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Western Cape Forestry Sector Forum

Submission to the Portfolio Committee –
Department of Agriculture, Forestry & Fisheries

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WCFSF - Introduction

- The Western Cape Forestry Sector Forum (WCFSF) is formed by the key forestry stakeholders in the Western Cape (WC) with common view to promote and support development in the forestry sector in the Western Cape Province. Furthermore, The WCFSF creates a platform to debate forestry sector development issues between government, the forest industry, investors, financial institutions and communities with access to forest land or forest resources. This is a platform where stakeholders get together to discuss problems, share information and endeavour to find sustainable solutions to challenges facing the sector.
- Poverty, joblessness and lack of security of tenure represent a serious threat to the sustainable livelihoods of many rural forestry communities in the Western Cape Province.
- The sustainability of the forestry sector in the Province is of prime importance for economic and rural development, especially for previously disadvantaged vulnerable forestry communities, residing in forestry settlements.
- The cabinet decision to exit from 22 500a of state forestry land and the handover of some of this land, including forestry settlements, to conservation agencies, such as SANPARKS, has negatively impacted the job security and security of tenure of the communities residing in these settlements.
- The exit strategy in respect of a significant portion of state owned forestry land has been reversed, yet existing leases between the government and the private sector forestry companies have not been renewed, resulting in the imminent closure of saw mills and significant job losses in the forestry sector. Leases have not been entered into in respect of other state owned forestry land, resulting in valuable forestry land being degraded and remaining non-productive.
- The above situation has given rise to a need for a platform where all stakeholders can get together to discuss problems, share information and endeavour to find a sustainable solution to the challenges facing the industry.

WCFSF - Purpose

The Forestry Forum shall provide leadership and serve as a platform where all stakeholders with an interest in forestry, including government, private sector industry, civil society, regional forestry sector forums and forestry communities can meet to effectively facilitate the sector's socio-economic and environmental sustainability and guarantee security of tenure and service delivery to members of Forestry Communities.

WCFSF – Guiding Principles

1. Forestry development offers real opportunities for poverty alleviation, employment and enterprise development in communities of the Western Cape, and can therefore serve as a catalyst to community development and upliftment.
2. Development of the Forestry Sector, amongst others, in WC is of prime importance for economic and rural development especially for previously disadvantaged communities.
3. Forestry development needs to be consistent with the provisions of the National Forests Act (84 of 1998), the BBBEE Act of 2003, the Forest Sector BBBEE Charter of 2009, Accelerated and Shared Growth Initiative of South Africa, National Industrial Policy Framework, National Development Plan, Modern certification principles and recognized forestry certification systems.
4. All spheres of government (local, provincial and national) have a key role to play in guiding the forestry development process and to provide support to communities in undertaking forestry enterprise initiatives, and should work together in doing so.
5. Communities should be empowered with skills and financial resources required to establish forestry enterprises on their own.
6. Forestry development projects must be socially, economically and environmentally sustainable.
7. Communities and black emerging enterprises should not only be encouraged and assisted to plant trees, but should be enabled to participate in downstream beneficiation and value-adding activities such as non-timber forest products, ecotourism and agroforestry.

The Historical Forestry Facts

"Throughout human history, each new generation has accepted the state of the world that they inherited from their ancestors. Environmental impacts that preceded them were viewed as natural, or at least normal, so changes occurring over several generations often went undetected" (Reichman and Pulliam 1996[1]).

One of the first English written accounts of our Southern African forests occurs in 1614 when an English East India Company ship *The Gift*, anchored in what the English termed "Table Bay" and Samuel Squire, the Master's Mate aboard the ship recorded in his diary that:

"Before our departure the General Nicholas Downton sent me to discover the inland country and see for tumber to mast our unbuilt pinnace or small sailing boat, the which I found on the S.W. side of the table in abundance either to build or mast small shipping; with this we supplied our wants in that kind".

Jan Van Riebeeck was sent to the Cape in 1652 to establish a small station at which United Dutch Chartered - East Indian Company ("VOC") ships would be supported along their route to the lucrative spice trade with the Orient. VOC Captains would be able to obtain fresh vegetables to relieve scurvy - and fill their water-butts: fresh meat was to be obtained by barter with the Khoikhoi and the San upon whose land the VOC "Fort" was to be constructed. An entry from Van Riebeeck's Diary recording his first visit to what he named, Hout Bay (Wood Bay) in July of 1653 records:-

"They were the finest forest in the world and contained as long and thick spars as one would wish to have. It is amazing to see the fine forest that lie scattered all about the mountain-side..." another reference indicates "...they grew 5,500 paces from the sea."

By 1700, nearly all the timber within wagon-haul had been cut for fuel, including the yellowwood in the Hout Bay forest, which Van Riebeeck had tried to protect as early as 1658 as well as the stinkwood which has been on the endangered species list since 1815. There were travelers' tales of forests far to the East, of "trees of vast girth", as "straight as a ship's mast and thrice as high". Twice in 1734 and 1752 exploring parties missed the Forests of Knysna.

In 1788, the VOC Governor Van Plettenberg sought to see these forests with his own eyes, and leave his name to the Bay whence the first shipment of timber left for the Cape aboard the VOC slave ship *Meerman*. This timber was destined for wagons and gun carriages, soon yellowwood beams, door-panels, ceiling and floorboards, along with stinkwood and ironwood for the Cape ship repair yards and cabinet-makers.

The history of forest land cover change from Hout Bay east to Plettenberg Bay and beyond is well documented, yet the very spot that Van Riebeeck's records in his Diary as "*the finest forest in the world*" is classified on today's vegetative maps as "*Cape Sea Shore Vegetation*", "*Endangered - Peninsula Granite fynbos*" and "*Vulnerable - Hang Klip sand Fynbos*". Because that is what is there today.

[1] Reichman, O.J., and H.R. Pulliam. 1996. The scientific basis for ecosystem management. *Ecological Applications* 6:694-696

THE SOCIAL LEGACY

Forestry in South Africa is a senior industry with deep roots in Colonial and Apartheid economic land use transformation. Long before either diamonds or gold timber drew Colonial devastation to our African shores.

While Forestry today means almost exclusively Pine and Blue Gum that was not the case for much of the preceding three centuries. For its first 250 years Forestry in South Africa meant harvesting indigenous trees. The Colonial and Apartheid Timber industry of the Southern Cape cannot be viewed at all without reference to such terms as “Slaves”, “Poor Whites”, and “Colonial Devastation.”

The mass import and distribution of alien vegetation such as Oak, Wattle, Pine and Blue Gum, was first installed to supplement the dwindling timber supply from fast disappearing indigenous forests as early as 1638. The Pine Plantation industry became a major component in the rise of NNP power being massively established as a White Economic Empowerment (WEE) program in the 1930’s to address the “poor white problem”. The timber industry of South Africa has been built on a 350 year history comprising the blood, sweat and tears of Black and poor White people including my own particular ancestors for the financial benefit of a very few select beneficiaries. This reality remains the case today.

The 450-year history of European savagery in Africa comprises a particular alchemy of ignorance, greed, and the self-serving perversion of both Christian and scientific doctrine endeavoring to transform “dread into gold”. Despite much rose-colored contemporary propaganda to the contrary, Colonialism had only one motive - ruthless profit: the economic empowerment of European states and some few select citizens at the expense of Africa and its peoples. As a result there is an urgent need to identify, compile and include African scientific perspectives within those historically “euro-centric” realms of social and scientific history that still impact on multi-disciplinary Forestry and Environmental studies today.

These fallacies deeply seated within the non-African scientific community and even in the minds of many Africans themselves need to be thoroughly audited, identified and corrected. Auditing and clarifying this history remains a significant duty and challenge for African science. Support is urgently required for expanding the base of Blacks in all areas of scientific research that contribute to the Forestry sector.

THE SOCIAL LEGACY... continued

Our Government who agreed to a peaceful transition in 1994, thereby creating what it saw as a secure place for investors to grow their profit margins, has had to beg for any transformation in the Forest sector millimeter by millimeter in what I believe to be a highly misguided strategy of trying “not to offend” or “scare” the Timber sector.

The Forestry sector did not come forward as an industry in 1994 and say: Apartheid created an unfair playing field, which gave us an unfair profit advantage that we would now like to redress as our contribution towards a future of social and economic stability. To this day and all through this Charter Processes the sector has tried every means possible to hold Government to ransom by repeatedly making their own demands to preserve the inequitable

Apartheid economic status quo the sector started out with in 1994. The sector has fought hard to hang on to every inequity they have been benefiting from over the past 23 years. As we approach the 24th year of our democracy one hope that the industry will recognize that its future depends upon successful transformation in its broadest sense.

The poor masses of this country robbed of an apology for Apartheid including those within the Forestry sector who agreed to a peaceful transition in hopes of a better life for all remain bogged down in a sea of bureaucratic self-serving jargon. Terms such as “Emerging” are still today applied to those of us whose great grandfathers were “emerging” and now we are still “Emerging” in the Forestry sector. If we are not emerging, we are evicted forcefully from homes we occupied since our birth.

In my opinion the time has come for all of us – even the established forces within the Timber sector - to ask what can I do for my country. It is my sincere hope that this sector will take the lessons that our history and the history other African countries have to offer them – your values will be completely undermined if the social ills that are your reality are not addressed.

Comments on Amendments

Amendment of section 2 of Act 84 of 1998, as amended by section 1 of Act 12 of 2001

1. Section 2 of the National Forests Act, 1998 (Act No. 84 of 1998) (hereinafter referred to as the "principal Act"), is hereby amended—
(a) by the insertion in subsection (1) before the definition of "biological diversity" of the following definition:

“**assignment**” means the permanent or temporary transfer of—

(a) a power, duty, role or function from the functional domain of national government to one or more provincial governments, organs of state or to persons who are not organs of state; or

(b) the administration of a matter listed in Schedule 4, Part A, of the Constitution;”

(b) by the substitution in subsection (1) for the definition of “natural forest” of the following definition: “**natural forest**” means a group of predominantly indigenous trees—

(a) whose crowns are largely contiguous in its undisturbed state;

(b) which may represent any successional stage or state of forest degradation, in which case crowns may not be contiguous;

(c) which occur in association with characteristic plants or animals recognised in vegetation science as diagnostic species of a specific natural forest type; or

(d) which have been declared by the Minister to be a natural forest in accordance with section 7(2);”; and

(c) by the substitution in subsection (1) for the definition of “woodland” of the following definition:

“**woodland**” means a group of indigenous trees which are not a natural forest, but whose crowns cover [**more than**] at least five per cent of the area [**bounded by trees forming the perimeter of the group**] they occupy, and which may, in a degraded state have a crown cover of less than five per cent.”

Amendment of section 16 of Act 84 of 1998

7. Section 16 of the principal Act is hereby amended by the substitution in subsection (1) for paragraph (b) of the following paragraph:

“(b) a particular tree [**or**], group of trees [**or**], woodland, or a State forest or part of it, to be protected under [**section**] sections 12(1) and 8(1), respectively,”

We ask that government immediately removes all alien species from our definition of Forests. We realize that if we didn't have the imported aliens like Pines and Blue Gums the last remnants of our Majestic Afro-Montane forest might have been completely wiped out. Plantations forests, apart from providing us with much needed timber utilized by various sectors of our economy and contributing significantly to our GDP. Plantations are a necessary evil we must tolerate. Our objection is not the neatly planted rows of aliens. We object strongly to those aliens outside, legally permitted plantations. We ask Government to aggressively seek the industry's commitment to address Climate Change by mitigating its own Carbon footprint including massive losses to fire. It is time the sector take more responsibility for the loss of property and life, which frequently occurs during fires. Industry must contribute to clearing those stands of aliens surrounding their legally permitted plantation.

Comments on Amendments

Insertion of section 2A in Act 84 of 1998

2. The following section is hereby inserted in the principal Act after section 2:

“Public trusteeship of nation’s forestry resources

2A. The National Government, as the public trustee of the nation’s forestry resources, acting through the Minister, must ensure that these resources, together with the land and related ecosystems which they inhabit, are protected, conserved, developed, regulated, managed, controlled and utilised in a sustainable and equitable manner, for the benefit of all persons and in accordance with the constitutional and developmental mandate of government.”

We ask that Government will ensure that the poorest of the poor will be the first to benefit from the implementation of this Law and the Forestry Sector Charter.

1. That government urgently recall the forgotten Forestry Communities. Those who contributed to the growth of the forestry sector with their blood sweat and tears under the most inhumane condition. They are the ones who still wait to taste the benefits of our democracy. The ones who are not emerging; The ones who are evicted from the homes they were born in.
2. Those who lived in isolated, god forsaken areas to take care of plantations. They are the ones facing daily threats of evictions when they were promised a better life, education for all and bringing government to the people. They are the ones not earning enough to send their children to varsity. They are the ones who must pay R300.00 to hire a car to visit the doctor. Please allow us to take you through these communities to hear how their standard of living deteriorated with every year passing since 1994. Those now earning what their fathers earned at the dawn of our democracy. Those who live with the constant threat of evictions in addition to their other challenges.
3. That our Government and industry instead of just providing funds to buy equity in existing Forestry businesses (which may only be an over priced exit strategy for current owners from a badly run business) should also assist in establishing new start-up businesses (especially in potentially “value add” sectors of the industry) for the benefit of the poor.

CONTINUED...

Comments on Amendments

Insertion of section 2A in Act 84 of 1998 – CONTINUED...

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“Public trusteeship of nation’s forestry resources
2A. The National Government, as the public trustee of the nation’s forestry resources, acting through the Minister, must ensure that these resources, together with the land and related ecosystems which they inhabit, are protected, conserved, developed, regulated, managed, controlled and utilised in a sustainable and equitable manner, for the benefit of all persons and in accordance with the constitutional and developmental mandate of government.”

4. That our government ensure beneficiation of all our raw forest materials. As stated earlier, by 1815 the mighty stinkwood was almost extinct. We know, apart from our gold and diamonds, the destruction of our forest contributed significantly to the industrial revolution of the West. We need to stop exporting commodity timber products such as “wood chips” and importing the value added products such as “chip board”. We must stop creating jobs for other countries through exporting our raw materials. Industry and Government must work together to develop opportunity for Black scientists to develop within the entire scope of Forestry research. The Charter Council and Government must end the oppressive “casual contracting” practices in the sector as a very small number of future “Beneficiaries” under the Charter will be business owners and the main economic benefit the majority of our poor will derive from it in rural areas will be jobs in the sector. Jobs that pays you R4000.00 a month after 12 years.

5. That government review the evergreen contracts signed before the dawn of our democracy. The very companies enjoying the benefits of these evergreen contracts still feel they don’t have to heed the call for transformation, whilst enjoying the privileges bestowed on them by apartheid, and tolerated by our current leaders.

6. That government withdraw the mandate given to SANPARKS to manage its forest. Today, if you do an audit of the concessions given by SANPARKS you will find vast inequalities. If will find SANPARKS concessionaires don’t comply with the Forestry Charter. Transformation is limited. For you to tender for a significant operation with SANPARKS means you must first prove you have R11 million somewhere in a bank account. There is no room for start ups to enter into business with SANPARKS.

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Comments on Amendments

Amendment of section 34 of Act 84 of 1998

10. Section 34 of the principal Act is hereby amended—
(a) by the substitution in subsection (2) for the full stop at the end of paragraph (i) of a semi-colon; and
(b) by the addition in subsection (2) of the following paragraph:
“(j) youths and women.”.

Amendment of section 35 of Act 84 of 1998

11. Section 35 of the principal Act is hereby amended by the substitution for subsections (4) and (5) of the following subsections, respectively:

“(4) Members of the Council and members of [a committee] the committees of the Council referred to in section 36 who are not in the full-time employment of the State may be paid for their services, except for attending Council meetings.

(5) The Minister must determine the remuneration and allowances payable to members of the Council and members of [a committee] the committees of the Council referred to in section 36 with the consent of the Minister of Finance.”.

Amendment of section 36 of Act 84 of 1998

12. Section 36 of the principal Act is hereby amended by the substitution in subsection (6) for the words preceding paragraph (a) of the following words:

“(6) The functions of the Committee on Forest Access are to advise the Council, the Department and the Minister on—”.

Amendment of section 37 of Act 84 of 1998

13. Section 37 of the principal Act is hereby amended by the substitution for

subsection (3) of the following subsection:

“(3) The chairperson of the Council must provide the Minister with advice or information emanating from any meeting [within two weeks] of the Council within a period not exceeding one month from the date of the said meeting.”.

1. We ask that Government will ensure that at least 1 representative of provincial structures representative of the local communities and the industry, such as the WCFSF, as well as 1 youth and 1 female representative per province, are included in all the committees and councils such as the National Forests Advisory Council. The following clauses has reference:

Comments on Amendments

Clause 10

Clause 10 of the Bill amends section 34 of the Act which provides for the composition of the National Forests Advisory Council (Council) Clause 10 provides for the inclusion of categories of youths and women to current categories to be represented in the Council.

Clause 11

Clause 11 amends section 35 of the Act which provides for the conditions of appointment to the Council. This clause ensures the section refers to both committees i.e. Committee on Sustainable Forest Management and Committee on Forest Access.

Clause 12

Clause 12 of the Bill amends section 36 of the Act which provides for the committees of the Council. This clause provides for the Committee on Forest Access to also advise the council and the Department, not only the Minister.

Clause 13

Clause 13 of the Bill amends section 37 of the Act which provides for the meetings of the Council. Clause 13 provides for the extension of the time period that the Council needs to advise the Minister on issues emanating from Council meetings from two weeks to a month.

FURTHER WCFSF RECOMMENDATIONS

The economic transformation policies of Government need to be embraced not defended against.

- We must stop the current situation where new Black minority owners in the sector are utilized by their majority partners as the very voices to lobby Government for maintaining the worst conditions at all the working levels of the Forestry industry.
- That government urgently report back to those who were promised shares if they agree to move to SAFCOL and subsequently MTO/ Cape Pine. They are still waiting. Many died, asking us to ensure their children enjoy this benefit, begging us to ask government to fulfill atleast that promise. Please, we beg you to please address this failed promise.
- That National Government ensures all it's Departments drives the National Government agenda and not that of the Provincial Governments in the process of transfer of state land. Communities who has occupied land for generations are left in the dark with no or very little information or consultation.

Western Cape Forestry Sector Forum



We thank the Portfolio Committee for the time afforded to us to present this submission

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Vice Chairperson
Western Cape Forestry Sector Forum