

Following up on our commitments to the people.

in session



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The Speaker

visit Iranian Parliament

Celebrating
20 years
of the Constitution and
20 years since the
establishment of the NCOP



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA



Mace of National Assembly

Vision

An activist and responsive people's Parliament that improves the quality of life of South Africans and ensures enduring equality in our society.

Mission

Parliament aims to provide a service to the people of South Africa by providing the following:

- A vibrant people's Assembly that intervenes and transforms society and addresses the development challenges of our people;
- Effective oversight over the Executive by strengthening its scrutiny of actions against the needs of South Africans;
- Participation of South Africans in the decision-making processes that affect their lives;
- A healthy relationship between the three arms of the State, that promotes efficient co-operative governance between the spheres of government, and ensures appropriate links with our region and the world; and
- An innovative, transformative, effective and efficient parliamentary service and administration that enables Members of Parliament to fulfil their constitutional responsibilities.

Strategic Objectives

1. Strengthening oversight and accountability
2. Enhancing public involvement
3. Deepening engagement in international fora
4. Strengthening co-operative government
5. Strengthening legislative capacity



Black Rod of National Council of Provinces

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COVER: Women of Gopale and neighbouring villages in North West province celebrate their successful initiation at a graduation ceremony.

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OUR IDEALS

VISION An activist and responsive people's
Parliament that improves the quality of life
of South Africans and ensures enduring equality
in our society.

STRATEGIC OBJECTIVES


Strengthening oversight and accountability;
enhancing public involvement; deepening
engagement in international fora; strengthening
cooperative government; strengthening legislative
capacity.


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Provincial Week:

NCOP in major effort to end poverty and inequality



The National Council of Provinces' (NCOPs') 2017 Provincial Week programme focused on the National Development Plan's (NDP's) vision of creating employment and economic growth in South Africa, in a major effort to meet the global commitment to end poverty and inequality by the year 2030, report Justice Molafo, Malatswa Molepo, Manelisi Ntsodo, Modise Kabeli, Sakhile Mokoena, Sibongile Maputi, Sureshinee Govender and Tebatso Vusi Mabilisa.

The aims of Provincial Week

The permanent delegates to the NCOP spent a week in their respective provinces to assess government and private sector initiatives to support employment creation. The theme for the week was "Advancing our collective efforts to create work opportunities for our people".

The Provincial Week programme provides an opportunity for the NCOP and provincial legislatures to engage directly with citizens on their challenges. Furthermore, it gives government departments and municipalities an opportunity to report to the national and provincial legislature on progress made on service delivery and job creation.

During Provincial Week, NCOP delegates meet with members of the provincial legislatures, the South African Local Government Association (Salga), premiers, members of executive councils (MECs), mayors and stakeholders from the private sector to discuss the implementation of the NDP, particularly job creation and economic development.

The NCOP says Provincial Week is intended to give the NCOP's permanent delegates and the provincial legislatures an opportunity to engage with both national and provincial departments, public entities, municipal-

ities and small, micro and medium-sized enterprises (SMMEs) to understand the challenges they face in addressing poverty, unemployment and inequality.

Provincial Week is also an opportunity undertake oversight visits to employment-creation initiatives in the nine provinces, including short- and long-term projects

COMMITTED: Chairperson Ms Thandi Modise says Provincial Week ensures the NCOP remains the custodian of issues facing ordinary South Africans.





HARD AT WORK: The Deputy Chairperson of the NCOP, Mr Raseriti Tau and other members of the delegation conduct oversight in the Northern Cape during Provincial Week.

and interventions in factories and expanded public works projects. It also allows participants to undertake oversight visits to labour programmes and large-scale investment projects in electricity, rail, water and transport infrastructure and get a broader understanding of the economic challenges facing the provinces.

Provincial Week in the Northern Cape

The Northern Cape's permanent delegates to the NCOP heard of the resilience of Ms Thabiso Mokgothu which has kept the Barkly West waste recycling centre ticking along. However, the project is struggling to become a fully-fledged business because only two of the six beneficiaries have shown any commitment to investing time and money in the project. Another challenge was the lack of transportation and a crane to lift recycled materials into trucks.

The Northern Cape's MEC for Economic Development made a commitment to send a team from his department to the project to assist with removing the uncooperative beneficiaries from the project.

Furthermore, the National Treasury's allocation of funds to provinces was identified as another challenge. Because of the size of the Northern Cape's population, it receives one of the smallest budget allocations. This impacts negatively on the province's ability to deliver job creation opportunities.

Mr Raseriti Tau, the Deputy Chairperson of the NCOP, suggested that it was time for a proper discussion on the equitable share model. "Essentially, what the current model suggests is that poor provinces like the Northern Cape will always struggle to keep up and

develop as compared to other provinces. Even though provinces such as the Northern Cape have high unemployment figures, it will be difficult to change this because of the small allocation the province receives. We must engage the executive in relation to this matter," said Mr Tau.

Despite these challenges, the delegation was excited to hear that the long-awaited Kimberley Mental Hospital is set for completion in December 2017. The project, which started in 2005, has been delayed due to sub-standard work and legislative changes leading to changes in norms and standards, among other things.

Mr Tau emphasised that the project must be seen as a lesson in how not to implement infrastructure development. "We do not expect such delays and use of inadequate companies in future infrastructure developments. Furthermore, proper planning must always be the basis of any development.

The Provincial Week delegation highlighted that the Northern Cape has an opportunity to become one of the country's renewable energy hubs. Delegates said that investment in renewable energy must increase to resolve the country's energy challenges. This will have the added benefit of creating jobs.

As Mr Tau explained: "The Northern Cape is uniquely positioned to be the renewable energy hub of the country. As a result, the delegation will encourage the Minister of Energy together with the provincial executive to urgently hold a renewable energy summit to fast-track the implementation of renewable energy-related projects."

Above all, the delegation emphasised the need for strengthened inter-governmental relations between all spheres of government in order to enhance and streamline service delivery.

Mpumalanga Provincial Week

Mpumalanga's permanent delegates to the NCOP put farming and the alleged abuse of farm workers under scrutiny during Provincial Week, as farming is one of the major contributors to the economy of

Mpumalanga, and also a main source of employment for

a significant size of the population of the province.

The delegates heard that there is decrease in employment in the farming sector due to the recent drought and global warming. The delegation leader, Mr Simphiwe Mthimunye, said environmental catastrophes such as droughts and floods caused by climate change will require government to come up with plans to assist farmers and rural communities with climate change adaptation strategies in order to minimise threats to food production and job losses.

The delegation was also concerned about harassment and human rights violations against farm workers

and farm dwellers in the province. The NCOP's House Chairperson, Mr Jomo Nyambi, who is a permanent Mpumalanga delegate, said researchers have reported that the province is the worst violator of the rights of farm workers and farm dwellers.

As part of the oversight, the delegation together with Members of the Provincial Legislature visited two farms in the Steve Tshwete Local Municipality (Middleburg and surrounding areas) to check on the living conditions of farm dwellers before holding a public meeting with farm workers at the Doornkop Community Hall.

The first farm to be visited was Mooiplaas, near the Arnot power station, where the Skhosana family has lived for more than 60 years. Sixty-year-old Mr Thomas Skhosana, who was born on the farm and who is living with his wife, children and grandchildren, told the delegates about the harassment he and his family were subjected to by the owner of the farm.

"We didn't have many clashes with the previous farm owner. Our problems began when the new owner bought the farm. He started harassing us, telling us we must leave, took over our cattle grazing land, leaving a very small area for grazing. I am not prepared to leave this place. I have lived all my life on this farm, my parents and grandparents are buried here. This is the only home we have," he told the NCOP delegation.

When the NCOP delegation tried to set up a meeting with the farmer to hear his side of the story, he refused and referred queries to his legal representatives, saying "a lot has happened between him and the Skhosana family".

The Skhosana family is not the only family experiencing daily abuse and harassment at the hands of the owner of the land where they live. Mr Johan Mashiane told the delegation that his family first settled in what is now Suikerbosch farm in 1864.

He does not understand why the farm owner wants to evict them. "We appeal to government to buy this portion of land [where we have built our houses] from the farmer so that we can have full rights to the land and the abuse will stop," he said.

Though available information shows that the Mashianes are eligible to lodge a claim with the Restitution of Land Rights Commission, they have never done



GREAT POTENTIAL: Working conditions on farms was one of the focuses of the NCOP delegation to Mpumalanga.

so because they were advised that it is impossible to lodge a claim for land they are currently living on. However, government officials disputed this advice.

The Provincial Week delegation heard that it is difficult for municipalities to provide basic services such as water and electricity to people living on private land, including farms, unless the land owner has given consent.

“While we wait for the court processes, we need to find means to immediately stop the harassment and threats. We are going to engage the police in the province and other relevant institutions to make sure that the human rights violations stop,” said Mr Mthimunye.

Eastern Cape

In the Eastern Cape, the delegation was split into two groups. One visited the Chris Hani District Municipality and the other the Sarah Baartman District Municipality and was informed of challenges in producing energy from wind resources.

The South African Wind Industry Association Chief Executive Officer, Ms Brenda Martin, briefed the delegation on job creation in the wind energy sector. “It is possible to achieve affordable electricity that will stimulate job creation and local economic de-

velopment. Eskom is in trouble financially; why do they not want to have renewables added to the production line?” she asked.

The project employs young women as turbine technicians and operates about 60 turbines that cover an area of about 144km and produce 138 megawatts daily (when the wind is blowing).

“This is really good to see, but the challenge we have is that Eskom has not signed power purchase agreements. It feels like the government wants the renewable power, but Eskom won’t allow it,” Ms Martin said.

She revealed that a plant had been closed down in the province and that a number of people were affected as jobs were lost. “We’re stopping (production) at the worst possible time for the country. The neighbouring countries need the power, and the wind industry can definitely contribute. That investment was significant and was achieved with great public-private partnerships in the province,” she said. The Eastern Cape delegation heard that it cost approximately R3.5bn to build the Jeffreys Bay wind farm and that it employed 21 people.

The Chris Hani group visited the Ncorha Agricultural Project in the Intsika Yethu Local Municipality and the

BLOWING IN THE WIND: In the Eastern Cape, the delegation visited a wind farm near Jeffreys Bay.





RESOURCEFUL: In Limpopo, the NCOP delegation visited the Zwithini food and soap production facility in the Vhembe district.

Shiloh Irrigation Scheme in the Enoch Mgijima Local Municipality, among other sites.

The Executive Mayor of the Chris Hani District Municipality, Ms Kholiswa Vimbayo, presented a detailed report regarding the socio-economic development initiatives in the district. She highlighted the performance of the Ncorha and Shiloh projects. Ms Vimbayo told the delegates that farming is the source of all the prosperity in the Chris Hani District Municipality area. The group was encouraged by the positive spirit and vigour displayed by all involved in the projects it visited.

Provincial Week in Limpopo

In Limpopo, the permanent delegates to the NCOP were impressed by the Musina-Makhado Special Economic Zone, which has the potential to create 19 000 jobs. The premier of the province, Mr Stanley Mathabatha, said jobs will be created from the promotion of industrialisation, regional development and foreign direct investment in Limpopo.

He emphasised the disparity in the economic conditions in the province. During his welcoming speech, Mr Mathabatha said Limpopo is just behind the Western Cape with the lowest unemployment rate in the country, but nonetheless is still one of the poorest, ranking second after the Eastern Cape.

“The latest statistics indicate the dilemma for the province. Although we have one of the lowest unemployment rates in the country, we still need to

reduce unemployment from 20.8% to 14% in the medium to long term,” Mr Mathabatha explained. He told the delegation that the province has created 32 000 jobs – the highest in the country after KwaZulu-Natal, with 29 000 jobs in the second quarter of 2017.

In Limpopo, the delegation split into two groups to visit various job creation initiatives in the Waterberg and Vhembe districts. The group that went to Vhembe visited five projects, including Zwithini food and soap production, the Vanetia mine management in Musina, Den Staat Irrigation Scheme, Nwanedi Agricultural Hub, Makuya Nature Reserve in Thulamela and Awelani Lodge between Musina and Phafuri.

Although encouraged by the level of determination displayed by the women-only members of the Zwithini food and soap production project, the delegation condemned the terrible conditions in which the women work. “It cannot be that women who are so determined to provide for their families are not given the support by their government. They really need a piece of land, electricity and big boilers so that they can produce in large quantities,” said Ms Tsepame Mampuru, the leader of the delegation.

At the Vanetia mine, the same delegation was pleased with the announcement that the mine would advance from an open-cast to underground mining from 2023 to 2045, saying the initiative will create much-needed jobs in the province.

The other group of Provincial Week delegates went to Waterberg and visited flagship projects intended to contribute to the district's economic growth. They included the red meat agri-park in Modimolle, the indigenous plant initiative in Ga-Seleka and the Makapan World Heritage Site and road.

The group noted the potential for job creation and other economic spin-offs inherent in the indigenous plant initiative. The project is focussing on an indigenous tree growing only in Lephalale, Ga-Seleka and Shogoane. The tree is the subject of research that is trying to determine if the tree's sweet taste can be converted into a sweetener, which could be used for the benefit of diabetic people.

Free State Provincial Week

In Free State, the delegates pledged to bring together relevant stakeholders to assist in the completion of tourist facilities at the Vredefort Dome, the oldest and largest known meteorite impact formation on earth.

Delegates also visited the Parys flower project, Sasol, Kroonpark, a township revitalisation project in Parys, the Virginia jewellery school and Virginia Mega-Poultry. The Vredefort Dome project is a R24m initiative of the Fezile Dabi District Municipality (FDDM). It was jointly funded by the FDDM and the former National Depart-

ment of Environmental Affairs and Tourism, which each contributed R12m.

The initial completion date for the project was 2009. However, the building did not pass the building inspection due to structural instability. The delegates heard that the project is now earmarked for completion in July 2018. Once completed, the site – a protected area with various types of fauna and flora – has the potential to be an important national and international geoscience research, education and tourism destination.

When the delegation visited the project, it observed that the building had been vandalised and is unsafe for occupation. Furthermore, there are structural defects of the building that may prevent further development and that the building is unstable due to being built on granite, which shrinks and expands seasonally. Also, the implementing agent withdrew from the site without taking responsibility for correcting the defects. The NCOP was asked to assist with various problems at the site, including the integrated management plan, which has not yet been approved due to draft regulations that have not yet been promulgated. The site has not yet been proclaimed as a national heritage site. In addition, the site straddles two provinces, which complicates stakeholder agreement.

Thus a request was made to involve the national min-

FOOD SECURITY: The NCOP delegation also visited the Nwanedi Agricultural Hub in Limpopo.



ister to appoint a management authority. The United Nations Educational, Scientific and Cultural Organisation (Unesco) has listed the dome as an endangered natural heritage sites. Should it lose this international status, further development will be impossible.

The delegation was informed that the geo-engineering report on structural defects and possible interventions must be completed, so that the way forward may be decided. Furthermore, roles and responsibilities of the various stakeholders must be defined more clearly.

The NCOP delegation requested that it should be presented with a comprehensive consolidated report on the status of the project, which will enable it to intervene to ensure that inter-governmental cooperation takes place, so that the project may be completed.

Completed phases at the site include the exhibition centre, outdoor arena and walkways, arts and crafts stalls, restaurant, entrance gate with a security guard hut, and the amphitheatre with additional funding. The installation of an exhibition and parking area are pending.

The number of people intended to benefit from the project include 50 trained and accredited tour guides. It is envisaged that staff for the centre will be sourced from the local community, and the restaurant and arts and crafts market will offer business opportunities.

The Gauteng delegation visit

The Gauteng delegation visited employment-creation projects that included the United Industrial Cables which was registered in 2015. Mr Gregory Tshikota, who is the Managing Director, told the delegation that they devoted almost two years to raise the funds to purchase the machinery and raw materials. Mr Tshikota said that the operation started just last month and already orders are coming in. This was made possible due to a loan of R50m.

However, Mr Tshikota complained that rental costs of R300 000 per month are a burden. The delegation also heard that the electricity supply is erratic and could pose a problem. The Ekurhuleni Metropolitan Municipality needs to be engaged to ensure that the electricity supply is increased. The company has over 60 employees and has invested in graduates from local communities, 15 of whom are women.



THE WAY FORWARD: The Gauteng delegation visited job-creation projects such as United Industrial Cables, which was registered as a company in 2015.

The delegation also visited Bear Grip Company, which is solely owned by a South African. The company purchases raw rubber and manufactures conveyor-belt pulleys. The business was funded by the Gauteng Enterprise Propeller (GEP) in the form of a loan amounting to R4.3 million. Its main clients are Continental Tyres and contractors who supply mining industries. It also exports its products to other African countries such as Tanzania, Botswana and Mozambique.

The business is renting the workshop at Edenvale and employs nine local people who had no previous experience in the industry.

Maneli Pets was another business on the delegation's itinerary for Provincial Week. Maneli Pets is 65 per cent owned by young black South African entrepreneurs. It converts raw animal materials sourced from local farmers and turns them into premium pet snacks for export to the United States.



HANDS-ON: The leader of the NCOP Western Cape delegation, Ms Cathy Labuschagne (second from left) at the Philippi Economic Development Initiative Urban Agricultural Academy where graduates practice their skills before venturing into farming.

The startup capital for the business was sourced from the Department of Trade and Industry (DTI) and the Industrial Development Corporation (IDC), amounting to R50 million. The business has a processing plant in Edenvale and is equipped with ovens, dryers and machinery for cutting as well as packaging the finished products. There are 50 full-time employees that have been employed for just over six months as well as 20 temporary workers. The business is exploring ways of expanding as they plan to tap into the local chain stores and create their own brand.

Provincial Week in North West province

The North West's delegates visited job creation sites such as the Springbok Pan grain silos, Romaine High School and the Sundowner Guest Lodge. The Springbok Pan grain silos are in an agri-park near Itsooseng, in the Ditsobotla Local Municipality. These silos have been operating for three years and belong to the Department of Rural Environment and Agricultural Development. One has the capacity of storing 50 000 tons, while the other two can each store 90 000 tons.

The silos were built by the former Bophuthatswana homeland government and they need to be refurbished at a cost of R16m to install damp proofing to avoid crop losses. More than R33m was invested last year and the silos made over R53m in profit.

At the Romaine High School in Magogwe in the Mahikeng Local Municipality, the provincial government has a programme that trains 1 000 young people in security services every year through Safety and Security Seta (Sassetta). Part of the aim of the programme is to allow the provincial government to establish a state-owned security company that will guard government, municipal and state-owned buildings.

The delegation also heard that more than 100 entrepreneurs are currently receiving training in wholesale and retail at the Romaine High School. Students are taught how to run a retail business in a multi-business container.

The site visits were followed by a public meeting at Gopane Village tribal hall where people complained about water and electricity shortages, poor police and health services, and the high unemployment rate. The delegation also visited the Leeudoringstad School of the Deaf and a clinic and primary school in the Maquassi Hills and Matlosana Local Municipalities.

Provincial Week in the Western Cape

The Western Cape delegation visited various state entities within the province and was delighted to find that there are positive economic spin-offs in

most of the projects. The delegation started with a visit to Investment South Africa (InvestSA), a division of the South African Department of Trade and Industry. It promotes investment, facilitates and fast-tracks projects by reducing government red tape.

The delegation also received a briefing from the V&A Waterfront on its contribution to the economy in the province. The V&V Waterfront management detailed their work in establishing the Zeitz Museum of Contemporary Art Africa. The delegation heard that the project is privately-owned, but is a public entity that provides employment to approximately 4 500 employees. The museum offers free entry to all South Africans on Wednesdays.

“We are pleased to find out that in 2016 the V&A

Waterfront contributed R39 billion to gross domestic product with cumulative growth of 10% per annum”, said Ms Cathy Labuschagne, leader of the NCOP Western Cape delegation.

The delegation also heard a briefing from the Airports Company South Africa (Acsa) on its involvement in developmental projects in Swartklip, Blikkiesdorp and Symphony Way. Acsa is working with the communities to provide formal housing for three communities in Mitchells Plain, Khayelitsha and Nyanga areas. The delegation concluded its oversight visit at Philippi Economic Development Initiative (Pedi) Urban Agricultural Academy. The Pedi Urban Agricultural Academy seeks to become a home for qualified agriculture graduates to practise farming and hone their business skills before venturing into small and medium-scale farming. 🌱

FERTILE SOIL: Workers at the agricultural academy in Philippi in the Western Cape make their own compost to enhance their farming methods.





National Assembly Speaker Baleka Mbete meets President of the Islamic Republic of Iran His Excellency Dr. Hassan Rouhani during her visit to Iran capital city Tehran

Political and economic ties with Iran strengthened

The Speaker of the National Assembly, Ms Baleka Mbete, undertook a four-day official visit to the Islamic Republic of Iran at the beginning of September. The aim of the visit, which began with a call on the President of Iran, His Excellency Dr. Hassan Rouhani, was to strengthen friendly bilateral relations and cooperation between the Iranian and South African legislatures.

The Speaker also met her Iranian counterpart Dr. Ali Larijani, Speaker of Iran Parliament. Ms Mbete's visit follows an official visit by Dr Larijani to the Parliament of the Republic of South Africa in March 2014. Also, President Jacob Zuma and Deputy President Cyril Ramaphosa have visited Iran and there are working groups between Iran and South Africa on a number of issues.

Ms Mbete and her delegation were received at Imam Khomeini Airport by the head of the Iran-

South Africa Parliamentarian Friendship Group, Ms Parvaneh Salahshouri, who is also the Chairperson of the Women's Faction of the Majlis Iranian Parliament.

Ms Mbete's visit followed a courtesy call on her in May by Iranian Ambassador to South Africa, Mr Movahhendi Ghomi, where Mr Ghomi delivered Dr Larijani's formal invitation to Ms Mbete to pay an official visit to Iran. During the meeting Ambassador Ghomi indicated that the Iranian government

wishes to partner with South Africa on energy, trade and investment and to have cooperation with South African universities on vocational training. About 20 000 Iranians visit South Africa annually as tourists.

A report of Ambassador Ghomi's courtesy call was tabled in Parliament and published in the 27 July 2017 Announcements Tablings and Committee Reports paper.

During her courtesy call on the Iranian President, His Excellency Dr Hassan Rouhani, in Tehran, Ms Mbete expressed her appreciation at the invitation and the warmth with which she was received. Ms Mbete emphasised South Africa's commitment to deepen the existing political, diplomatic and economic ties with Iran, with which it enjoys a strong historical bond. Iran was one of the countries that fought alongside South Africa against apartheid repression through the imposition of economic sanctions and severance of all diplomatic ties with the apartheid regime.

The sanctions were only lifted after the 1994 democratic transition, paving the way for the historic signing of the Joint Commission (JC) in 1995, which committed both countries to agreements in the ar-

eas of education, energy, health, investment, mining, transport, agriculture, science and technology. Ms Mbete emphasised that the existing friendship between the two countries was important and the parliaments of both countries had a big role to play in ensuring the trade agreements signed are fulfilled.

"We are seeking ways of developing relations and cooperation between the two countries. The Parliament of the Republic of South Africa welcomes the deepening of this cooperation. We must foster cooperation in international circles and organisations with the aim of promoting peace and friendship on the international stage," said Ms Mbete.

President Rouhani appreciated the role of parliaments in fostering relations. He said: "Tehran welcomes cooperation with Pretoria in economic fields, in particular mining and energy, more than before and we are ready to export technical and engineering services to South Africa."

Regarding tourism, President Rouhani said: "By deepening cooperation in tourism, the people of the two countries can become familiar with each other's natural and historical attractions, something which contributes to cementing of relations."

Ms Mbete with representatives of the Iranian Parliament Woman's Caucus



Ms Mbete being presented with gift by her Iranian counterpart Dr. Ali Larijani (middle)





Ms Mbete and Iranian Speaker Dr. Larijani hold joint press conference after fruitful discussion.

Ms Mbete appreciated the fruitful discussions, adding that she looked forward to welcoming President Rouhani when he visits South Africa in the next few months, as per the invitation by President Zuma.

In the last two years, South Africa has conducted high-level visits to Iran, including through President Zuma in 2016, Deputy President Ramaphosa in 2015 and several Cabinet Ministers and Deputy Ministers.

In her meeting with Iranian Foreign Minister Dr. Javad Zarif, Ms Mbete observed that there are many opportunities to deepen relations and cooperation between South Africa and Iran.

In his welcoming remarks, Dr Zarif assured Ms Mbete of his country's continued commitment to strengthening existing economic and people-to-people relations between the two nations. Dr Zarif added that the visit by President Zuma to Iran in

2016 was significant to Tehran and it culminated in the signing of a large number of agreements, which both countries must jointly work toward implementation. He said the existing mutually beneficial economic relations can be further expanded by unlocking South Africa's banking sector for Iran. Currently, no banking relations exist between the two countries.

Dr Zarif indicated that they were working on the planned visit by the President of Iran, Dr Rouhani, to South Africa to further enhance friendship and cooperation.

Ms Mbete expressed her optimism that given the significant progress already registered regarding partnerships in areas such as education, energy, health, investment, mining, transport, agriculture, science and technology, more can be achieved by the two countries. Parliament, she said, will play its role in overseeing the executive to ensure the continued implementation of all areas of agreement.

The two leaders also spoke with one voice regarding the need for cooperation to fight extremism and terrorism. Ms Mbete emphasised that South Africa remains committed to work towards easing tensions between Iran and Saudi Arabia, as well as cooperatively working with Iran regarding the Palestinian situation.

Ms Mbete also met the Chairperson of the Women's Faction of the Majlis (Iranian Parliament), Ms Salahshouri, where they held a fruitful discussion on issues of gender equality, legislative interventions pertaining to women empowerment and gender discrimination, and cooperation between women's caucuses of both Parliaments.

Ms Mbete concluded her official visit in Tehran with a meeting with the Governor of the Central Bank of Iran, Dr Valiollah Seif. Top of the agenda with the Central Bank Governor was how both countries could leverage the existing progressive trade agreements to boost the economies of both countries. South Africa and Iran have signed economic agreements under the auspices of the historic Joint Commission of 1995, which committed both countries to agreements in the areas of education, en-

ergy, health, investment, mining, transport, agriculture, science and technology.

The two leaders were in agreement that one possible intervention to strengthen economic relations was the establishment of banking relations between the two countries. Dr Seif acknowledged that negotiations with various stakeholders in the South African financial sector were progressing well and expressed his optimism that, with the planned visit by President Rouhani in the next few months, economic relations will be taken to a higher level. He said: "In my opinion, your visit is important to boosting a strong economic bond between our countries. Establishment of banking relations is important, and we are hopeful of your assistance in this regard."

Ms Mbete agreed that both countries stood to benefit greatly from taking economic relations to a higher level. She said she was encouraged that negotiations between the two central banks, and at the level of the two executives, were progressing well, and that she was optimistic that a solution would be reached. "As Parliament, we will play our part to ensure the current progressive agreements and relations continue to strengthen," she added. 🌍





Public hearings on Amendment Bill highlight plight of forestry workers

Multinational organisations are suppressing local and small contractors in the wood industry in the Southern Cape, the Portfolio Committee on Agriculture, Forestry and Fisheries heard during public hearings in October on the National Forests Amendment Bill. The workers told the Committee that the forestry multinationals give nothing back to the community, children skip school to work in the forests, farmworkers do not get their pension, while small contractors are squeezed out of business. In the words of one angry community leader, ownership was taken from them by multinational companies and they want it back, writes *Sibongile Maputi*.

The Chairperson of the Portfolio Committee, Ms Rosina Semanya, said the National Forests Amendment Bill aims to, among other things, promote equity by including the youth and women in the National Forests Advisory Council.

“The Committee was not satisfied with the articulation of some of the stated objectives of the Bill and how it will ensure full participation by poor communities. One of the objectives is being amended to promote greater participation in all aspects of forestry by persons disadvantaged by unfair discrimination,” she said.

The full complement of the Committee descended on Knysna to solicit views on the Bill. Knysna residents told the Committee that 80% of women contractors

had been squeezed out of the industry and that a white-owned company from Mpumalanga is getting all the contracts for the area.

Community leader and Deputy Chairperson of the Thornham Communal Property Association Mr Clive Nelson said many elderly people in the area were born into poverty and were still poor. “This is a group of people who were exploited and abused by apartheid and continue to suffer to this day. Ownership was taken from us by multinational organisations. We want it back today,” Mr Nelson said.

“We have reached a stage where talking will not help. In 20 years to come people will still be complaining about these issues. Contractors come from outside and



SPEAKING OUT: The Chairperson of the Portfolio Committee on Agriculture, Forestry and Fisheries, Ms Rosina Semenya (standing left), addressed forestry workers during the public hearings (below).

A community activist, Ms Mary-Jane Mngomezulu, highlighted the lack of transformation and said the behaviour of big companies necessitates a review of the black economic empowerment charter. “The Committee needs to come back to the Southern Cape and investigate the credentials of the companies involved in this area. The contract awarded to a Mpumalanga contractor speaks to the lack of transformation. Some of the people here started in the sector when they were young,” Ms Mngomezulu said. “How is it that they do not own a company? The companies are failing us. They do not listen to us.”

Union representatives collude with big companies and are given shareholding stakes in return, Ms Mngomezulu went on to say, which perpetuates the status quo.

Public hearings on the Bill will be taken to all areas that make a living working in the forestry industry. The Bill intends to increase the promotion and enforcement of sustainable forest management, increase the measures provided for in the Act to control and remedy deforestation, and promote equity.

Committee Chairperson Ms Semenya said that the situation as told to the Committee in the Southern Cape is unacceptable, but that it was similar to other forestry areas in the country. “The sector cannot refuse to transform; transformation is non-negotiable. It is concerning that after 20 years of democracy, people of the Southern Cape still work like slaves and with no benefits out of the forests in the area.”

“Empowerment should happen. We cannot have a situation in our country where companies want to extract resources and yet not empower communities. It is a shame for our democracy that our people still live in slave-like conditions. The Committee recognises that the successful implementation of this Bill and responsiveness to community needs will depend on the effective participation and cooperation of communities that live and work in forest areas,” Ms Semenya said.

Forestry companies will be invited to Parliament to explain the conditions of workers in the sector. 🌱



take our wood. We must take back what is ours, otherwise we will remain workers for the rest of our lives,” he said.

A woman contractor from Tsitsikama, Ms Kearny Ruiters, said it was sad that they had to converge in a hall and fight about current conditions, as the fight needed to be about the future. “This Bill is the rules and the rules need to change for the benefit of the people. The forestry industry is the largest employer in the area. If one struggles to secure employment in forestry, then the person ought to just leave this area,” she said.

“People are poor and too scared to speak out. They will be victimised. 80% of women contractors have fallen in the recent past. Workers earn no more than R500 a month. Our children still go bare foot to school,” she said.

Medical knowledge must be used to ensure safe initiation

The *Portfolio Committee on Cooperative Governance and Traditional Affairs believes that the composition of the national initiation task team should be a balanced representation of all relevant stakeholders, as initiation is no longer a matter for men only, writes Shirley Montsho.*

The Committee expressed this sentiment when the Deputy Minister and the Director-General of the Department of Cooperative Governance and Traditional Affairs appeared before the Parliamentary Portfolio Committee to brief it on its 2016/17 annual report.

The Chairperson of the Committee, Mr Mzameni Mdakane, applauded the department for its good work and progress related to establishing safer initiation practices and curbing initiation-related fatalities. Mr Mdakane added that “it is the children of the poorest of the poor who die at initiation schools. Had it been our children, death at initiation schools would not happen.”

He said death at initiation schools is an avoidable thing. “It just must not happen.” Furthermore, Mr Mdakane said communities that practise the tradition must know that the state is responsible for the protection of each and every citizen and, on that basis, the state will always be involved.

Asked by *InSession* reporter Ms Shirley Montsho to comment on the tradition of initiation of boys and



GOOD WORK: Chairperson of the Portfolio Committee on Cooperative Governance and Traditional Affairs, Mr Richard Mdakane.

girls in our constitutional democracy and the role of Parliament in ensuring that the tradition takes place in a dignified manner, Mr Mdakane said there is a great deal of improvement in the manner in which initiation is being done.

The stereotype that initiation is the preserve of men only is gradually withering away while medical knowledge is being applied to ensure the safe implementation of the tradition. According to Mr Mdakane, a concerted effort from key players, such as parents, traditional leaders and medical practitioners will guarantee the safe practice of the tradition.

Mr Mdakane said the custodians of the tradition should realise that it takes place under fast-changing and dynamic cultural conditions, and that ad-

vanced medical knowledge exists to ensure safe practice.

Initiation, explained to Mr Mdakane, must become a more focussed matter of the family whose son is undergoing circumcision, “like in KwaZulu-Natal, where it stopped to be a big community thing and became a family matter as far back as the 19th century.”

Hearing about the successful graduation of 143 male initiates into manhood and 62 female initiates into womanhood in the villages of the North West Province’s Gopane District Municipality in the last initiation season during the interview, Mr Mdakane commended the people of Gopane for the successful initiation of both the male and female initiates.

According to the report to Mr Mdakane the village of Gopane appreciated the good work done by the surgeons and those who were responsible for the successful running of the initiation schools.

The local leaders at the graduation ceremony hailed the initiation graduation and described it as a milestone for Gopane, Dinokana and Moshana (Witkleigat) villages. The majority of the 143 initiates were from Gopane.

Mr Mogapinyana Gopane, from the royal house, said the Gopane royal family were “grateful for the

process of initiation and the dignity accorded to our community. More importantly, we are thankful to all leaders that our young men have come back alive and well. We urge them to be respectful and responsible men in the community.”

One of the initiates, Mr Thato Gopane who is the son of Kgosi Gopane, thanked his parents, “especially my mother, for allowing me an opportunity to take this traditional rite of passage as it made me a better person and I will impart this with my peers and those younger than me in the future.”

The Customary Traditional Bill and policies that apply to both male and female traditions of initiation encourages acceptable practices in order to avoid any negative effects on the initiates. It forms part of steps that the government introduced to reinforce appropriate and acceptable customs and safer practices to ensure accountability in the practice of initiation.

There have been concerns over the rising recorded death toll at initiation schools in the recent winter initiation season in provinces such as the Eastern Cape and Limpopo. The initiation death toll was alarmingly high in both provinces.

The initiation graduation of women has happened after a 35-year gap in traditional female rite of passage to womanhood in Bojale and its neighbouring



BIG STEPS TO MANHOOD: Cooperative Governance and Traditional Affairs Portfolio Committee Chairperson Mr Mzameni Mdakane said that the safety of all citizens is the state’s responsibility, and thus the state will always be involved in initiation.



GREAT CELEBRATION: Gopane women danced during celebrations to mark the initiation of women. Gopane Royal family welcomed initiates.



villages. The women initiation process was started by three Kgotla clan women.

Experts and teachers – Deputy Principal Ms Goitsemany Seane and Teacher Keatletse Seane – said that traditional school for women is almost the same as that of men in relation to good conduct, respect for all, and fending and putting the family together and upholding the teachings of the school by not being involved in anything illegal at all times.

‘It is incumbent upon every initiate to listen and uphold the teachings as well as continuous consultation and advice from her mentors about life in general so that she can become a better person in her community and society,’ said Teacher Keatletse Seane.

As the initiation tradition dictates that no one must be forced against their will to participate in the ini-

tiation schools, the Deputy Principal of the School Ms Goitsemanng Jabane said: "All of them took their own decisions based on their different reasons to be part of the school."

One of the initiates, Ms Oratile Senosi (20) who works for the South African Revenue Service in Johannesburg, said she was proud to have undergone initiation and thanked her ancestors for her protection as well as upholding her tradition and culture.

Ms Selina Letshabo (58) from Mosweu village said she took a decision on her own to be part of the school. "I knew all the customs and values of my culture: marriage, childbearing, household, and so on. I left my husband and my family for six weeks and I am very proud of myself as I was the only one in my family who didn't undergo initiation," she said.

Another initiate graduate, a married mother of four, 48-year-old Ms Tebogo Maphunye, said that it was necessary that she completed this process and thanked her teachers for the sterling job and assistance as well as the values they have added to her life as a person.

Since traditional healers have been part of the initiation process, Mr Steven Tselakae, a local traditional healer, was responsible for both male and female initiation traditions. He said it was and still is very important to protect initiates with traditional medicines against any mishaps during initiation as they are vulnerable to many untoward pressures and tests during the initiation process. Furthermore, he said initiation is not an ordinary tradition but an ancestral calling for connection between initiates and their clan ancestors.

"The rite of passage tradition is a healing or cleansing process which to some initiates is a prerequisite and a blessing step towards a better and progressive life," said Mr Tselakae.

Making the experience a multi-cultural one the initiation school and graduation ceremony also attracted women from neighbouring Batswana from Ramotswa (Botswana) lead by Kgosigadi Gorata Thandi Seboko. Several Xhosa ladies also graduated. 🌍



SUPPORT RECEIVED: Gopane's senior women of the community.

For the first time in 35 years, 62 female initiates graduate

Subsequent to the historical achievement and the display of traditional rite of passage to manhood by 143 male initiates, Gopane village successfully held another resounding initiation graduation ceremony in September, writes Shirley Montsho.

The initiation graduation of women has happened after a 35-year gap in a traditional female rite of passage to womanhood in the Bojale village and neighbouring villages.

The Customary Traditional Bill and policies that apply to both male and female traditions of initiation encourage acceptable practices in order to avoid any negative effects on the initiates. It forms part of steps that the government is taking to reinforce appropriate and acceptable customs and practices to ensure accountability in the practice of initiation.

There have been concerns over the rising recorded death toll at initiation schools in the recent winter initiation season in provinces such as the Eastern Cape and Limpopo. The initiation death toll was alarmingly high in both provinces.

The women initiation process that was started by three Kgotla clan women brought in a good cultural fate with women young and old women, 58 pressurising the royal family to approve their turn for initiation. The process started with three Kgotla women which grew to three clan Dikgotla (cohorts) where these initiates were honed for advancement of tradition and culture.

Experts and teachers – Deputy Principal Ms Goitsemany Seane and Teacher Keatlaretse Seane – said that traditional school for women is almost the same as that of men in relation to good conduct, respect for adults and all, and fending and putting the family together and upholding the teachings of the school by not being involved in anything illegal at all times.

‘It is incumbent upon every initiate to listen and uphold the teachings as well as continuous consultation and advice from her mentors about life in general so that she can become a better person in her community and society,’ said Teacher Keatlaretse Seane from the Kgosing 11 cohort.

As the initiation tradition dictates that no one must be forced against their will to participate in the initiation schools, the Deputy Principal of the School Ms Goitse-mang Jabane said of the 62 initiates graduating, none of them was coerced into initiation. ‘All of them took their own decisions based on their different reasons to be part of the school,’ she said.

One of the initiates, Ms Oratile Senosi (20) who works for the South African Revenue Service in Johannesburg, said she was proud to have undergone initiation and thanked her ancestors for her protection as well as upholding her tradition and culture.

Ms Selina Letshabo (58) from Mosweu village said she took a decision on her own to be part of the school. ‘I knew all the customs and values of my culture: mar-

riage, childbearing, household, and so on. I left my husband and my family for six weeks and I am very proud of myself as I was the only one in my family who didn’t undergo initiation,’ she said.

Another initiate graduate, a married mother of four, 48-year-old Ms Tebogo Maphunye, said that it was necessary that she completed this process and thanked her teachers for the sterling job and assistance as well as the values they have added into her life as a person. Xhosa ladies also joined the initiation process.

Since traditional healers have been part of the initiation process since its beginning, Mr Steven Tselakae, a local traditional healer, was responsible for both male and female initiation traditions said that it was and still is very important to protect initiates with traditional medicines against any mishaps during initiation. He said it is due to the fact that they are vulnerable to many untoward pressures and tests during the process of initiation. Furthermore, he said initiation is not an ordinary tradition but an ancestral calling for connection with to some initiates with their clan forebears.

‘The rite of passage tradition is a healing or cleansing process which to some initiates is a prerequisite and a blessing step before better and progressive life,’ said Mr Tselakae.

The initiation school and graduation ceremony also attracted women from neighbouring Batswana from Ramotswa (Botswana) lead by Kgosisgadi Gorata Thandi Seboko.

Explaining some of the anointing material used to the initiation graduates Ms Kgosisgadi said the importance of clay is that it symbolises the place the initiation graduates have been as well as marking a transition from childhood to womanhood.

Ms Reetsang Gopane of the royal family of Bahurutshaba ga Gopane congratulated all initiation graduates. She said during 2015 the royal family and the community took a firm resolution to revive their traditions and customs. ‘We are determined to uphold our tradition,’ she stressed.

Of the 62 initiates some come from neighbouring villages – Moshana (Witkleigat), Lekubu (Leeuwfontein), Boroathamadi, Ntsweletsoku and Mosweu.

CUSTOMS AND VALUES: Rooyal families from Gopane Ramotswa – Botswana



Celebrating Our Diversity During Heritage Month



September *being Heritage Month, always provides South Africans with a moment to reflect on how the tapestries of our diverse cultures have contributed to our country's ongoing endeavours towards reconciliation and nation-building – writes Abel Mputing.*

In the year 2017, the observation of Heritage Month coincided with the celebration of the 20 years of the Constitution and the establishment of the National Council of Provinces, both of which define how we are today and what we aspire to be in future.

Through various pieces of legislation, Parliament has achieved much in formalising these aspirations. It has also contributed to the formation of various symbols and sites that represent the ideal.

Amongst the visible forms and aspects of the South African heritage that play a critical role in uniting South Africans are the colourful national flag, which instil in South Africans a sense of pride, the coat of arms that pays homage to some of the oldest inhabitants of the land and their languages, cultural institutions that have embraced and fortified South Africa's endeavours to realise its metaphorical identity of a rainbow nation united in its diversity.

Since the dawn of democracy, South Africa has witnessed the centrality of Parliament in the inception of new cultural and heritage landscapes through the development of new monuments, museums and festivals that define the new free, non-racial and democratic South Africa.

The richness and enduring legacy of the South African heritage has also found expression in the eight South African world heritage sites, including the Ukhahlamba Drakensburg, Mapungubwe, iSimangaliso Wetlands and the Cape Floral Kingdom, to name a few. These sites are a testament to South Africa's significance as one of the major world heritage destinations in the world.

Most of all, September month affords South Africans a moment to reflect and take pride in the fact that South Africa inhabit a continent and a country that holds evidence of early human evolution at Maropeng and the Sterkfontein caves in Gauteng. These remains are what has led to these places being called the Cradle of Humankind.

Despite these milestones, the call to correct, write and rewrite a complete history that is reflective of all the stories and memories of South Africa's social and racial groupings remains a significant challenge in the journey of our self-discovery. This could play an important role in affirming the right of Africans to reclaim their identity and history, and the sovereignty of their culture and traditions, which were undermined by both the colonial and apartheid regimes.

In the same breath, South Africans should be wary



of using culture as a divisive component of our social life, but should, instead, embrace it as a unifying force that mirrors our human desires rather than our irreconcilable predispositions.

Out of this will emerge a holistic and an inclusive South African narrative that seeks to mirror the kind of society we seek to build. If this can be harnessed, it will restore our country's political reputation as a beacon of human sacrifice and freedom. The late and the first democratic president of our country, Mr Nelson Mandela, epitomised this spirit.

The courage and fearless determination that galvanised the women's march to the Union Building in 1956 cannot be forgotten. It gave rise to the conviction that collective action was a necessary condition for the success of women's fight for equality. It laid the foundation for the set of values and principles that became a force for women's unity and cohesion.

This is a living heritage that South Africans must re-

claim, restore and celebrate. This heritage has found expression in many pieces of legislation that seek to mainstream gender equity in various decision-making positions in both our public and private sectors. This heritage of women's freedom has also found expression in the Parliament's Multiparty Women's Caucus.

The celebration of the South African heritage cannot be complete without the recognition of the role of the Freedom Charter to all that South Africans aspire to be as a nation. To this day, it remains the moral compass of South Africa's shared vision and a cornerstone of the South African Constitution and human rights culture. It is upon this document that South Africa's political optimism for freedom and constitutional democracy hinge. So revered and enduring is its legacy that it has now been considered by many as the frame of reference of Parliament's law-making processes that seek to create a non-racial, non-sexist, democratic and prosperous South Africa. 🌍

Celebrating
20 years
of the Constitution and
20 years since the
establishment of the NCOP

Major move to recognise sign language as South Africa's 12th official language

As South Africa celebrates the long-overdue recognition of sign language as the country's twelfth official language, as the debate on the status of other languages continues, with many communities lobbying Parliament to grant their vernaculars official language status, writes *Sakhile Mokoena*.



PanSALB
PAN SOUTH AFRICAN LANGUAGE BOARD

Parliament's Constitutional Review Committee recently recommended that the National Assembly and the National Council of Provinces should facilitate an amendment of the Constitution to include South African Sign Language (SASL) as one of the official languages. The current official languages are English, Afrikaans, isiXhosa, isiZulu, isiNdebele, Sesotho, Setswana, Xitsonga, Tshivenda, Siswati, and Sesotho sa Leboa.

In its report following a submission of DeafSA, the Committee "accepted the fact that the issue of addressing the proposal for declaring SALS as an official language is long overdue. Therefore, necessary formalities should be made by Parliament to ensure the amendment of the Constitution to accommodate this."

Earlier this year, the Constitutional Review Committee invited the Pan South African Language Board (PanSALB) for an update on the status of Sepedi, Sesotho sa Leboa (Northern Sotho) Khelovhedu, Sign Language, Nama, San and Khoi languages. The Committee wanted to know what PanSALB was doing to promote these languages as per the constitutional mandate.

In that meeting, Former Committee member Adv Bongani Bongo raised a concern about the pace of the process of promoting the use of indigenous languages in order to preserve the heritage and identity of our communities.

"We are moving at a snail's pace. The creation of PanSALB finds expression in the Constitution, to promote national unity, why should we suppress other languages, especially the sign language?" he asked at the time.

The South African Constitution recognises only 11 languages as official and the rest are labelled and treated

as dialects (minor) – not fully developed languages that deserve similar status as the other indigenous languages. In the latest move to grant sign language official language status, the Constitution will have to be amended to include it as the 12th official language.

Advocates and speakers of these under-developed languages have argued for independence and sovereignty of their languages – and objected to the classification of these languages as dialects of the nine indigenous languages recognised by the Constitution.

The Constitution goes further to make provision for the development and promotion of sign language, Khoi, Nama and San languages, and this is the responsibility of PanSALB.

As a result of the unofficial status and non-recognition by the Constitution, speakers of all the undocumented languages are forced to choose one of the "superior" languages where they can fit in and be a dialect of that big sister. Often children from families of these languages experience difficulty at school where they have to learn a first language with is not necessarily their mother tongue.

This was also the argument of Khilovhebu community who said their children can't pass matric because they are taught in a language that is different from their mother tongue.

Khilovhedu has been classified as a dialect of Northern Sotho (Sesotho sa Leboa). And conflict erupted when one dialect (Sepedi) was elevated into a superior dialect.

A submission was made for the Constitutional Review Committee to consider amending the Constitution and

replace Sepedi with Sesotho sa Leboa as an official language.

PanSALB Chief Executive Officer, Dr Mpho Monareng, told the Constitutional Review Committee that though Khilovhedu was officially still regarded as a dialect, there was a move to take it out of that.

“The process is still at an infancy stage, we continue to engage with the Khilovhedu community, if an orthography is completed will be able to support the speech community. The process of developing a language to be official takes a while, we will continue engaging with the language speakers,” said Dr Monareng.

PanSALB recently held a language seminar in Limpopo and Ms Julia Mabale, a Commissioner at the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities (CRL) emphasised the importance of orthography in the development of a language.

“The development of a Khilovhedu orthography will act as evidence of the status of this variety as a language rather than a dialect, and enhance the dignity of the speakers of Khilovhedu,” she said.

Mostly spoken in deep rural areas, most of these unofficial languages have survived extinction throughout the years.

One such language that has refused to die is Sepulana, at times also classified as a dialect of Sepedi or Northern Sotho. Sepulana is spoken in the Mapulaneng region of Mpumalanga Lowveld (Graskop and the Bushbuckridge villages bordering the world-renowned Kruger National Park).

In his book, *The Eastern Sotho, a tribal historical and linguistic survey of the Pai, Kutswe and Pulana Bantu*, Dirk Ziervogel, a professor of languages of the 1950s in the University of Pretoria, traces the history of the three ancient languages of Mpumalanga’s Lowveld region.

Of the three, Pai also called Simbayi, Khutswe, and Sepulana, are the last-mentioned that have stood the test of time.

Pai is almost extinct, with very few elderly people who still speak the language still remaining. Khutswe and Sepulana are very much related while Pai is closer to the two and SiSwati.

Another South African dialect that very little is known about outside the area where it is spoken is Sephuti, a mix of what sounds like SiSwati and isiNdebele. This language is spoken in the Eastern Cape area of Sterkspruit and Lesotho’s Quthing.

There is also Sithonga, which is spoken in UMKhanyakude District, mainly KwaMhlabuyalingana Local Municipality in KwaZulu-Natal. 🇿🇦



LANGUAGE RIGHTS: The Chairperson of PanSALB, Professor Mbulungeni Madiba.

Parliament to begin new public participation process on land reform



In response to a Constitutional Court judgment that nullified the 2014 Restitution of Land Rights Act, citing inadequate public involvement, Parliament's Portfolio Committee on Rural Development and Land Reform, will conduct a thorough and extensive public consultation process to allow as many South Africans as possible to make inputs on the redrafted Restitution of Land Rights Bill. *Mava Lukani reports.*

The Restitution of Land Rights Bill, which was re-introduced as a Private Members' Bill by National Assembly Member, Mr Pumzile Justice Mnguni, seeks to reopen the land claims process after the December 1998 closing date.

Mr Mnguni briefed the Committee on Rural De-

velopment and Land Reform in Parliament on the new Bill, which he says will be redress for millions of South Africans who lost their land through the notorious 1913 Natives' Land Act, but failed to lodge land claims before the 1998 closing date.

"There is huge injustice that is facing us if we do

not reopen the lodgment of land claims. In order for justice to be achieved, let's reopen in order for the people who did not claim to participate in the process," Mr Mnguni told the Committee.

Parliament passed the Restitution of Land Rights in 2014 to reopen the lodgment of land claims for a period of five years. The Land Access Movement of South Africa (Lamosa) took the matter to the Constitutional Court, which declared that the Act was invalid, because "Parliament failed to satisfy its obligation to facilitate public involvement in accordance with Section 72 (1)(a) of the Constitution".

Mr Mnguni said the 2014 Amendment Act had a five-year period for the lodgment of claims, ending in 2019. At the time of the Constitutional Court judgement, the Commission on the Restitution of Land Rights had already received 163 000 land claims and those claims were then frozen. In striking down the Amendment Act, the Constitutional Court also protects those claims that were submitted in terms of the nullified Act.

Land restitution in South Africa is an emotive issue and for the past 23 years the government has been trying to amicably reverse land dispossessions that happened in terms of the 1913 Act.

Though significant progress has been achieved, it has emerged that the first phase of restitution left many deserving citizens outside the land reform programme after the 31 December 1998 deadline for the lodging of claims. Mr Mnguni estimates that 7,5 to 8 million claims could still be lodged.

A mere 80 000 land claims were lodged by 1998 and a further 163 000 were lodged, but "frozen" during the interdicted period from 2014 to 28 July 2016 (date of the Constitutional Court judgment). This means that the sum total of claimants left out stands at about 98 % versus the 2% that has claimed. The effect of this amendment Bill is that land claims will be reopened.

The Portfolio Committee is planning to conduct countrywide public hearings to give citizens an opportunity to make inputs on the Bill. The Com-

mittee will table its report for debate and passing in the National Assembly. The Bill will then be referred to the National Council of Provinces (NCOP) for the Select Committee on Land and Mineral Resources, to also conduct further public consultations.

To ensure inclusive public involvement in the processing of the Bill, provincial legislatures will also take the draft legislation through another round of public hearings.

Though the Restitution of Land Rights Amendment Bill seeks to re-opened the period for lodging of land claims for a further five years, there is unhappiness, particularly in the Khoisan community, as the law continues to use the 1913 benchmark, rendering them ineligible to claim because their dispossession took place before the 1913 Act was passed.

Chief Land Claims Commissioner Ms Nomfundo Gobodo said the commission was not deliberately excluding the Khoisan people, but simply implementing the law. "In terms of the Act, we cannot accept claims for dispossession that happened before 1913. As a commission we have no mandate" said Mr Mnguni.

The Portfolio Committee on Rural Development and Land Reform has called for the urgent finalisation of the policy on the 1913 exception so that all victims of the racially-based land dispossession can participate in the restitution processes.

The High Level Panel (HLP) on the Assessment of Key Legislation and Fundamental Change, that was established by the Speakers' Forum to assess the impact of legislation passed since 1994, recommended that "land claims lodged on or before 31 December 1998 need to be resolved expeditiously, consistent with the order of the Constitutional Court in the Lamosa judgment, and that the 1913 cut-off date must be retained.

"Claims still to be investigated, including those lodged under the invalid 2014 Amendment Act, need to be dealt with by the specialist panel or unit," the Panel recommended. 🇷🇵

Presiding Officers present mid-term report to stakeholders

The *Presiding Officers of Parliament presented the fifth Parliament's mid-term report to stakeholders recently. The presentation covered six areas: legislation and law-making, budget, public participation, financial management, the provinces and international engagement, writes Abel Mputing.*

On the legislative front, the Speaker of the National Assembly, Ms Baleka Mbete, stated that the fifth Parliament has passed 96 bills since 2014, two of which were returned. Ms Mbete admitted that there was a need to strengthen and consolidate Parliament's legal section. "We need an in-built capacity that will help us to initiate and pass laws. To achieve that, we need to consolidate our legal section into a division."

She also mentioned the imminent release of the highly anticipated report of the High Level Panel, which was charged with assessing the impact of key pieces of legislation passed since 1994. The report will be handed over to the sixth Parliament. " said Ms Mbete.

High on Parliament's agenda is a need to improve the capacity of committees to conduct oversight over the executive. Ms Mbete highlighted what she called the inspiring oversight vigour displayed by Parliament during the South African Broadcasting Corporation inquiry, among others. "We are proud of the oversight work done by Parliament and people have witnessed it first-hand. That is encouraging, but more needs to be done to strengthen the capacity of committees' research and content advisors," emphasised Ms Mbete.

Public participation in Parliament's work was also mentioned as one of the critical mandates of Parliament. "The fifth Parliament has entrenched public participation in its law-making processes. Our constitution states clearly that people must participate and be informed of the content and output thereof that inform our law-making processes," she said.

On international engagement, Ms Mbete said a parliament of the Southern African Development Community (SADC) was urgently needed. "Four regions in Africa have their own regional parliaments. It is only SADC that does not have a regional parliament."

The Chairperson of the National Council of Provinces, Ms Thandi Modise, said Parliament does not have a fully capacitated Parliamentary Budget Office (PBO). "Currently, the PBO is experiencing a strategic shortage of resources and that is the area we need to improve on."

As the mid-term programme had question and answer session, the representatives of stakeholders posed a variety of questions, most of which dealt with the law-making processes of Parliament. A representative of the National Council of Trade Unions, (Nactu), Mr Malose Kutumela, asked if any unfeasible Bills had been passed.

The Secretary-General of the Black Business Chamber, Mr Mntuwekhaya Cishe, asked if Parliament has considered improving its public participation processes to reach grassroots communities.

The Deputy Speaker of the National Assembly, Mr Lechesa Tsenoli, responded: "People need to assess at what point can they have influence in law-making processes at Parliament. They must also be informed of the legislative cycles of Parliament and to deal with that strategically to ensure that they participate in this process fully and effectively."

The Public Protector, Ms Busisiwe Mkhwabane, raised a concern about the disregard for communities' inputs and the elevation of traditional authorities' contribution in the formulation of traditional leaders' bills.

Ms Modise responded: "Traditional leaders have no final say in the formulation of bills. We cannot shop out our responsibility to make laws. As Parliament we are committed to passing laws that represent the people." In conclusion, Parliament's Presiding Officers promised further ongoing engagement to update stakeholders on Parliament's progress in dealing with challenges. 🌍



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