

# in session



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# Chairperson Masondo marked Mandela Day by planting trees for clean & healthy communities



**CLIMATE ACTION: NCOP**  
Chairperson plants trees for Mandela Day at a school in Soweto.

*The Chairperson of the National Council of Provinces (NCOP), Mr Amos Masondo, marked International Nelson Mandela Day by planting trees at Dr BW Vilakazi Secondary School in Soweto, where he also gave a talk on the importance of taking care of the environment and cleaning up in our communities.*

Mr Masondo was accompanied by Members from the Gauteng Provincial Legislature and City of Johannesburg Metropolitan Municipality councillors, who all planted seven False Olive trees at the school.

In his message to teachers, learners and the community, Mr Masondo articulated the importance of a clean environment for human health and spoke about how trees are a source of life to all living organisms. "There is more to be done in the battle for a clean environment. A clean and safe environment is critical for our

survival and health, and issues of the environment are critical and concerns the global community," Mr Masondo told his audience.

International Nelson Mandela Day is a global initiative that aims to carry forward Madiba's message of peace, his courage in the face of adversity and his commitment to improving the lives of not just South Africans, but all the people of the world.

The NCOP Chairperson said the trees planted at the school are not simply a means of greening the school. They are also a response to the United Nations' call for the world to protect, restore and promote sustainable use of the environment, help combat climate change and combat desertification.

"The theme for Mandela Day this year was 'Doing what you can with what you have, wherever you are'," Mr Masondo said. "This is our way of contributing what we can to be part of this global effort. It is a continuation of work that has already started – the cleaning and greening initiative. We must promote environmentally cautious lifestyles and discourage

dumping of trash on the streets. People clean their yards and dump on street corners and open spaces. And that is wrong," he pointed out.

Mr Masondo also encouraged the community to establish food gardens and plant indigenous trees in their yard, as there are huge health and economic benefits to taking care of the environment and keeping neighbourhoods clean and green.

The school, in Zola, was named after Dr Benedict Wallet Vilakazi, an academic and novelist, who was one of the first black South Africans to obtain a PhD. He was a lecturer at the University of Witwatersrand and wrote novels and poetry in isiZulu.

Dr Vilakazi not only contributed to the development of literature and the Zulu language, he also had interest in freedom and liberation. Vilakazi Street, a popular tourist attraction in Soweto, is also named after this celebrated man. Vilakazi Street is possibly the only street in the world that has had two Nobel Peace Prize winners as residents: Nelson Mandela and Archbishop Desmond Tutu. 🌱



## Parliamentary Constituency Offices are extensions of Parliament, says NCOP Chairperson

*Previously the Joint Standing Committee on the Financial Management of Parliament, a committee established in 2016 to oversee the governance of the national legislature, pointed out that Parliamentary Constituency Offices (PCO) are underutilized. The committee held inadequate monitoring systems responsible for the problem.*

There was also a concern that constituency offices are inadequately monitored and that this has made it impossible to confirm whether the offices exist as indicated and whether they are operational.

The Chairperson of the National Council of Provinces (NCOP), Mr Amos Masondo, recently relaunched and branded his PCO in Soweto in an effort to increase awareness about these important service points and places for public representatives to remain in contact with the people they represent.

*“PCOs are designed to provide a platform to educate and empower the people with information and on how to take part in processes pertaining to how they are governed. PCOs are often not well-understood, but they are an extension of Parliament to the numerous communities across the country. They are meant to bring Parliament closer to the people, to ensure that we maximise the interaction between Parliament and the communities,” he said.*

Some of the common things PCOs deal with are advising on inheritance

issues, crime and identity document applications. The PCO refers people to the relevant departments for further assistance, especially on matters that fall outside the responsibilities of Parliament.

“We also intervene on big issues, such as the ongoing electricity crisis and disagreements between the community and Eskom on the installation of prepaid smart metre boxes in households,” Mr Masondo continued.

“An ideal PCO at this stage in our democracy must increase its networking capacity to be able to locate relevant expertise and specialist centres that are equipped to assist the people to resolve their problems.

“Creating an ideal PCO will require a number of interventions. These may include improving the capacity we employ to assist with the day-to-day running of the facility. These are, of course, matters that Parliament, the provincial legislatures and municipal councils must think about as they collaborate to take the PCOs to another level,” said the NCOP Chairperson.

He added that in order to support the notion of a people-centred democracy, structures such as the Parliamentary Constituency Offices have been located among the people to help strengthen the interaction between the people and their public representatives. 🌱

*The Chairperson of the National Council of Provinces (NCOP), Mr Amos Masondo, has launched his Parliamentary Constituency Office (PCO), which will service about seven townships within greater Soweto.*

The full name for the PCO is ZOJAZEM/MOTLANA, with ZOJAZEM standing for Zola, Jabulani, Zondi and Emndeni, while MOTLANA stands for Moletsane, Tladi and Naledi. These areas all form part of the greater South Western Townships (formally known by its abbreviation Soweto).

Mr Masondo says the PCO is an extension of Parliament and will meaningfully serve the public by strengthening the interaction between the people and public representatives. “Parliamentary Constituency Offices are service and interaction points for public representatives to remain in contact with the people they represent. These centres are designed to provide a platform to educate and empower the people with information, and on how to take part in processes pertaining to how they are governed,” said Mr Masondo.

Addressing hundreds of residents who attended the launch of the PCO, which is housed at Entokozweni Community Centre in Moletsane, Mr Masondo explained how over the years there have been many ideas on how the PCOs should work. One such idea was to bring together representatives from national Parliament, the Provincial Legislature and the Municipal Council under one roof and in communication with the people.

“There have been many efforts to get PCOs to work better for the people,” said Mr Masondo. “There have been many ideas on how this could be done and little time to experiment. What

we realised was that at times the best approach is to take incremental steps to introduce change. We have realised that we need to start with some few examples to demonstrate the potential of the PCOs to become vibrant centres of interaction between the public representatives and their communities.”

The NCOP Chairperson also highlighted the services the PCOs will provide to the Soweto community. These include assisting the public in dealing with government processes and departments; and informing and engaging the public and getting their feedback on the effectiveness of policies and programmes.

The ZOJAZEM/MOTLANA PCO will also get involved in finding solutions to problems and bring concerns to the attention of government. It will also provide informal advice and counselling on personal, legal and procedural problems with accessing rights or government processes.

Mr Masondo said the PCO will act as honest broker and mediator between conflicting interests – often community and government, or conflicting interest groups in a community. “We do not have perfect solutions and we do not believe there are [perfect solutions]. Our attitude is that improvement can result from taking one step in the right direction, learning from the impact of one’s action and using that to make further improvements as one moves forward,” said Mr Masondo. 🌱



**BRINGING PARLIAMENT HOME: Soweto residents attend a ceremony marking the launch of the Parliamentary Constituency Office in their neighbourhood.**

# Residents welcome PCO launch

*Parliamentary Communication Services talked to a few individuals to get their views on the launch of the PCO in Soweto.*

**Ms Busisiwe Shabalala**

We are so grateful to see the launch of the Parliamentary Constituency Office in our community. This will give us an opportunity to raise our concerns with parliamentarians and we hope our concerns will receive the necessary attention with the presence of the PCO in our area. I also think this is an opportunity for us to learn more about

parliamentary processes and how can we participate in those processes as ordinary citizens, on processes such as petitions or making inputs on draft legislation.

**Ms Duduzile Bhelema**

I think PCO coming to Soweto is a very good idea. I believe it will help with the many challenges facing our community, such as the problem of drugs that our young people are faced with.

I think it will help bring more resources to our community to help deal with the scourge of drugs in Soweto. We expecting more services to come with the launch of the PCO in our township.

**Mr Mokonoto**

I stay around the area. I have known the name PCO, but today is the first time that I get inside the building and also get more information about what the PCO is and what it is all about; that it is going to be the Parliament of this place and matters of the community will be taken to Parliament and other relevant structures of the state.

I believe if community cooperate and things are done in a rightful way, the PCO can be effective and help bring change in our area. People responsible for running the PCO must make sure it serves its purpose, but if people use it for other agendas, it is not going to work.



NCOP CHIEF WHIP: Mr Seiso Mohai in Welkom.

# Mining industry remains untransformed, says NCOP Chief Whip

*The Chief Whip of the National Council of Provinces (NCOP), Mr Seiso Mohai, addressed a Mining Stakeholders Consultative Forum in Welkom in the Free State recently as part of the Nelson Mandela Month celebrations.*

The theme for this year’s Mandela Month was “Do what you can, with what you have, where you are”, which Mr Mohai said encourages all of us to rededicate ourselves to doing what we can to change people’s lives with what we have and wherever we are.

The Chief Whip pointed out that the Welkom area of the Free State is known for the mining activity that has been a source of employment and also hardship for many communities. The Goldfields region comprising the districts of Odendaalsrus, Virginia and Welkom is the largest gold mining region in South Africa and provides a snapshot of the institutionalisation of mining and energy, what Mr Mohai called the minerals-energy complex, in South Africa during the apartheid regime.

This complex has been ignored or at best dismissed as a concept for examining the South African economy, Mr Mohai said, primarily because we live in a democratic

South Africa. However, the mining industry underpinning the minerals-energy complex remains in place to a large degree since 1994 and the beginning democracy. Paradoxically, the mining industry has demonstrated little commitment to structural transformation and inclusive economic growth.

In recent times, Mr Mohai said, there has been much talk of a decline in mining activity in many parts of the country, including in the Free State. And while coal, gold and uranium mines still operate in the area, it is imperative that new mining activity is developed. Small-scale mining should also form a critical part of that new mining activity.

The mining industry in South Africa remains largely untransformed and the recent court ruling on the Mining Charter, declaring the charter to be policy not law, has reinforced the status quo. This is a further demonstration of the untransformed nature of the mining industry, Mr Mohai said.

In addition, it is important to know that mining activity will continue for a long time in this area and is not in decline. The Council for Geoscience is engaged in a countrywide survey to find new mineral deposits and this has produced some promising results. This work is ongoing.



The excessive power and dominance of mining companies needs to be reformed and transformed so that the priority minerals (lithium, graphite, cobalt, nickel, and copper) deemed critical to the transition to a green economy identified by the Council for Geosciences can benefit us all. The demand for these priority minerals complements the already exploited gold, silver, bentonite and bituminous coal, which makes the mining industry one of the biggest contributors both to gross domestic product and employment in the province.

While the future looks bright for the Free State, unfortunately for the province, most mining companies controlling these mineral resources are international or have international head offices. Thus their profits, dividends and interest leave the province and the country.

This makes more urgent the need for national and provincial governments to ensure that the priority minerals identified for exploitation by the Council for Geosciences is managed to prevent capital flight in the mining industry. The government needs to establish a new regulatory framework for licencing for the new round of mining licences that will arise from the Council for Geosciences’ survey.

Social and labour plans are in place to ensure that mining towns are able to benefit from mining activities and are not left without any economic activity when mines close. However, mining companies have been slow to ensure that these plans are implemented for the benefit the local communities in mining towns such Welkom. The Department of Mineral Resources and Energy needs to ensure that mining companies comply with these plans. 🇿🇦

# Committee for Enquiry into the Public Protector's fitness to hold office cross-examines witnesses

**HOLDING OFFICE BEARERS TO ACCOUNT: The committee gets on with business.**



*The Committee for Section 194 Enquiry into the Public Protector (PP) Adv Busisiwe Mkhwebane's fitness to hold office has covered significant ground in hearings that began on 11 July 2022. This progress has been achieved notwithstanding a one-week break requested by Adv Mkhwebane's legal team to afford them a chance to prepare for court proceedings involving the Public Protector, writes Rajaa Azzakani.*

The committee began its hearings into Adv Mkhwebane's fitness to hold office with opening remarks from both legal teams. Adv Nazreen Bawa (SC) and Adv Ncumisa Mayosi appeared on behalf of the committee, whilst Adv Dali Mpfu appeared for the Public Protector.

The committee was established by the National Assembly (NA) on 16 March 2021 to conduct an enquiry into the PP's fitness to hold office. This followed a motion in the NA on 21 February 2020 from the Chief Whip of the Democratic Alliance, Ms Natasha Mazzone, who tabled a motion to initiate an enquiry, in terms of section 194 of the Constitution, for the removal of Adv Mkhwebane, on the grounds of alleged



incompetence and/or misconduct.

Subsequently, the former Speaker of the National Assembly, Ms Thandi Modise, acting in terms of Rule 129U of the Removal Rules, established an independent panel to conduct a preliminary assessment to determine whether, on the information available, there is prima facie evidence showing that the PP has committed misconduct and/or is incompetent.

The Independent Panel submitted its report on 24 February 2021 and recommended, for the reasons contained in its report, that the charges of incompetence and misconduct be referred to a committee of the NA, as provided for in the Removal Rules. The Panel report is 10 396 pages long and includes an index,

the motion, the evidence in support of the motion, the Public Protector's written representations to the Panel and additional evidence submitted by her. The report was served before the National Assembly on 16 March 2021 and the Assembly resolved to proceed with a section 194 enquiry.

Following the adoption of the Independent Panel's report, it was referred, in terms of the Removal Rules to the Committee for Section 194 Enquiry, for a formal enquiry. Since its inception the committee has had to stop its work several times whilst awaiting court decisions.

After the opening remarks from both sides, the evidence leaders then called Mr Hassen Ebrahim, a witness experienced in constitutional drafting

and other related matters. Mr Ebrahim went into great detail about the historical background of the Office of the Public Protector, including how it was established, procedural fairness and the route to follow to remove the Public Protector, with definitions of misconduct and incompetence.

This was followed by evidence from Mr Johann van Loggerenberg, who previously worked at the South African Revenue Service (SARS). Mr van Loggerenberg was accused of being involved in the so-called "rogue" SARS unit, an intelligence unit set up to investigate high-profile tax payers. A complaint was apparently subsequently laid with the Office of the Public Protector, wherein the complainant claimed that SARS did not have such powers.

This was followed from evidence from a subpoenaed witness, Mr Tebogo Kekana, who previously worked in the Public Protector's private office as an investigator. His testimony dealt mainly with the PP's SARB report. Mr Kekana went into great detail regarding the compilation of information and drafting of the Public Protector's CIEX/Bankkorp/SARB report. During this testimony, Mr Kekana claimed he was instructed by the PP to add findings to nationalise the SARB.

The committee then adjourned its hearings for one week to allow the PP and her legal team to prepare for further court proceedings. After the break, the committee resumed its work with evidence from Mr Sphelo Samuel, the head of the Public Protector's Free State office. His testimony mostly concerned the Vrede Dairy investigation.

The committee heard that attempts were allegedly made by Adv Mkhwebane to ensure that no adverse findings against politicians were contained in the report. This included findings against the former Premier of the Free State, Mr Ace Magashule, and the former Free State MEC for Agriculture, Mr Mosebenzi Zwane.

Committee Chairperson Mr Qubudile Dyantyi previously said the committee has a list of over 20 possible witnesses, but it may not call on all of them to testify. The PP is entitled to call her own witnesses. The committee intended to finalise its work by the end of September, but Chairperson Dyantyi has already indicated that the committee's programme is flexible. 🌟

*"..we are all equal before the law, irrespective of the labour market that one finds him/herself in..."*

Ms Lindelwa Dunjwa,  
Chairperson of the Portfolio Committee on  
Employment and Labour



**PEOPLE LIVE HERE:** Two National Assembly portfolio committees are holding public hearings to assess living and working conditions on farms.

## Committees assess living and working conditions of farm workers in five provinces

*Delegations representing the Portfolio Committee on Agriculture, Land Reform and Rural Development and the Portfolio Committee on Employment and Labour visited Gauteng, North West, Eastern Cape and Western Cape provinces in July as part of their joint oversight to farms to assess the living and working conditions of farm workers and dwellers.*

The joint oversight programme formed part of the implementation of a National Assembly resolution adopted on 10 November 2020 instructing both committees to assess the legislation and explore opportunities for legislative review in relation to the living and working conditions of farmer workers and dwellers.

The first part of the oversight comprised stakeholder engagements with labour unions, non-governmental organisations, government departments and local municipalities in all the five provinces. Committee members urged these stakeholders to do all they can to alleviate the terrible conditions afflicting many farm workers and dwellers.



During the public hearings that formed part of the joint committee programme, farm dwellers spoke of the pain their living conditions cause them. Farmers abuse their workers by forcibly evicting them, disconnecting their water and electricity and committing other abuses against them, they reported. Farm workers are also forced to pay high rents of as much as R800 to farmers, notwithstanding their low wages of between R1 500 and R3 000 per month.

The Chairperson of the Portfolio Committee on Employment and Labour and leader of one delegation, Ms Lindelwa Dunjwa, emphasised that MPs are visiting these farm communities not only to hear their cries, but to act on them.

Addressing one of the public hearings in Gauteng, Ms Dunjwa said that the farming sector stood out for all the wrong reasons. "We have to right this wrong if we are to instil the human dignity of this vulnerable sector of our population and labour market. This nationwide oversight process, which has now been to six provinces, seeks to unveil the yoke of servitude that happens under the cloak of secrecy on farms. [It also seeks to] urge the departments and entities charged with the task of alleviating the plight of farm workers to act in a concerted and well-coordinated effort to bring an end to their miseries," she said.

However, for this to happen, Parliament and the government must be bold enough to recognise

existing inefficiencies in policies and legislation, Ms Dunjwa added. The oversight process seeks to make farm owners aware of their regulatory responsibilities.

"But if, at the end, we find that there are weaknesses in the existing policies and pieces of legislation that govern labour relations, we will address them to ensure that the working and living conditions of farm workers and dwellers stand the test of our human rights culture. Because we are all equal before the law, irrespective of the labour market that one finds him/herself in," Ms Dunjwa said.

Responding to a complaint from farm dwellers in North West province about a lack support from government officials, the Chairperson of the Portfolio Committee on Agriculture, Land Reform and Rural Development and the leader of the other delegation, Inkosi Zwelivelile Mandela, called on government officials to make themselves more readily available.

Both delegations heard in North West from the Congress of the South African Trade Unions that out of 6 000 workers employed by one farmer in a certain farm in the province, 4 000 of those workers are foreign nationals who accept wages below the minimum wage. The delegations called on the Department of Employment and Labour to conduct inspections to ascertain whether the workers are documented foreign nationals or not.

The delegations also heard of the flagrant disregard of women's rights. Women farm workers are dismissed for being pregnant and are also denied the right to maternity leave.

**WE HEAR YOU: Inkosi Zwelivelile Mandela (left) listens to a farm worker during a site visit.**



Many farm workers and labourers are unfairly dismissed and they rarely win their cases when they approach the Commission for Conciliation, Mediation and Arbitration.

The delegations also heard in all the provinces that in some instances as many as seven farm workers live in a small house and paying as much as R700 per person in rent. Farm dwellers told the delegations that the Department of Employment and Labour does not conduct regular inspections of their living and working conditions. They also alleged that child labour is being used on one farm.

In the Eastern Cape, Ms Dunjwa's delegation visited four big citrus farms, two in the Sara Baartman District Municipality and two in Amathole District Municipality. The delegation heard from its engagements with stakeholders that many farms in the Sara Baartman District Municipality comply with labour laws and respect their workers. The delegation commended the farm manager of the Ventershoek farm in Sara Baartman for the farm's compliance with labour laws and its respect for human rights.

The farm manager assured the delegation at no foreign nationals are employed on the farm. However, Home Affairs officials accompanying the delegation discovered that this was not the case and that the Ventershoek employee register did contain foreign nationals. Despite this inconsistency, the delegation was pleased with what it found at the farm.

Ms Lindelwa advised the manager to ensure that the farm has a programme in place to empower its workers. "Empowerment of your

employees should be one of the pillars of this farm to keep it alive, sustainable and to make the required meaningful impact on the greater Patensie community for the purposes of the development of the historically marginalised and disadvantaged black Patensie communities," emphasised Ms Dunjwa.

*"Empowerment of your employees should be one of the pillars of this farm to keep it alive, sustainable and to make the required meaningful impact on the greater Patensie community for the purposes of the development of the historically marginalised and disadvantaged black Patensie communities."*

Ms Dunjwa

The delegation also visited Sonop farm in the Gamtoos region of Kouga Local Municipality. The farm manager told the delegation that about 80% of its employees are foreign nationals. When asked by members of the delegation about their legal status to be in South Africa, the manager assured the delegation that all of them are documented.

To justify the big percentage of foreign nationals he employs, he said they rely on Zimbabweans for seasonal work, as local people do not want to do the work and are unreliable for work that

needs to be finished within a very limited time. When the delegation visited the houses to assess the living conditions of farm dwellers, all the foreign nationals there fled. Some of them ran to the top of the Patensie mountain and others to the river. The delegation concluded that they behaved in this way because they are undocumented.

In the Amathole District Municipality, the delegation heard horrifying stories of abuse of farm workers and dwellers at the hands of land owners. Eviction, withdrawal of services such as electricity and water, and isolating farm dwellers from nearby communities were among the strategies employed.

Ms Dunjwa called on farm dwellers and farmers to work together to resolve these long standing abuses. She appealed to the local leaders, including the ward councillors accompanying the delegation, to assist farm dwellers in finding solutions.

In the Western Cape, the delegation visited four farms in the Cape West Coast and Cape Winelands districts. It also held various public hearings

where farm workers highlighted the challenging conditions under which they live.

In Welverdien farm in the Cape Winelands district, where the delegation concluded its oversight visit, the delegation heard allegations of physical and verbal abuse. Farm workers told the delegation that the farmer charges them R620 per month and if a farm worker stays with a partner, the farm worker must pay an additional R210. The delegation also heard that when children reach 18 years of age, the farm worker must pay an additional rent for them or the child must leave the farm.

On the same farm, the delegation heard that a farm worker was instructed by the farmer to expel his pregnant daughter from the house. If he failed to do this, the farmer said he would disconnect the man's electricity. Inkosi Mandela regretted that the farm owner refused to meet with the delegation when the delegation invited him for an engagement.

At the Goedemoed Farm, the Department of Employment and Labour confiscated the expired passports and visas of 11 foreign nationals and handed them to the Department of Home Affairs for further action. "We cannot allow this to continue at the expense of the 66 per cent of unemployed youth in South Africa. These jobs have to be protected and reserved for our people," said Inkosi Zwelivelile Mandela.

At public hearings at Matzikama Local Municipality Hall, Inkosi Mandela said that he will engage Agriculture Minister Ms Thoko Didiza on the matter of another 20 families threatened with eviction at Proefplaas Farm, which is owned by the Agricultural Research Council. He promised to report back to the families about the outcome of this engagement. 🙏



**MAKE YOUR VOICE HEARD: Public hearings give farm workers a chance to speak their mind in front of visiting parliamentary committee delegations.**



# Chairperson Muthambi welcomes meaningful engagement at public hearings on the National Veld and Forest Amendment Bill



Ms Faith Muthambi (second from right).

*The Portfolio Committee on Environment, Forestry and Fisheries successfully concluded three days of public hearings on the National Veld and Forest Fire Amendment Bill in KwaZulu-Natal (KZN), writes Sureshinee Govender.*

The Chairperson of the committee, Ms Faith Muthambi, said the committee was heartened to have meaningful engagements with communities and organisations in packed halls in Vryheid, Richards Bay and in Bulwer in KwaZulu-Natal.

Ms Muthambi informed those attending the hearings that the main objective of the Bill is to improve the administration of the principal Act and to insert certain definitions to enhance the functioning of the Act. The Act promotes the prevention and combatting of wildfires in the veld, mountains and forests.

The Bill also seeks to grant more powers to traditional leaders and municipalities as peace officers to be able to arrest people who start fires in the veld and forests. One of its objectives is to ensure that the Act remains responsive and relevant in the field of combatting and preventing veld and forest fires.

Ms Muthambi said that these fires contribute to the economic, social and environmental degradation in the country. "Fires threaten food security and have devastating effects that include job losses, displacement of people, habitat and biodiversity loss."

The committee heard from Mr Simon Thomas of the Fire Protection Services, an umbrella body of the Fire Protection Association (FPA), and Mr Bobby Holle, of the Lions River FPA. They told the committee that the amendment to the Bill is well supported and the associations are ready to work with the committee and communities to make the required amendments. The law is clear that every land owner must belong to a fire protection association.

Throughout the hearings, the people called on the committee to enable young people to be empowered to fight veld fires. They also spoke about the need for satellite fire stations and fire brigades in local municipalities that have no firefighting equipment. Participants in the public hearings told the committee that when fires break out, they lose everything, including their homes and livestock.

*"Fires threaten food security and have devastating effects that include job losses, displacement of people, habitat and biodiversity loss."*

**Ms Faith Muthambi**

Traditional leaders in all the communities visited by the committee welcomed the Bill, but said that rural areas find it very difficult to fight fires, as they have no equipment. Urban areas are more advantaged in this regard, they noted, as they are equipped with fire brigades and helicopters.

The committee Whip, Mr Ntibi Modise, told the people that the committee's report on the hearings will include all their inputs.

The report will then be tabled in the National Assembly (NA), together with the amendments to the Bill. After the NA adopts the Bill, it will be taken to the National Council of Provinces for its consideration and then to the President for assent. 🌱

**LET'S WORK TOGETHER: The Speaker of the National Assembly, Ms Nosiviwe Mapisa-Nqakula.**



## Cooperation among Parliaments and shared best practice strengthens services to the public, says Speaker

*As Covid-19 restrictions continue to ease around the globe, a number of sister parliaments have shared their plans to engage in study tours and exchange programmes with the South African Parliament.*

During bilateral engagements with Speaker Nosiviwe Mapisa-Nqakula on the sidelines of the Non-Aligned Movement (NAM) Parliamentary Network sessions, which took place in Azerbaijan recently, several Speakers identified the South African Parliament as one of the legislative institutions they would like to share best practices within the areas of oversight and public participation.

Reflecting on the two-day NAM Parliamentary Network launch conference, Ms Mapisa-Nqakula, who lead the South African delegation, said there is much that parliaments can learn from one another to enhance their services to their publics.

The South African Parliament's Public

Participation Model (PPM) is one such example that has been used as a case study by the Inter-Parliamentary Union, the global association of parliaments. The PPM continues to improve how Parliament interfaces with citizens, which in turn sustains the legitimacy of democratic parliaments beyond the five-year election intervals.

Speaker Mapisa-Nqakula also noted that the NAM Parliamentary Network reinforces parliaments' capacity to strengthen democracy, law-making, executive oversight and public participation, and enables continuous sharing of best practices and mutual support.

The Speaker described the NAM Parliamentary Network's launch conference as an inspiring experience that has rekindled the passions of those in attendance to build a better world of peace, fairness and sustainable development.

Fostering democracy in the international system, restructuring the global economy, disarmament, impartiality and strengthening

multilateralism are as relevant today, Ms Mapisa-Nqakula went on to say, as they were in 1961 when 25 countries became the founding members of NAM. This number has now grown to 120 member states.

The establishment of the NAM Parliamentary Network is long overdue and its launch takes place in the context of numerous threats to world peace, including the conflict between Russia and Ukraine.

Speaker Mapisa-Nqakula pointed out that the world order remains grossly unfair to smaller and less powerful developing nations, such as Palestine, Western Sahara, Cuba and the African continent in general.

These nations receive the short end of the bargain in almost all facets of development, including the fight against pandemics, as demonstrated by the nationalisation of the Covid-19 vaccine roll-out, the subjugation of Palestine and the Western Sahara and the isolation of Cuba. Poverty, unemployment and under-development are greater in these

nations, most of whom are members of the NAM Parliamentary Network.

As Speaker Mapisa-Nqakula raised the plight of the Palestinian people at the launch conference, she emphasised that these matters must be placed firmly on the agenda of the newly formed network.

The South African Parliament delegation, led by Speaker Mapisa-Nqakula, included the Deputy Chief Whip of the ruling African National Congress, Ms Dorries Dlakude, and a Member of Parliament for the United Democratic Movement, Mr Nqabayomzi Kwankwa.

Before the Covid-19 pandemic in 2019, the Republic of Azerbaijan was elected to host the inaugural event and thus the Speaker of the Azerbaijan Parliament was elected Chairperson of the NAM Parliamentary Network at its first meeting in Madrid in 2021. Speaker Mapisa-Nqakula congratulated the Speaker of the Azerbaijan Parliament for hosting the launch conference, where the NAM Parliamentary Network's constitution and operating model were adopted after extensive consultations with various parliaments of the NAM member states.

The Speaker also expressed the trust that the resolutions adopted in the Baku Declaration would be pursued with vigour and executed so that the ideals espoused by the NAM founding members affect real positive change in people's lives around the world. 🌍

# Speaker Mapisa-Nqakula Urges the use of Dialogue, Mediation and Arbitration to prevent & stop wars

*The leader of the South African Parliamentary delegation to the Non-Aligned Movement's (NAM) conference of Parliamentarians in Baku-Azerbaijan, Speaker Nosiviwe Mapisa-Nqakula, urged delegates of over 120 member states to spare no effort in promoting dialogue, mediation and arbitration to prevent and stop wars and conflict in the world.*



**PEACE AROUND THE WORLD: Some of the South African delegation (and below) to the Non-Aligned Movement's conference of Parliamentarians in Baku-Azerbaijan.**

Addressing the NAM Parliamentary Network's inaugural meeting at the Heydar Aliyev Centre in Baku, Azerbaijan which took place at the end of June, Speaker Mapisa-Nqakula said peaceful solutions to conflicts were part of the founding principles and values of the 61 years of NAM.

She praised the NAM for its contribution to fighting apartheid and colonialism and its growth from 25 to 120 Members States over the years. She urged all members to place impartiality at the centre of any intervention to stop conflict such as the one raging between Ukraine and Russia. The Speaker says parliamentary diplomacy is on the rise and must be strengthened to heighten parliaments' capacity to conduct oversight and promote public participation on a global scale. Speaker Mapisa-Nqakula's

call is in line with the conference theme: "Building the Role of National Parliaments in Promoting Global Peace and Sustainable Development".

She also implored Members States of the NAM Parliamentary Network to remember and pursue the cause of the people of Palestine as they did in fighting apartheid and colonialism in South Africa. She said the NAM Parliamentary Network has an opportunity to define its goal and mission through, among others, interventions that would free the world of wars and subjugation of some nations such as Palestine and Western Sahara.

She said the fight to ensure universal access to critical vaccines to fight

the Covid-19 pandemic, and future outbreaks of pandemics must be sustained for the benefit of the People of the South through fighting vaccine nationalism.

The two-day conference of the NAM Speakers and Presiding Officers held in the capital city of Azerbaijan is expected to endorse its constitution or statute and a declaration on modalities for running this global movement of national Parliament that traditionally took no sides during the historical American and Russian-led cold-war.

Speaker Mapisa-Nqakula emphasised the collaboration and cooperation of Members States of the NAM Parliamentary Network, which has the second most significant number of

member states, following the United Nations in the world. She said the enormous advances in technology, medicine and science in the world provide a unique opportunity to build a better life for all and fight poverty, unemployment and inequality, as some of the most pressing challenges facing the world today.

The conference was officially opened by President

Ilham Aliyev of Azerbaijan with the Speaker of the Parliament (Milli Majlis) of Azerbaijan, Ms Sahiba Gafarova, welcoming all delegates. The South African delegation led by Speaker Mapisa-Nqakula comprises the Deputy Chief Whip of the African National Congress, Ms Dorries Dlakude and the Member of Parliament for the United Democratic Movement, Mr Nqabayomzi Kwankwa. The conference also observed and celebrated the International Day of Parliamentarianism, sustaining and advancing democracy worldwide.

The Non-Aligned Movement was formed by Heads of State and Government in 1961. The aim was to organise countries not aligned with the superpowers involved in a protracted cold war, to determine their policies and programmes as sovereign states with territorial integrity and peace, and to advance independence and fight colonialism and racism. Egypt and Ghana were part of the NAM founding member states. Since then, all but two African countries have been affiliated, with South Africa and Eritrea being the last countries to be affiliated after freedom in the 1990s. Presidents Nelson Mandela and Thabo Mbeki have served as Chairpersons of the NAM between 1998 and 2003, and the President of Azerbaijan currently holds the Chairpersonship since 2019. 🌍





**PAN-AFRICAN MOVEMENT:** Ms Pemmy Majodina, the Chief Whip of the majority party, in Midrand.

## IPU Task Force on Russia-Ukraine reaches agreement on parliamentary diplomacy towards ending the war

*The Inter-Parliamentary Union Task Force (IPU-TF) to facilitate peaceful solutions to the conflict between Ukraine and Russia through parliamentary diplomacy, which was established by the IPU President, held its fourth meeting at the beginning of July.*

The Speaker of the National Assembly and member of the IPU-TF, Ms Nosiviwe Mapisa-Nqakula, said the IPU-TF has developed the modalities for carrying out the mission assigned to it. It has adopted these modalities to pave the way for starting direct engagements between the Ukrainian and Russian parliaments, preferably at a neutral venue and on a date yet to be announced.

Speaker Mapisa-Nqakula was optimistic about the IPU-TF's mission to find urgent and lasting solutions to the war, which has caused untold harm, not only to the people and the infrastructure of the two nations, but also globally, as supplies of basic household necessities and food prices continue to sky-rocket.

The IPU's efforts are another demonstration of growing parliamentary diplomacy around the globe, the Speaker said. These efforts place parliaments at the centre of global challenges and sustainable development goals, which are traditionally left to the executive arm of the state.

Through parliamentary diplomacy, parliaments are increasingly better able to understand and oversee the international work led by the heads of state and governments through various multilateral structures, such as the Non-Aligned Movement's Parliamentary Network (NAM-PN), which met in Azerbaijan recently.

"With a better understanding and appreciation of these global challenges, parliaments, through their exercise of effective oversight and public participation mandates, can help heads of state and the executives to drive faster changes," said Speaker Mapisa-Nqakula.

She reaffirmed that to succeed, NAM-PN's impartiality must form part of the operating model for the negotiation, mediation and arbitration efforts in the Ukrainian-Russian conflict. Speaker Mapisa-Nqakula expressed hope that the IPU efforts will help narrow the gap between the two countries, secure the end of the war and build a more enabling environment for engagement and lasting peace.

The Speaker said failure was not an option, as it could lead to the escalation of hostilities. She expressed concern about the United Nations Security Council's missed opportunities to intervene, adding that parliaments needed to add their voices to calls for the transformation of the UN Security Council to better represent world nation demographics. 🌍

## South African MPs elected to serve on Pan African Parliament

*The Chief Whip of the African National Congress in the National Assembly (NA), Ms Pemmy Majodina, was elected to lead the Pan-African Parliament (PAP) Southern Region Caucus while Mr Thembekile Majola (who represents the Democratic Alliance in the South African Parliament) was elected to the PAP Rules Committee.*

The PAP met at its headquarters in Midrand, South Africa, at the beginning of July for its fourth Ordinary Session to elect leaders for various positions, including President and four Vice Presidents, as well as Chairpersons for its five caucuses (Northern, Southern, Eastern, Western and Central) and Chairpersons for the 11 permanent committees.

Ms Majodina was initially elected as the Southern Region Caucus's interim chairperson and was then confirmed as the chairperson for a three-year term. Following disagreement over the implementation of the "geographical rotation principle", which resulted in the suspension of the session last year in June, for the first time since the establishment of the PAP in 2004, a delegate from the Southern regional caucus was elected to serve as President of the continental legislature. This position has been dominated by the Eastern, Western and Central regional caucuses until now. Only the Northern regional caucus will be eligible to put forward a name for the President position during the next election.

Mr Majola was elected to chair the PAP's Rules Committee. This committee's objectives include strengthening the PAP's parliamentary functions and partnerships, as well as its coordination, outreach and institutional capacity. "The Rules Committee is one of the key committees in the Pan African Parliament. We are sitting with the issue of the Rules itself that need to be changed. So that will be the first thing I have to deal with," said Mr Majola, who added that the institution also needs stability.

"When I am talking about stability, I am talking about administration. As [we] were here for three [or] five days, you will see meetings have been called for 9 o'clock but they start at 11 o'clock. It must be a parliament like other parliaments," Mr Majola suggested. 🌍



**END GUN VIOLENCE: MP Mr Fikile Xasa called on Qutubeni residents to end gun killings.**

## MP Xasa calls for end to gun killings in Qutubeni constituency

*Member of Parliament Mr Fikile Xasa called on the people living in his Qutubeni constituency, which includes the surrounding villages in the Engcobo Local Municipality, to work together to end the gun killings that have so far claimed the lives of 52 people, writes Mava Lukani.*

Mr Xasa appealed to traditional, community and faith-based leadership in the area along with ordinary members of the public to restore peace among the people of Qutubeni and other affected areas in Engcobo.

Citizens of Qutubeni claim that the ongoing gun killings were related to stock theft and began when the owners of the stolen livestock killed those they believed responsible for the crimes. The suspects organised themselves into a defence unit to retaliate and the situation escalated.

To restore peace, Mr Xasa facilitated a gathering of the people of Qutubeni recently. The Premier of the Eastern Cape, Mr Oscar Mabuyane, was in attendance, as were the Eastern Cape Commissioner of police and other senior police officers. The Mayor of Engcobo Local Municipality, ward councillors and the Head of Sdindi Traditional Council were also present in the meeting.

At the meeting, the people of Qutubeni demanded the arrest of all the perpetrators of the violence. They also complained about the lack of police response to the stock theft and murder. They have lost trust in the South African Police Service (SAPS) in Engcobo, they said. Citizens also highlighted the problem of unemployment in Engcobo and attributed stock theft to the rising unemployment and deepening poverty.

The Premier promised to support Engcobo Local Municipality's economic development programme to ensure employment for young people. He also promised to intervene in the problem of the lack of a road linking Engcobo with nearby towns, such as Elliot, through Qutubeni and Qebe administration area.

The police told the people gathered at the meeting that 25 cases of stock theft are open and five of them are before the court. The police committed themselves to work closely with the people to fight stock theft and other crimes, to stop gun killings and to arrest the perpetrators. Furthermore, the Eastern Cape SAPS commissioner promised to provide a mobile police station in Qutubeni and to provide two police vehicles to Engcobo Police Station. 🗺️



**OVERSIGHT VISIT: A COGTA delegation visits an initiation school in the Eastern Cape.**

## COGTA - law enforcement agencies must close down unlawful Initiation Schools

*The Portfolio Committee on Cooperative Governance and Traditional Affairs (COGTA) conducted an oversight visit to initiation schools in the OR Tambo and Amathole districts in the Eastern Cape.*

The National Initiation Oversight Committee, established by the Minister of Cooperative Governance and Traditional Affairs, and the Eastern Cape Provincial Initiation Coordinating Committee also formed part of the team accompanying the committee on the oversight visits to the schools.

During the oversight programme, the committee received briefings on challenges with initiation practices in Port St John's, Ngquza Hill, King Sabatha Dalindyebo (KSD), Nyandeni and Mhlontlo local municipalities.

The committee noted that preparations for initiations at the two legally registered initiation schools it visited were done in line with the Customary Initiation Act, which came into effect on 1 September 2021. The committee also visited KSD and Mhlontlo municipalities where eight initiates have died since the start of the season on 17 June 2022.

The committee was informed that there are 66 legal initiation schools and 68 illegal initiation schools in the OR Tambo District alone. It also heard that the closure of illegal initiation schools was complicated by the fact that no hospital beds are available for initiates when they need them. What is more, the erstwhile rescue centres are no longer operational due to the Covid-19 pandemic and depleted resources.

The Customary Initiation Act is clear on what action needs to be taken against illegal schools. They must be closed down and the traditional surgeons and nurses who work in them must be arrested and charged.

The committee made it clear that law enforcement agencies should not tolerate any lawless behaviour in communities that protect illegal traditional surgeons and nurses. In response to this, the police informed the committee that eight arrests have been made and 21 cases opened during the current initiation season.

The committee welcomed the decision taken by Matatiele in the Alfred Nzo District Municipality not to open any initiation schools this winter season due to poor weather conditions. 🗺️



**PUBLIC PARTICIPATION:** The Portfolio Committee on Home Affairs has concluded public hearings on the Electoral Amendment Bill.

# Home Affairs committee makes progress on Electoral Amendment Bill

*The road to electoral reform in South Africa took another major step towards reality as the portfolio Committee on Home Affairs made meaningful progress towards conclusion of the process. The Portfolio Committee on Home Affairs is progressing well in the endeavour to complete its processes of considering the Electoral Amendment Bill, writes Malatswa Molepo.*

Following a lengthy public participation process which included public hearings in all nine provinces, the committee has over the past two months set throughout the Parliamentary recess process to consider the Bill and have made substantive decisions that will pave the way to drafting the A list Bill, which will be considered by the committee. The committee is satisfied with its work thus far and is optimistic that it has arrived at a balance between fairness for both political parties and independent candidates, and the protection of proportional representation.

To enhance fairness, the committee decided that independent candidates must have representation in liaison committees, which are a critical component of electoral work. The committee also agree that these committees be called political liaison committees to ensure that the existing literature that these committees have used thus far continues to be used.

Regarding the prescribed minimum requirements for candidates to participate, the committee decided that an independent candidate must provide at least 30 per cent of the quota of signatures for a seat in the previous equivalent election. This decision was premised on the need to eliminate chance takers and ensure that only serious political parties and independent candidates participate. There was also agreement that the Bill must include an electronic verification requirement for submission of signatures to enable the Electoral Commission of South Africa (IEC) to verify submitted signatures. Also, candidates must pay an election deposit to be determined by the IEC.

The committee also heard that a constitutional question may arise on the requirement for a cooling off period for independent candidates.

There were strong views that the stringent requirement for signatures and payment of election deposit are adequate to eliminate the danger of half-hearted candidatures. Also, there was a concern that policing the cooling off period will be difficult for the IEC. The committee deferred a decision on the cooling off clause for later to allow for consultation.

Regarding the clause on seat allocation, a decision was taken that the Bill should remain with 200 compensatory seats and 200 regional seats, as proposed by the original Bill. This allocation of seats will be achieved through a single-round Droop quota system.

There was consensus that in the event of a vacancy in a seat allocated to an independent in the legislature, the seat should be filled by the next highest available independent candidate or political party. Meanwhile, the committee has deferred a decision on independent candidates participating in one or many regions to its next meeting to enable members to consider advice presented to the committee, especially as it relates to ranking of regions of preference.

As a result of the decisions made, the

committee has mandated legal teams to commence drafting the A list Bill, including the committee's decisions for consideration in the next meeting.

Meanwhile, following the decision to receive a summarised version of the Ministerial Committee established to review all permits and visas issued since 2004, the committee raised alarm at the findings presented and called for urgent action to remedy the shortcomings within the permitting section. The committee's concerns are based on the vulnerability of the system and corrupt officials, which undermine not only the country's systems, but its security as well.

The committee has in the meantime welcomed the firing of six officials and disciplinary processes against four more. The committee approved the recommendations presented in the report and instructed the department to present an implementation plan with timelines on how it will remedy its weaknesses in the meeting scheduled in Parliament's third term.

The committee also highlighted the urgency of digitising the department's systems to ensure the system is secure. This will improve the country's security too. 🇿🇦