting (BEPS), which describes tax planning strategies that rely on mismatches and gaps that exist between the tax rules of different jurisdictions. These strategies are designed to minimise the corporation tax that is payable overall by either making tax profits disappear or by shifting profits to low-tax operations where there is little or no genuine activity.

In most cases, these strategies are not illegal. They largely exploit differences in tax rules between countries. This is essentially a global problem, and for this reason the Organisation for Economic Cooperation and Development has begun a major research project aimed at sharpening the mechanisms to deal with transfer pricing and base erosion.

In South Africa, the former minister of finance appointed a tax review committee chaired by Judge Dennis Davis to evaluate South Africa's tax system against internationally accepted tax trends. The committee is expected to produce its report later this year.

**Ms Tasneem Motara (ANC, Gauteng) asked the Deputy President** if the process of establishing Provincial Councils on Aids (PCA) has been completed; whether each PCA has its own strategic plan; and whether such plans have been communicated to communities and key stakeholders.

**The Deputy President replied:** PCAs have been established in all our provinces. Five of them are chaired by premiers – in Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga and the Northern Cape. In the Eastern Cape, Free State and Western Cape they are led by the MECs for Health. In the North West, the PCA is in the Office of the Premier.

As the Chair of the South African National Aids Council, I will engage with the leadership in all our provinces around the decision of the Presidential Infrastructure Coordinating Committee that all provincial councils should be chaired by the premier. We believe that this is preferable, that an important project like this should be led at the premier's level so that we bring about strong leadership on an issue as important as this. We are also supported in this by a number of other organisations that we work with in the fight against HIV/Aids.

All nine provinces have developed strategic plans. These are aligned with the National Strategic Plan for HIV, STIs and TB: 2012-2016. These plans have been developed in consultation with key strategic stakeholders and have been communicated widely. 🇿🇦

# highlights from the committee rooms



**Every** month Parliament's Committees exercise their law-making and oversight functions. *Cedric Mboya* compiled this summary of a selection of Committees' deliberations.

**The Portfolio Committee on Arts and Culture** is shocked at the level of paralysis within the Pan South African Language Board (PanSALB). In a meeting with the staff this month, the Committee concluded that the institution was in a grave situation requiring urgent attention. The Committee is concerned that the institution does not have a recognised organisational structure to implement its mandate. Furthermore, indications are that the structure in place currently is top heavy, with a lot of senior managers and few implementers. What is even more worrying for the Committee is that of the current allocation that the entity receives, about 70% is spent on remuneration of employees, leaving a small portion to implement the necessary work of the institution.

"PanSALB is an important body entrusted with developing, protecting and promoting all South African languages, but currently the institution is failing to implement this mandate. It cannot be business as usual, something drastic needs to be done to turn things around if all South African languages are to be treated with the requisite respect," said Ms Xoliswa Tom, the Chairperson of the Committee.

To this effect, the Committee has requested the newly appointed board to immediately initiate measures aimed at rescuing the institution and report back to the Committee in three months. The Committee also committed to improving its oversight role on the institution to ensure that the situation is reversed.

**The Portfolio Committee on Social Development** is saddened by the statistics regarding violence against children. A report was recently presented by the South African Medical Research Council (SAMRC) on this issue. Briefing the Committee, SAMRC President, Dr Glenda Gray, said violence against children under the age of 18 was physical, psychological and sexual in nature.

Dr Gray also said that an average of three children were murdered each day in South Africa, which is double the global rate. "The violence against children is perpetuated by adults and peers, and consequently results in suicide, substance abuse, delinquent behaviour, and mental health and conduct problems," Dr Gray said.

Committee Chairperson, Ms Zoleka Capa, agreed that violence against children was a huge problem in the country, and that it required the intervention of the society, especially families.

"One wonders where the family units are when all these social ills occur to children, but the Department of Social Development has presented a comprehensive report to the Committee on how they will deal with all forms of violence against children and they also requested a substantial budget to that effect," Ms Capa said.

Ms Capa encouraged scientists responsible for research to also consider ways of raising a child in order to bring

a holistic solution. "We take this report very seriously but we will interrogate it further with community-based people such as traditional healers and church leaders because we believe that it takes a village to raise and mould a responsible child," she said.

**The Portfolio Committee on Public Enterprises** received a briefing from Eskom on its annual plan and financial results for the year 2013/2014. During the meeting, members of the Committee expressed concerns about the revenue shortfall of R225bn, which the power utility reported. The Committee said what was most worrying about the presentation was that the building programmes (such as Ingula, Kusile and Medupi) needed R300bn and the company has a deficit of R225bn.

The Committee asked if the power utility's financial challenges would lead to another electricity increase. Chairperson of the Committee, Ms Dipuo Letsatsi-Duba, said: "We have heard that you have been downgraded. This is a concern for us, as this will affect Eskom's borrowing capacity. We cannot afford not to have an efficient Eskom. The country needs energy to create employment opportunities in order to expand and grow the economy."

She added: "We strongly believe that the success of Eskom does not only depend on their plans. It depends on all of us to assist them to get out of this situation. We want the power utility to be financially sustainable and the response measures presented today in addressing liquidity challenges will ensure that the company is economically and financially viable." 🌱





# Putting safety first

The tightened immigration regulations are set to ensure the safety of both South African citizens and foreign nationals visiting or living in the country, writes **Elijah Moholola**.

While acknowledging that there could be some unintended consequences of the new regulations, the Portfolio Committee on Home Affairs gave its approval to the changes to the immigration regulations during a briefing from the Department of Home Affairs.

The new regulations include a requirement that children will in future have to carry unabridged birth certificates; study visas will now be issued for the duration of the studies rather than having to be renewed every year; and business visas will now be issued for businesses that enhance the

national interest, with the investment amount revised from R2.5m to R5m.

The amended regulations now state that any person who overstays their visa will be listed as an undesirable person who will be prevented from returning to the republic for a prescribed period of time. In the past, such a person had the option of paying a fine for the transgression.

Furthermore, the new regulations now

group human smuggling and trafficking with genocide, terrorism, murder, torture, drug-related charges, money laundering and kidnapping.

For people in a relationship with a South African (both homosexual and heterosexual) applying for a permanent residence permit or visa, the Act requires a notarial agreement signed by both parties attesting that the relationship has existed for at least two years before the date of application and that the relationship still exists to the exclusion of any other person.

The travel regulations further require foreigners to be in possession of a machine-readable passport, although citizens from countries that are still issuing non-machine-readable passports will be allowed to travel until 24 November 2015. Transit visas will be issued for a period not exceeding 24 hours for air transit and not exceeding 48 hours for land transit. For a visitor's visa, a return air ticket or proof of reservation as well as proof of sufficient financial means will be required.

After the briefing, the Portfolio Committee Chairperson, Mr Lemias Mashile, said the new measures would go a long way towards safeguarding the security of the country during the immigration process. "It is up to South Africans to safeguard their own country and make sure that their country is safe for their children and for visitors coming in legitimately. Generally we do appreciate and support the intentions of the department to attend to and resolve the existing challenges," he said.

The Department of Home Affairs Director-General, Mr Mkuseli Apleni, said the process of amending the regulations resulted from the need to deal with the limitations that existed within the legislation. Though some of

the intended changes to the regulations received some criticism in the media, Mr Apleni explained the logic behind them. "Immigration is a complex matter. It is something we need in order to promote the economy of the country and for tourism. However, it has its own risks. We are trying, through this process, to deal with those risks.

"At the moment we are concentrating on closing the gaps we have. The intention is not to kill the economy or tourism, but to try and find a balance. What we are doing has been researched. Some countries might be doing it and others might not be doing it but South Africa is a sovereign state." Some Members of the Committee raised concerns over the contentious issue of requiring a person travelling with a child to be in possession of an unabridged birth certificate and a consent affidavit from the parent or parents of the child authorising the person to travel with the child.

"With regard to the unabridged certificate, we want to avoid child trafficking. It is a fact that when you go to the United Kingdom, they want you to bring an unabridged certificate and what's even worse is that in their case they need the certificate to be valid for a period of six months. If it's older than six months, it is not regarded as being valid. There have been statements that this requirement inhibits tourism. But that's like saying that whenever a plane lands in South Africa every passenger who is onboard would be travelling with a child," Mr Apleni said.

He said the department would be moving from a manual to an electronic system to solve the problems that arise from travellers having to carry physical documents. Furthermore, the department is working towards a time when parents' passports will contain their children's details. These processes

are expected to be put in place in the next two years.

Mr Apleni said the regulations are part of the department's constitutional mandate to defend the country's sovereignty, security and public safety. He added that all immigration decisions must be based on an assessment of risk to the country. "South Africa faces a range of risks and threats from transnational criminal syndicates who smuggle or traffic people, drugs, protected species and launder money," he said.

"Legislation prior to the amendments was based on tick-box compliance and not on effective screening of applicants. Abuse of the Refugees Act is also rife, with more than 90% of applicants only seeking economic opportunities. Often, those who overstay or are bogus asylum seekers seek to acquire legal status through marriages of convenience or acquiring identity documents fraudulently.

"Criminal syndicates work with corrupt officials and other South Africans to facilitate these illegal transactions. The consequences for South Africa and for foreign migrants are serious. Among other things, there is the risk to national security, social stability and pressure on social services. The undermining of immigration laws also prevents orderly migration. This leads to the extortion, abuse and exploitation of migrants who have fraudulent documents or no documents. They can be trafficked or forced into crime," he said. 🇿🇦

***Shortly before going to print, the Department of Home Affairs announced that it was postponing until June 2015 the implementation of the regulation requiring children to carry an unabridged birth certificate and written permission from both parents when travelling.***



## Celebrating our heritage

**The** *different colours of South Africans' skins may have caused divisions in the past but today we are learning to be proud of those colours, the Speaker of the National Assembly, Ms Baleka Mbete, said during the Heritage Day debate in a joint sitting of the National Assembly and the National Council of Provinces, writes Mava Lukani.*

"We meet to celebrate our rich culture and heritage, and narrate our unique story of struggle, grief, restoration, resilience and victory and, perhaps above all, our sheer optimism for the future," Ms Mbete said.

The Heritage Day debate took place on the theme: "Celebrating 20 years of democracy: Tell your story that moves South Africa forward". Ms Mbete said Parliament chose this theme because the celebration of the day is almost as old as democracy. "Each one of us has a story to tell about the 20 years and each of these has to help our country move forward in our collective quest for a better South Africa."

She said Parliament was given Grade 1 national heritage site status in 2013, the highest grade possible, due to its historical, aesthetic, scientific and social value. Ms Mbete said Parliament had been given this recognition by the South African Heritage Resources Agency because "this Parliament has been at the centre of our politics since the 19th century, when its buildings were first erected".

Opening the Heritage Day debate, the Minister of Arts and Culture, Mr Nathi Mthethwa, said at the centre of the debate is the contestation between two cultural forces which have shaped the character and identity of today's South Africa. He said the contest is between the colonial cultural landscape and the struggle for a new African heritage to be born. "The colonial and apartheid cultural landscapes tried but failed to wipe off the African heritage that existed before 1652," Mr Mthethwa said.

Highlighting landmarks of the South African heritage landscape, Mr Mthethwa mentioned the 1955 Freedom Charter, the 1989 Harare Declaration, the South African national anthem and the current coat of arms.

He said there are South Africans who do not differentiate between history and heritage or who use the two words interchangeably. "History is a remembrance of the past, while heritage is principles, ideals, personalities and institutions that we consciously select to transmit from

the past because they have helped us move forward."

He said South Africans cannot consider the history of oppression, dispossession, land loss, prejudice and exclusion of fellow human beings as part of the South African heritage to be celebrated.

Mr Themba Msimang of the Inkatha Freedom Party said that although MPs speak proudly about South African heritage, we should not pass on to future generations what this government does to the people. He mentioned the Marikana massacre, the Ficksburg incident in which a man died while participating in a service delivery protest, corruption and poor municipal services. "We see service delivery protests over basic services such as water, housing and electricity. Our municipal system is on the verge of collapse," Mr Msimang said.

Members of Parliament appealed to the government to ensure that it uses culture as a tool to deepen understanding about South Africa, especially among the country's young people. Members of the Democratic Alliance also appealed to the government to work towards ensuring the better management of the Robben Island Museum as it was falling into a state of disrepair. 🗣️

**What do you think is a meaningful way to celebrate Heritage Day? Email [insession@parliament.gov.za](mailto:insession@parliament.gov.za) and let us know.**

# Major push to eradicate the bucket toilet system lies ahead

**The** *continued existence of the bucket system in some parts of South Africa and lack of access to clean water are among the major service delivery challenges facing the newly established Department of Water and Sanitation. Sakhile Mokoena reports.*

After the government missed its own target for the total eradication of the bucket system in both formal and informal settlements, which it had set for the 2008/2009 financial year, it made a new deadline for December 2014. However, the new Minister of Water and Sanitation, Ms Nomvula Mokonyane, said the government would not meet this deadline either.

Participating in the debate in the National Council of Provinces (NCOP) on the eradication of the bucket toilet system, Ms Mokonyane acknowledged that South Africa would not see the complete eradication of bucket toilets this year. The government had made progress, she said, but there was still a backlog of 2.4 million households without proper sanitation, mainly in Gauteng, Free State, Western Cape, North West, Eastern Cape and Northern Cape.

She said a decision had been taken in August 2013 that the bucket toilet system in formal settlements should be eradicated by March 2014, but there was no budget for the programme and directors-general were requested to re-prioritise and also to engage the National Treasury. Ms Mokonyane said that efforts by the government to provide sanitation and clean drinking water to all are continually overtaken by the growth of new informal settlements.

Mr Masizole Mngqasela from the

Western Cape Provincial Legislature said practical realities make it difficult to address sanitation problems in some areas.

“While one would like to provide flush toilets to each and every household, it is simply not possible given the practical constraints. About 82% of informal settlements in Cape Town are partially or fully affected by physical and other constraints that determine the kind of sanitation that can be provided to them. Chemical toilets are provided in informal settlements only as a last resort when these factors preclude the provision of flush toilets,” Mr Mngqasela said.

Mr Alfred Tseki, Chairperson of the Standing Committee on Cooperative Governance, Traditional Affairs and Human Settlements in the Gauteng Provincial Legislature, said the province had almost achieved universal access to water, with only 9% of the people there having no access to piped water.

“We have maintained high standards for safe and drinkable water as well as broad access to sanitation, but this improvement can be easily reversed by the increase of informal settlements. The persisting reality in informal settlements and the challenge of meeting basic service needs, such as water and sanitation, can be attributed to population growth which has led to the

persistence of the bucket system, used by 1% of Gauteng households,” he said.

A South African Local Government Association representative in the NCOP, Mr Daniel Shongwe, said: “Currently, there is no policy that guides the delivery of sanitation services. Over the past seven years, municipalities and other role players were left to develop their own policies. This policy gap must be addressed,” he said.

Mr Shongwe said the 2007/2008 bucket eradication programme had brought important lessons. “Concerns expressed included the emphasis on infrastructure-driven solutions without provision for operation and maintenance, or health and hygiene awareness. Our visits to programme sites revealed shocking workmanship and poor-quality infrastructure. We would like to encourage the Department of Water and Sanitation to work with us in the further roll-out of the bucket eradication programme, as we could add value by facilitating engagements with municipalities and perhaps more importantly, to ensure the smooth running of that operation,” he said.

The North West province Member of the Executive Committee for Human Settlement and Local Government, Mr Collen Maine, said: “In 2006 the North West eradicated all the bucket toilets that we found prior to 1994, but the problem has continued with the proliferation of informal settlements. The rapid increase of informal settlements and bucket toilets resulted in the province making it its task to eradicate them from 2006. The challenge we are now facing is informal settlements built on land that does not belong to the government.” 🗣️

# Making right old wrongs

## Land claims process in the spotlight

**The** Portfolio Committee on Rural Development and Land Reform has told the Commission on Restitution of Land Rights that a policy must urgently be finalised to enable the participation of those, such as the Khoisan, who were previously excluded from the process. *Sakhile Mokoena reports.*

The newly amended Restitution of Land Rights Act reopened the lodgement of claims for a period of five years, from 1 July 2014 to 30 June 2019. However, the new Act has caused unhappiness, particularly in the Khoisan community, as it continues to use the 1913 Natives' Land Act as a benchmark for restitution, making some groups ineligible to claim because their dispossession took place before the Act was passed.

Chief Land Claims Commissioner Ms Nomfundo Gobodo said the commission was not deliberately excluding the Khoisan, but simply implementing the law. "In terms of the Act, we cannot accept claims for dispossession that happened before 1913. The commission has no mandate to do that. Claims from the Khoisan that comply with the Act are accepted. There is no discrimination," she said.

Committee Chairperson Ms Phumzile Ngwenya-Mabila said there was an urgent need for the finalisation of a policy on the 1913 exception, so that all victims of racially based land dispossession could participate in the restitution processes. The proposed policy would not only focus on the 1913 cut-off date, but also include ways of dealing with land claims that involved heritage sites and historical landmarks where restoration of the land was impossible.

The Minister of Rural Development and Land Reform is currently holding consultations with Khoisan communities on the matter to find a way forward.

In instances where land restoration cannot happen because the land is a heritage site or historical landmark (for example, the Kruger National Park and the Castle of Good Hope in Cape Town), there is a proposal to remunerate the claimants from the profit earned from the land or to set up business partnerships with the claimants.

Another option is to grant the claimants some form of access to the heritage site. The Khoisan community, for example, want access to the Castle of Good Hope to use it as a "place of healing" for the suffering they endured at the hands of colonial settlers. The Khoisan have also claimed large parts of the Northern and Western Cape provinces. However,

heritage sites and historical landmarks are governed by separate legislation that is not within the department's jurisdiction.

Committee members were critical of the use of the 1913 Natives' Land Act as a benchmark for land restitution. They said this continued to exclude people whose land was taken from them long before the Act was passed. Committee member Mr Andile Mngxitama said the 1913 cut-off date was a distortion of history.

More than 12 000 new claims have been lodged with the commission during the first two months of the new lodgement period. The commission has 14 lodgement sites in Pretoria, Nelspruit, Witbank, Polokwane, Bloemfontein, Kimberley, East London, Queenstown, Cape Town, George, Pietermaritzburg, Vryheid, Mmabatho and Vryburg.

All outstanding land claims from the first phase will be settled simultaneously with the new claims, but the commission said the old claims will be prioritised. "The Act requires the Commission on Restitution of Land Rights to give priority to claims lodged by 31 December 1998," Ms Gobodo said.

The Committee Chairperson, Ms Ngwenya-Mabila, said the Committee would conduct oversight on the claims lodgement sites to assess the process and to intervene when challenges arose. 🗣️





**FOREIGN AFFAIRS:** Deputy President Cyril Ramaphosa and the Minister of International Relations and Cooperation, Ms Maite Nkoana-Mashabane (centre), with the Chairperson of the Portfolio Committee on International Relations, Mr Siphoswe Masango (far left), the Director-General, Ambassador JM Matjila (second left), and the Deputy Minister, Mr Luwellyn Landers (far right).

# Placing SA at centre of world affairs

**Members** *of Parliament put their heads together with ambassadors, consular generals, country representatives, and yet-to-be-deployed diplomats to determine South Africa's centrality in world affairs. They engaged diplomats and government officials on issues such as regional integration, economic diplomacy and national interest, reports Sibongile Maputi.*

"If Africa is rising as a continent, then it is relevant to ask the question: in whose interest?" The Minister of International Relations and Cooperation Ms Maite Nkoana-Mashabane's words reverberated around the OR Tambo Building in Pretoria, where South Africa's 126 heads of mission gathered for their biannual conference. The five-day gathering was attended by Members from both the Portfolio and Select Committees on International Relations and Cooperation.

The Chairperson of the Portfolio Committee on International Relations and Cooperation, Mr Siphoswe Masango, said the question could be addressed by ensuring that ambassadors were clear about whose interests they represented when they promoted South Africa abroad.

"This conference is happening right at the beginning of the fifth administration, and Committees have a particular interest in how the Department of International Relations

and Cooperation (Dirco) carries out its mandate of articulating South Africa's foreign policy," Mr Masango said.

"The role of missions and their respective heads becomes critical as implementers of the country's foreign policy. The heads of missions are responsible for service delivery to South Africans abroad and therefore it is in the interests of the Committee to hear what they are directed to do, and how that relates to bringing foreign direct investment to the country," he said. He described the conference as a valuable opportunity to link government priorities, such as infrastructure, local beneficiation, rural development, energy and health, to foreign policy.

The Chairperson of the Select Committee on Trade and International Relations, Mr Eddie Makue, said a collaborative approach to economic diplomacy was critical, and that it should inspire investor confidence. "No country is an island. SA finds itself in a global village where

it cannot work in isolation. It is impressive to experience first-hand how diplomats draw from each other's experiences from various parts of the world. South Africa is a game-changer – it should work together with the region in order to realise the dream of offering a better life for all," he said.

The conference sought to determine the role heads of mission can play as economic diplomats; how missions could advance South Africa's national interest, and also to acquaint heads of mission with the new governance and administrative requirements within which Dirco was operating.

Ambassadors were taken through how government departments fitted into the National Development Plan (NDP) – South Africa's long-term vision – and the Medium Term Strategic Framework 2014-19 as endorsed by Cabinet.

"Economic diplomacy should result in foreign direct investment (FDI). The lengthy strikes, as pointed out by Minister of Finance Mr Nhlanhla Nene, could potentially impact on FDI and ruin the country's economy. This is not good news for the government's stated objectives on job creation," Mr Makue said.

He said investor confidence, sustained economic growth and job creation require new thinking and trade partnerships. "There surely can never be a better way to protect our national interest than to bring foreign direct investment for the benefit of South Africa, the Southern African Development Community (SADC) region and the rest of Africa," he said.

He said the SADC region had experienced colonialism and apartheid

in a unique way, and this experience had held back development in the region. "It is astonishing how populations have not benefited from the resources that the region is blessed with. South Africa is mindful that its liberation, as Madiba once said, cannot be complete until the rest of Africa is free," Mr Makue said.

Mr Masango echoed these words, saying it did not help if South Africa flourished while the region and the African continent as a whole were left behind. "For us to be successful as Africans, we need to speak with one another and ensure the beneficiation of mineral resources happens here in Africa. In line with the NDP and the strategic goals of government, this will enable a vibrant manufacturing sector where economic growth is guaranteed and job opportunities are created. But, also, infrastructure is central to regional integration and growth," he said.

Ambassadors identified the movement of undocumented people in the region as putting a strain on South Africa's resources. It was proposed that a new strategy must be adopted for visas and passports, as illegal immigration impacted on South Africa's development and posed a security risk to the country. The conference was told that regional integration means freedom of movement and that 98% of the countries in the SADC region do not ask for visas from citizens.

The concept of land rush, where foreign nationals and companies buy productive land on the continent, was identified as a challenge. Mr Masango said African countries should be alert to this new threat, and subtle economic imperialism where mineral resources are shipped out without

local beneficiation. "This tactic of buying land, also known as land rush, at strategic sites such as game farms, coastal territories and commercial land is worrying," Mr Masango said.

Ms Nkoana-Mashabane told the conference that only Africans could stop the land rush and the scramble for African resources. She pleaded with delegates to use Agenda 2063 (The African Union's vision for African countries to attain all developmental objectives for the continent) to stop land rush.

Ambassadors also raised issues with the current structure of the World Bank and the International Monetary Fund (IMF). Mr Masango said these institutions were not assisting the developing nations. "They were established with the sole purpose of reconstructing the world economy on terms determined by the United States. These institutions are owned by imperialists, which is why they are biased towards developed countries," Mr Masango said.

Ms Nkoana-Mashabane told the conference the bias of the IMF and the World Bank was the reason the Brics (Brazil, Russia, India, China and South Africa) nations had established the New Development Bank, which would provide the finance for infrastructural projects not only in member states but in other developing nations as well.

"Governance of the World Bank and the IMF gives the United States veto power and this is problematic. Decisions are made unilaterally without involving developing countries. South Africa will not stop in pursuing a broader representation for Africa," she said. 🌍

# Taking UN's development agenda to ordinary people



**CALL TO ACTION:** The main objective of the Sustainable Development Goals is to end poverty.

**The** eight Millennium Development Goals (MDGs) – which range from halving poverty rates to halting the spread of HIV/Aids – are approaching the 2015 deadline. Working with governments, civil society and other partners to build on the momentum generated by the MDGs and to carry on with the development agenda beyond 2015, the United Nations (UN) has formulated and released what it calls Sustainable Development Goals (SDGs). *Faith Kwaza reports.*

The Portfolio Committee on Environmental Affairs has taken this new development agenda by the UN to ordinary South Africans in the form of public hearings. Addressing a media conference in Parliament recently, the Committee Chairperson, Mr Jackson Mthembu, told journalists the fifth Parliament takes the involvement of ordinary South Africans in the

development agenda of the world seriously.

“Throughout the history of our democratic country, we have valued the contributions of our people and it is in this respect that our government seeks to involve the masses of our people in working together to find solutions to challenges that are facing us. We

therefore call upon our communities to add their perspectives, knowledge and wisdom in debating and finding solutions to these complex and challenging realities,” Mr Mthembu said.

Mr Mthembu said significant progress had been achieved in almost all the MDGs in South Africa but there were numerous challenges that have not been addressed with the necessary commitment by stakeholders. “The main objective of the SDGs is the eradication of poverty, with a more balanced and holistic equity and a rights-based approach with regard to the economic, social and environmental dimensions of sustainable development,” Mr Mthembu said. 🗣️

## The 17 Sustainable Development Goals are:

1. End poverty in all its forms everywhere.
2. End hunger, achieve food security and improved nutrition, and promote sustainable agriculture.
3. Ensure healthy lives and promote well-being for all.
4. Ensure inclusive quality education and promote life-long learning.
5. Achieve gender equality, empower women and girls.
6. Ensure availability and sustainable management of water and sanitation for all.
7. Ensure access to affordable, reliable, sustainable and modern energy for all.
8. Promote inclusive and sustainable economic

growth, full and productive employment and decent work for all.

9. Build resilient infrastructure, promote industrialisation and foster innovation.
10. Reduce inequality within and among countries.
11. Make cities and human settlements inclusive, safe, resilient and sustainable.
12. Ensure sustainable consumption and production patterns.
13. Take urgent action to combat climate change and its impacts.
14. Conserve the oceans, seas and marine resources for sustainable development.
15. Protect, restore and promote sustainable use of terrestrial ecosystems, forests, combat desertification, and halt land degradation and halt

biodiversity loss.

16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective and accountable institutions at all levels.
17. Strengthen the means of implementation and revitalise the:
  - Global partnership for sustainable development
  - Finance
  - Technology
  - Capacity building
  - Trade
  - Systemic issues
    - Policy and Institutional Coherence
    - Multi-stakeholder partnerships
    - Data, monitoring and accountability



# Stepping up the fight against rhino poaching

**Wealthy** *people are running multimillion-rand international rhino poaching syndicates but the foot soldiers who do the actual killing of the rhino get arrested. This was the message of the Chairperson of the Portfolio Committee on Environmental Affairs, Mr Jackson Mthembu, during a debate on rhino poaching in the National Assembly recently. Sakhile Mokoena reports.*



**UNDER PRESSURE:** Over 700 rhinos in South Africa have been killed in 2014.

Mr Mthembu said Parliament appreciated the anti-poaching measures the government had put in place, the arrests of some of the members of the syndicates and the heavy sentences they received. "But unfortunately only the foot soldiers are arrested. We need to bring to book the masterminds, the funders and kingpins of these syndicates. We believe that there is more that can be done in terms of intelligence gathering to arrest the masterminds," Mr Mthembu said.

He said rhino poaching threatens the country's economy. "It threatens our tourism industry and the jobs in our game parks and surrounding areas. Our conservation efforts and well-earned reputation in this regard is being reversed by international crime

syndicates that are well resourced and that, since 2006, have killed and poached thousands of rhino," he said. Mr Mthembu said last year more than 1 000 rhino, the highest number year on year, were killed. This year so far, more than 700 have been killed.

The Portfolio Committee recently conducted public hearings on climate change, sustainable development goals and rhino poaching in communities living next to game parks.

Members of the National Assembly emphasised the impact of rhino poaching on the South African economy. The Democratic Alliance's Ms Johanna Steenkamp said the killings are destroying an important part of the country's heritage. "It affects our ability

to create jobs for poor communities that are dependent on eco-tourism. It also affects the legacy we will leave for our children. We need to initiate education programmes that demonstrate the link between people, the environment and the economy, and build pride and respect for our wildlife," she said.

National Freedom Party MP Mr Maliyakhe Shelembe called for dedicated investigation and prosecution. "A specialist investigation unit should be set up to infiltrate the sophisticated crime syndicates that are driving the frenzy. Currently, all the successful prosecutions are targeting poachers, not the couriers, buyers or exporters, all of whom are at any given time within the boundaries of our country," he said.

Inkatha Freedom Party MP Ms Sibongile Nkomo dismissed popular myths about the horn's properties. "Rhino horn has no medicinal value whatsoever. By legitimising its trade, we legitimise this fraud. Government's focus must be on the rangers, the anti-poaching units and security services," she said.

Deputy Minister of Police Ms Maggie Sotyu said the South African Police Service (SAPS) has protocols in place to fight rhino poaching and has developed an integrated multi-disciplinary collaboration between the relevant SAPS divisions.

Also participating in the debate, the Minister of Environmental Affairs, Ms Edna Molewa, said that interventions in the past had delivered good results. "Moving rhino to low-risk areas, leading to the creation of new rhino strongholds in areas where the animals are safe and protected, has been scientifically proven to result in increases in the rhino population," she said. 🐘

**Do you think South Africa's rhinos are worth protecting and what would you do to make them safer? Write to [insession@parliament.gov.za](mailto:insession@parliament.gov.za) and let us know.**

# Hello, Madam Speaker

**A typical** *day in the life of the National Assembly (NA) Speaker, Ms Baleka Mbete, sees her wake up at 6am and only going to bed after midnight. "There is always pressure on my diary," Ms Mbete tells InSession magazine in a wide-ranging interview. She spoke to Cedric Mboyisa.*

The Speaker's hectic schedule means she can only afford to sleep for five or six hours. Her work does not only start when she gets to the office ... she often has to start working as soon as she wakes up. "Each and every day, I have to start my day by making calls I could not make the previous day."

When she gets to the office in the morning, she has to attend a number of important meetings. One of these meetings is that of the Executive Committee, which comprises the Presiding Officers (Speaker and Deputy Speaker of the NA, and the Chairperson and Deputy Chairperson of the National Council of Provinces [NCOP]), Secretary and Deputy Secretary to Parliament and Secretaries of the NA and the NCOP.

Currently, Parliament has no permanent Secretary to Parliament since the passing of Mr Michael Coetzee. Ms Mbete says it is just a matter of time before this post is filled as the appointment process is at an advanced stage. The Secretary to Parliament is responsible for the administrative part of the institution.

Other meetings that the Speaker has to chair or preside over include those of the NA Programming Committee, NA Rules Committee and NA Forum. She and her counterpart, NCOP Chairperson Ms Thandi Modise,

co-chair meetings of the Joint Rules Committee, Joint Programme Committee, Parliamentary Oversight Authority, Presiding Officers' Forum, Budget Committee and Speakers' Forum.

In the afternoons, she presides over the proceedings in the NA. The NA is made up of 400 Members from 13 political parties – the African National Congress with 249 seats, the Democratic Alliance with 89, the Economic Freedom Fighters with 25, the Inkatha Freedom Party with 10, and the National Freedom Party with six seats. The United Democratic Movement has four seats, the Freedom Front Plus also has four, the Congress of the People has three seats, the African Christian Democratic Party has three seats, as does the African Independent Congress. Agang SA has two seats, and the Pan Africanist Congress of Azania and the African People's Convention both have one seat.

As per the Constitution, the Speaker has a number of duties to perform, including maintaining order in the House and applying House rules. The House sittings sometimes go on until late in the evening. Ms Mbete's work is not done as soon as the House is adjourned. In most cases, she has to attend to other pressing engagements. That is why she usually goes to bed after midnight.

Ms Mbete relishes her demanding role in the fifth Parliament. "I feel honoured to serve the people of South Africa. I am getting more and more settled (in my job)."

She is not new to this position. In fact, she is an experienced Speaker as she held the same position from 2004 to 2008. She is happy that some of the proposals that came up during her previous term of office as Speaker have become a reality. These include the establishment of the Parliamentary Budget Office.

There is one particular issue the Speaker believes needs urgent attention. "The issue of space is a major problem. Committees have had to hold meetings in hotels at a great cost. We cannot continue like this." Ms Mbete points out that her predecessor, Dr Frene Ginwala, also said Parliament had to create more space for the democratic order as the original parliamentary precinct was designed to accommodate only the white minority government.

The Speaker says she is happy with the progress the fifth Parliament has made since its installation after the May 7 general elections. "We have conducted induction classes and continue to conduct them because 50% of the current MPs are new. We also had to factor in the issue of MPs and the relocation of their families [to Cape Town]."

She puts a high premium on the Chief Whips' Forum, which is mandated in terms of the Assembly rules to assist her with the proper functioning of the NA. A Whip is a Member selected by



**EXECUTIVE AUTHORITY:** The Speaker of the National Assembly, Ms Baleka Mbete.

his or her party to assist in organising party business, keeping Members informed of party and parliamentary business, ensuring that Members attend Committee meetings and debates in the House, arranging for their Members to speak in debates and to perform many other duties. Ms Mbete says many disputes can be resolved in the Chief Whips' Forum, without them becoming the problems of the House.

This former languages (Afrikaans, IsiZulu and English) teacher draws inspiration from a number of liberation struggle stalwarts, but she singles out the governing party's longest serving president, Mr Oliver Tambo. "For me, he was the most outstanding leader."

Turning to the legacy of the late international icon, Mr Nelson Mandela, she says Parliament still reflects and upholds his legacy.

"There is no doubt that Tata is a permanent feature of the new South Africa. He was exemplary." She adds that Madiba is the country's reference point for where it comes from and where it is going.

A mother of five, she is very thankful to her children for putting up with her hectic schedule. "A politician's programme is a difficult one. I need to say thank you to my children." They live in Johannesburg, while she is based in Cape Town so she does not get to see and spend time with her

children as much as she would like to. She has fond memories of Madiba always asking her about the well-being of her children because of her busy political life.

Ms Mbete, who took part in the Convention for a Democratic South Africa negotiations and crafting of the country's Constitution, says the Presiding Officers are currently involved in the process of strategic planning which will help determine the priorities of the fifth Parliament.

As the interview with *InSession* comes to an end, the Speaker has little time to get ready for her next appointment. Just another day in the life of Ms Mbete. 🌟



# ‘Don’t play politics with people’s lives’

Winning the fight against gangsterism and drugs

Unemployment, *inequality and a lack of social cohesion* are among a wide range of factors that are creating the socio-economic conditions that allow gangsterism and drug abuse to flourish, reports Mzingewzi Plum from the National Council of Provinces (NCOP).

The fight against these crimes demands a new and different approach. This was the view of the Minister of Justice and Correctional Services, Mr Michael Masutha, in the NCOP during a debate on security on the theme: “Together, waging a concerted fight against gangsterism and drugs in our communities.”

Mr Masutha told Members of the NCOP that an integrated approach to the problem is critical. “Prevention strategies by all role players in the criminal justice system together with civic organisations will serve

as catalysts in uprooting the challenges presented by these crimes," he said. He reminded NCOP Members of the long list of laws passed by the democratic Parliament to combat gangsterism and drug abuse, including the Extradition Act, the International Cooperation in Criminal Matters Act, the Prevention and Treatment of Drug Dependency Act and the Drug Trafficking Act. "These pieces of legislation are the tools and weapons we use daily in the fight against drugs and gangsterism," he said.

The government also established a priority court in the Western Cape's Khayelitsha township in 2010. Mr Masutha explained that the objective of the court was to prioritise the investigation and prosecution of drug-related cases.

He also told members of the NCOP about the government's attempts to provide a new way of thinking about regulating the trade in illegal drugs. "In the past, prohibition and criminal law were the key weapons in the fight against illicit drugs, but worldwide, this approach has not worked effectively. It is generally accepted that a single effort, such as criminalising or decriminalising substances or abusers, will not solve the problem. Instead, a number of strategies should be applied in an integrated manner."

Mr Masutha said gangsterism is a serious national problem and is not limited to those parts of South Africa traditionally seen as drug hot spots, such as the Western Cape's Cape Flats.

The Chairperson of the Select Committee on Security and Justice, Mr Dumisani Ximbi, told the NCOP Members that gangsterism has a specific history and pathology in the Western Cape. He said gangs operate within communities

affected by poverty, where gangsters become providers of food and money to pay the bills.

Mr Ximbi said the strategies already in place to fight gangsterism and drugs in South Africa should be strengthened. He also said that there should be greater cooperation between communities, community policing forums, schools and religious organisations, especially in communities where there are high levels of gang-related violence.

As the NCOP exists to ensure that provincial issues are taken care of at the national level of government, the MECs responsible for community safety in the provincial governments were also invited to participate in the debate. Mr Dan Plato, the MEC responsible for Community Safety in the Western Cape Provincial Government, appealed for the depoliticisation of community safety issues, such as gangsterism and drugs. "We should not play politics with people's lives. We should not play politics in looking for solutions to the war on drugs," he warned.

Mr Plato said that one of the reasons for the rise of gangsterism and drugs in the Western Cape was the closure of specialised drug and gang units. He also said that the prevalence of guns in the communities is a cause for concern – 35 guns are confiscated each week on the Cape Flats, 140 guns per month and more than 1 600 guns per year. Mr Plato also complained about the shortage of police officers and said that the then Minister of Police Mr Nathi Mthethwa had admitted that 128 out of 150 police stations in the Western Cape were understaffed.

He appealed to the Members of the NCOP to assist the Western Cape

Provincial Government with additional police resources and to reinstate specialised gang and drugs units. Mr Plato said the shortage of police resources forced the Western Cape Government to call for the temporary deployment of the army in drug hot spots. "How can the police be expected to curb violence and curb the effect of gangsterism and drugs if they do not have the adequate resources to eradicate the problems?" he asked.

The Minister of Police, Mr Nathi Nhleko, said that a multidisciplinary approach could win the fight against gangsterism and drug abuse, as countries such as Mexico and Costa Rica have proved. He said South Africa has adopted the same approach in big metropolitan municipalities, such as the City of Cape Town, eThekweni Municipality in Durban and the City of Johannesburg, where drug abuse and gangsterism have reached unprecedented levels, especially among young people.

Members of the NCOP attributed the rising levels of gangsterism and drug abuse to dysfunctional families and economic exclusion, especially unemployment. During the debate, the African National Congress's Ms Tasneem Motara, representing Gauteng, reminded the House about the plight of Ms Dereleen James, who appealed to President Jacob Zuma earlier this year for help with her son's drug addiction. Ms Motara called for the same cooperation that defeated apartheid. "Communities must be at the forefront of the fight against gangsterism and drug abuse," she said. 🙏

***What effect are drugs and gangsters having in your community? Email [insession@parliament.gov.za](mailto:insession@parliament.gov.za) and let us know.***



**DELIVERY:** A member of the Savanna Housing Development Project in Gauteng explains the different phases of a housing development.

# Provincial Week: making service delivery work

The National Council of Provinces (NCOP) hosted Provincial Week in South Africa's nine provinces from 8 to 12 September 2014. The theme for this year's programme was 'Together making service delivery work for our people'. Permanent delegates to the NCOP used the opportunity to interact with members of the public on matters related to service delivery. They also visited projects, convened public meetings and will ensure in the months ahead that concerns are attended to. The InSession team travelled with the delegations to each province.

The Provincial Week programme in Gauteng was characterised by extensive engagements with municipalities, provincial offices of the Auditor-General, the South African Local Government Association (Salga) and provincial departments in order to assess the level of service delivery. **Justice Molafo** reports.



to eradicate informal settlements; and for the provincial government to raise the state of the Evaton and Sebokeng police stations with the minister of police.

The NCOP delegation visited a number of centres of service delivery in Gauteng. The situation at Evaton police station presented a number of challenges, including a lack of infrastructure. The police station does not have holding cells and shipment containers are used as offices. Station Commissioner Brigadier Anne Bischoff said a major concern was the steel cabinet that is used for storing exhibits, which cannot be locked and places the safety of evidence at risk.

Brigadier Bischoff said the station had a high conviction rate for crimes ranging from illegal possession of drugs, unlawful selling of liquor and common assaults. NCOP member, Mr Edwin Makue, commended the police for their good work despite their daily challenges. "I commend members of the staff for defying the odds in discharging their mandate and serving the community with diligence. The station deserves political intervention and support from Parliament," Mr Makue said.

During the NCOP delegation's visit to Sebokeng on the East Rand, tempers flared during a public meeting at Tsoetsi community hall as residents from different townships in the four Sedibeng District local municipalities raised problems relating to poor service delivery. Issues raised differed from one township to the other, but the allocation of RDP houses was a concern for all.

Visibly angry and frustrated, one resident pleaded with the NCOP delegation to help her acquire an RDP house, saying she is an orphan and was looking after her four siblings. The same woman also lamented the fact that she has been searching for a job since 2008 without success.

The NCOP delegates and Gauteng Provincial Legislature officials acknowledged that some of the issues required a long-term intervention, but undertook to resolve other issues on the spot. The Cooperative Governance and Traditional Affairs (Cogta) MEC, Mr Jacob Mamabolo, agreed that the allocation of RDP houses was a challenge. "We need a credible database in order to be able to address the issue of corruption in allocating housing. The piloting and testing of the biometric system (of fingerprints) will assist in identifying those who occupy the RDP houses," Mr Mamabolo said.

The NCOP delegation leader, Ms Tasneem Motara, thanked everyone who participated in the programme, which she believes was a success.

"I am confident that we did justice to this programme and the report we produced will yield positive results in the province. However, before being adopted by the NCOP and the Gauteng Provincial Legislature, the report will still be interrogated further," Ms Motara said.

A commitment by the North West MEC for Local Government and Human Settlements, Mr Collen Maine, to "unlock" an RDP housing project in Madibogo village was among

After interacting with the relevant structures, the NCOP and Gauteng Provincial Legislature made recommendations to improve service delivery in Gauteng and the allocation of RDP houses topped the list.

The recommendations included a need for the Department of Cooperative Governance and Traditional Affairs (Cogta) to commission a study to determine the real causes of service delivery protests in Gauteng; the Department of Human Settlements to introduce mechanisms to prevent manipulation of housing allocations; a need to develop a provincial strategy on how



**ROAD TO DEVELOPMENT:** NCOP Mpumalanga delegates Ms Catherine Dlamini (left) and Mr Moses Mhlanga listen to MEC Ms Dumisile Nhlengethwa.

the service delivery success stories resulting from the NCOP's Provincial Week programme in the Ngaka Modiri Molema District Municipality in North West Province, writes **Elijah Moholola**.

During a sitting in the Provincial Legislature to adopt a report on the last day of the week-long programme, the North West Provincial Whip, Mr Boingoto Nthebe, described the programme as fruitful.

"We appreciate the support we got from the provincial government. We had a productive week and we hope that we will work together to ensure that the challenges identified receive attention. There is a need to attend to the immediate challenges, but also to see how we, in our long-term planning, incorporate some of the issues that have to be dealt with," Mr Nthebe said.

One of the interventions was that Mr Maine assured the House that the Madibogo RDP housing project would be restarted. He also said that the investigation by his department would deal with the allegations of corruption and fraud in the municipalities. "Out of the six municipalities under investigation, five are from the Ngaka Modiri Molema District," Mr Maine said.

The North West NCOP delegation comprised Mr Nthebe, Mr Hermanus Groenewald, Mr Olefile Sefako, Ms Tebogo Mokwele and Mr Tekoetsile Motlashuping. They heard presentations from the local municipalities of Ditsobotla, Mafikeng, Ratlou, Ramotshere Moiloa and Tswaing in a meeting in the Ditsobotla Local Municipality in Lichtenburg on service delivery issues. Common challenges in all municipalities concerned water,

sanitation, electricity, housing and the state of the roads. After listening to the presentations, the NCOP delegation said it will continue to take note of developments in the district.

The delegation also split into two groups to conduct site visits to assess the level of service delivery in both the Ratlou and the Tswaing local municipalities. The group led by Mr Motlashuping visited eight projects in three villages – Kraaipan, Setlagole and Madibogo in the Ratlou local municipality – and expressed general satisfaction with progress made there.

However, Mr Motlashuping said the delegation will recommend that the NCOP – through the Select Committees – should return to some of the projects at a later stage. After Premier Mr Supra Mahumapelo delivered a report on the state of



service delivery in the province, the delegation acknowledged that there had been progress in improving the standard of living for North West residents. In his presentation, Mr Mahumapelo said: "We are in transition from the fourth administration to the fifth, which means the comprehensive report of the fifth administration will only be received towards the end of the financial year."

The Premier's presentation indicated, among other things, that 8.4% of people in the province of 3.5 million citizens do not have access to clean water; less than 6% have no access to sanitation; 6.5% have no access to refuse removal; 331 high-mast lights were installed in rural areas by the 2010/11 financial year; 30 roads were built in the 2013/14 financial year against the target of 22; three hospitals were completed between 2009 and 2013; and 73 493 houses were built in the past financial year.

The province has launched a programme, "Setsokotsane", which will combine efforts by the government, parastatals, the private sector and volunteers to deal with service delivery issues in municipalities.

**Sakhile Mokoena** travelled with the Mpumalanga delegation who heard about the deadly road accidents in the province and the damage caused by the large number of heavy trucks using the roads, which cost the government millions of rands in repairs. Members of the Mpumalanga Provincial Legislature said that fatal road accidents and damages to the roads in the province could be curbed if the province adopted a "rail policy" to reduce the number of trucks on the roads.

The Chairperson of the Committees on Agriculture, Rural Development and Land Administration and Environmental Affairs; and of Finance, Economic Development and Tourism in the Mpumalanga Provincial Legislature, Mr Vusumuzi Windvoël, said there was an urgent need to reduce the carnage caused by trucks. "We have lots of trucks damaging our roads and killing our people. Are we still on the road to a rail policy? The fewer trucks we have on the roads, the better for road maintenance and safety," Mr Windvoël said.

In addition to the thousands of coal haulage trucks that travel between the mines and power stations, Mpumalanga has recently seen a rise in the number of trucks travelling through the province ferrying chrome from Phalaborwa in Limpopo to Maputo in Mozambique. These trucks have been blamed for a number of road accident deaths on the R40 road between Mbombela and Hoedspruit. The road is also preferred by tourists, who travel to the world-renowned Kruger National Park via the small town of Hazyview through the park's Kruger Gate.

One of the biggest development projects the province has seen is expected to reduce the number of trucks and buses on Moloto Road between KwaMhlanga and Tshwane. The Moloto rail project will see a railway line built between KwaMhlanga in Mpumalanga and Tshwane in Gauteng to ease the load on Moloto Road, which has claimed hundreds of lives in tragic accidents in the past.

The leader of the NCOP delegation, Mr Simphiwe Mthimunye, said the Moloto railway corridor was now registered with the National Treasury and construction was expected

to start soon. The NCOP and the Provincial Legislature committed to work together on oversight to ensure the project's swift implementation.

Another road development in the province is the rehabilitation of the R538 road between White River and Hazyview, which is also a gateway to the Kruger National Park through the Numbi Gate. Mr Mthimunye said the delegation was impressed by the project's progress and the development it had brought to local communities.

Water and sanitation are also big challenges in the province, especially in rural areas where people still use communal boreholes. The NCOP delegation was shown old water pipes that need to be repaired and illegal connections to the water supply. Some of the old pipes were made of asbestos and the delegation recommended that they be replaced as they are a health risk.

Thanks to the NCOP Provincial Week, the eThekweni Metro Municipality in KwaZulu-Natal (KZN) has committed to addressing issues raised by the crime-stricken community of Chatsworth as a matter of urgency, reports **Cedric Mboysisa**.

A two-hour public meeting was characterised by frankness as one community member after another told the NCOP delegation, led by Provincial Whip Mr Lewis Nzimande, about a number of challenges with which they are faced. Crime topped the list of their concerns. "Crime in Chatsworth is horrendous. Yet there are five police stations within a five-kilometre radius," said local resident, Mr Habi Singh. Other residents agreed with him, painting a gloomy picture of a community being terrorised by criminals.

They also complained about “absent” local councillors, who they said lived not in the area, but in upmarket suburbs. They also claimed their councillors never attended community meetings. The city also came in for some criticism for its alleged failure to handle land invasions and illegal dumping. Issues such as lack of housing and drug dealing also featured. The community was clearly upset and united in its call for urgent action.

Acting eThekweni Mayor Ms Nomvuzo Shabalala expressed shock at the serious allegations levelled against the city and councillors. She said she and all relevant city and provincial departments would hold a meeting with the community in October in an effort to resolve the issues. The NCOP delegation welcomed the intervention. NCOP member Mr Omie Singh, who chaired the public meeting, said NCOP members would also attend the meeting.

The NCOP delegation met with various stakeholders during its week-long programme of interacting with the public and assessing delivery of services to the people in and around Durban. The delegation visited KZN Children’s Hospital (formerly Addington Children’s Hospital), McCord Hospital, Mansell Road Market, Phoenix police station, a housing development, a billion-rand road construction and a water purification plant.

The week began with a presentation from Cogta MEC Ms Nomsa Dube-Ncube, who also represented Premier Mr Senzo Mchunu, about the state of service delivery in the province. “During this term of office, the provincial government will not hesitate to act in cases of

poor governance, irregularities or dysfunctional municipal councils. The ANC-led provincial government is serious about good governance and fighting corruption. We want to again undertake to remove those local councillors that are lazy, corrupt and those who neglect their communities,” Ms Dube-Ncube said.

She added: “Through the Office of the Premier, we will monitor the performance of all government departments and ensure that we intervene quickly to ensure that departments move with speed in delivering on the targets for the financial year.” Salga also presented to the delegation, as did the Auditor-General’s Office in the province and the eThekweni Metro Municipality.

The NCOP delegation learnt that the provincial health department was responsible for the revival of the two hospitals, which had been in a terrible state. In the case of the KZN Children’s Hospital, the department had committed R50 million towards its rehabilitation, which was one of its kind in Africa when it was built in 1928. The apartheid government shut it down after it opened its doors to children of all colours and it had deteriorated into a state of dilapidation and ruin. A fundraising trust has been set up, which has raised R120m in two years. Just over half a billion rand is needed for the project.

Mr Nzimande hailed the Provincial Week in KZN as a resounding success. He was most impressed by the Salga presentation. He said once the Provincial Week reports from all provinces have been consolidated and finalised, the matter will be debated in the House. The NCOP delegates will then decide on the way forward.

On their third day of oversight in the Bothitong community in the Northern Cape, the NCOP delegation began the day with a visit to a health clinic. **Yoliswa Landu** went with them.

Delegates were shocked by what they saw. Area Health Manager Ms Kelebileone Vakele told them the clinic has a high maternal mortality rate. One of the reasons for this is that women have to travel long distances to reach the clinic, and by the time they come for pre-natal classes and check-ups they are at an advanced stage in their pregnancy. Ms Vakele said that despite offering a range of primary health care services, the clinic experiences challenges that create barriers to good performance. One of these is a shortage of staff. The clinic has only two professional nurses who attend to 400 patients every month. “The quality of service provided is compromised because of the staff shortages,” Ms Vakele explained.

The NCOP delegates also heard that the clinic is only open eight hours a day and five days a week. “This makes life difficult for community members in the event that they get sick during the weekend,” Ms Vakele said.

Another problem is the poor ambulance service offered to the community, as the ambulance has to be shared among all the surrounding villages. Ms Vakele told MPs about an incident in which a woman gave birth in an ambulance, in full view of other patients in the ambulance.

Among the recommendations NCOP delegates made was that the poor ambulance service be urgently addressed with the Department of Health. They also said that the vacant posts at the clinic need to be filled

urgently. They suggested incentivising the posts to attract local people. Despite the challenges, Ms Vakele said they do have some success stories. One is that the clinic does not have drug shortages, as it has an effective system in place to record its requirements.

Following the visit to the clinic, members went to a local police station a few metres from the clinic. "Our station at Bothitong is going through a rough time, but we try and serve to the best of our ability." These were the words of Captain Catherine Roman, the station commander of Bothitong police station, who was

briefing delegates from the NCOP. The station commander told delegates about station operations and the challenges they experience. "We are struggling at Bothitong. One of our major problems is manpower," Captain Roman said. The station has nine police officers, which includes administrative staff.

The police station falls under the Joe Morolong Municipality in Kuruman, an area that has been experiencing service delivery protests for the past six months. During that time, children have been taken out of school by the community who are demanding the construction of 130km of tarred road.

During the engagement with the delegates from the NCOP, Captain Roman said what makes their job difficult is that Bothitong's roads are all surfaced with gravel, which has a huge impact on the maintenance of their vehicles. She added that the nearest petrol station is 90km away in Kuruman, which poses another challenge to their operations.

She went on to tell the delegates about the problem of illegal immigrants from Lesotho and livestock theft, saying that it was difficult to investigate such cases when they are reported by the community. Office space is another

**UPBEAT:** KwaZulu-Natal NCOP delegation leader Mr Lewis Nzimande addresses a community gathering in Chatsworth.



problem, as the space is cramped and different sections have to share it.

“The community says we don’t give them proper feedback and that is true,” Captain Roman went on. “This is mainly because we have a big shortage of resources and the community suffers because of the conditions we work under.”

Delegates from the NCOP asked the Captain how many cases had been opened as a result of the service delivery protests. Delegates were

worried that people were not opening cases because they were being intimidated by other community members. Captain Roman responded that, as a result of the shortage of detectives at Bothitong, the matter of service delivery protests had been taken over by Kimberly, where a special task team has been set up to investigate. She added that no one had come to report a case of intimidation but cases of arson and road obstruction are being pursued.

The NCOP delegation was shocked to

find that the Molemi Tsoga vegetable project no longer exists. The NCOP delegation found a field that had been fenced but the piece of land had no vegetables. The project was apparently halted because of the lack of access to water. One of the members of the project said the project was not supported by the relevant government department. NCOP delegates said the municipality must ask the Department of Water and Sanitation to revive the project by providing the residents with a borehole.

**WE’VE HAD ENOUGH:** The residents of Bothitong in Northern Cape have been staging service delivery protests for the past three months.



During a meeting with the community, Deputy Secretary of the Bothitong Road Forum Mr Lucky Kaebis said the issues that the Bothitong residents have are common in all the villages and include lack of road infrastructure, children not in school, poor health services, employment opportunities promised by government that have not materialised and the poor services provided by the police, among other issues.

Community members asked if a one-stop centre of government departments, such as Home Affairs, could be set up in Bothitong, which would cut down on the long distances village residents have to travel. NCOP Deputy Chairperson Mr Raseriti Tau told residents the government has appointed contractors to start building 130km of tarred road, which will form part of the 700km stretch that residents are demanding. He told them the construction will be done in phases and that local labour will be used to create employment opportunities.

On the last day, Mr Tau said the oversight visit had been positive. "There was a general appreciation for the NCOP coming to them. Despite the high level of anger that people had with the government, here were members of the NCOP who could stand in front of them and say, 'Let us talk. Let us engage on the issues that affect the community'," Mr Tau said.

He added that the NCOP delegation should come up with resolutions with times frames on problem areas. He added that for the next Provincial Week it would be important to provide feedback on the areas of concern that had been raised in this visit.

The lack of communication between the municipality and the people is one of the factors at the centre of the service delivery protests in many parts of the Western Cape, including the City of Cape Town, reports **Mava Lukani** and **Manelisi Ntsondo**.

This is what the Western Cape's permanent delegates of the NCOP heard from the Western Cape Provincial Government's MEC responsible for Cooperative Government, Mr Anton Bredell.

Mr Bredell told the delegation that service delivery protests in the Western Cape have recently become characterised by violence wherever they take place, including in the City of Cape Town. He said the violent nature of the protests causes serious damage to infrastructure, as the protesters burn tyres on the road and throw stones at cars and traffic lights. He said the protests are related to unhappiness about municipal bills, among other issues.

In welcoming the NCOP's permanent delegates to the Western Cape's Legislature, the Premier of the Western Cape Provincial Government, Ms Helen Zille, praised the NCOP for taking its oversight mandate seriously. She said a failure to do so would be inconsistent with the importance of the NCOP in the South African system of government. "The NCOP is the only House in the South African Parliament that determines what is best for the provinces," Ms Zille said.

The NCOP delegation visited, among other places, the Clanwilliam Dam, which is to be upgraded. The Chief Director of the Western Cape Department of Water Affairs, Mr Rashid Khan, told delegates that Clanwilliam Dam's wall-raising project

will offer approximately 600-700 jobs to the Cederberg and Matzikama communities.

"The dam is creating great opportunities for the people of Clanwilliam and Citrusdal, who in the past had nowhere to go for employment except on the farms," Mr Khan said.

Mr Khan told the NCOP delegates that the dam was created in 1935 to provide water for agriculture, which is the main livelihood in the area. Since then the demand for water had increased and the dam level has to be raised again, as it had not been raised since 1960, Mr Khan said. Building will start this year and will be completed in 2018.

Members of the NCOP also visited the Sandveld potato farm to assess the living conditions of farmworkers and their families. The farm is part of Potatoes South Africa, an association registered under the South African Companies Act No 71 of 2008. The NCOP delegation was told how the potato farm assists new farmers and creates markets for their produce. Members of the NCOP also heard that the farm contributes to the transformation of the potato industry and ensures that the number of black owners and managers in the potato industry increases.

2014 marks the deadline for the full implementation of the Local Government Turnaround Strategy (LGTAS) approved by Cabinet in 2009. The strategy included projects such as Operation Clean Audit, which was aimed at ensuring that municipalities function optimally in delivering services to people of the Free State. However, **Malatswa Molepo** discovered during Provincial Week



**IN FLOW:** The capacity of the Clanwilliam Dam in the Western Cape is to be increased.

that it has not proved as successful as had been hoped.

While visiting the province as part of the annual Provincial Week, the NCOP delegation was informed that while steady progress had been made there were still challenges in some municipalities. “We are pleased that some municipalities have turned around and are now getting positive audits. This is a clear message to us that this can be done and it just needs more effort and emphasis from those municipalities that are still struggling,” said delegation leader Ms Manana Tlake.

According to the Auditor-General, in the 2008/2009 financial year 81% of municipalities in the Free State received an adverse or disclaimer audit report, in other words, 22 of the 27 municipalities received a negative audit report. Through the LGTAS, the number has now decreased significantly – 30% or eight municipalities received a disclaimer on its financial affairs.

The delegation generally agreed that while this represents significant progress which should be commended, those with negative opinions remained a concern. Challenges associated with the negative audits included lack of leadership, weak financial controls and general bad governance.

On the positive side, the Dihlabeng District Municipality has over the past two years received unqualified audits without the use of consultants, following about 10 years of disclaimers and qualified audits. Under the leadership of Executive Mayor, Councillor Tjhetane Mofokeng, the municipality has shown how strong leadership and good financial controls form the basis for a positive audit.

“Dihlabeng is a beacon of light in the Free State and all municipalities must learn from it. Salga must play an active role in facilitating the sharing of best practice between municipalities, especially those that have moved from qualified audits to

unqualified, like the Dihlabeng Local Municipality,” Ms Tlake emphasised. The NCOP delegation noted that municipalities have a challenge with Eskom’s tariff system, which charges different rates for summer and winter while municipalities charge one rate. This left municipalities with a deficit. The delegation committed itself to engaging with Eskom and the National Energy Regulator of South Africa on the best strategies to reverse this anomaly.

The Members of the Eastern Cape’s permanent delegates to the NCOP heard of the challenges facing the Nelson Mandela Bay Metro and the service delivery unrest that has rocked the area recently. **Abel Mputing, Mava Lukani and Sibongile Maputi** report.

The NCOP delegation heard that the metro is owed R2bn from various stakeholders and has a R14bn capital backlog. This is attributed to the area’s declining economy, coupled with institutional challenges which have resulted in service delivery shortfalls.

Executive Mayor of Nelson Mandela Bay Metro, Mr Ben Fihla, said because of its ailing economy, the metro now has the highest unemployment rate in the country. "We have sluggish and jobless economic growth," he said.

But the plight of the metro has been worsened by institutional challenges and the metro has not been able to attract competent skills because it is not seen as a preferred employer, said the City Manager, Mr Mpilo Mbambisa. "The metro is faced with governance issues that led to qualified audits. This has arisen from the weaknesses emanating from its supply chain. This is worsened by fragmented planning and performance management. All this has led to low staff morale," he said.

The delegation also heard about under-budgeting for the construction of roads and bridges for the Peddie Local Municipality in the Amathole District Municipality. Some of the bridges are crumbling and even collapsing, causing the death of residents and making interaction between villages impossible. As some villages do not have schools and clinics, they rely on other villages where these facilities exist. But when it rains, access to the villages where schools and clinics are located becomes impossible as there are no bridges to cross overflowing rivers.

The Executive Mayor of Peddie Local Municipality, Mr Solomzi Ndwayana, told the NCOP delegation that his municipality has been appealing to the provincial government for assistance to improve all the bridges on the rural roads. He said the Gcebula bridge near Mgwala village is a dangerous death trap. "Since 2005, about five people have died on that bridge," he said.

The NCOP delegation also heard that provincialisation – the process of shifting the administration of health centres from municipalities to the provincial Department of Health – has impacted negatively on the provision of health care services in the Eastern Cape since it was introduced in 2012.

The Eastern Cape NCOP delegation was told at the Ngangelizwe clinic in Mthatha that provincialisation had not only resulted in administrative and management instability, but also in too much red tape in the procurement process where clinics could wait for up to a year before receiving goods from the province.

The good story of the day was Sovuyisa Sewing Primary Co-operative in KwaZakhele. This co-op, which opened in 2007, is now one of the most effective co-ops in the district. It has created permanent employment for a group of women who sew school uniforms for local schools.

Members of the NCOP visiting Limpopo Province described the procurement problems in the construction of a new police station at Dzanani, outside Elim in the Vhembe District of Limpopo Province, as unjustifiable, reports **Foster Mohale**.

Provincial South African Police Service (SAPS) officials told the NCOP that plans to construct a state-of-the-art police station there had been halted by the Department of Public Works following low quotations by all prospective bidders for the tender, which raised suspicions that the bidders did not understand the scope of the work, but just wanted the job at all costs.

The NCOP delegation leader, Ms Tsepame Mampuru, questioned the decision to halt the tender process

instead of re-advertising the tender. "The government cannot be held to ransom because of cheap bidders. Life should go on and we urge the office or department responsible for the tender process to re-advertise it to allow those who have the required competencies to do the work," Ms Mampuru said.

The delegation also learnt with shock that a few kilometres away from the Dzanani police station, the Musekwa satellite police station sometimes operates without water, sanitation and electricity. However, after the intervention of the NCOP delegation, the executive mayor of the Vhembe District Municipality promised to provide the police station with proper office space with electricity, water and sanitation to ensure that policing work is carried out.

Several of Limpopo's MECs committed themselves to act on the recommendations made by the NCOP delegation as Provincial Week drew to a close. In the Department of Health, MEC Mr Ishmael Kgetjepe said the dilapidated state of hospitals in the Vhembe District is being attended to by the provincial Department of Public Works. This was in response to the concerns about infrastructure raised by MPs during their site visits to these hospitals.

The MEC for Public Works, Roads and Infrastructure, Mr Jerry Ndou, said the construction of Muyexe road outside Giyani will start once the bid adjudication committee has completed its work. Ms Mampuru told the provincial government authorities that the NCOP delegation expects to see tangible progress when it returns to the province to check if the recommendations have been implemented. 🗣️



# SA can learn from credit rating downgrade

**Parliament** tackled the thorny issue of South Africa's sovereign credit rating downgrade in a spirited debate in the National Assembly during which MPs suggested various ways of alleviating the impact of the country's negative economic outlook. **Abel Mputing** spoke to the Parliamentary Budget Office (PBO) to get its view on this complex issue.

The PBO's financial analyst, Dr Dumisani Jantjies, said the debate was a good way to reassure investors that Parliament cares about the implications of South Africa's recent credit rating for its investment and credit outlook.

Dr Jantjies explained what the rating means and what led to the downgrade by the three rating agencies – Moody, Fitch, and Standard and Poor: "A sovereign credit rating is an assessment of a national government's credit risk. Rating agencies consider country-specific risks in this regard, such as economic and political risks. In South Africa's case, the rating agencies cited the recent prolonged platinum strike, the rate of unemployment and the slow economic growth as reasons for the downgrading."

Dr Jantjies said the debate was timely

because what is most worrying about the recent rating is that all three agencies agreed on the downgrading. He explained that if all three agencies have the same opinion about a country, it carries more weight and often has serious implications for the investment and credit outlook of a country.

"They attributed various factors to our country's negative outlook, but all three agencies cited socio-economic issues, such as the long platinum strike, deepening inequality and unemployment, as aspects that led to the downgrade," Dr Jantjies said.

Turning the debate in Parliament, he said the main question in the debate was which methodologies the agencies used to formulate their ratings. "How these agencies arrive at their respective

ratings remains a concern, even for the G20 countries (a group of countries comprising established and emerging economies, including the European Union countries and Argentina, Australia, Brazil, Canada, China, France, Germany, India, Mexico and Indonesia). Currently, there is no known methodology that these agencies use to determine their ratings. They have, in fact, refused to divulge how they formulate them. Their excuse is that they keep their methodologies secret to avoid being copied by their competitors," Dr Jantjies said.

Another burning issue during the debate was why these agencies failed to detect the 2008 recession that brought the global financial sector to its knees. Dr Jantjies said a similar question was raised by the European Union Parliament in the wake of that financial catastrophe. "Their defence is that their ratings are based on opinions or perceptions of a given country, not on objective truth. As such, they cannot vouch for them as realistic, because in fact they remain opinions or perceptions."

Dr Jantjies said the relevance of



the debate hinged on the fact that Parliament is constitutionally mandated with the task of approving the allocation of South Africa's budget, which must deal with various socio-economic challenges facing the country.

He said these ratings could potentially have dire consequences for how Parliament allocates the budget in relation to developmental projects such as the National Developmental Plan (NDP), which is aimed at alleviating the plight of the poor and improving South Africa's economic growth outlook.

The impact of the current rating could be felt when, for example, South Africa fails to attract investment for the NDP and is forced to borrow money from elsewhere. "With the credit rating downgrade and negative outlook, the costs associated with servicing new foreign and existing floating-rate debt will increase," Dr Jantjies explained.

"Higher foreign borrowing costs may mean the government has to cut programmes to meet its debt commitments. Larger than expected budget deficits will lead to growth in general government debt, accompanied by a rising interest obligation. If the government intends to maintain its expenditure ceiling, the rising interest obligation will limit its capacity to raise more debt to fund future budget commitments," he said.

South Africa could also find it difficult to attract investment for its infrastructure development plan, which is the cornerstone of the NDP. "Infrastructure development plans may be affected in two ways. First, certain categories of institutional investors may be prohibited from investing (based on their investment mandates) in relatively riskier infrastructure projects and other securities. Second, a negative

outlook or downgrading would make it more expensive to fund infrastructure projects. Delays in the provision of key economic infrastructure will result in the economy not realising its full potential," he said.

Dr Jantjies believes Parliament could earmark the NDP as a remedy for South Africa's investment and credit profile. This is possible because the NDP is, in essence, a plan that is meant to kick start new growth and development in the country.

"The NDP speaks to the eradication of socio-economic inequalities, unemployment and a framework that can bring about sustainable growth over a long period of time. Part of it is an infrastructure development plan that can mitigate factors that led to the negative outlook of our sovereignty rating," Dr Jantjies explained.

Part of Parliament's interventions are to further legislate and to play an oversight role that will strengthen South Africa's credit risk assessment and management model.

"Our Parliament needs, through legislation, to fortify its credit risk management strategy. This will also enable it to measure, monitor and evaluate any shortcomings in its implementation. This is an oversight role that will help Parliament to ensure that, at the end of a term, such legislation is evaluated and monitored optimally. This also relates to Parliament's role of entrenching accountability."

Dr Jantjies also said the role of the PBO in ensuring accountability is a critical one. "The PBO's task is to provide Parliament with expert capacity – to advise and analyse the prudence of South Africa's policies in relation to our country's fiscal framework. We are a

support structure meant to strengthen Parliament's oversight role over South Africa's monetary policy and fiscal framework.

"We also recommend that Parliament must perhaps look at South Africa's debt policy, or learn from other countries that used debt effectively to raise their socio-economic profiles. That consideration is critical, especially now that we are faced with stagflation – a situation where economic growth is slow, inflation is high and fewer jobs are created in the economy.

"There are concerns that South Africa is now faced with stagflation. Among the options available to us is to cautiously consider augmenting our debt even though there are concerns about creating debt that future generations will have to repay. Now that we are faced with slow economic growth, high unemployment and slow economic growth, Parliament might consider expanding South Africa's debt policy beyond the current threshold. Not all debt is necessarily bad. There is also good debt.

"Bad debt is debt that is not used for capital investment. It is a debt that is used to, for instance, pay salaries, as there is no capital investment in that regard," Dr Jantjies explained.

Debt can also have positive gains, according to Dr Jantjies. "After the Second World War, many Western countries, such as Great Britain and Japan, accrued debt and were overly indebted, but they used their borrowings to help raise their countries from the ashes to be the prosperous nations they are today. These countries remain living examples of the positive outcome of debt. They can offer us lessons on how to handle debt – and if these lessons are applied, they could well raise the socio-economic profile of our country." 🌍

# Promoting free and fair elections

**Chapter** *nine institutions are organisations established in terms of chapter nine of the Constitution to defend democracy. The Office on the Institutions Supporting Democracy is running a series of articles in InSession. This feature on the Independent Electoral Commission is written by Chief Electoral Officer Mosotho Moepya.*

In the 20 years since our first democratic elections, significant advances have been made in gender representation in the electoral process at national, provincial and municipal level. But the quest for women's equality in our electoral democracy is far from over.

In April 1994, as millions of South Africans cast their votes for a free and democratic government, women stood shoulder-to-shoulder with men in those snaking lines, which have come to stand as symbols of the birth of democracy in our country.

While the exact number of women voters is not known (as there was no voters' roll for that first poll), based on population trends and subsequent statistics it is safe to say that at least half and probably slightly more of those voters were women.

Yet the candidates they were electing were mostly men and when the count was over and the new representatives had been sworn in to a new democratic Parliament, less than one-third of its members were women. In itself this was a giant leap forward in equality compared to the situation under apartheid, when women enjoyed less than 3% representation in Parliament.

Fast forward 20 years and once again from dusty township streets to shady tree-lined suburban pavements women and men stood shoulder-to-shoulder to cast their votes, this time in our country's fifth democratic elections. And, as in every election since 1994, women voters were again in the majority. While women do outnumber men in South Africa (52% to 48% according to the latest Statistics SA census figures), their representivity on the voters' roll is significantly higher. Of the 25.39 million registered voters for the 7 May 2014 election, 55% were women.

Statistics for the May 2014 elections further showed that turnout among female voters was substantially higher – at 76% compared to the 70% of their male counterparts. South Africa is not alone in this phenomenon. Similar trends are seen in many developed and developing countries. In the United States, the number of female voters has exceeded the number of male voters in every presidential election since 1964, according to the Center for American Women and Politics. And, according to International IDEA, a similar trend is evident in Britain, where the gender gap in turnout reversed in 1979 so that by the 1997 election an estimated 17.7 million



women voted compared to about 15.8 million men.

So it is clear that women more than make up their fair share of participants in our electoral system from a voter perspective. But what is the progress in respect of gender equity in candidacy lists and representation at the various levels of government?

It is pleasing to note that South Africa has also made huge strides in gender representation within its various spheres of government. South Africa's national and provincial legislatures are among the world's most representative in terms of gender. South Africa is currently the second highest in the Southern African Development Community and is



**FUTURE VOTER:** South Africa's Parliament ranks 10th in the world in terms of representivity for women.

among the world's top 10 countries to have significant numbers of women in Parliament, according to 2014 Inter-Parliamentary Union statistics.

Of the final 830 candidates sworn in as representatives of the national and provincial legislatures after this year's election, approximately 42% were women, with the Limpopo Legislature showing the highest proportion of women representatives, at 47%; the lowest being 38% in the Western Cape Legislature.

This is a far cry from pre-democracy levels and shows significant improvement from 1994 and 1999, when women accounted for just 26.76% of the candidates, and 2004 when 30.65% of the candidates were women. But take a slightly

closer look and there remains room for further improvement – including in the National Assembly where the gender ratio for South Africa's fifth Parliament showed a slight slippage over the previous Parliament, currently 42% versus 45% after the 2009 elections.

There is also considerable room for improvement at local government level where currently just 39.25% of municipal councillors are women, with even fewer being elected directly by the voters in ward contests (33%), compared to those elected in terms of proportional representation via party lists (45%). With the local government elections in 2016 looming, there is ample opportunity to advance women's representation at municipal level.

There are those who advocate for a quota system which will compel parties to include 50% women candidates, but such a regulation would remove the power from the hands of voters.

Ultimately, through sheer numbers on the voters' roll, women have the power to determine the outcome of elections in our country.

The women who today sit as Members of Parliament, Members of provincial legislatures, and municipal councillors are at the forefront of this quest. They are the political descendants of Lilian Ngoyi, Helen Joseph, Helen Suzman and many others like them who carried the torch for gender equality in electoral democracy in South Africa. 🇿🇦



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