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***PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES***

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The Council met at 10:04.

The Chairperson took the Chair and requested members to

observe a moment of silence for prayers or meditation.

The CHAIRPERSON OF THE NCOP: Hon delegates, before we proceed

I would like to remind you of the following. The virtual

sitting constitutes a sitting of the National Council of

Provinces. The place of the sitting is deemed to be Cape Town,

where the seat of the National Council of Provinces is.

Delegates in the virtual sitting enjoy the same powers and

privileges that apply in a sitting of the National Council of

Provinces. For the purpose of the quorum, all delegates who

are logged on to the virtual platform shall be considered

present. Delegates must always switch on their videos.

Delegates should ensure that the microphones on their gadgets

are muted and must always remain muted. The interpretation

facility is active. Delegates, members of the executive,



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special delegates and the SA Local Government Association,

Salga, representatives are requested to ensure that the

interpretation facility on their gadgets is properly activated

to facilitate access to the interpretation services. Any

delegate who wishes to speak must use the raise your hand

function and/or icon.

Hon delegates, I’ve been informed that there will be no

notices of motion or motions without notice. Before we proceed

hon delegates, I wish to welcome the Minister of Justice and

Correctional Services, MECs, all special delegates and Salga

representatives to this sitting. We shall now proceed to the

subject for debate as printed on the Order Paper, Debate on

Human Rights Day: The right to equality, reducing poverty and

inequality. I now call upon the hon Minister Ronald Lamola,

Minister of Justice and Correctional Services, to open the

debate. Hon Minister?

**DEBATE ON HUMAN RIGHTS DAY: THE RIGHT TO EQUALITY**

**REDUCING POVERTY AND INEQUALITY**

(Subject for debate)



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The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Hon

Chairperson, hon members, distinguished guests, ladies and

gentlemen, South Africa annually commemorates Human Rights

Month in March; an acknowledgment that government has made

strides to deepen freedom, democracy and human rights in our

country.

It was former President Nelson Mandela, the world’s most

recognisable human rights symbol, who committed South Africa

to the fight for attaining and preserving human rights when he

said the following:

Thus shall we live, because we will have created a society

which recognises that all people are born equal, with each

entitled in equal measure to life, liberty, prosperity,

human rights and good governance.

The ANC-led government, inspired by great leaders such as

Mandela, Tambo, Sisulu, Ngoyi, and others, has lived to

entrench a human rights culture in South Africa. Equally,

South Africans themselves have demonstrated a firm commitment

towards protecting the gains of our hard-earned democracy.



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As you will recall, the apartheid regime deprived black South

Africans of their citizenship and abolished their human

rights. Apartheid left us with many scars which we continue to

heal today.

On 21 March 1960, the apartheid regime unleashed the most

violent and brutal attack on masses of our people in

Sharpeville. Their wounding and killing was as a result of

them protesting in an absolute nonviolent manner, and calling

for an end to the unjust pass laws and other draconian

legislation that the apartheid regime imposed on Africans. As

they were chanting freedom songs such as Izwe lethu**,** awaphele

amapasi [Our land, down with passes] apartheid police officers

that were unprovoked, opened fire on unarmed protesters,

killing 69 people and critically wounding scores of others.

The 69 heroes and heroines did not die in vain. The chapter of

our freedom is not complete without mentioning them and their

contributions. We honour them for laying ... their lives for

freedom and democracy to reign in South Africa.

In addressing this painful legacy of apartheid, government has

passed legislation which enhances human rights for all South

Africans, irrespective of race, belief, creed, sexual

orientation and gender.



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The Bill of Rights in our exemplary Constitution enshrines the

rights of all people in South Africa and affirms the

democratic values of human dignity, equality and freedom. The

Bill of Rights applies to all law and binds the legislature,

the executive, the judiciary and all organs of state.

Government has also established institutions such as the SA

Human Rights Commission to adequately tackle all

manifestations of human rights violations. So, our commitment

to human rights is unwavering.

As we continue to commemorate 25 years of our Constitution, it

is fitting that this Constitution was signed into law by

former President Mandela in Sharpeville. As we go down memory

lane reflecting on how far we have come as a democratic

country and deliberating on how we can take our country

forward, we commit to comprehensively address challenges

facing our people, such as poverty, inequality and

unemployment. We also commit to deepen human rights in this

great nation.

Some of the fundamental rights in the country are equality

before the law and access to justice. The Department of

Justice and Constitutional Development has observed that the

high costs of litigation has the potential to deprive the poor



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of access to justice. This, if allowed to manifest, would be

an impediment towards the realisation of human rights. In this

regard, we have through Legal Aid SA sought to intervene to

ensure that poor and working-class South Africans have access

to justice.

The CHAIRPERSON OF THE NCOP: Minister, just hold on for a

minute. I see hon Mohai’s hand is up.

The CHIEF WHIP OF THE NCOP: Hon Chair, I want to apologise

profusely for this. I wanted to remind the Minister that we

were requested to switch on our videos. I think he forgot to

switch on his video. It was just about that matter that I

raised my hand earlier. I want to apologise once more for

disturbing the Minister. Thanks.

The CHAIRPERSON OF THE NCOP: Thank you very much. Minister,

please proceed.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: My

apologies, Chairperson. I suspect ... The video is on. It’s

just that when I go to the Microsoft Office Word document I

suspect it closes the video. However, the video is on. Maybe

that could be the challenge. My apologies to all members if



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I’m still not visible. I thought I’m visible even though I

might have switched to the Office ...

The CHAIRPERSON OF THE NCOP: We can’t see you now, Minister,

but please proceed.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Okay, thank

you. In this regard, we have through Legal Aid SA sought to

intervene to ensure that poor and working-class South Africans

have access to justice. Legal Aid SA has, throughout the

years, provided professional legal advice and representation

to those who cannot afford legal fees, including the poor and

the vulnerable. In the current financial year, we have

allocated a budget of R2 billion to Legal Aid SA to ensure

that it reaches as many people as possible. We also ensured

that legal representation in pursuit of land justice

materialises. This will help to fight illegal evictions by

landowners and farmers. Legal Aid SA will now provide services

against evictions from farms to protect farm dwellers and also

labour tenants.

We continue to appeal to the rest of the world not to

perpetuate selective morality. Race should never be a factor

when condemning the violation of human rights and



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international law. It can’t be correct that certain

superpowers turn a blind eye to atrocities in Africa and the

Middle East but unite in calling out for justice for victims

of the same atrocities in Western countries. This disparity

must immediately be brought to an end. All citizens of the

world have equal rights. We call for continued dialogue

between those in conflict and we are hopeful that through

negotiations and mediation an agreement can be reached.

His Excellency, the President of the Republic, Cyril

Ramaphosa, was forthright when he said:

We must rebuild a society that is far better than the one

that came before it. We must become a society that is free

from poverty, hunger and deprivation. We must become a

society where women and children are free from violence,

and where their rights are protected.

This is a clear line of March that should preoccupy all South

Africans. We should all say it is not yet uhuru [freedom] when

we see our people walking long distances to fetch water,

children walking long distances to attend school, our people

excluded from the mainstream of the economy, our people being



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landless, people facing hunger and starvation, and women

sexually violated, abused and killed.

Working together, we can address all these challenges. As

government, we have exhibited commitment to fight and defeat

the scourge of gender-based violence, GBV, and femicide, which

continues to bring great shame to us. With regard to that, we

want to thank this House for the speedy processing of

progressive legislation to strengthen the fight against GBV

and femicide. The legislations are the Criminal Law (Sexual

Offences and Related Matters) Amendment Bill ... Act, the

Criminal and Related Matters Amendment Act and the Domestic

Violence Amendment Act.

All South Africans must collectively say, enough is enough.

Violence against women cannot be tolerated. It is a gross

violation of human rights enshrined in the Constitution. We

must draw a parallel between the fight against apartheid and

the fight to end the scourge of GBV. The Constitution protects

all South Africans, especially the vulnerable.

Our Constitution is a living document which entrenches and

advances human rights. South Africans from all walks of life

must, through concrete actions, protect it. As we commemorate



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Human Rights Month, we unequivocally call for an end to the

abuse of the rights of the lesbian, gay, bisexual,

transgender, questioning, intersex and plus, LGBTQI+,

community. Our Constitution prohibits unfair discrimination on

the grounds of sexual orientation.

Through our supreme law, the Constitution, we commit ourselves

to uphold human rights for all South Africans. This is in line

with a clarion call by our forebears. Oliver Tambo, on

1 June 1968, in a statement to commemorate the International

Year of Human Rights, said:

Our fight is for justice. We cannot cease until we have

won, as we will in time. And in achieving human rights for

all men in Southern Africa we will be making our

contribution to the fight for human rights and freedom the

world over.

Tambo understood then that the fight that is won for human

rights in South Africa is a fight won for human rights in

Africa and the world over, and in that way, we will contribute

to humanity the best gift of human rights to the people of the

world. The statement by Tambo illustrates that the ANC was

always on the side of the people and in fighting for their



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rights. However, today we have yesteryear oppressors and those

who were sympathetic to the apartheid regime arrogantly acting

as democrats and safeguards of human rights. They disguise

their action as democratic but upon closer scrutiny South

Africans have unmasked these neoliberals for who they are;

people hell-bent on reversing the gains of our democracy and

wanting the status quo to continue. These are the

organisations that within their ranks have no space for black

leaders to play any meaningful role. They exclude black

communities in areas where they govern and prioritise affluent

areas for development. South Africans have long realised that

these organisations are opposed to constitutionalism. Nor do

they want a nonracial society. We stand for services to all

the people of our country, irrespective of the colour of their

skin, racial orientation or creed. Services must go to all

South Africans and everyone must serve all South Africans,

irrespective of their colour.

Irrespective of the behaviour of organisations I have

mentioned above, our Constitution is a tool that should unite

all South Africans and herald us to an inclusive society. It

must enable us ... fundamental freedoms and guarantee our

rights as citizens. However, we need to remember that as we

exercise our various rights, great responsibilities lay upon



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our shoulders. We must respond directly to the World Bank’s

report that still puts us as one of the most unequal societies

in the world. The social compact announced by the President is

the best way to take ... out of the difficult quagmire of the

lack of economic growth and the lack of job creation in the

country. Collectively as a social pact and social compact, it

will enable us to achieve the goals of economic growth that

will enable us to build an equal society where everyone has

access to employment and access to economic opportunities that

will help us to achieve economic growth. If all of us work

together, we can build our nation in diversity.

South Africans can only be inspired by ethical leaders who

will root out corruption, malfeasance and maladministration.

Corruption, if not tackled, can derail the gains we have made.

Let us collectively reject self-preservation and acknowledge

that human rights is our lifeblood. Any institution or persons

seeking to undermine our hard-earned rights should not only be

rejected but must face the consequences of attempting to

undermine that which unites South Africans from all walks of

life. We have no option but to work together as a nation to

build a country of prosperity for all, with equal rights for

all citizens of South Africa. I thank you very much,

Chairperson.



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Ms F NKOMONYE (Eastern Cape): Chairperson of the NCOP, Mr Amos

Masondo, Deputy Chairperson of the NCOP, Ms Sylvia Lucas, hon

Chief Whip of the NCOP, Mr Mohai, hon MECs present here, the

Minister of Justice and Correctional Services, Mr Lamola,

permanent and special delegates of the NCOP, distinguished

guests, members of the media, ladies and gentlemen, a very

good morning to you all.

Chairperson, we are gathered here today, barely a day after

the nation celebrated Human Rights Day. We are gathered here

to debate under the theme: The right to equality - Reducing

Poverty and inequality. The province of the Eastern Cape

celebrated Human Rights Day at Ntselamanzi, Dikeni in Raymond

Mhlaba Local Municipality.

The day was dedicated to one of the earliest modern African

intellectuals of the 19th and 20th centuries, Reverend John

Knox Bokwe who played a central role in the establishment of

the University of Fort Hare that came into being in 1916.

Reverend John Knox Bokwe was also instrumental in the

establishment of schools and churches in the province, in the

areas of Dikeni as well as Ugie in the Joe Gqabi District

Municipality. He championed the importance of education as a

human right.



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We are also gathered here today to remind South Africans about

the sacrifices that accompanied the struggle for the

attainment of democracy in South Africa. Franz Fanon once

said:

Each generation must, out of relative obscurity, discover

its mission, fulfil it, or betray it

The generation of Mandela, OR Tambo, Kwame Nkrumah, Julius

Nyerere and many others identified its mission as the

liberation of the continent from the colonial rule and I dare

say they fulfilled their mission. This generation has a

mission to accomplish and for me that mission is to eradicate

poverty and inequality in our lifetime. The United Nations

Human Rights Commissioner recently published that:

No social phenomenon is as comprehensive in its assault

on human rights as poverty

This is because poverty erodes economic and social rights such

as the right to health, adequate housing, food and safe water,

and the right to education. According to United Nations

Children's Fund, UNICEF, almost 22 000 children die each day

due to poverty. Nearly half of the world's population live on



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less than R40 a day. More than 1 billion people in the world

live in abject poverty on less than R25 per day while the

richest 1% people have almost half of the world’s wealth. This

underscores that there is a huge gap and inequality in the

distribution of the world economy. Thus, poverty is one of the

most serious challenges the world is facing today. And

poverty, in turn, is a serious threat to political stability,

social harmony, peace and justice.

Sadly, the World Bank recently published that South Africa is

the most unequal country in the world, ranking first among 164

countries, with race playing a determining factor in a society

where 10% of the population owns more than 80% of the wealth.

As the leadership we have a responsibility to change this

narrative. The Centre for Economic and Social Rights argued in

December 2008 that:

Poverty is an assault on human dignity, but it can also

reflect a violation of human rights when it is the direct

consequence of government policy or is caused by the

failure of governments to act

I fully concur with that sentiment and support an argument

that says a human rights approach to poverty calls for a



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paradigm shift in how we understand and address poverty. A

human rights -based approach thus looks at poverty not as a

question of fate, but rather as an issue of justice. This

implores all of us to reject the view that poverty is

inevitable, but rather look at why poverty persists in this

country. This calls for a vigorous investigation, and holding

of public representatives, administrators, business, and

investors accountable for their actions or failures to act

that produce, perpetuate and exacerbate poverty in South

Africa.

As you know, hon members, that we are guided by the National

Development Plan whose intent is to reduce poverty, inequality

and social exclusion by 2030, as the province of the Eastern

Cape we believe that recognition and eradication of poverty,

inequality and social exclusion cannot be limited to policy

and strategy documents. It must be reflected in legislative

documents because laws are binding.

We also acknowledge that post 1994 South Africa has invested

significantly in a social wage package that includes social

grants, free basic education, healthcare, food security and

basic services. There is still a greater need for



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collaboration in basket of services we offer to make a greater

impact on poverty and inequality.

As I conclude, in almost all the provinces, Eastern Cape

included, poverty and inequality are two phenomena that are

prevalent. We cannot discount what government has done to

fight for the attainment of these freedom of the people of

this country. However, there is still much more that’s needs

to be done. Let us all - even opposition parties - as we do

our work on a daily basis be inspired by the preamble of the

Freedom Charter which says “

These Freedoms We Will Fight for, Side by Side,

Throughout Our Lives, Until We Have Won Our Liberty

Let us therefore defend and advance human rights. Thank you.

Ms D C CHRISTIANS: Thank you, Chairperson. Hon Chairperson,

hon Minister, hon members and fellow South Africans good day.

Human rights violations across the world have escalated and

many leaders around the world have in the words of Amnesty

International:



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Pushed hate, fought against rights, ignored crimes

against humanity and blithely let inequality and

suffering spin out of control.

As we encounter more and more human rights violations across

the world, the necessary question is whether humanity has lost

its value and essentially what the role of governments across

the world is to alleviate these burdens. South Africa has a

long history of human rights violations, sadly the country

remains an example of undermining the freedom of others

despite having one of the most robust and celebrated Bill of

Rights in the world. South Africa has recently also been named

the most unequal country in the world where the large majority

of people in the country are still excluded from socioeconomic

development based on race, gender, ethnic origin and

disability. Persistent poverty and growing inequalities across

the country are stark reminders that the ANC government has

failed to protect its citizens and have not created an

environment conducive to sustainable and equitable social

development.

In the past decade poverty has intensified and the failings of

government have been brought to light. It is true that

government has embarked on numerous poverty reduction



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strategies in order to address poverty and inequality in the

country. However, these strategies have been largely

ineffective. After almost 30 years of ANC governance, more

than 50% of the population is still poor, and inequality in

the country is amongst the highest in the world. These

failings have been because of corruption and the inability of

government to implement strategy and policies. As a result of

this government’s inability to alleviate poverty it has seen

the country’s entire fabric crumbling. To quote the words of

Mary Robinson:

I am often asked what is the most serious form of human

rights violations in the world today, and my reply is

consistent: extreme poverty.

Recent crime statistics show that contact and violent crime

are on the increase, this essentially means that we cannot

feel safe in our own homes. Despite a Freedom Charter that

aspires to keeping the citizens of our country safe, Bheki

Cele and his department is failing the people of this country.

In fact, Sunday’s Carte Blanche highlighted police brutality

and the inhumane treatment and torture of citizens. Management

at police stations came under the spotlight with reports of



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ill-discipline amongst police officials frequently reported,

but not dealt with.

Gender-based violence remains one of the country’s most

distressing and rampant human rights violations in the

country. It remains a profound human rights violation with

major social and developmental impacts for survivors of

violence, as well as their families, communities and society.

At the beginning of 2021, R128 million was pledged towards

gender-based violence, yet South African experts told Human

Rights Watch that despite promises – including in the National

Strategic Plan – to address gender-based violence and

femicide, the government has still failed to provide adequate

funding for shelters and other services.

Additionally, police and health departments still fail to

prioritise victim friendly facilities or prioritise medical

forensic services, with victims often being treated inhumanly

because of the lack of suitably qualified health professionals

and lack of facilities. Hon Chairperson, the right to health

care in South Africa is a further human rights violation

further impacted by poverty and inequality. Across the country

are reports of huge health care inadequacies such as a lack of

medication at clinics, hospitals and mobile clinics as well as



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numerous reports of operations not done timeously or limited

operating theatre space while others have died because of

patient transport that cannot get them to towns for life

saving treatment.

Reports are rampant of members of the public raising concerns

regarding the shortage of equipment. According to a report,

the long waiting times for medical intervention potentially

exposes patients to the development of complications or even

loss of life, public hospitals, in the words of the report,

have become a death-trap for the poor.

Hon Chairperson, we cannot speak about poverty alleviation and

the right to equality if we do not address the glaring right

to access of quality education. At the beginning of 2022, it

was reported that close to 400 000 learners were not placed in

schools across the country, delaying their access and right to

education. Additionally, schools across the country are

affected by failing municipalities owing Eskom millions of

rands and in turn affecting teaching and learning.

*Afrikaans:*

Water- en riooluitdagings loop oor die land heen, van

Noordwes, Mpumalanga tot in die Noord-Kaap sien ons gebarste



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waterpype, verstopte rioolinfrastruktuur en slaggate groter as

die groot gat in Kimberley.

Verder hou hierdie probleme risiko’s in vir inwoners soos

cholera, bakterieë, swamme, parasiete, en virusse wat derm-,

long- en ander infeksies kan veroorsaak, om nie eens te praat

van die talle ongelukke op die Noord-Kaapse paaie weens die

groot slaggate nie.

Meeste munisipaliteite het die inwoners van hierdie land in

die steek gelaat. Onbevoegde munisipale rade en amptenare,

wydverspreide korrupsie en kaderontplooiing het bygedra tot

die spoedige verval en selfs ineenstorting van dienslewering

en infrastruktuur in die meeste dorpe en stede in Suid-Afrika.

Die mense van hierdie land is werkloos en geteister met

armoede en landsburgers sukkel om toegang tot kwaliteit

onderwys, gesondheidsorg en basiese dienste soos water en

sanitasie te kry. Ons het die ontstellende toename van

xenofobiese aanvalle gesien en die regering het daarop

aangedring om Covid-19 beperkings te handhaaf ondanks die

negatiewe uitwerking wat dit op ons land gehad het.



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Mensehandel is aan die toeneem in die land. Die President

versuim om Rusland se inval van die Oekraïne, en die

gepaardgaande skending van haar sowereiniteit en haar mense se

menseregte, te veroordeel.

*English:*

As I conclude, Chairperson, we need to protect the human

rights and dignity of South Africans at all costs and put the

people of this country first. The country is in a rapid

economic and social decline, we need a drastic change in

government and the Local Government Elections in 2021, was the

indicator that change is on the horizon. The people of South

Africa will affect that change come 2024, when the ANC

government is voted out once and for all. I thank you.

Ms D G MAHLANGU: Hon Chairperson and Deputy Chairperson of the

NCOP, hon Minister, the Chief Whip of the NCOP, MECs, special

delegates, hon members from South African Local Government

Association, Salga, hon members of the House, fellow South

Africans ...

*IsiNdebele:*

... lotjhani.



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*English:*

We undertake this debate when the world is faced with a major

risk of global instability. The effects of the conflict of

Ukraine and Russia is bound to have far reaching economic

implications for developing countries which will be impacted

by the rise in fuel prices and other basic foods as the global

supply system gets constrained.

The conflict also brings forth human rights issues, and we

commend the President of the Republic, His Excellency, hon

Cyril Ramaphosa, for calling for peace and diplomatic

resolution of the conflict. The guns should be silenced so

that global development continues, particularly in closing the

inequality gap between developed and least developed nations.

Without peace and harmony between developed and least

developed nations, a better life for the least developed

nations will become a dream defect. The full realisation of

our human rights in a global capitalist system requires the

state to enable all South Africans, particularly the poor and

marginalised, the capacity to enjoy their socioeconomic

rights. The economic aspect of socioeconomic rights is an area

which our democratic dispensation has not achieved, but has

made significant strides to enable its realisation.



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Hon Chairperson, the Universal Declaration of Human Rights

1948 had an impact on the liberation struggle in South Africa.

The Freedom Charter which was a product of the proposal by the

Z K Matthews. The Mathews was inspired by the UN Declaration

of Human Rights. This background is critical in locating human

rights in our historical evolution which also predates the

Freedom Charter such as the African Claims of 1943 which

focused on the Bill of Rights.

The Freedom Charter states that our country will never be

prosperous or free until all our people live in brotherhood,

enjoy equal rights and opportunities. This call by the Freedom

Charter that encapsulates the basis for the realisation of

prosperity and freedom is based on the enjoyment of equal

rights and equal opportunities. This recognises that in order

to enjoy economic rights the marginalised majority should have

equal opportunities in the context of the inequality

entrenched by colonialism. This, in practical terms, means

that our democratic government should be able to create

enabling conditions and empower the marginalised to have equal

opportunities to those who are privileged, who are in the main

the white minority.



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Hon Chair, since the democratic government, the ANC has placed

the education in the centre of development and redress. This

is so because education is a critical element for skills

development and the broader human capacity development of the

nation. Skills development is also a critical aspect for

workers in order to improve the capabilities and to enable

them to get more opportunities. The fact that we are in a

period of rapid digital transformation and the Fourth

Industrial Revolution and changes in the world of work, we

need to protect our workers in areas which are not critical as

the skills needs of the economy changes.

Our government and the private sector have a responsibility to

ensure that we train our workers skills of the changing world.

It is therefore imperative that even in our education system

we need to develop graduates with relevant skills for the

economy. We must aggressively focus on skills development to

address the skills gap and skills mismatch which contribute to

unemployment, especially the role of technical and vocational

education and training colleges and apprenticeships.

Hon Chairperson, one of the major areas which requires

strengthening is the integration of learning and practical

experience as these enable students to seamlessly integrate to



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working opportunities as they would already be exposed to the

workplace.

In order to transform our economy, we need to incorporate

entrepreneurship into our education curriculum at a basic

education level and higher education. This is important for

economic growth and to develop skills amongst the youth to be

an integrated into the economy as employers and not only as

workers or employees.

Economic development and transforming the ownership pattens of

our economy means that more black people should be supported

to venture into entrepreneurship. Various economic research

and statistics have demonstrated that despite medium sized and

large firms having the capacity to create jobs, small business

have been the key drivers of job creation in the recent years.

This indicates that we need to continue to support small,

medium and micro enterprises, SMMEs, as government, but it is

also important that the private sector should also focus on

supporting SMMEs.

Developing financing institutions are important if we are to

stimulate the economy. We commend the work of government in

ensuring that businesses are paid within 30 days of invoicing



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and that set aside exists for small businesses. Other

government development financing institutions such as the

National Development Agency, NYDA, Small enterprise

development agency are critical players in supporting small

businesses.

Government has developed centres for entrepreneurships and

rapid incubators in institutions of higher learning to foster

a culture of entrepreneurship among young people, students and

convert job seekers to job creators. The Small Enterprise

Development Agency, SEDA, has also developed the Basic

Entrepreneurship Skills Development Programme which is funded

by the National Skills Fund. The programme uses coaching to

facilitate and reinforce learning and development support to

emerging entrepreneurs.

Hon Chair, more than 2 000 emerging entrepreneurs have, to

date, been supported through the programme through the Youth

College Fund. Government aims to support 10 000 young

innovators over the next year, and we should be proud of this.

These are not tabled interventions which also require the

private sector to play their role in expanding this type of

interventions to create more opportunities. Private sector

financing institutions and investors should develop models and



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programmes which focus on investing and supporting small

businesses and innovations to grow enterprises and to

diversify ownership of the ... [Inaudible.] The market

concentration of monopolies should be shunned and addressed

continuously by the Competition Commission.

Chairperson, human capacity development is a critical aspect

to develop and grow any economy. Without the skills and

capabilities, economic development ... [Interjections.]

The CHAIRPERSON OF THE NCOP: As you conclude, hon member.

Ms D G MAHLANGU: ... becomes constrained. One of the major

dangers of the structures of our economy has declined in the

manufacturing sector to an increase of the service sector with

financial service growing in the main.

The CHAIRPERSON OF THE NCOP: Hon Mahlangu, because of the

speaker’s list, I was not aware that your minutes have

actually been increased from 10 to 15.

Ms D G MAHLANGU: Can I continue, Chair?

The CHAIRPERSON OF THE NCOP: Please.



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Ms D G MAHLANGU: Thank you. As industries adopt to

technological changes, the skills and capabilities develops

and it enhances the overall human capabilities of the country.

The private sector has an important role to play in creating

work opportunities. All work places in South Africa should be

training and developmental spaces. Private sector development

institutions also have a responsibility to ensure financing

conditions take into consideration of many South Africans who

are largely asset poor.

Our country has been one of the most unequal in the world.

This demonstrates the structural challenges which impact

income distribution and asset distribution. This inequality

affects women beyond race. The patriarchal nature of our

society requires government interventions to prioritise

empowerment of women.

Hon members, the democratic government has made significant

progress in ensuring that we break the cycle of poverty. Today

a child of a domestic worker can become a doctor, engineer, a

lawyer and actuarial scientist and other professions which

were primarily preserved for the white community. A village

which never had running water and electricity, today has

electricity. Education is free for the poor until higher



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education. This commitment and realisation by the democratic

government demonstrate the primacy of human capacity

development. These are the democratic gains of South Africans

under the leadership of the ANC.

We need to ensure that our workplaces do not discriminate

against women, people with disabilities and the LGBTIQ+

community. Economic emancipation will always be constrained

for the discriminated. Women in workplaces continue to be

exposed to sexual harassment and stereotyped treatment which

hampers on the upward mobility of women in strategic sectors

of the economy. The low ownership of the economy by women and

the dominance of male in the management of Johannesburg Stock

Exchange listed companies is a reflection of the system

exclusion of women in strategic areas of the economy.

Hon Chairperson and members, the recent World Bank report on

inequality in South Africa reflects the need for a deeper and

rigorous progress of transforming the structure of the economy

to unleash its potential and to create an inclusive society as

inequality contributes to low economic growth and low economic

development.



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The ANC, in its 54th national conference, resolved on radical

socioeconomic transformation due to the recognition of the

slow transformation and that the vision of the Freedom Charter

to ensure the freedom of all South Africans and prosperity is

realised. Without guaranteeing the special economic rights of

all South Africans, our social stability will continue to

deteriorate.

As I conclude, hon Chairperson, as public representatives in

this House we all have a collective responsibility to rally

all South Africans and social partners from business, labour

and civil society to contribute in supporting initiatives

which build the capabilities of South Africans. A social

compact of a better South Africa has never been this urgent.

Hon Chairperson and hon members ...

*IsiNdebele:*

... ngiyathokoza. UZimu anitjhudubaze.

*English:*

Thank you very much.

Ms M O MOKAUSE: Chair, the right to equality stands as an

important part of South African history. However, our



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appealing human rights norms are yet to be meaningfully

translated into reality.

In observing human rights, we are provided with an opportunity

to acknowledge its failures. For while democracy has delivered

some freedom for South Africans, it’s not enough and not

enough has changed for the black majority of our country.

Today, we are still faced with the remnants of the apartheid

regime that simply refuses to die, represented by the former

liberation movement which is now in government, the ANC.

And in its formal form, the right to equality remains but a

distant dream for black people due to the triple social

challenges of unemployment, persistent poverty and widespread

socioeconomic inequalities.

According to a new report, which was released earlier this

month by the World Bank, South Africa remains the most unequal

country in the world, ranking first amongst 164 countries in

the World Bank’s global poverty database. Yes, Chairperson, it

is the most unequal country and there’s nothing to contest;

hon Minister, that is the truth about south Africa.



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In fact, we stand far removed from ever realizing equality in

the meaningful terms so much so that any approach to obtaining

any form of equality should be based on redressing poverty,

which has remained one of the biggest problems in South

Africa.

Poverty is worsened by high unemployment rate, which is

highest among youths who currently roam the streets unemployed

in their numbers. Many more have abandoned the job search

altogether and have lost hope in ever finding employment. They

are faced with pervasive poverty and unemployment, whilst

inequality continue to thrive. Inequality also manifests

itself amongst our youth in a number of ways, the most common

being through the glaring disparities of wealth between the

rich and the poor.

The right to equality is yet to be realized in any meaningful

terms and it remains questionable whether it is achievable in

the backdrop of numerous challenges faced, which include the

high levels of unrest, rampant crime and a population which is

faced by more social ills than it ever has in the history of

this country.



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Crime remains a black problem and that’s a fact. We witness

daily murders in Inanda, Nyanga, Khayelitsha and many other

areas where black people reside and these hardly receive any

attention from all levels of government. This is because

humanity of an African child is easy to dispense with.

Poverty, homelessness, poor educational outcomes are all black

problems and they are directly associated with the high rates

of crime.

We also remain a nation with a dual economy, a tale of two

nations. A tale of two schools: one private, properly

functional, where the wealthy send their kids to be educated

effectively so; whereas our public schools stand

dysfunctional, poor, under-resourced and incapable of

equipping learners with necessary skills.

For the ANC has failed to provide proper public schools with

competent teachers and the struggle around free education

remains part of the burning issues in South Africa.

A tale of two health services where private hospitals offer

efficient, quality health services whilst public hospitals



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remain dysfunctional, and that’s where black people are meant

to receive the services from.

Without interventions to address these questions, Africans

will remain pariahs in the land of their birth.

Chairperson, this is our land and we are not visitors in our

land but the ANC wants to turn us visitors in our own land.

Our chances of achieving meaningful change which will enable

the realization of a just and equal society remains a dream

under the ruling party, which also commodifies public

services, which only serve the rich; for the poor are afforded

their own level of equality which differs to that of the

wealthy, living in affluent suburbs.

Chairperson, we are here today faced with the reality of an

increasingly repressive government of a failing economy of

millions of black people without employment and millions more

without their land; and the ANC must be characterised for what

it is, a violator of human rights in this country called South

Africa on behalf of its white monopoly handlers.



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The dream of an equal society stands farfetched as the ANC

has, since 1996, pursued neo-liberal policies which have

failed to transform the economy so much so that two decades

into democracy the black majority remains on the outskirts of

the economy.

It is the ruling party which has led to the normalisation of

poverty in this country and there currently exists no

difference between the ANC and the parties which have come

before it representing white supremacists; for the legacy of

apartheid endures.

Chairperson, we are yet to see equality being translated into

reality. Black South Africans continue to hold fewer assets,

have fewer skills, earn lower wages and are more likely to be

unemployed. In some companies, white workers continue to earn

more than blacks do, even in instances where they do the same

work and are on the same level, even if when a black person is

more qualified than a white person, they are just remunerated

because of their colour, for being white.

Inequalities are passed down from generation to generation

with little change over time. Blacks continue to live without

land whilst the elite, mainly the white monopoly, continue to



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thrive; endorsed by Cyril Ramaphosa and his clique within the

ruling party.

And once again on this so called Human Rights debate, there

remains nothing to celebrate for the black majority, for the

right to equality stands as but a conceptually flawed

promises.

In Sharpeville, Chairperson, you know very well, your

generation remains poor, lives in house which are constantly

flooded with water, lives in houses with asbestosis roofing,

under your government.

Are you not ashamed, Chairperson, of yourselves, endorsing

such inhumane living conditions?

Black people live in *skwalas* [squatters], under your watch. We

will remember you for what you are, Chairperson, sell outs,

the day you are no longer in this world. Thank you.

The CHAIRPERSON OF THE NCOP: Thank you very much, Mokause. No,

but, just to say that the abuse of the platform to say all

sorts of things and so on, really does not assist this House



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to run its own business. I’m just noting that, as you

conclude.

Ms C Q MADLOPHA (KwaZulu-Natal): Hon Chairperson, hon Deputy

Chairperson, hon Minister of Justice and Correctional

Services, hon members and all fellow South Africans in the

virtual platforms, we greet you this afternoon, we are aware

that some in this House and somewhere around the country still

get a confounded whiteism futon for the government for the

people by the people to commemorate the Sharpeville massacre.

Since our democratic breakthrough in 1994 the ANC government

has enacted new legislations and policies to ensure that the

ideals of the Freedom Charter are realised. Day by day we

continue to mobilise a South African behind their own

development to ensure that indeed South Africa belongs to all

who live in it, black and white.

Having experienced the brutality of the apartheid government,

we hold the view and act daily in a manner consistent with the

understanding that a central question of South African policy

is how the muscle of the people fought against the evil system

side by side with the ANC, PAC, AZAPO and many more other

progressive forces.



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The Human Rights Month give us an opportunity to remember and

owner those who make it possible for us to achieve freedom and

democracy. We speak of freedom today because of the courageous

men and women who marched in Sharpeville and Langa on 21 March

1950 for the total abolishing of the pass laws. It was a day

where 69 Africans patriot were brutally massacred as the hon

Minister has indicated as well as more than 180 protesters who

were injured in Sharpeville treated as Saruman and the cheap

source of labour. Their human rights were violated and their

lives cut short for demanding to be treated with dignity and

fair ... [Inaudible.] ... Their sin was to demand the

abolition of political past system as well as the evil system

of apartheid colonialism itself.

Their bravery exposed the brutality of apartheid for the own

well to see and united our people unyielding resolve for

freedom. People demanded that apartheid government change its

oppressive and inhumane policies. That movement was also

joined by the international community some within our shores

stood against those who continued to oppose freedom.

Hon Chairperson, it is a fact that we see people who enjoyed

good life under apartheid todays speaking ill of the ANC and

people who brought about freedom in this country. In some



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quarters of this country some people have the audacity to

insult the very same government that came as a result of

democracy riddle by the ANC.

As a nation, we make many strides in respect of human rights

and ensure it became a reality for everyone. However, the

abuse of sexual assault, gruesome murders of women and

children, discrimination, abuse of farmworkers and dwellers

mean we have not reach our destiny.

As we commemorate the Human Rights Month under the theme: ‘The

Year of the Unity and Renewal: Protecting and Preserving our

Human Rights Gains’. At no stage should we forget about the

struggle that were way in order for us to gain our freedom. It

is a right for African too to own land. It is the right of

women too to own land.

We stand here today with no fear or contradiction to say a lot

has been done by the ANC government to ensure dignity of the

people, to ensure that human rights are of them. But we still

have a long way to go. It is the right for all people of this

country to fully participate in the economy. By radically

economic transformation we intend to ensure that the profit of

economic transformation is fast-track.



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We had to see Africans, black in particular, owning the means

of production, participating fully in the sectors of the

economy and increase in the number of black business that are

registered in the Johannesburg Stock Exchange.

As we also celebrated the 25th Anniversary of the enactment of

the Constitution, we need to see what good the South African

Constitution brought for all people. The Constitution

enshrined the rights of all people in South Africa and affirm

the democratic values of human dignity, equality and freedom.

We had to judge that by seeing many of our people not

depending on the abusers or survival or employment.

It is our duty as the nation to strive for inclusive

socioeconomic development while ensuring that we combat

racism, racial discrimination and all related intolerances.

Without any fear or contradiction, hon Chair, the ANC

government should continue to remind people where we come

from. We know that power mongers continue to craft strategies

hanging against the liberation movement to illegitimise this

with some trying to set this country backwards.



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The founding father of our nation, President Nelson Mandela,

put it very clear when he said, and I quote: “To deny people

their human rights is to challenge their very humanity”. One

example is before us all, what is happening in the City of

Johannesburg today violating the rights of people, the move to

fire over 130 workers is a classic example of human rights

violation. This thing must be stopped. That un-procedural act

need to be stopped. This true violation of human rights to say

women who were given employment must now join a huge list of

unemployment in this country is really unfair and uncalled

for.

Instead of the City to create jobs that everyone is doing,

they open to fire the people. What do you call that? And the

racial approach when they are advertising posts is confirming

in our country. It is imperative that we continue to promote

the division, principle and values that inform us that

whenever we are and whatever we do, we should ensure that our

action contribute to the attainment of a free and just

society, the upliftment of all our people and the development

of South Africa that belongs to all who live in it. This is

the division of South Africa that is democratic, nonracial,

nonsexist and prosperous, a country in which all people enjoy

a better life.



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We have done a lot of work in pursuit of the vision and

principles of our liberation movement that has at all times

been based on the eight old values of Ubuntu, of selflessness

sacrifice and serve in a manner that ensure that interests of

the people take precedent over our individual interest.

Hon Chairperson, I truly believe that our government has been

working in the true spirit of these important values. Today we

are a nation that values of ubuntu having learn from such

giant of our struggle Ma’am Charlotte Machete, Lillian Ngoyi

and many more other heroes and heroines of our country. They

always reminded us all human beings are born free and equal in

dignity and rights.

As government from 1994, we embarked on policies and

programmes directed at pulling the people of South Africa out

of the morals of poverty and ensuring that we build a state

witch develop and prosperous country.

Our journey continues to transform our economy. We remain

undented arguing that not enough programme has been done make

to induce nonracial South Africa that Constitution envisage

for. Our history dictated that we as a nation should rise and



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create society that is truly united, nonracial, nonsexist,

equal and prosperous.

We must follow in the footsteps of our heroes and heroines to

adopted a principle stands against the apartheid legislation

that requires that every indigenous African male above the age

of 60 must carry the dompas day and night and to produce it on

a demand by the police.

As I conclude, hon Chair, our long history of struggle tells

us that there are countless other hundreds of thousands who

fell before many more that followed after Sharpeville. Let us

all speak in one voice with regard to ending discrimination

and equality in our society.

The notion that our society contain with autonomous mechanism,

which will and can activate themselves to produce condition of

equality cannot be sustained. The achievement of the objective

of equality in a manner that generate the least conflict

required that to use a collegial expression those who are more

equal than others in our society should themselves see the

realisation of this objectives as being in their own interests

as well as themselves joining the struggle to eliminate the

apartheid legacy. Hon Chairperson, I thank you. [Applause.]



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Mr M R BARA: Hon Chairperson, hon Minister, hon members and

fellow South Africans, good day. Chairperson firstly, let me

say that today we are mourning. We have lost one of our key

icons, a young man Luzuko Koti who worked for the SABC, who

passed on yesterday.

*IsiXhosa*:

Wanga umoya wakho ungalala ngoxolo Ndala.

*English*:

Chair, I start off with a quote by Helen Suzman.

I stand for simple justice, equal opportunity and human

rights. The indispensable elements in a democratic

society – and well worth fighting for.

The DA prides itself as a party that stands on the values that

by all means respect and stand for human rights. The Bill of

Rights is a cornerstone of democracy in South Africa. It

enshrines the rights of all people in our country and affirms

the democratic values of human dignity, equality and freedom.

The state must respect, protect and fulfil the rights as

contained in the Bill of Rights.



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In today’s context, it is paramount that when we address human

rights, we look at the line between the marginalised society

that has been torn apart by poverty, under the stewardship of

the current government that currently enriches those that are

affiliated to the corrupt system of the ANC to cadre

deployment, where the elite is drawn and kind of get all the

benefits that are supposed to be benefiting those that are

poverty stricken and the hungry.

The central message is that poverty is not necessarily a

failure on the part of an individual, but rather caused by the

actions or inactions of government which are often exacerbated

by structural inequalities in our society. This in turn

requires a more rational approach grounded in respect for

human rights. Poverty is a serious economic and social problem

that affects a large portion of the world’s population and

manifests itself in diverse forms, such as lack of income and

productive assets to ensure sustainable livelihoods, chronic

hunger, malnutrition, homelessness, lack of durable goods

diseases, lack of access to clean water, lack of education,

low life expectancy, social exclusions, discrimination, high

levels of unemployment, high rate of infant and maternal

mortality, and lack of participation in decision making.



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The antithesis of all the above is what is required to fight

poverty and hunger. As a country that is rich with history of

inequality, we cannot afford to ignore the past and yet we

cannot stay in the past. History will not justify today’s

corrupt system that are not unifying us based on our

yesterday. Equal opportunities and skills redistribution is

crucial in ensuring that we are all pulling together towards a

fair and diverse South Africa. Poverty erodes or nullifies

economic and social rights such as the rights to health,

adequate housing, food and safe water and the right to

education.

The World Bank Report found that South Africa remains the most

unequal country in the whole world. High levels of inequality

and low intergenerational mobility act as a brake on poverty

reduction. As a result, poverty is high for upper middle

income countries. Poverty is consistently highest among black

South Africans, the less educated, the unemployed and female

headed households, large families and children. In South

Africa, the richest 10% of the population own more than 85% of

household wealth, why over half the population have more

liabilities than assets.



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We cannot overlook the impact of the COVID-19 pandemic when

looking at the poverty it has caused. South Africa’s children

are at much greater risk of dying from hunger than they are

from home. And that is more evident in most parts of the

country. Nearly seven 7 500 children under the age of five

died from hunger each year in our country and more than 50% of

the population lives in poverty.

Despite notable gains in poverty reduction post-apartheid,

poverty levels have remained consistently highest among women

black South Africans, people with disabilities and those

living in rural area. We need to build a country that is safe

for all that live in it, irrespective of political

affiliation, but by virtue of being human, and in respect of

our golden Constitution. We need to put an end to racial

opportunity segregation, and strive on building each other as

a country for all. We can only do that though, through

democratic values, opportunity, freedom, fairness, and

equality. By so doing, we would then have entrenched the

feeling that everybody is kind of secure under the

Constitution of the country. I thank you Chairperson.

Ms N C RAKGOALE (Limpopo): Thank you so much Chairperson of

the NCOP hon Amos Masondo, the Deputy Chairperson of the NCOP



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Ms Sylvia Lukas, members and MECs present here, colleagues and

fellow South Africans.

Today’s debate provides an opportunity for all of us to pause

and take stock on our journey to deepen a human rights culture

and advance especially socio-economic rights to reverse the

devastating effects of poverty, inequality and economic

deprivation which are the direct consequence of colonialism

and apartheid which constitutes the primary focus of my

contribution to this important debate.

As the ANC led Government, we have made significant strides in

ensuring that we indeed reverse the injustices of the past

regime by ensuring that the human rights of all South Africans

are protected. We are continuing to work hard to ensure that

the significance of socio-economic rights as an important

pillar of human rights to redress the global challenge of

poverty is realized.

Over the past 28 years, the country has made significant

progress in tackling poverty and deprivation. The ANC led

government has built houses, hospitals and clinics. We have

implemented universal basic education and free higher

education. Most of our people have access to decent water,



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sanitation and electricity in their homes. Society’s most

vulnerable are supported by an extensive social welfare

system.

As an MEC responsible for the Social Development, I can

confirm that every month over 46% of the population receive a

form of social grant. This is indeed an indication that we are

a government which is determined to ensure that it services

its people as demanded by the Constitution.

Hon members**,** as we are all participating in this important

debate, let us be inspired by the profound words of former

President Nelson Mandela when he addressed the joint sitting

of the Parliament during the occasion to celebrate the ten

years of our constitutional democracy when he stated, and I

quote:

“Let us never be unmindful of the terrible past from

which we come - that memory not to keep us shackled to

the past in a negative manner, but rather as a joyous

reminder of how far we have come and how much we have

achieved. The memory of a history of division and hate,

injustice and suffering, inhumanity of person against

person should inspire us to celebrate our own



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demonstration of the capacity of human beings to

progress, to go forward, to improve, to do better.”

This year we are commemorating Human Rights month under the

theme: “The year of unity and renewal, protecting and

preserving our human rights gains”.

It is during this time when we are paying special attention

and honouring those who made it possible for us to achieve the

freedom and democracy we are all enjoying irrespective of race

and culture. They include brave men and women who marched in

Sharpville and Langa on the 21st of March 1960, for the total

abolition of the pass laws.

The previous regime used its power to show its arrogance and

perpetuated the heinous act and committed the massacres.

We celebrate these historic milestones in honour of the

sacrifices made by our heroes and heroines of the liberation

struggle. Through their bravery at that time, the

international community was able to pressurize the then

apartheid regime to introduce reforms in our country.



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Hence it is very important that when we celebrate days like

this one, we should appreciate and honour human rights as

enshrined in the Constitution of the Republic of South Africa.

Delivering his provincial Human Rights Day message yesterday,

our Hon Premier Chupu Stan Mathabatha said the following and I

quote:

“For the past 27 years of democracy and freedom as South

Africans and the people of Limpopo, we are successfully

ensuring that we work together to address the legacy of

our divided past. We are working together to build a

country that is envisaged in the National Development

Plan.”

As we recall the founding principles of our freedom, we are

reminded to always embrace a country which belongs to all who

live in it, especially women and children.

Hon members**,** I must indicate that we will never fully

celebrate human rights when the vulnerable groups of society,

particularly women and children are still abused and killed.

These are the people who in most instances are abused by men

who are supposed to care for and protect them. Some of them



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die with protection orders in their hands. I reiterate

government’s call for a well-coordinated societal effort

towards a total fight against women and children abuse.

The human rights commemoration will not have achieved its

intended goals if our women and children still live in fear.

Their fear translates into violation of their human rights and

as society, we must stop the talk and act against the pandemic

of gender based violence and femicide.

We are all reminded that women’s rights are human rights that

must be protected at all material times. Our Constitution

makes it clear that all people must equally enjoy their

rights. Just yesterday, when President Ramaphosa was

delivering his human rights message said the following and I

quote:

“Our Constitution calls for the advancement and

protection of human rights for all. It does not matter

whether they are men or women, adult or child, rich or

poor, landed or landless, urban or rural dwellers,

earners or unemployed, workers or employers, citizens or

non-citizens. The Constitution obliges the state to



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protect and uphold these rights and to ensure that

everyone’s basic needs are progressively met.”

I must also take this opportunity to appreciate one of the

Chapter 9 institutions, which is the Human Rights Commission

which oversees the protection of the rights of the all the

citizens of the country and all who live within the republic.

Just on the 3rd of this month, I met with the South African

Human Rights Commission’s Deputy Chairperson Fatima Chohan on

behalf of Premier Chupu Stan Mathabatha in Polokwane.

The Commission came to our province to lobby stakeholders such

as faith-based organizations, traditional authorities, courts

as well as the provincial government to pledge solidarity and

join hands in the fight against poverty and inequality, while

creating social cohesion and nation building.

We then highlighted the effects brought as a result of the

scourge of gender based violence and femicide, substance

abuse, teenage pregnancy and other social ills. We have since

committed that Limpopo province is ready to work with the SA

Human Rights Council, SAHRC to promote good values in our

society, non-racialism and moral regeneration through

government programmes.



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This as the commission is continuing with its solidarity

awareness campaign across the country to ensure unity, social

cohesion, moral regeneration and Ubuntu to create a conducive

environment for all people to enjoy their rights.

On behalf of government, we really appreciate this initiative,

as it will go a long way in assisting us to deal with social

ills that are having a direct impact on the lives and the

wellbeing of the people.

We must be a society where quality health care, education and

basic services are provided to our people regardless of

whether they live in a village in a town or a city. Above all,

we must be a society that recognises the dignity of every

individual, and the role of every man, woman and child in

building a better future as it’s a promise of our

Constitution.

As our government is working to rebuild our economy and our

society, we must strive to make this promise [Time expired.]

Thank you, hon Chairperson.



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Mr N M HADEBE: Thank you hon Chair and the Minister of Justice

and Correctional Services, MECs and colleagues. Hon

Chairperson, the fight for recognition of fundamental human

rights came at a great cause for South Africa. Many people

dedicated their lives to one day see a government that would

place humane rights at the top of its agenda.

On the 21st of March we pay homage to those South Africans who

stood for human rights yet needlessly lost their lives to the

people that openly displayed hatred of fellow human beings. We

must always reflect on this particular incident, the

Sharpeville massacre as a reminder to not become complaisant

nor take for granted the fight for a constitutional democracy.

While some may toy with ideas of change, we know that our

elders had wisdom in their hunger for democracy. They

recognised the need for a democratic system that guarantees

the right to participate politically and equally towards a

progressive observation of human rights for all.

The global Covid-19 pandemic has shown us more than ever how

important the guarantee of fundamental human rights is. The

absolute need for individuals empower to be held accountable



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and how critical it is to ensure that checks and balances on

government power is maintained.

We cannot go on accepting a gentleman’s agreement that

corruption will be taken seriously. The current administration

expects dealing with corruption as it frequently passes the

bark onto the arms of the state yet, what South Africa needs

more than ever is a morally led government that does not take

kind to corruption.

A typical case in point came about when the whole world was

left vulnerable to the Covid-19 pandemic. The time when our

individual rights and freedom were severely restricted. During

the early stages of the Covid-19 pandemic, no actual case was

made for the shortcomings of human rights in our society.

The entire country was subjected to the suspension of their

human rights by means of harsh lockdown regulations, section

21 of the Bill of Human Rights.

The fragility of our health system was exposed and proved to

be inadequate in contradiction of section 27 of the Bill of

Rights. The multi-layered need for a safe environment in



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section 24 of the same Bill exposed huge shortcomings in

observing the requirements for, I quote:

“An environment that is not harmful to their health and

wellbeing.”

The right to sufficient water and food in section 27 of the

Bill of Rights as many rural schools, dwellings and areas

suffer the effects of Covid-19 simply because they could not

access safe water for sanitation

In contrast, we find that government Ministers through shady

vibes contracts are allegedly implicated in sucking money away

from the poor, away from efforts to access our human rights

and stand by to allow people like these to continue to be

popular figures in our communities.

The Covid-19 pandemic has shown us how easy it could be for a

government to abused human rights and replace it with rampant

corruption. As country citizens, regardless of our differences

we must actively join forces no matter the personality or

wealth in taking to heart the effects corruption has on

meeting our human rights. Whilst dealing with corruption is



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not a silver bullet. It goes a long way in realising human

rights for all.

In closing, the IFP honours the men, women and families who

fought for the liberation of our country. We commit ourselves

to join with local communities in always fighting for equal

human rights. I thank you hon Chairperson.

Mr F V MLOMBO (Mpumalanga): Hon Chairperson of the NCOP, let

me extend my greetings to you, the Minister of Justice and

Correctional Services, the hon Lamola, and to all hon members

who are permanent delegates and all my colleagues who are

special delegates from the different provinces, distinguished

guests, ladies and gentlemen.

Hon Chairperson, I am happy to participate in this debate that

takes place immediately after we have celebrated the Human

Rights Day, yesterday. This debate is guided by the most

profound and relevant topic which is, “The Right to Equality -

Reducing Poverty and Inequality.”

I want to argue that our country has achieved a lot in defence

of the human rights of the people of South Africa. Hon

Chairperson, today we celebrate this day with our heads held



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high and our faces beaming with confidence, because of the

progress that the ANC-led government at both national and

provincial and local level has achieved in just less than 30

years.

Today the nation is enjoying their right to cast their votes

and elect a government of their choice. A right which was

highly impossible during the apartheid era.

Yes, Chairperson, the ANC has respected its pledge which it

has made in 1955, when the Freedom Charter was adopted. When

it said that the people shall govern, when it said that the

land shall be shared amongst those who work it, that the doors

of learning and culture shall be opened to all, that there

shall be houses, security and comfort, that all shall be equal

before the law and that the people shall share the country’s

wealth.

Hon Chairperson and hon members, where in Africa and the world

have we seen a government achieving what the ANC-led

government has achieved in South Africa? Where in Africa and

the world has any organisation been able to build million and

millions of houses for the poor and the vulnerable in just



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less than 30 years, compared to what we have seen in South

Africa being done by the ANC-led government?

Where in the world have we experienced the improvement in

terms of the school children, the number of children attending

schools and receiving free education and the millions of

children receiving meals at schools in a just a period of less

than 28 years?

Our government has introduced a lot of institutions in this

country to ensure that we comply and conform by the call of

the Freedom Charter that the people shall be equal before the

law.

The ANC-led government has introduced a lot of institutions

whose objective is to ensure that they empower the people of

this country and they make them to feel and experience that

they are in fact equal before the law.

Hon Chairperson, today, millions of South Africans are

benefiting from the social security network which is part of

the respect of their human right. Millions and millions of the

people of South Africa, especially the poor and the most



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vulnerable receive basic free health care services as provided

for by our Constitution.

Today, the implementation of the National Health Insurance,

NHI, is at an advanced stage and that is aimed at ensuring

that we increase the number that is the millions and millions

of the people that are receiving basic, affordable and

accessible health care services in our country.

The rights of the workers and the most vulnerable in our

society are today protected by a number of legislation whose

objective is to ensure that we defend the human rights of our

people and reduce poverty and inequalities.

Hon Chairperson, all the above achievements are protected by a

progressive Constitution that is transformative and whose

objective is to facilitate change in political, economic and

social relations in South Africa.

It is a constitution that promotes democracy, the rule of law

and the protection of human rights. It is a Constitution that

celebrates the richness of the diversity of our culture, our

religion and the beliefs of South Africans. It affirms that



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all belong as equals as a one nation and as a South African

nation.

It is a Constitution that commits the state to respecting,

protecting, promoting and fulfilling the rights as enshrined

in the Bill of Rights in our Constitution.

It is a Constitution that aims to transform our society from

one that is based on the injustices and strive to the one that

is based on justice and peace.

Yes, it is a Constitution that we are proud of that protects

the human rights that we are talking about here today. It is a

Constitution whose aim is to ensure that the livelihoods of

our people is improved to be better.

It is a Constitution that deepens the culture of democracy and

human rights by establishing the Chapter 9 and Chapter 10

institutions, to ensure that the human rights of the people of

South Africa are in fact defended.

We cannot ask for more, because the ANC-led government has

delivered to the people of South Africa as promised in a

number of policy documents.



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As part of defending and consolidating the human rights of the

people of Mpumalanga, because I am from there, let me indicate

that the ANC-led government in Mpumalanga has declared a war

on poverty. For we believe that no person can feel protected,

no person can have dignity if they suffer from poverty and

malnutrition.

We ensured that there is service delivery in municipalities

because we understand that the rights and dignity of the

people can only be achieved if they get those services that

they are supposed to get.

We have implemented a radical programme, to ensure that we

grow our economy and create jobs for the people of Mpumalanga

because we understand that their dignity will only be

justified if they have jobs and opportunities.

We have begun with the building of two new cities in

Mpumalanga. The first city is over after the 1994 democratic

breakthrough. In this financial year, the people of Mpumalanga

will experience dust going up. The ANC-led government building

for them and establishing two new cities after the democratic

breakthrough. We have made a commitment during the state of

the province address that as part of respecting the rights of



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the people of Mpumalanga, we are going to deliver the first

ever tertiary hospital in our province.

So, hon Chairperson, when the sun rises, the people of

Mpumalanga are hard at work to deliver a better life for all.

As I close, we want to make a recommitment that we the people

of South Africa recognise the injustices of our past and

believe that South Africa belongs to all who live in it, black

and white, united in our diversity we shall respect the human

rights of the people of Mpumalanga and South Africa. Thank you

very much, hon Chairperson and my colleagues. [Applause.]

Ms T P MAMOROBELA: Thank you, hon Chairperson ...

*Tshivenḓa*:

... Mudzulatshidulo wa NCOP, Muthusa Mudzulatshidulo ...

*English*:

... the Chief Whip of the NCOP, Ntate Mohai ...

*Tshivenḓa*:

... Minisiṱa vha re hone Vho Lamola ...



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*English*:

... Members of Parliament, permanent delegates and

colleagues.

Chairperson, we celebrate 28 years of our hard-won democracy

under very challenging times when millions of our people are

unemployed and living in poverty. Although the ANC has made

substantial advances over the past 28 years to transform the

lives of our people, a lot more needs to be done. Many of the

structural and systemic features of our economy have not

fundamentally changed.

The ANC has received a mandate from the vast majority of South

Africans to transform our economy in the interest of South

Africans. Our country is rooted in human rights and

fundamental freedoms. The right to vote and to participate in

the national life of the country has been won after a

protracted struggle people laid their lives for.

Apartheid’s social engineering, in conjunction with the global

economic order has resulted in South Africa being one of the

most unequal society in the world. The Wealth Insight’ study

shows that 86% of ultra-wealthy individuals are previously

advantaged white South Africans. The majority of those who are



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poorest are those who were previously disadvantaged, yet

substantive equality is enshrined in our Constitution. Human

rights and socioeconomic rights are interrelated; one can only

fully enjoy the benefits of freedom in a democratic society if

one is socially and economically emancipated. Socioeconomic

transformation is therefore central in giving practical

expression to the fundamental human rights enshrined in our

Constitution.

Significant strides have however been made in improving the

quality of life for millions of our people, particularly the

black majority. The ANC-led government has been hard at work

to give effect to our people’s rights to education, housing,

to basic services and health care. Government has advanced

progressive policies to return land to millions of our people

who were disposed by apartheid, and to transform our economy

so that it benefits all. At the same time, we know that

significant challenges remain.

COVID-19 pandemic has significantly eroded the developmental

gains we have made as a nation, and pushed millions of people

into unemployment and worsening poverty and food insecurity.



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The struggle for the total liberation of blacks in general and

Africans in particular has not ended. As Amilcar Cabral said:

Always bear in mind that the people are not fighting for

ideas, for the things in anyone’s head. They are fighting

to win material benefits, to live better and in peace, to

see their lives go forward, to guarantee the future of

their children.

In a society with deep social and economic divisions, neither

social nor economic transformation is possible without a

capable and developmental state. The state provides the

institutions and infrastructure that enables the economy and

society to operate. It is important for the state to play a

leading and intricate role in directing growth in the economy

through, amongst others, industrialisation and infrastructure

investment. This enables the private sector to be crowded in

and create the necessary jobs and development. There is no

developing country in the world that has left the task of

socioeconomic transformation and development to the whims of

the market; it is through public spending and investment by

the state that the environment for the private sector to play

a defining role is created.



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The ANC-led government is building a developmental state in

order to successfully restructure public finances, create an

effective tax system, dramatic improvement in service delivery

and increasing access to higher education for the poor and

working class.

Significant investments are going into the revitalisation of

industrial parks and the establishment of Special Economic

Zones, SEZs. In excess of R30 billion in investments have

already been made for this purpose. This will give impetus to

the resuscitation of our manufacturing industry and expand

value chains which will effectively intensify our

industrialisation capacity and in the process create jobs,

reduce poverty and diversify our economy.

There are always challenges in the implementation of

progressive policy. There will always be contending forces who

wish to see the status quo remain. We believe we shall emerge

victorious in this struggle for the transformation and

reconfiguration of our society to ensure that it is more

inclusive.

A fundamental shift in our growth trajectory and building a

capable developmental state will be achieved only through



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transforming the structure of the economy. Operation

Vulindlela was established as a joint initiative of The

Presidency and National Treasury in October 2020 in pursuit of

this imperative. Its aim is to support departments and

entities to accelerate the implementation of reforms that will

unlock growth and create jobs. Five priorities will drive this

transformation. These five priorities include: Firstly, energy

which will ensure that there is competition in electricity

generation, with adequate supply to meet demand, and bringing

an end to load shedding. The independent grid operator will

buy electricity at the lowest price from Eskom and private

generators.

Secondly, improving and developing our freight logistics

system which will make the sector more competitive and

efficient, which will have the result of more jobs in export

industries, lower costs for all of the goods that we buy, and

less congestion on our highway.

Thirdly, the release of spectrum will reduce data costs,

increase broadband speed and quality and expand network reach

across the country, including in deep rural areas. The

successful auction of spectrum took place just this month

within the deadline set by the President in his 2021 Sona.



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Fourthly, to develop stronger institutions in the water sector

to improve maintenance of our water infrastructure, fewer

disruptions to water supply, and long-term water security in

the face of climate change.

And lastly, the reforms to the visa system which will ensure

that we can access skills and resources that our economy needs

while protecting and increasing the employment of South

Africans, especially in low-skilled and semi-skilled work.

The ANC is hard at work to bring about the necessary

structural changes to our economy in order to create a more

inclusive economy and planting the seeds of growth in the soil

of consensus to yield the fruits of jobs and opportunities.

Our economy however remains highly concentrated with a few

monopolies and oligarchies dominating the commanding heights

of our economy. This is mainly due to the fact that the

apartheid regime actively promoted national champions in

different sectors by developing industrial state-owned

enterprises, monopolies and agricultural co-operatives that

were later privatised and condoned industry cartels which

protected the self-sufficiency and economic interest of a

small minority. This has created barriers to entry and



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decreased participation by Small, Medium and Micro

Enterprises, SMMEs, in the economy.

According to the Competition Commission, out of a sum total of

144 sectors in our economy, 69,5% are highly concentrated with

40% being moderately concentrated and only 9,7% of sectors

being unconcentrated. This is a real cause for concern. It is

imperative that government, the Competition Commission and

other sectors of civil society work hard to break up

monopolies and the high levels of concentration and low levels

of participation in the economy. We further have to provide

SMMEs with the necessary support to ensure their growth and

sustainability.

The implementation of Native Lands Act of ...

The CHAIRPERSON OF THE NCOP: Please, conclude, hon member.

Ms T P MAMOROBELA: ... dispossessed ...

The CHAIRPERSON OF THE NCOP: Sorry. Yes, hon member, you have

15 minutes.

Ms T P MAMOROBELA: Yes.



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The CHAIRPERSON OF THE NCOP: You have five more minutes.

Ms T P MAMOROBELA: Yes, Chairperson, thank you very much. The

implementation of Native Lands Act of 1913 that dispossessed

black indigenous South Africans of their land, fermented the

solid socioeconomic injustice that lives with us today.

Scholars across the board are in agreement that the effect of

this piece of legislation was devastating for blacks and its

effects are felt to this very day, more than a century later.

The ANC government has made significant strides to

redistribute land to dispossessed black South Africans to

correct this injustice, however this has been far from

adequate. Not enough productive land has been transferred into

the hands of black farmers and producers. Support programmes

for new farmers have largely been ineffective.

It is important to help naysayers and prophets of doom

understand why land redistribution is important for creating

an inclusive economy. In general, growth in agriculture is two

to three times more effective at reducing poverty than an

equivalent amount of growth generated outside agriculture. The

advantage of agriculture over nonagriculture sectors in

reducing poverty is largest for the poorest in the society and



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ultimately disappears as countries become richer. Growth in

agriculture can also extend to other welfare outcomes such as

food insecurity and malnutrition.

Radical land redistribution is needed now more than ever as it

will give impetus to accelerated participation in agriculture

and agro-processing value chains as this is one of the crucial

economic sectors to transform the economy through sustainable

employment creation, business opportunities, investment

attraction and growing our export base. We have to ensure that

there are effective programmes to improve and increase

training and support measures that will ensure the success of

beneficiaries of land reform.

Transformational imperatives are imbedded in our Constitution.

Section 217 of the Constitution places an obligation on the

state to pursue policy and legislation that seeks to correct

injustices of the past. Since the promulgation and

implementation of our broad-based black economic empowerment,

BBBEE, polices, we have been able to open opportunities for

many previously disadvantaged individuals. The black middle

class has increased substantially since the dawn of democracy.

Much more needs to be done to transform the racial character



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of our economy to make it more inclusive and reflective of the

demographics of our country.

State procurement should be enhanced as an empowerment lever

as it represents a significant market for businesses,

particularly small enterprises, and should be viewed as a key

instrument for empowering emerging black businesses. It would

be remiss of me if I did not address the implication of the

Constitutional Court judgement on the Public Procurement

Regulations of 2017. It must be understood that the judgement

has not done away with our black empowerment policy or

preferential procurement legislation or procurement policy as

many would want us to believe, the court pronounced on the

importance of empowerment and transformational legislation as

effective tools to realise the objectives of section 217 of

the Constitution. The court determined that the power to

determine preferential policy rested with organs of state and

not the Minister of Finance as per the prescripts of

Preferential Procurement Policy Framework Act. Our organs of

state should continue determining procurement policies that

empower black-owned enterprises.



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As the ANC, we will not waver in fulfilling our historic

mandate of changing the lives of our people and transforming

the structure of our economy.

The dawn of COVID-19 on our shores has undermined the gains we

have made thus far and compounded the challenges of our

country. Another challenge confronting us is a concerted

effort to undermine and derail our democratic … violence and

disruption, as well as attacks on both public and private

infrastructures. These attempts are an insult to those who

laid down their lives for the ... [Inaudible.] ... in our

Constitution. We cannot allow this to continue.

As I conclude, we call upon all patriotic South Africans to

support government in defending the gains of our democracy and

advancing socioeconomic transformation. I thank you,

Chairperson. [Ndo livhuwa, Mudzulatshidulo] [Applause.]

Ms S G FERNANDEZ (Western Cape): Hon Chairperson, hon

Minister, all MECs, special and permanent delegates to the

NCOP, members of provincial legislatures, representatives of

local government, members of the [good morning] media and

fellow South Africans, good morning, “goei more” “molweni”

[good morning] and “As-Salam-u-Alaikum” [good morning]. As I



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reflect on the Human Rights Day that has passed, and the

personal sacrifices that so many people made in pursuit of

South Africa’s freedom, I realised that we are not short of

courage in this beautiful land. It exists in every family,

community, village and town. Yesterday’s celebration of the

Human Rights Day was a bit sweet one for many South Africans.

Hon Chairperson, for a long time South Africa had set to avoid

the political chaos that preyed many African countries in the

postcolonial era. However, that exceptionalism came at a cost.

It allowed the ruling ANC party the liberty to indulge in

profound denialism and created a narrative of stead progress

even as corruption engulfed its ranks and its government

continues to fail on delivering basic services to the poor.

It is hardly a surprise that more than a quarter of

municipalities are nearly bankrupt and state-owned entities

are struggling due to corruption and poor governance. What is

more concerning is that billions of rands allocated to the

COVID-19 response and relief efforts were plundered through

dubious procurement practices. Citizens understandably are

livid and anger is pouring out into the streets.



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We find that under the leadership of our current national

government work opportunities are far and few between within

estimated 56 million South Africans living below the poverty

line according to the World Bank report. Currently,

9,9 million people do not have jobs. They have given up hope

of finding a job. In order to address the pandemics of

unemployment, poverty and gender-based violence, amongst

others, we need a capable state.

In the Western Cape we do things differently. Under the

leadership of Premier Alan Winde the Western Cape government

adopted a recovery plan last year in promotion of the rights

and dignity of citizens living in the Western Cape. Working

day to day to address the COVID-10 pandemic and doing our best

to keep our residents safe from its devastation, we quickly

concluded that we needed a responsive plan. Consequently, we

formed new partnerships with civil society in the wake of the

myriads of negative impacts of COVID-19 and appreciated a new

importance of partnership, especially public-private

partnership.

We came to the conclusion that our strategy was as valid as

before. Malnutrition in the province existed before COVID-19

only it is now more severe and requires even more of our



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focus. Unemployment was always a challenge. We were determined

to confront and we are now having greater determination. Crime

and violence were intolerably high and needed to be tackled.

With expectation that it is going to become worse, we are even

more determined than ever to address it head-on.

This plan is a recognition of and the response to these

pandemics. It identifies the problems that require an urgent

whole of society response in order to create jobs, faster safe

communities and promote the wellbeing of the residents of the

Western Cape. It is being pursued with the same energy and

collaborative approach that created the coalition that came

together to fight the dreaded coronavirus. The recovery plan

is based on four equally important themes. The first theme

being COVID-19 recovery as the pandemic is still with us. Our

second theme is safety. This is the overarching theme for the

provincial strategic plan and it is equally relevant going

forward as it is indestructibly linked with wellbeing. Safety

cannot be achieved if basic human needs are not met.

When we set out to implement the Western Cape government

safety plan with both boots on the ground was the only one of

the plans. We of course need more law enforcement officers in

crime hot spots especially given the national government’s



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under resourcing the province. But we also need violence

prevention interventions that prevent violent crime from

happening in the first place. We are the only province to

establish a violence prevention unit within the Department of

Health which provides evidence that is database to support our

efforts to fight crime in the Western Cape.

The third component of our recovery plan is jobs and economic

recovery. The economic impact of COVID-19 has been severe. We

can only recover if our economic growth and its citizens are

able to generate and income. The significant job losses during

the pandemic has meant that this genetic balance has been

damaged and many other areas that determine progress has

worsened because of it.

During Premier Winde’s state of the province address he quoted

the following:

Our single biggest priority in the year ahead must to be

to create an environment where private sector creates

jobs and lots of them. We must fight back against our

pandemic of joblessness because a job puts food on the

table, a job keeps a child in school, a job keeps a young



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man off the streets and out of the gang and a job can

mean a happier, healthier and longer life for you.

The Western Cape government has prioritised infrastructure-led

job employment over the Medium-Term Expenditure Framework,

MTEF, which will inform the basis of tackling safety and

improving the wellbeing of citizens of the Western Cape.

Our fourth component of our recovery plan is that of

wellbeing. The government must ensure that the basic human

needs of its citizens are realised as guaranteed in the

Constitution. A concept that is central to the above four

themes is dignity. The citizen is at the centre of everything

that we do as government, that we deliver and how we deliver

it. We must uphold the dignity of every individual household

and for members of the community. The wellbeing and dignity

work stream has established within various working groups and

in the interest of time I will mention just a few of the key

ones. We have established a gender-based violence work stream

to address the scourge of gender-based violence that has

spiral out of control as the justice system fail many victims.

We saw the debacle with the DNA, we see a rape kits or a lack

of rape kits at police stations and so I can continue.



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We have established a provincial faith-based forum which plays

an integral in connecting our whole of society approach. We

have established a dedicated youth forum to focus on the needs

of youth and especially the needs of the youth not yet in

employment.

To address poverty and malnutrition we have established a

working group that focuses on nourish to flourish. This

working group is led by the Department of Agriculture. It

works very closely with the economic development partnership,

EDP, which is led by Professor Andrew Boraine. That is the

Western Cape food forum. The food forum embraces all of the

civil society and is the connect between government and civil

society.

Food and nutrition insecurity are growing threats to our

democracy. The NOTcam findings have shown that increase levels

of household food insecurity that began with COVID-19 are

likely to persist over the medium-term. Whilst hunger is the

symptoms of the jobs crisis, malnutrition and poverty can’t be

solved without addressing the food system and how it is shaped

by other key systems. In our dignity and well grew are being

work group, the food forum acts as the link. They meet every



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second week. They have launched a new slitter. We have engaged

key ...

In an effort to conclude, I would like to address the hon

Minister through you Chair and all hon members on the platform

to say that to address the basic needs as enshrined in the

Constitution we must act swiftly and decisively to address

corruption because it is corruption that is depriving our

citizens of their basic rights as enshrined in our

Constitution. I thank you.

Cllr F MABOA-BOLTMAN (Salga): Thank you very much, hon W

Ngwenya, for the opportunity, let me quickly get to my speech

here. Hon Chairperson, Baba uMasondo and hon Deputy

Chairperson of the NCOP, hon Mme Sylvia Lucas, the hon

Minister R Lamola, the hon Chief Whip of the NCOP, hon MECs

and delegates from all provinces, hon House Chairperson

Committee and Oversights, hon House Chairpersons, members,

support and IR, hon permanent delegates, hon special

delegates, and fellow South Africans, good day. Salga

appreciates the genesis to freedom and attainment of democracy

in South Africa. Through many mechanisms and for this day’s

purpose, I would site peaceful resistance in a form of

protests, marches and demonstrations with masses mobilised



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into action by lived experiences daily from an unjust

apartheid system that terrorised them and undermined their

very fundamental human rights and dignity. The hallmark of

such was the Sharpeville massacre on the 21 March 1960 that

saw 69 people, including women and children murdered in cold

blood and 180 of them wounded. They were unarmed and

defenceless. This because of a simple, peaceful demonstration

for a free movement in the country of their birth in protest

of compulsory carrying of ...

*IsiZulu:*

... amapasi. Ngithanda uma niyibiza kanjalo, amapasi.

*English*:

The Human Rights month is commemorated to remind South

Africans about the sacrifices companied the struggle for the

attainment of democracy in South Africa. We reinforce our

commitment to the Bill of Rights as enshrined in our

Constitution, guided by the theme for Human Rights Day of

2022, the freedom of movement and residence. These rights,

Chairperson, Mme Ngwenya, includes equality. Everyone is equal

before the law and has the rights to equal protection and

benefit of the law. Human dignity - everyone has inherited

dignity and have their dignity respected and protected.



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Freedom of movement and residence - everyone has a right to

freedom of movement and to reside anywhere in the country.

Language and culture – everyone has a right to use the

language and to participate in the cultural life of their

choice. I have heard earlier someone was reading a speech and

at the end of that speech she spoke in Afrikaans and I mean

that is also the right.

Life - everyone has a right to life. Whether we are at the

workplace within the committees, at school or with our

partners and children, we all need to demonstrate the kind of

responsibility that we would like to see in our country’s

future.

We need to intensify the implementation of these progressive

policies in order to achieve the ultimate objectives of

genuine socioeconomic transformation. The government has

identified the triple challenges of poverty, inequality and

unemployment as a militating and aid against the improvement

and upliftment of the lives of our people for the better. The

fact that many people, especially young people in the group of

the historical disadvantaged communities remain unemployed and

therefore not active in the mainstream economy is a serious

indictment of our political system currently. We need to



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ensure that the country’s economy can embrace the diversity of

skills and the competencies that our people possesses.

We call on all South Africans to use the Human Rights month to

foster greater social cohesion, nation-building and a shared

national identity. It is our duty as a nation to strive for an

inclusive socioeconomic development while ensuring that we

combat scourges such as racism, racial discrimination,

xenophobia and all related intolerances as well as gender-

based violence and femicide, which are undermining our human

rights culture. Gender equality is a fundamental human right

that we should never fail to emphasise. That women’s rights

are human rights.

Sustainable development goal No 5: Gender equality - it says

achieve gender equality and empower all women and girls

enjoins all of us to account for the achievement of the all

indicators for the achievement of this goal. Hon Chairperson,

as guided by the House topic for today: *The right equality*

*reducing poverty and inequality*. We should all accept that

there can be no proper enjoyment of freedom and human dignity

while some in our population are ravaged by poverty brought

about the inequality, distribution of economic resources of

our country. We have opulence side by side, the worst form of



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lack and abject poverty. We need to find better ways to spread

resources and rescue our people from the inhuman conditions

under which they live.

Chairperson, it is our duty as government in partnership with

the private sector to double our efforts and bring about

conditions for an inclusive economy and reduced social

equality gap. The social package that is composed of

government support to deserving citizens, inclusive of the

social security grants for the elderly, the people with

disability, the children, the unemployed, the military

veterans, the free access to health care services inclusive of

the maternity pre and post-natal care, the free education

system - many have touched on the education system -from

preprimary to matric, support in tertiary education through

NESFAS, the Expanded Public Works Programs, the internship and

exposure to work support programmes, the access to free basic

services to indigent households, Salga believes that all this

work close to inequality gap.

In the local government space, we continue to deal with

challenges of migration, internally to cities, resulting in

rural areas getting lower funding allocations relative to the

population size, with the same population migrating homes



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during holidays and demanding services from the

municipalities. A funding allocation to a local government

sphere remains a challenge with an expectation of revenue

generation that is not happening as anticipated.

Chairperson, the migration management across the international

borders also brings similar challenges where unregistered

immigrants flood cities and communities and results in

pressures on the delivery of basic services. We remain

committed to work through all intergovernmental relations

platforms, to tackle these challenges and bring about

solutions to close the inequality gap and reduce poverty, of

cause.

The DDM one sector plans are a vehicle to pull in all

government resources together to deliver to the needs of our

communities. Our strategic focus as Salga for the next five

years is driven from the following six pillars or six

priorities: The first one is people centred governance,

innovation solutions, reputable local government, effective,

engaged networks, inclusive social, economic returns and the

last one a developmental local government for global

competitiveness. We wish you all South Africans a happy Human

Rights month. Thank you, hon Chairperson. I thank you.



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Mr M A P DE BRUYN: Hon Chair, Human Rights Day 2022 was an

insult to the citizens of a large part of the free state,

especially in the Mangaung metro were citizens was and still

are without water going for 5 days’ now, undermining their

basic Human right to have access to clean water. In the

Kopanong municipality water has been restricted to 30% for the

past 9 weeks, leaving most of the community without any water

due to non-payment from the municipality to the water board.

In Dewetsdorp, the community is constantly struggling with

water supply for more than seven years already and counts

themselves lucky if there is water for more than two straight

days. Clearly this is an insult to basic human rights. If we

look at the of the Human Rights Act that states that everyone

has the right to a clean and safe environment, one can’t help

but wonder how this Act is interpreted by government. It must

obviously be misunderstood, if we look at millions of litres

of raw sewage running down our streets and into our rivers and

streams all across South Africa, polluting and destroying our

environment for the next generations.

As far as safety is concerned, we all know the state of crime

in South Africa where murder, rape and violent crimes have

become the order of the day, and part of our day to day



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living, as a result of a poor and nonfunctional police

service.

*Afrikaans*:

In plaas daarvan om Menseregte Dag as ’n politiese speelbal te

gebruik het, sou ons graag eerder wou sien en hoor hoe die

ANC-regering van plan is om hierdie probleme aan te spreek en

te verseker dat basiese dienste gelewer word, sodat almal in

Suid-Africa hul basiese regte kan geniet. Soos ouder gewoonte,

verskuif die ANC eerder die fokus weg van hul eie onvermoë om

basiese dienste te lewer en menseregte te bevorder en word

daar op geïsoleerde gevalle in die verlede gefokus, waar

rassehaat eerder bevorder word in plaas van menseregte.

*English*:

Yesterday, President Ramaphosa used the incident of Skielik,

where a shooting took place by a white man in 2008 as an

attempt to shift the focus from the ANC’s incompetence, and to

create racial tension in South Africa, instead of addressing

the issues and shortcoming of government, to ensure that all

in South Africa can one day enjoy basic human rights.

I would like to say to the President and to the ANC that

living and hiding behind the past will get you nowhere.



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Blaming the past for your incompetence will get you nowhere

and fuelling racial tension to hide your inability to govern

South Africa will get you nowhere, but instead makes you a

racist.

Human Rights Day 2022 was a reminder to all South Africans

that we unfortunately do not have the luxury to enjoy basic

human rights in South Africa. It was a reminder that

government and the ANC, as usual, put their own needs and

agendas before the needs of the people. It was a reminder that

we have a government that prefers living in the past, instead

of creating a future and most all, it was a reminder that no

South African will truly have the pleasures of human rights as

long as the ANC governs. Thank you.

Mr M NHANHA: Hon Chairperson, hon Minister, hon members and

fellow South Africans, colleagues, freedom was not free. Many

South Africans lost their lives and limbs for me to enjoy the

fruits of their sacrifices. I have no doubt in my mind that

all those who paid with their lives are now turning in the

graves for what our country has become.

Neither effort nor energy must be spared in honouring them.

Statues, memorial gardens and hero acres can never be enough.



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We must honour them by providing basic human rights such as

clean water to those they bequeathed freedom.

Our daily deeds as ordinary South Africans must produce an

actual South African reality that will reinforce humanity’s

belief in justice, strengthen its confidence in the nobility

of the human soul and sustain all our hopes for a glorious

life for all. Never, never and never shall it be that this

beautiful land will again experience the oppression of one by

another, and suffer the indignity of being the skunk of the

world.

This is Nelson Mandela’s words during his inaugural address as

President of a democratic South Africa.

As the country, we need to have a hard and honest look at

ourselves, as to whether we have not become the skunk

President Mandela warned about.

As we all probably know, and a lot of speakers before me have

spoken at length about the origins of Human Rights Day.

Indeed, this day came about as a result of a massacre in

Sharpeville in 1960. However, we must never forget the Langa

massacre outside Uitenhage in the Eastern Cape on 21 March



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1985, in which 35 mourners were killed by the apartheid police

and 27 others were left wounded.

As part of Human Rights Day celebrations, yesterday, I spent

time in a tiny town of Qumrha in the Eastern Cape. There was

an event that close to 150 people attended. I spoke to one, Ms

Thobeka Matanga. She told me, she was initially reluctant to

attend our event, because she has lost hope, she has given up,

she thinks the governing party has forgotten them.

By her own admission, she is not a DA voter but decided to

attend our event because she has heard that, where the DA

governs, it gets the job done.

The sad story of Thobeka and many of her neighbours in Qumrha

dates back to more than eight years, when their taps went dry.

They are now at the mercy of Amathole District Municipality

and now and then they cart water by trucks to their township,

but this service is not consistent and they spend most of the

time without water.

It is an open secret in that area, that owners of these trucks

are in the high echelons of the ANC in the region. And this

explains why Amathole District Municipality has chosen a more



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expensive option of providing water to this community, rather

than drawing water by a pipeline from the great Kei River,

which is a few kilometres away.

So, for Thobeka and many others in her neighbourhood, Human

Rights Day meant nothing. Hon Madlopha, in the struggle, there

were many players and formations, such as the Progressive

Party, which is a predecessor of the DA, which had a lone

ranger in Parliament – Mrs Helen Suzman. She fought tooth and

nail for the release of Nelson Mandela and other political

prisoners. At least, at the very most, she deserves an

acknowledgement.

Hon Madlopha, you should be ashamed of yourself. You were

probably not told that this session will be carried on five

platforms. For you to stand in front of us and defend job

corruption in the City of Johannesburg is shameful. You know

your co-staff in your office are on a fixed term. Should ...

[Inaudible.] ... decides to fire you, as I think she should,

you will go with your staff. Therefore, you cannot convert

jobs on a fixed contract for people who have not even gone

through interviews. It is called job corruption. I don’t wish

to see her again in this House.



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Mahlangu, your speech for once today hit all the right notes

and I give credit to the person who wrote your speech, but

remember, you kept on saying that we need the private sector

to invest so that we can create jobs. No, private capital can

invest their money in an unstable environment. There has to be

policy certainty for them to invest their money. As long as

they are talking about taking land without paying back the

owner of the land, forget that private capital will invest

their money. I thank you.

Mr A J NYAMBI: House Chairperson, hon Chairperson of the NCOP,

hon Minister, MECs from our respective provinces, hon members,

ladies and gentlemen, hon Nhanha, it is a fact that our

government led by the ANC has done a lot in reducing poverty

and inequality. But be that as it may, we all agree that there

is still a lot to be done.

Hon Nhanha, a brotherly and a comradely advice, if we are in a

debate like this one, just play the ball and not the man.

Hon Chairperson, 21 March 1960, is a painful reminder of the

brutality of the apartheid system against black people in

general and Africans in particular. It also reminds us of the

resilient struggles wagged by black people against apartheid



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and colonialism for the freedom and democracy we enjoy today,

as correctly said by hon Minister Lamola when he was opening

the debate.

Just five years before the Sharpeville and Langa massacre, on

26 June 1955, the people of South Africa from all walks of

life gathered in Kliptown Johannesburg, to formulate a

blueprint document for a democratic South Africa, the Freedom

Charter. The ANC-led democratic government is determined in

the implementation of the Freedom Charter. The Freedom Charter

declare that and I quote:

All National Groups Shall Have Equal Rights! All Shall Be

Equal Before the Law! There Shall Be Houses, Security and

Comfort! The Land Shall Be Shared Among Those Who Work It!

The Doors of Learning and of Culture Shall Be Opened!

House Chairperson, when the ANC came into power in 1994, we

ensured that the aspirations of our people expressed in the

Freedom Charter find expression in the government policy. The

Bill of Right in our democratic Constitution play a central

role in ensuring that we deliver on the commitment of the

Freedom Charter.



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Our democratic government takes the provision of the basic

services as a human right for all our people. We have done a

lot in 28-years since we came to power to redress the

imbalances of the past. No one can dispute that fact. Of

course, there are some challenges.

No one can dispute the fact that the democratic government has

been able to roll out in a massive scale the provision of

basic services to our people. It is a fact that this ANC-led

government has provided over five million free Reconstruction

and Development Plan, RDP, houses to South Africans through

who do not afford to own a house. The beneficiaries of these

free RDP houses are also entitled to free basic electricity.

This ANC-led government has ensured that our people had access

to water services. Today, our people have water and of course,

there are some challenges in the comfort of their homes for

those living in the rural areas. While we have ensured that

for rural communities, water is accessed within the 200metres

radius, this government’s actions are informed by the

commitment of the very same Freedom Charter I have alluded to.

Hon Chairperson, the struggle against colonialism and

apartheid was not only about the brutality of the system, but



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also about the oppressive and discriminatory laws such as

Group Areas Act.

It matters where people live and work. Hon MEC from the

Western Cape, let me use the Western Cape, the Mother City as

an example. People who live in Khayelitsha working in Cape

Town Central Business District, CBD, travel more than 30km to

and from work every day. The cost of public transport for

those taking the minibus taxi is R21,00 per trip. Meaning that

it is R48 per day equal to R924 per month. The amount could be

up if employees work during weekends. This is too much for

people who are working in the low paying jobs, such as

cashiers at Shoprite.

For example, an average salary wage for a cashier at Shoprite

is R750 per week, which is less than the minimum wage set by

our government. Almost 40% of the salary is spent on transport

leaving the employee with little in cash.

The cost of public transport is a barrier to job seekers. It

discourages people to seek for work. As things stand, the

Mother City is not a mother to all her children as you claim.

As this government, we must ensure that we address the spatial

inequalities to reduce the poverty and inequality. And we must



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ensure that people live in close proximity to their places of

work. The hon Minister tried to deal with this fact.

Hon House Chair, the high levels of poverty and inequality are

a barrier to economic development and economic growth. Poverty

and inequality for black majority was deliberately created by

the colonial and apartheid government successive policies, as

today you are failing to understand that, hon Nhanha and hon

De Bruyn.

It was the spatial government policies that created inequality

access to education between the blacks and whites. It was its

policies which ensures that there are few health care services

in areas where black people resides. It was through job

reservations that excluded black people from job opportunities

because they were reserved for white people, as hon Fernandez,

hon Nhanha, and hon De Bruyn are struggling to understand

these simple facts.

Today, we have people who through the apartheid government

exclusionary policies live in poverty. Most of them are

uneducated, others have never worked and are dependent on

government social protection services for their livelihoods.

These people were deliberately excluded to acquire quality



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education to enable them to participate in the job market as

correctly explained by the Minister when opening the debate.

Hon members, people affected by poverty at the most are young

people and women. President Ramaphosa dealt with this issue in

his state of the nation address and the Minister dealt with it

today. One such intervention is the Presidential Employment

Stimulus Programme, that has created more than 850 000 job

opportunities since its inception in 2020, and 80% of the

beneficiaries in the programme were young people. Women

constituted 60% of all those employed in the programme. Why

can’t you acknowledge that hon members so that you can be seen

that you are dealing with facts and not just distortion for

political ends.

Furthermore, through the SA Youth Mobi platform, our

government has assisted more than 600 000 with job placement.

Women are the backbone of our communities are at the forefront

in addressing poverty and hunger in their communities. Many of

the community based organisations are led and populated by

women. Having recognised that, our government is committed in

creating 50 000 job opportunities through the Social

Employment Fund. As the NCOP we will be watching that doing

effective oversight.



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We want to reiterate that creating jobs is not the sole

responsibility of government but also the private sector needs

to play its role as well. This is why our government is

revising the Employment Tax Incentive Scheme, to ensure that

it is accessible to small medium and micro enterprises, who

are the drivers of economic growth and employment in our

country. The ANC-led government is committed in reducing

poverty and inequality in our society. When people are self-

sufficient they are able to asset and exercise their

democratic rights.

Hon members, the democratic government is committed in

narrowing the inequality and the poverty gap in our society.

Through the provision in the social wage spending in

education, health and social development, we are confident as

government that we will reduce poverty and inequality in our

society. The founding President of our democratic society

ntate Nelson Mandela once said and I quote:

It is through education that the daughter of a peasant

can become a doctor; that the son of a mineworker can

become the head of the mine, that a child of farm workers

can become the President of a great nation. It is what we



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make out of what we have, not what we are given, that

separates one person from another.

That is why you and me hon Nhanha we are beneficiaries of that

and we are members of this beautiful House called the NCOP.

Through the commitments we made in the Freedom Charter that

the doors of learning and culture shall remain open,

government has committed an amount of R36 billion towards the

free higher education. Quality education and skills

development enables people to participate in the economy

meaningfully. It is through acquiring new skills that drive

the emergence of new industries which then lead to increased

employment, - and poverty and inequality is reduced in our

society.

The government is committed in the provision of quality health

care. That is why an amount of R3 billion has been allocated

to absolve medical interns and community service doctors. It

is our belief that through the implementation of the National

Health Insurance, we will achieve the quality health care

services in our society.



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It is through government’s concerted efforts in partnership

with social partners will be possible to address the high

level of poverty and inequality in our society. Hon Nhanha,

hon De Bruyn and hon MEC Fernandez, to know what you and what

you don’t know is called knowledge. To know what you know and

what you don’t know is true knowledge.

It is clear that when hon Minister was opening you were not

listening or you decided to focus on what was prepared for

you. Because if you were listening to the Minister when we he

was opening the debate today acknowledging some challenges of

course touching achievements of government and a number of

speeches said by hon members, you only focus on that paragraph

by hon Mahlangu, of which I commend you for that for giving

credit where it is due. But a brotherly and hon advice in

future is that you should listen when the debate is being open

so that you are not out of context but we are in sync with

what we are debating.

In conclusion, allow me to say we are going to continue to

make strides in ensuring that our commitments in the Freedom

Charter are realised. And poverty and inequality is reduced.

It is a fact that our government has done a lot in reducing



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poverty and inequality. But be that as it may, we say much

more still need to be done.

Hon Minister, maybe in the future you have to organise an

Imbizo, we will avail all members of the NCOP to understand

why it is always relevant to share the challenges of the past

in dealing with issues that are facing us today. You are not

shying from corruption, you led from the front, you talk about

the steps that are being taken by government to fight

corruption. And now an impression is being created that the

ANC is not going to fight corruption.

Hon Chief Whip, once again, thanks for making such an

important debate and allowing us to engage and share and

celebrate people that contributed. We want to thank all

martyrs who never even live to see the democracy we are

enjoying today. But it is out of their tireless efforts that

today some of us from these deep rural areas we are able to

debate. And also out of what has been done by the government

we are able to debate on the virtual platform. Thank you very

much.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: House

Chairperson, we welcome the constructive inputs from some of



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the hon members. It is unfortunate that the opposition

parties, the coalition of the EFF, the DA and the FF Plus

chose to use this platform for electioneering and not to deal

with the day to day human rights issues affecting the people

of our country. There would a time for electioneering in the

2024 general elections. And we’ve just finished now a process

of electioneering with the local elections.

Now the people of this country they expect us to deliver

services, they expect us to continue protect their rights,

which is unfortunate that this coalition of these three

organizations, every platform they get, they use it to

proclaim that the ANC is going to be out of power in 2024.

They must not speak on behalf of the people of South Africa.

The people of South Africa, they will be to speak for

themselves through the ballot when they go and vote in 2024.

For the opposition and for ourselves now, is to build the

country that responds to the economic challenges and to the

human rights issues of our people as we speak now and as we

are here to deal with them.

And I think hon Nyambi has responded to a number of issues. I

would just like to use this opportunity to condemn the attack

of Ugogo Mahlangu by an unknown assailant at night. Attacking



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a vulnerable woman who is an international artist icon for our

country. It’s an unfortunate incident and the police must be

able to hunt and apprehend whoever is a perpetrator. And the

law must take its course, a clear message must be sent to the

people of this country, that we all have a responsibility to

protect, nurture and ensure that the vulnerable and the

elderly have got the safe place of living in our country.

And we want to wish a speedy recovery to Ugogo Mahlangu and

also convey to her that the government of this country is with

her and we call upon the police to do everything possible to

apprehend and ensure that justice is served on this matter. So

that the people of this country must be able to see that they

can feel safe in our country.

And, also to state that employment of people through due

processes is not corruption. The Federal Council of the DA –

it was proven in the last state of the nation address, a

letter was written to the Stellenbosch Municipality, where the

federal council was deploying, so I am shock that hon Nhanha

is calling that to be corruption. If that is corruption, then

we must first arrest that federal council for wanting to

capture the Stellenbosch Municipality.



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But, deployment it’s an acceptable way of governing by any

governing party. And the President when he presented to the

Zondo Commission, he even referenced to the Organisation for

Economic Cooperation and Development, OECD, paper that clearly

states that in all developing nations in the world - even the

most advanced democracies developed, the issue of cadre

deployment or the issue of deployment committee or policies is

available to any governing party. It happens in the United

States, it happens in England, in any advanced democracy, it

does happen.

And, as we speak what the DA is doing in the City of

Johannesburg is to purge people what they believe do not

belong to their organization. And as the ANC government we are

clear that all South Africans, capable, who have gone through

due processes must be employed irrespective of political

affiliation, irrespective of race or colour or creed.

It’s unfortunate that in the Western Cape, as a MEC Fernandez

was speaking - as we speak now people are being killed in the

townships, Khayelitsha, in Langa and most of the townships

there. Because, the DA-led government is only protecting the

affluent suburbs and only those that they belief are people of

the affiliation to the DA. They do not have any plans to help

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and ensure that even in Khayelitsha, in Langa, in all the

townships of Western Cape ...[Interjection.]

The HOUSE CHAIRPERSON (Ms W Ngwenya): As you conclude hon

Minister.

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: ... in all

the town of the Western Cape, there is fair policing which is

not racially biased but is for the people of all the Western

Cape. House Chairperson, in closing thank you very much for

the constructive engagement and let’s all put our hands

together to work for all South African. Thank you very much.

[Applause.]

The HOUSE CHAIRPERSON (Ms W Ngwenya): Hon members and hon

delegates, I would like to thank all the members that have

participated and thank you the ... [Inaudible.] ... thanks

Chief Whip. Hon delegates, we shall now proceed to the order

of the day.

**CONSIDERATION OF REPORT OF SELECT COMMITTEE ON CO-OPERATIVE**

**GOVERNANCE AND TRADITIONAL AFFAIRS, WATER AND SANITATION AND**

**HUMAN SETTLEMENTS TO UMHLATHUZE WATER BOARD, DATED 15 MARCH**

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Mr T S C DODOVU: Thank you, hon Chairperson and hon members of

this House. I have an honour and privilege ...

The HOUSE CHAIRPERSON (Ms W Ngwenya): I can see you, but I

can’t hear you.

Mr T S C DODOVU: Can you hear me now, House Chair?

The HOUSE CHAIRPERSON (Ms W Ngwenya): Now I can hear you.

Mr T S C DODOVU: Okay. Thank you very much hon Chairperson and

hon members of this House. I have an honour and privilege to

present on behalf of the Select Committee on Co-operative

Governance and Traditional Affairs, Water and Sanitation and

Human Settlements. A statement on the directive in terms of

section 63 of the Water Service Act 108 of 1997 on the

uMhlathuze Water Board. As I present this statement, we know

that today, 22 March is World Water Day.

Since 1993 on this day, the world celebrate water and raises

awareness of more than 2 billion people living without access

to safe water. The World Water Day is an annual United Nations

observance day to highlights the importance of fresh water.

The day is used to advocate for the sustainable management of



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fresh water resources. The theme of each day focuses on topics

relevant to clean water, sanitation and hygiene, which is in

line with the targets of Sustainable Development Goal 6, and

on this day, the United Nations Water Development Report is

released each year around World Water Day.

Hon Chairperson, on 11 March 2022, the select committee had a

virtual meeting, an engagement with the Minister, Deputy

Minister and senior officials of the Department of Water and

Sanitation. This engagement was informed by the directive ...

[Inaudible.] ... in terms of section 63 of the Water Services

Act 108 of 1997 to uMhlathuze Water and subsequent referral to

the select committee in terms of Rule 101 for consideration

and reporting.

The main objective of engagements was to accord the political

leadership of the Department of Water and Sanitation an

opportunity to inform members of the select committee on the

legislative procedural and substantive matters relating to the

directive. During the engagement with the Department of Water

and Sanitation, the select committee has noted that the

substantive matters relating to the directives centred around

the constitutional and legislative failure of uMkhanyakude

District Municipality, to provide water and sanitation to the



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local communities. The select committee has also recorded the

ineffective performance of the water service authority, the

non-adherence to norms and standards, and the fact that 61% of

the population in the uMkhanyakude District Municipality still

receives water via community standpipes.

We all know that water and sanitation are part of the people’s

constitutional rights and cannot be justifiable and morally

right that the district munuciplaity as one of the organs of

the developmental state is dismally failing to effectively and

efficiently provide this constitutional imperative to the

people of the district. Water as service delivery is a

constitutional right to our communities and the provision of

sanitation is a dignity to our people. As Members of

Parliament, we have a constitutional obligation to ensure that

executive accountability and robustly perform our oversight of

service delivery irrespective of our political persuasions and

parties.

During our deliberations on 11 March, as committee members we

have noted the following observations. In terms of the

legislative requirements, the Minister of Water and Sanitation

has issued and communicated the directive to uMkhanyakude

District Municipality and tabled a notice of directives to the



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Chairperson of the NCOP and the Minister of Co-operative

Governance and Traditional Affairs on 24 February 2022. The

Department of Water and Sanitation issued a directive in terms

of section 63 of the Water Service Act in order to underpay

management and operations, as well as maintenance of water and

sanitation infrastructure at the uMkhanyakude District

Municipality.

The Minister of Water and Sanitation has also tabled a notice

of intention to take over water and sanitation services for a

period not exceeding five years, while simultaneously

assisting the municipality to build the capacity to manage

water and sanitation in the area. The Minister of Co-operative

Governance and Traditional Affairs in KwaZulu-Natal had

invoked section 139(1)(b) of the Constitution at uMkhanyakude

District Municipality in February 2021. This provincial

intervention was due to poor performance in respect of

maintenance and operations of water and sanitation

infrastructure, that even provision of water services to

communities and project delays to prolong the processes and

possible fraud and corruption. The situation has not improved

since the invocation and implementation of section 139 of the

Constitution intervention.



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The objective of this directive, in terms of section 63 of the

Water Services Act, was a complete restoration of a defective

water services functions of the municipality. The Director-

General of the Water and Sanitation department has been

mandated to appoint a technical team composed of officials of

the uMhlathuze Water. The Department of Water and Sanitation,

Water Services Authority and the provincial department of co-

operative governance and traditional affairs are to assess

progress of intervention and provide regular updates.

We must also note that and welcome the recovery implementation

programme of the Department of Water and Sanitation, which

focusses on institutional arrangements, operations and

maintenance, technical services, estimated timelines in

building sustainable capacity and capability. We lastly

observed that uMkhanyakude District Municipality has

communicated to the Department of Water and Sanitation an

intention to declare a dispute in terms of section 42 of the

Intergovernmental Relations Framework Act.

As a collective, members of our select committee have

unanimously agreed on the following recommendations for

approval by this House. The NCOP approved a directive in

uMkhanyakude District Municipality in terms of section 63 of



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the of Water Services Act not for the period exceeding five

years. The Minister of Co-operative Governance and Traditional

Affairs and the Minister of Water and Sanitation should in the

spirit of co-operative governance ensure the deployment of

qualified, skilled and competent officials in the

implementation of the directive in the district municipality.

Both Ministers of the departments should ensure participation

of sector departments in the implementation of the directive

in the uMkhanyakude District Municipality.

The Minister of Water and Sanitation should table quarterly

and yearly progress reports to the NCOP on the implementation

of the directive in terms of section 63 of the of Water

Services Act. The Department of Water and Sanitation should

fast-track the process of business planning and costing and

align the required resources with the annual performance plan

and budget allocation in order to ensure effective

implementation of the intervention in terms of section 63 of

the of Water Services Act in the district.

Lastly, that our select committee in collaboration and co-

operation with the relevant portfolio committee in the

KwaZulu-Natal provincial legislature should conduct a

proactive oversight visit to uMkhanyakude District



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Municipality in order to monitor progress in respect of the

implementation of the directive ... [Interjections.] ... in

terms of section 63 of the of Water Services Act and section

139(1)(b) of the Constitution. Thank you very much, hon House

Chairperson.

Debate concluded.

Question put: That the Report be adopted.

*Declaration of vote*:

Ms C LABUSCHAGNE: Thank you, Chairperson. Hon Chair, can I

continue?

The HOUSE CHAIRPERSON (Ms W Ngwenya): Yes, ma’am.

Ms C LABUSCHAGNE: Okay. Let me just get my documents. Hon

Chair, the DA herewith confirms the recognition in the

National Water Act that water of South Africa belongs to the

people of South Africa of which all spheres of governments was

ensured that water supply services must be provided in a

manner which is efficient, equitable, sustainable and within a

quality of the allowed regulations for potable water. It is to

be understood and practised that water means life, a



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constitutional obligation, a human right that a basic human

needs without no life is possible.

If any sphere of government violates within their mandate of

authority, any provision on the constitutional human right,

they should be held accountable and face the full might of the

law. The inhumanely failure of poor maintenance and operations

of board and its indication infrastructure, the uneven

provision of services to communities and delayed projects

requires implementation of strict consequence management.

Those implicated in this failure, is a sin against the people

of UMhlathuze.

In a development mental state, all spheres of government

entrusted and the authorities to provide similar services,

should continuously be monitored by the Minister of Water and

Sanitation, as the custodian of water of South Africa,

demanding accountability of every spheres of government to

comply within the set objectives all over South Africa. The

Western Cape supports the directive in terms of section 63 of

the Water Service Act of 1997 to UMhlathuze Water Board, dated

15 march 2022. Thank you.



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The HOUSE CHAIRPERSON (Ms W Ngwenya): Thank you very much, hon

Labuschagne. Hon members, we shall now proceed to the voting

on the question, and the question is that the report be

adopted. I will call upon the provinces to cast their vote,

when called upon heads of the delegations must indicate

whether they vote in favour, against or abstain.

[Take in from Minutes.]

The HOUSE CHAIRPERSON (Ms W Ngwenya): Hon members, eight

provinces have been supported, and I will now close the

voting. Hon members, a number of the provinces voted in

favour. I therefore declare the report agreed to in accordance

with section 65 of the Constitution. Hon delegates, that

concludes the business of the day. I wish to thank the

Ministers. ... [Interjections.]

The Council adjourned at 13:12.

