



**SUBJECT: REPORT TO THE PORTFOLIO COMMITTEE ON KRUGER NATIONAL PARK LAND CLAIMS**

**DATE: 27 AUGUST 2021**

**1. PURPOSE**

To brief the Portfolio Committee on Forestry, Fisheries and Environment on key items raised by Land Claimant representatives at the Portfolio Committee meetings held on 5 May 2021 at Skukuza in the Kruger National Park and again at a Portfolio Committee meeting held on 24 August 2021.

**2. BACKGROUND**

The following issues are provided by way of background in the response.

**2.1 Responsibilities for the Settlement of Land Claims**

Set out in the table below are the roles and responsibilities for different departments and agencies in the settlement of land claims:

#	Institution	Roles in the settlement of claims
1	Commission of Restitution and Land Rights	Receives, processes and finalises land claim. Decides on the settlement agreement arrangement. Provision of the financial compensation as part of phase 1

#	Institution	Roles in the settlement of claims
2	Department of Agriculture and Land Restitution and Rural development	Executive authority: Provision of post settlement support
3	Department of Forestry Fisheries and Environment	Executive Authority: Support the feasibility study of best possible settlement arrangement. Support SANParks, as the management authority to implement the settlement agreement
4	South African National Parks	Pre-settlement: Participate in the "options study" for settlement arrangements and incentives. Post-settlement: consultation with land claimants develop the Beneficiation Scheme as part of phase 2

## 2.2 Land claims in the Kruger National Park

Set out in the table below are the 15 land claims within the Kruger National Park. This excludes that of the Makuleke land claim, which was previously settled and is not managed as a Contractual Park.

Claimant community	Extent of claim in ha
1. Madonsi	24 311.0990
2. Muyexe	10 949.9910
3. Ndindani	32 588.4610
4. Nwazekuzeku	24 311.0090
5. Makahane-Marithenga	53 431.6344
6. Ba-Phalaborwa ba Maseke	35 812.5240
7. Ba-Phalaborwa ba Selwane	35 812.5240
8. Ba-Phalaborwa ba Makhusane	35 812.5240
9. Ba-Phalaborwa ba Mashishimale	35 812.5240
10. Makhuvha	35 812.5240
11. Mathebula	61 100.0000
12. Mahashi	14 924.0000
13. Mhlanganisweni and Sibuyi	49 060.0000
14. Phabeni	14 784.0000
15. Gomondwane	20 400.0000

<b>TOTAL</b>	<b>484 922 81.44</b>
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2.2.1 The Makahane-Marithenga land claim has been referred to the Land Claims Court as the land claimants wish to retain title.

2.2.2 This memorandum will focus on the 7 settled land claims as part of the 2016 Settlement Agreement and which specifically involved SANParks in the preparation of a Beneficiation Scheme.

### **2.3 The restitution of Land Rights Act of 1994 (Act No22 of 1994)**

2.3.1 The restitution of Land Rights Act of 1994 (Act No22 of 1994) indicates that the restitution of a right in land means “the restoration of a right in land or equitable redress”. The 'restoration of a right in land' means the return of a right in land or a portion of land, and 'equitable redress means' any equitable redress other than the restoration of a right in land.

2.3.2 Section 42 (d) of the Restitution Act gives the Minister of Agriculture, Rural Development and Land Reform three options for settling claims:

- a. Awarding to the claimants a portion of land or any other right in land
- b. The payment of compensation to such claimants, and
- c. Both an award and payment of compensation to such a claimant

2.3.3 Land claims in terms of this Act affect some of South Africa's national parks, World Heritage sites and other protected areas. The National Parks Act of 1976 and the World Heritage Convention Act of 1999, Section 31 (3) provide specific powers to the Minister of Forestry, Fisheries and Environment on the use of land falling within the ambit of these laws.

### **2.4 2002 Cabinet Memorandum**

2.4.1 In 2002 the Cabinet approved a joint Government position regarding the settlement of restitution made on land in proclaimed protected areas, state forests under the National Government and World Heritage Sites.

2.4.2 This was necessary to ensure that Government's policies and legislation with regard to restitution, conservation and tourism are consistently applied in meeting government objectives.

2.4.3 Further, this was also needed to balance the interests of the claimants in protected areas in the context of the Government's restitution objectives with the Government's other objectives with respect to the broader public interest i.e (conserving and managing uniquely valuable and sensitive conservation areas, optimising their economic development and promoting financial sustainability in their development and management).

2.4.4 The Cabinet Memorandum of 2002 therefore approved:

- that restoration, in terms of the Restitution Act for claims against protected areas, could be made feasible through - transfer of title without settlement rights; and transfer of title coupled, **with registered notarial deed restrictions** on the use of the land;
- that sustainable partnerships between claimants and managers of protected areas must be established to achieve effective biodiversity conservation of the area, including economic viability, holistic and coherent management;
- that in the settlement of claims, economic benefits for the claimant community could include a partial financial pay-out to claimants in lieu of opportunity costs which include a percentage of the annual gross turnover generated by commercial activities, and a certain portion of land excised for grazing or agricultural purposes, conditional upon an environmental impact assessment for the change in land use and consistency with applicable legislation and policy;
- Settlements should not undermine the economic viability, financial sustainability and holistic management of protected areas, especially National Parks, World Heritage sites and other areas of high conservation value.

2.4.5 In summary:

- Land within a protected area can be owned by claimants without physical occupation, but with arrangements for compensatory remuneration and benefits set out in the land claim settlement agreement.
- Effective conservation can be obtained through partnership between the owner and manager.
- Restoration through the transfer of title is feasible with registered notarial deed restrictions.
- Lease agreements for protected areas should allow for undisturbed management of the area within a context of holistic management and financial sustainability.

2.4.6 On 9 February 2005 the Minister of Agriculture and Land Affairs and the Minister of Environmental Affairs and Tourism agreed to develop and conclude an Inter-Ministerial Agreement to provide a mechanism to facilitate:

- a co-operative national approach to the resolution of land claims in Protected Areas;
- a definition of the roles of the Department of Land Affairs and the Department of Environmental Affairs and Tourism with regard to the restitution of rights in land within Protected Areas;
- the continued environmental protection for Protected Areas under land claims; and
- the optimum participation and beneficiation of claimants and broader communities in and around the Protected Areas.

2.4.7 In terms of the MOA, beneficiation for the Claimants should be structured in such a way that it is tangible, realistic and optimal though not compromising the financial sustainability of the said Protected Area.

## **2.5 2008 Cabinet Memorandum**

2.5.1 Given the challenges experienced with the implementation of the 2002 Cabinet decision and upon the evaluation of claims against the KNP, which indicated that the settlement model of restoration of right will seriously impact on the functioning of KNP, DEA approached Cabinet for the option of equitable redress in terms of the Restitution Act.

2.5.2 This was to ensure the claim against this iconic conservation area is within government objectives to ensure financial sustainability of conservation management and global community interest while actively empowering the land owners.

2.5.3 The Ministers of Environmental Affairs and Tourism as well as Agriculture and Land Affairs were requested to consult further on the matter, facilitated by the former Deputy President if needed, and resubmit the memorandum to Cabinet no later than 13 August 2008.

2.5.4 A revised Cabinet memorandum was submitted on 29 August 2008, requesting Cabinet to note the intention of the South African National Parks (SANParks) to lodge an application to the Land Claims Court in terms of Section 34 of the Restitution Act in pursuit of settlement of valid land claims in National Parks including the (KNP). It was subsequently agreed that a meeting will be convened by the Presidency to discuss the matter further.

2.5.5 The President convened a meeting with the two Ministers on 26 November 2008. It was agreed that a revised Cabinet memorandum should be submitted to Cabinet, recommending equitable redress for outstanding land claims in the Kruger National Park.

2.5.6 It was emphasised that the implications in respect of the Constitutionality and legality of the restoration option be verified.

2.5.7 In December 2008, Cabinet approved equitable redress as the only means of settling land claims within the Kruger National Park. This decision was based on the following principles;

- That a Beneficiation scheme must form part of the equitable redress model in order to ensure fair and equitable compensation for the claimant communities,
- Beneficiation should be tangible, realistic and optimal,
- Settlement should uphold the principles of economic viability, financial sustainability and holistic management of protected areas (conservation),
- Post settlement phase should be compatible with conservation and protected areas legislation; and
- BBBEE is essential.

2.5.8 Under Equitable Redress:

- the claimants receive fair and equitable financial compensation for the loss of their land rights.
- Financial compensation.
- It is submitted that the state should retain title to land in protected areas.
- This option applies where the biodiversity or a heritage asset is sufficiently important not to risk alienation at a later stage, or where the complexities of co-management do not justify the benefits to the claimant.
- This settlement option must ensure that claimant communities remain spiritually connected to their ancestral homes.
- This option will also apply where the cost of managing the biodiversity asset will completely outweigh the possible benefits to be derived from the area, for example, wilderness areas and critically endangered ecosystems. In this instance, claimants will fare better economically from financial compensation than they will from

managing the land themselves or participating in benefit-sharing co-management with the management authority.

2.5.9 The financial compensation could entail compensation:

- With access to certain further benefits. This variant has the advantage of extending the benefits of a bordering protected area beyond the boundary of the protected area. In the long term these benefits will lead to better co-operation between landowners. These benefits will also assist in the development and empowerment of communities directly.
- Without access to further benefits. This option is a pure financial settlement. In addition to the monetary settlement, a beneficiation scheme for communities may be set up, and potential areas for such a scheme are outlined in an Annex to the Cabinet memorandum.

### **3. DISCUSSION**

#### **THE 2016 SETTLEMENT AGREEMENTS & BENEFICIATION SCHEME**

3.1 In 2016 through the signing of Settlement agreements, the State awarded, and the Communities duly accepted, Financial Compensation and the Beneficiation Scheme, in lieu of the Claimed Land in KNP, subject to the following:

- there shall be no transfer of title to or right to physical occupation by the Community to the Claimed Land; and
- the Claimed Land shall remain part of the National Park in perpetuity and continue to be managed by the Management Authority;

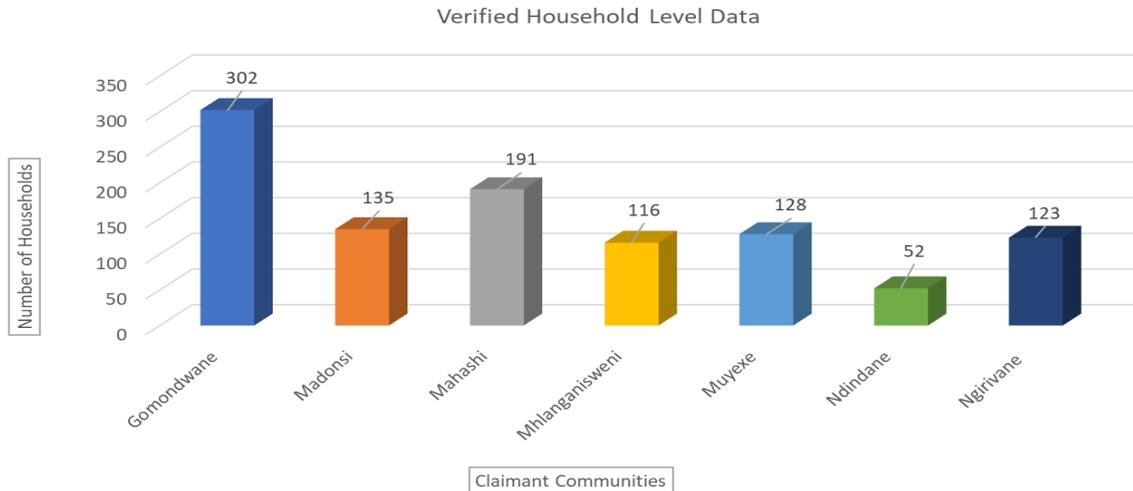
3.2 As per the Agreement, DRDLR is responsible for the payment of the financial compensation and SANParks is developing the beneficiation scheme.

3.3 The following communities signed the Settlement Agreements:

- Mahashi Community (MP)
- Ngirivane Mathebula Community (MP)
- Madonsi Community (LP)
- Muyexe Community (LP)
- Mhlanganisweni Community (MP)

- Ndindani Community (LP)
- Gobondwane Community (MP)

3.4 In total 1 047 Claimant communities have been verified to date:



3.5 The Beneficiation Scheme as stated in the 2008 Cabinet memo, was required to be informed by the opportunities inside and outside the park. It was to not be a replacement for the compensation to be paid to claimants for improvements to the claimed land and the land value itself, but was provided over and above the components of the settlement package.

3.6 The Beneficiation scheme was required to provide the claimants with both a reliable flow of income in perpetuity and be based on the below incentives which were identified as examples in the Cabinet memorandum:

- Preferential access as visitors to National Parks (free on open days) and a low-fee Community Wild Card;
- Guaranteed access to ancestral and traditional sites & graves on agreed calendar dates for traditional and ritual commemorations;
- Acknowledgement of the history of communities when naming facilities, camps and renaming parks and world heritage sites;
- Environmental education and learning for children & youth;
- Preferential treatment for job opportunities;
- Procurement opportunities to supply goods & services;
- Broad-based BEE opportunities and equity in commercial concessions;
- Enterprise Development programmes, for example training of emerging . building contractors, car wash bays, arts & craft manufacturing;

- Involving communities in actual tourism business, such as, Skukuza;
- Bursaries for training of current & future park employees;
- Introduction of a "community levy" to be levied on all visitors to be channelled into a Community Trust Fund to fund future community development projects. For example, a R5 levy per visitor could generate R 6,5 million p.a. in Kruger alone;
- Assistance with creating community "medicinal nurseries" on communal land to allow communities access to such resources;
- Controlled use of biological resources in the area;
- Representation on park forums and other decision-making structures; and
- Post-settlement support by government.

### **3.7 Establishment of the Project Management Unit (PMU)**

- 3.7.1 Schedule 6 of the Settlement Agreements required the establishment of a Project Management Mechanism to oversee development and implementation of the Beneficiation Scheme.
- 3.7.2 As result the Project Management Unit (PMU) was established as the main negotiating platform to develop Beneficiation Scheme.
- 3.7.3 A Program Manager was appointed to oversee daily running of the Unit with donor sponsored administrator and five staff members from SANParks seconded for support.
- 3.7.4 The PMU members consisted of:
- Representatives from the Commission, DFFE, SANParks, DALRRD; and
  - 3 members from each claimant community;
- 3.7.5 Four sub-committees namely (Economic Development, Capacity Building, Communication and Governance) were established, as per Rural Economy Transformation Model Policy were established and more than 30 PMU meetings and broader community meetings were held.
- 3.7.6 A Not for Profit Company (NPC) was established by the claimants for collective benefits.
- 3.7.7 Six community Development Trusts were in the process of being registered when 5 of the land claimant communities declared a dispute.
- 3.7.8 Not all of the seven land claimant communities participated in the PMU.
- 3.7.9 No consensus was reached on the draft beneficiation scheme developed by the Project Management Unit.

3.7.10 This culminated to Richard Spoor Inc. attorneys declaring a dispute on the draft Beneficiation Scheme in accordance with the dispute resolution clauses in the Settlements Agreements on behalf of five of the seven Claimant Communities (Mhlanganisweni Community, Ngirivane-Mathebula Community, Muyexe Community, Madonsi Community and Mahhashi Community) who had signed the Settlement Agreements.

3.7.11 The main concerns raised by the land claimant communities with respect to the Beneficiation Scheme included:

- The extent and manner of equitable redress;
- Impact of Joining of new claims to the current settled claims;
- Development Rights;
- Inadequate consultation during development of Beneficiation Scheme.

#### **4. THE FACILITATION PROCESS**

4.1 The dispute declaration submission was first lodged on the 18 June 2019 to the Minister of Forestry, Fisheries and Environment and the Minister of Agriculture, Land Reform and Rural Development (DALRRD).

4.2 On the 27 November 2019, a meeting was held among Richard Spoor Inc. Attorneys, Minister of Environment, Forestry and Fisheries, SANParks and DALRRD. One of the recommendations of the meeting was that DALRRD, in consultation with other affected parties (Department of Forestry and Fisheries and Environment, SANParks and Richard Spoor Inc. Attorneys (on behalf of Claimant Communities), will appoint an independent service provider to facilitate the engagement amongst parties in order to finalize the beneficiation scheme.

4.3 In January 2020 a process to appoint a facilitator for the finalisation of the beneficiation scheme commenced, with Richard Spoor Attorneys participating in the drafting of terms of reference and later in Bid Specification Committee (BSC). Later, all parties (including Sono Consulting Agency and Richard Spoor Attorneys) participated in the bid evaluation committee meeting in May 2020.

4.4 Ronewa Consulting was appointed by the Department of Agricultural, Land Reform and Rural Development (DALRRD) on 26 November 2020 to facilitate a mediation process and finalise a beneficiation scheme for Kruger National Park (KNP) land claimants. A Service Level Agreement (SLA) was signed on 24 December 2020 with the mediator, Mzi Memeza representing the service provider. Dr Anton Van Staden

was designated as the Project Manager on behalf of DALRRD. The project commenced on 10 January 2021 with an end date of 11 July 2021.

- 4.5 Out of the five phases of the mediation process workflow, phases one and two were completed and phase three was partially completed, namely:

Phase 1: Project Inception and Mobilisation.

Phase 2: The establishment of an appropriate sequence of engagement between the mediator, stakeholders (DALRRD, the Commission, DFFE and SANPARKS) and community representatives.

Phase 3: Introduction of the mediator to all seven land claimant communities by provincial officials from Mpumalanga and Limpopo.

- 4.6 Phase three was partially implemented. The Limpopo and Mpumalanga offices of the Commission undertook logistical arrangements for the holding of a meeting for 11 March 2021 in Phalaborwa to introduce the mediator to representatives of the land claimant communities. Land Committee Chairpersons from each community were invited.

- 4.7 In the process of liaison with the offices of Mpumalanga and Limpopo in the organisation of the meeting, attention was brought to the mediator by organisers of the meeting of the existence of a further three legal representatives for the land claimant communities.

- 4.8 As preparations were under way for the holding of the meeting, Spoor Attorneys raised concern with the approach of introducing the mediator to the claimant communities without the presence of their legal representatives, taking into account that a request made on 11 December 2020 to the Commission had not yet been approved.

- 4.9 Against this backdrop, the meeting was cancelled pending the finalisation of legal funding for legal representation whereafter a future date will be set for the introduction of the mediator to land claimant communities in the presence of their legal representatives.

- 4.10 Required deliverables in terms of the approved work-plan that were not completed are Phases 3, 4 and 5.

Phase 3: The introduction of the mediator to community representatives;

Phase 4: Starting the mediation process and; adoption of a beneficiation scheme package and;

Phase 5: Presentation of beneficiation agreements to DALRRD, the Commission, SANPARKS and DEFF and a report with recommendations.

- 4.11 A change in approach under Phase 3 set in motion a variance in the scope of the project as envisioned under its ToR's as approval of expenditure by DLARRD to fund legal presentation became a requirement for subsequent phases to continue.
- 4.12 A Close out report was prepared and presented by the Mediator.
- 4.13 At the time of the Close out report, and as of today's date the Limpopo Land Claims Commission has approved funding for legal representation of land claimant communities to negotiate the Beneficiation Scheme but this still has not been approved for the Mpumalanga Land claimants. Dr Anton Van Staden the Project Manager on behalf of DALRRD has prepared a briefing memorandum with recommendations for consideration by the Minister of DFFE and DALRRD.

## **5. LAND CLAIMANT REPRESENTATIONS TO THE PARLIAMENTARY PORTFOLIO COMMITTEE**

- 5.1 Land Claimant representatives raised a number of issues at the Parliamentary Portfolio Committee meetings held on 5 May 2021 at Skukuza in the Kruger National Park and again at a meeting held on 24 August 2021. This was done verbally by Advocate Sono and in the form of a presentation by Mr Perry Sambo.
- 5.2 SANParks has requested Advocate Sono to submit all the allegations in writing for a formal response and no report has been received yet from the Advocate.
- 5.3 It is worth noting that many of the allegations presented by Sono Consulting Agency, were submitted to the Minister of Forestry, Fisheries and Environment on the 20 of July 2020. Sono consulting requested a hearing with the department, SANParks and the Commission of Restitution and land Rights on the same issues where these issues were explained.
- 5.4 As we have received the presentation from Mr Sambo representing the 5 communities who have registered a dispute we are able to respond to the core issues raised in the presentation of 24 August 2021.
- 5.5 With respect to the items raised by Mr Sambo, it is important to differentiate between pre and post settlement involvement. SANParks involvement began post-settlement

with Settlement Agreements already signed in 2016. A number of Mr Sambo's comments also relate to the provisions of the 2002 and 2008 Cabinet memorandums.

5.6 SANParks will therefore not comment on the matter pertaining to pre-settlement issues. The organisation has been operating in accordance with the provisions of the 2008 Cabinet memorandum in the preparation of the Beneficiation Scheme.

5.7 Set out below are extracts from the presentation which pertain specifically to SANParks and responses to these statements:

1. We also want to record that there was no provision of any model of this so-called beneficiation scheme which even detailed the main focus (that it should be just, fair and equitable).

SANParks response

- The 2008 Cabinet Memorandum and the Settlement Agreements provide only high level guidance on the types of issues which could be considered in a Beneficiation Scheme, but they are not prescriptive.
2. Therefore, a Title deed or Registered Notarial title deed was and still necessary.

SANParks response

- This is a pre-settlement matter.
3. The verification process has left some households outside the verified household who have not received any financial compensation.

SANParks response

- This is a pre-settlement matter.
4. Many qualifying family heads were forced into one household which is now creating conflicts among such families.

SANParks response

- This is a pre-settlement matter.
5. Over and above the SIZE of the land claimed by each community has been extremely reduced without explanation given to the communities.

SANParks response

- This is a pre-settlement matter.

6. Since 2017 payments of financial compensations have not yet been finalised.

SANParks response

- This is not a SANParks issue and should be raised with the Land Claims Commission.

7. Why is no one willing to do what was recommended by the late Minister Molewa to have it (settlement agreement) amended where we are not comfortable. This directive has been given by the said minister above the legal section of the Commission.

SANParks response

- This is not a SANParks issue and should be raised with the Land Claims Commission.

8. It should be remembered that there has been no model provided by cabinet on the design of the beneficiation scheme.

SANParks response

- This is correct only for examples of what could be considered for inclusion in a Beneficiation Scheme. It was the responsibility of the parties to prepare a beneficiation scheme.

9. SANParks who is supposed to be in partnership with the land claimants was given the authority to lead the development and implementation of the beneficiation scheme.

SANParks response

- SANParks was in the process of finalising consultation when the dispute was declared. The organisation has no objection to engaging in further consultations.

10. Since the signing and handover in 2016 the eighteen months elapsed with no agreement reached between communities and SANParks as the result of the approach undertaken to this affect.

SANParks response

- SANParks agrees with the statement.

11. We the land claimants unequivocally reject the offer by SANParks because it is not equitable.

SANParks response

- SANParks is willing to discuss this matter further.

12. The disagreement above and the refusal to compromise in favour of the communities forced the lodgement of a dispute against SANParks.

SANParks response

- This is correct.

13. A neutral body could have been the best option to lead the negotiation process.

SANParks response

- SANParks is not opposed to this recommendation.

14. As a result of the dispute lodged, Minister B Creecy intervened and the facilitator was appointed, but since exited the process in July 2021, the mediation process has not yet started.

SANParks response

- This is correct but SANParks is not responsible for the delay.

15. However, we deem it necessary to mention that as a result of this, our relationship with Kruger is gradually deteriorating.

SANParks response

- SANParks agrees that the delays in the process are impacting negatively on relationships with communities.

16. We are not consulted/informed when there is a new development under way e.g. Skukuza Safari Lodge and Shalati. All these were surprises to us claimants.

SANParks response

- This is because the Beneficiation scheme which provides for consultation and engagement processes has not been finalised.

17. Since the signing and handover in 2016 there has never been any benefit received by the land claimants from SANParks except the food parcels which were distributed to everyone.

SANParks response

- The benefit-sharing model would have been governed by an agreed Beneficiation Scheme, however in the absence of the agreed and signed Beneficiation Scheme, SANParks is unable to deliver on this promise. SANParks is still committed to ensuring that Land Claimants benefit from their association with the Park, hence the organisation encourages Land Claimants to come to a negotiating table to finalise the agreement.

18. The briefing report of 16 March 2021 shared by SANParks with the PCEFF does not give correct representation of the state of things in this regard.

SANParks response

- SANParks is not entirely sure of the report being referred to in this case but SANParks reported on progress in implementation of its Annual Performance Plan on 16 March 2021. Below is an extract from this report:

OUTCOME GOAL 3: SUSTAINABLE SOCIO ECONOMIC DEVELOPMENT PROGRAMME THAT ENSURES DELIVERY OF BENEFITS TO THE LAND CLAIMANTS , HISTORICALLY DISADVANTAGED COMMUNITIES AND THE PEOPLE OF SA				
SUB OUTCOME: IMPROVED PARTICIPATION OF LAND CLAIMANTS IN SANPARKS BUSINESS				
OUTPUT INDICATOR	ACTIONS / INTERVENTIONS			
	ANNUAL TARGET	3 <sup>rd</sup> Q TARGET	2 <sup>nd</sup> Q STATUS	3 <sup>rd</sup> Q & Annual Progress and Analysis to date
Claimant Beneficiation scheme developed an implemented as per land claims identified	60% implementation of KNP Land Claims beneficiation scheme developed  Qwaqwa Land claim beneficiation package developed	30% of activities in KNP Land Claim implementation plan implemented	<u>Progress:</u> Off target  KNP: No progress made with the first draft of the beneficiation scheme.  QwaQwa: Two negotiation sessions held with the land claimants, where the beneficiation package was presented and discussed with the claimants. Site visit with land claimants to identified sites for location of proposed products and get inputs from claimants	<u>Progress:</u> Achieved  30% implementation of the KNP Beneficiation Scheme  QwaQwa land claim programme is on target  <u>Challenges:</u> The team had to catch up on the no progress made in Q 2  <u>Corrective actions:</u> The independent facilitator to finalise the scheme has been appointed and that will improve the chances of achieving the targets.

- Whilst the “30% implementation of the KNP Beneficiation Scheme” could be debated dependent on how implementation is measured, the report clearly states that no progress has been made with respect to the “first draft of the beneficiation scheme”.

19. There are conditions set by SANParks for the land claimants if they should benefit from Kruger.

- SANParks welcomes discussion on all items pertaining to the Beneficiation Scheme.

20. It is alleged that some of the senior officials from SANParks participate in meetings with certain groups of members of our communities where they incite them to cause conflicts and instability among the communities. We strongly feel that this matter should be investigated and corrected to restore peace and unity among our people.

21. This kind of behaviour by any official does not build towards the expected partnership, it is an automatic threat to the lasting relationship we aspire to create between the park and the communities.

#### SANParks response

- SANParks is not entirely certain as to the exact event or event/s to which the land claimants refer and is willing to either investigate, or subject themselves to an independent investigation in this area in order to confirm the allegations and to take necessary corrective measures should the circumstances require.

22. That the communities be funded on legal and transactional support during beneficiation scheme negotiations.

SANParks response

- This is not a SANParks matter and has been discussed during the independent facilitator process.

23. That Parliament be made aware of the problem it has created for the communities, though these is acknowledgement of the good things done for us. That the Committee maintains the KNP BS development and implementation as a standing matter to hold CRLR, DFFE and SANParks accountable for progress reporting, ensuring that the community representatives are also represented in such reporting.

SANParks response

- SANParks supports this intervention, and any process to speed up a resolution of this matter, bearing in mind the jurisdictional responsibilities for finalising the Beneficiation Scheme.

## **RECOMMENDATION**

It recommended that the Portfolio Committee on Forestry, Fisheries and the Environment note the report