



ECUMENICAL LEADERSHIP COUNCIL
DEVELOPING LEADERS IN OUR COMMUNITY

21 April 2021

To: The Chairperson & Honourable Members of the Committee
COGTA Parliamentary Portfolio Committee
c/o The Secretary (Ms Shereen Cassiem)
Per e-mail: scassiem@parliament.gov.za

Dear Honourable MP,

**RE: INVITATION FOR COMMENTS ON THE IMPACT OF DISASTER
MANAGEMENT REGULATIONS ON THE RELIGIOUS SECTOR BY 22
APRIL 2021**

In response to Parliament's call for comments on the aforementioned; herewith are the submission from The Ecumenical Leadership Council.

1. Section 9 (3); 15(1); 18; 31 of the 1996 South African Constitution read together infer that the limitation of religious freedoms in the context of National Disaster Management should be intended to enhance constitutionalism; and proffer citizen centric cooperation between state and church as opposed to securocrat implementation. Which effectively means the intended ACT must be reasonable, rational, justifiable, and proportional.

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2. In this regard The Ecumenical Leadership Council notes the unintended consequences that may flow from the blanket limitations of liberties introduced by lockdown. The effect of which is the negative precedence for governance and unreasonable, irrational, unjustified and disproportional targeting of the religious sector.
3. The Disaster Management Act of 2002, does not describe the role of the police and the military, only the gazetted amendments as effected by the Minister of COGTA in 2020 create a space for the police as a role player, the effect of which exclusion (in the act) is that there has been an arbitrary imposition of the police and military services in an otherwise civilian centric act¹.

4. SUBMISSIONS

In this regard The Ecumenical Leadership Council submits the following:

- 4.1 Disaster management is not expressly encapsulated in the Supreme Law of the Republic of South Africa (1996 Constitution) which has the effect that the religious sector and citizens in general are not constitutionally protected in times of disaster act implementations.
- 4.2 There should be an exclusion of solemnization duties from limitations imposed during disaster management.
- 4.3 There should be considered financial relief for the religious sector during times of disaster management.

¹ Ittmann, H. W., Bean, W. L., Kekana, E., & Viljoen, N. M. (2011). Disaster management and humanitarian logistics-a South African perspective. *Journal of transport and supply chain management*, 5(1), 39-52.

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- 4.4 There should be exclusion of limitations against the administrative functions of religious organizations during disaster management.
- 4.5 The exclusion of limitations on pastoral, counselling and grief assistance thus recognizing religious organizations and workers as an “Essential Service”.

The Ecumenical Leadership Council community endorses friendship, good governance, ecumenism and respect for the law.

Yours sincerely,

Rev. Siphon Mahlangu
President

Mr. Masilo Molebatsi
General Secretary

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