**UNREVISED HANSARD**

**MINI PLENARY - NATIONAL ASSEMBLY (VIRTUAL) THURSDAY, 15 June 2023**

***PROCEEDINGS OF MINI-PLENARY SESSION OF NATIONAL ASSEMBLY***

Members of the mini-plenary session met on the virtual platform at 14:02.

The Acting Chairperson Mr Q R Dyantyi took the Chair and requested members to observe a moment of silence for prayer or meditation.

**ANNOUNCEMENTS**

The CHAIRPERSON (Mr Q R Dyantyi): Hon members, before we proceed, I would like to remind you that the virtual mini- plenary sitting is deemed to be in the precinct of Parliament and constitute a meeting of the National Assembly for debating purposes only.

In addition to the rules of the virtual sittings the rules of the National Assembly including the rules of debate apply.

Members enjoy the same powers and privileges apply in the

sitting of the National Assembly. Members should equally note that anything said in the virtual platform is deemed to have been said in the House and maybe ruled upon. All members who have locked in shall be considered to be present and are requested to mute their microphones and only unmute when recognised to speak. This is because the mics are very sensitive and will pick up noise which might disturb the attention of other members. When recognised to speak, please unmute your mic and where connectivity permits, connect your video. Members may make use of the icons on the bar at the bottom of your screens which has an option that allows the member to put up his or her hand to raise points of order.

The secretariat will assist in alerting the Chairperson to members requesting to speak. When using the virtual system, members are urged to refrain or desist from unnecessary points of order or interjections.

Lastly, I want to remind you that we are meeting in a mini- plenary session and therefore any decisions will be taken in the full plenary of the National Assembly.

The first item on the Order Paper, is the subject for discussion in the name of Fikile A Masiko on the role of

society in mainstreaming the concerns and needs of persons with disabilities. I now recognise the hon Fikile Masiko.

**SUBJECT FOR DISCUSSION (Ms F A MASIKO) - THE ROLE OF SOCIETY IN MAINSTREAMING THE CONCERNS AND NEEDS OF PERSONS WITH DISABILITIES**

Ms F A MASIKO: Hon Chairperson, I am present in this meeting, but would request to switch my video off due to connectivity purposes.

The CHAIRPERSON (Mr Q R Dyantyi): Please go ahead.

Ms F A MASIKO: Thank you, hon Chairperson. Although South Africa has a progressive Constitution, which recognises and protects the rights of all. It grantees equality, dignity and nondiscrimination. Regrettably society continues to harbour negative attitude and misconceptions regarding disability.

That leads to social exclusion, discrimination and restricted possibilities.

Discrimination against persons with disabilities occurs in a variety of settings including homes, educational institutions, businesses, churches and communities. The discrimination and

limitation imposed by the above mentioned institutions can diminish people self-esteem, and confidence and set negative limiting boundaries on one’s ambition which exacerbates problems and prevent people from realising their full potential.

The profile of disabled people in South Africa is varied and it includes people with a range of impairments and abilities. Around 7,5% of the population in South Africa reported having a disability. Based on the 2011 National Census Report. It is crucial to know that these statistics do not fully reflect the prevalence of disabilities since some people may have not being recognised or may not have declared their impairment.

The type of disabilities people live with range from physical, mental, intellectual and or sensory impairments amongst others. Autism, also known as Autism Spectrum Disorder, is one of the prevalent disabilities which is a neuro development disability that is characterised by difficulties with social interaction, communication and constraint repetitive behaviour as well. Despite the above, persons with autism and other forms of disabilities should be viewed as members of society with distinct qualities, talents and capabilities that may be

developed and applied in variety of sectors of society and can make a meaningful impact.

As a society, we need to learn about the different disabilities that require different support patens. We should not be an ignorant society, but an informed one which is able to respond to the needs of the marginalised.

The ANC-led government has developed and implemented various programmes and at increasing support for persons with disabilities through awareness campaigns, counselling educational programmes and skills development. This work is not done in isolation, but exist and it is amplified by efforts by activists, civil society organisations and specialised schools amongst others which seek to promote inclusion and cater to the needs of persons with disabilities.

Government policies and initiatives are essential in promoting tolerance for diversity and building an inclusive society by ensuring that people with disabilities have equal opportunities and access to services and initiatives. Our government has been able to provide social protection to persons with disabilities, including their families in the

form of a disability grants, housing, educational programmes and technical development.

Such programmes serve to enhance skills development, improve employment prospects and its financial constraints while others ensure that persons with disabilities have access to services that are crucial to their wellbeing and participation in society.

The above mentioned is in line with the ANC’s 55th National Conference resolutions which advocates for the strengthening of programmes and support for marginalised groups including persons with disabilities by all sectors of society including government.

South Africa is dedicated to upholding the rights of persons with disabilities on a global scale. Thus is a signatory to international laws and agreements such as the 2006 United Nations Conventions on the Rights of Persons with Disabilities which aims in the main to promote and ensure that persons with disabilities have full and equal access to all human rights.

The convention and the optional protocol were ratified by South Africa on 30 November 2007.

Furthermore, as part of its regional obligations to support the rights and inclusion of people with disabilities, South Africa is a member of the Southern African Development Community and the African Union. Through these institutions, South Africa has a chance to exchange best practices and collaborate on developing policies which seeks to the further advancement of disability rights throughout the continent.

Despite the continental and global progress made by South African government towards fulfilling the obligation of the Constitution and the Bill of Rights, more can and must still be done to promote and advocate for the rights of persons with disabilities.

Breaking down hindrances for persons with disabilities and promoting diversity and social cohesion calls for a concerted cross-sectoral approach with society having a critical role in mainstreaming the rights, concerns and needs of persons with disabilities. This requires the recognition of diverse forms of capabilities and actively striving to improve accessible and equitable opportunities which will enable persons with disabilities to fully participate in all parts of life.

Furthermore, this can be realised by a society creating an environment that respects the rights of abilities of persons of persons with disabilities by discouraging prejudice and advocating for inclusive policies, practices support systems and adequate financial resources.

These collaborative endeavours are essential for creating a more inclusive and equitable society in which all people may participate and prosper. When society celebrate the potential and contributions of persons with disabilities, it affirms and reinforces the fundamental value of the Constitution of equality, diversity and respect. Every person deserves to enjoy their human rights and have equal access to opportunities, resources and participate as full members of the society regardless of their ability, race class and gender. Thank you very much, hon Chairperson.

Ms N I TARABELLA MARCHESI: In a just and equitable society, it is our collective responsibility to ensure that every individual regardless of their abilities and disabilities is given equal opportunities and access to a dignified life.

Despite many efforts a large number of individuals with disabilities continue to face various challenges, including social exclusion, limited access to education, employment

discrimination and inadequate health care services. It is a stain on our collective conscious that it is barriers persist in the 21st century.

It is essential for society to recognise that disability is not solely a medical issue but a social one as well. It is not the disabilities itself that hinders individuals but attitudinal, physical and societal barriers they encounter. It is incumbent upon all of us to break down these barriers and create an inclusive society that embraces diversity in all its forms. The first step towards mainstreaming the concerns and the needs of persons with disabilities is to finally draft legislation on the rights of persons with disabilities in order to foster awareness and understanding.

We must work towards dispelling the misconceptions and prejudices that surrounds disabilities. Education and sensitisation programmes meant to remove the barriers for learners with disabilities should be implemented to promote empathy, acceptance and inclusion from an early age.

Furthermore Chair, schools must implement the screening identification assessment and support policy from basic education to ensure that individuals with disabilities have

equal access to quality education. Our schools should provide an inclusive environment that caters to the diverse needs of all students irrespective of their ability and, to foster the current 22% of the school going age learners who are not in the school system due illness or disability.

This includes accessibility, infrastructure, assistive technologies and adequately trained educators who can provide the necessary support. Education is the foundation upon which every individual builds their future. Denying this right to persons with disabilities is of grave injustice. Employment opportunities must also be made available to persons with disabilities. We must encourage businesses to adopt inclusive hiring practices and provide reasonable accommodation in the workplace. Persons with disabilities have immense talent, skills and ideas to contribute to our society.

Their passive participation in the workplace is not only a matter of social justice, but also economic growth and innovation. South Africa’s 2% employment equity representation target must be realised and failure to meet this target must be followed with consequence measures. Both in public and private sector or those who meet the criteria should incentivised.

Additionally, we must address the physical barriers that hinder the participation of persons with disabilities.

Government departments such as the Department of Public Works, housing and Department of Transport have to have policies that are there, that are in place to assist the people with disabilities in ensuring that their public spaces, transportation systems and buildings are designed in a manner that is accessible to all. Making this adjustment not only benefits the individuals with disabilities, but also the elderly and parents with strollers and anyone who might be experiencing temporary mobility limitations.

In terms of health care, persons with disabilities should have access should have access to checkups, rehabilitative care and mental health support. Moreover, we must promote research and development in the field of assistive technologies, which can greatly enhance the independence and quality of life for persons with disabilities.

Chair, it would be amiss if I did not bring a person with albinism in this debate. The violent crimes perpetrated against people of albinism for using witchcraft or muthi is a serious issue especially in Southern Africa. The COVID-19

pandemic has led to an increase in the killing of people with albinism due to people being plunged into extreme poverty.

On 13 June we celebrated International Albinism Awareness Day. Albinism is part of the diverse fabric of our society. It is our collective responsibility to ensure that every individual regardless of their skin colour or genetic makeup is embraced, empowered and afforded equal opportunities. We must strive to build a society that promotes inclusivity and equality where persons with albinism are not only tolerated but are fully embraced. The first step in this journey is raising awareness and dispelling the myths of misconceptions ... [Time expired.] Thank you Chair.

Ms Y N YAKO: Chair, I will be taking over from Mama Khawula, she is not available today.

*IsiXhosa*:

The CHAIRPERSON (Mr Q R Dyantyi): Niyayithanda ke nina le nto. Qhuba.

Nksz Y N YAKO: Uxolo Sihlalo.

*English*:

In the absence of the results of the recent census, we know that based on the census done in 2011 7,5 of the population in South Africa lives with disabilities. We also know that females are more affected by disabilities with 8,3% of females living with disabilities compared to the 6,5% of males. We also know that the more people age, the more they lose some of their abilities and that, more than 50% of the people over the age of 85 were living with disabilities back then, when the Census was done. There are just a few categories of people living with disabilities. We have children who cannot see, youth people who cannot hear or speak, those born with autism and many other people whose function is disabled by one condition or another.

All these people are being stereotyped. Every day they face a stigma and discrimination at home, schools, in the workplace and in public spaces. This comes from an ... [Inaudible] ... societal belief that people with disabilities are lesser human beings. Fortunately, there has been a growing prominence of people with disabilities on how society can better mainstream the needs of people with disabilities from young academics like Prof Lieketseng Ned from the University of Stellenbosch. We now know that people living with disabilities can continue

meaningfully to a whole range of sectors including those previously thought inaccessible.

At a local government level, we need time planning that incorporate the needs of people living with disabilities when planning for housing, for schools and other public amenities. Public transportation is still the most unaccommodating form of transport for people living with disabilities. This applies even for air transportation because airlines are not fully equipped for dealing with people with the needs of disabled people. This relates to the removal of physical barriers that prevent people with disabilities from functioning optimally and the barriers extend even to even the nature and structure of our buildings.

Buildings, particularly public buildings must be constructed with ease of access for disabled people in mind. More fundamentally, we need to address the systematic barriers that prevent the mainstreaming of the need for disabled people.

These relate primarily to the laws, regulations and practices in public spaces. We may know the number of disabled people in the country as alluded above but what measures have we taken to ensure that their needs are catered for. These are thousands of people with disabilities without wheelchairs in

this country. There are thousands of disabled people living in informal settlements without access to proper sanitation, to proper transport, to basic health care.

There are thousands of kids with special needs who have no access to schools equipped for these special needs. These are systematic government failures that could be addressed if we had a willing and able state. It would not take much to legislate that, each and every single disabled person who needs a wheelchair must get one from a public health care centre. It will not be too much to ask either, if it were to be made a requirement that sign language be taught at schools, as this would make communication with those who cannot speak and who cannot hear much more easier.

It is not also too much to ask that people with disabilities must be prioritised in government housing schemes, so as to ensure that there is not a single disabled person who lives in a shack in this country. We could do this, if we had a government that catered, not these people who are now leading the country. We thank you Chairperson.

Ms W S NEWHOUDT-DRUCHEN: Hon Chairperson, good afternoon hon members and everyone on the platform. I am very glad to be

part of this topic today. My topic is really headed as, Changing the thinking and attitude of society towards disability. One can ask the question today whether members of society really understand disability. Do members practice equality for people with disabilities? Thirdly, the answer is, no. The Bill of Rights in our Constitution mentions that disabilities are the grounds that the state cannot unfairly discriminate against members of the disability. We are 30 years in to democracy and every year we have various special awareness days for different disabilities. In spite of that, people either do not hear or people do not understand, or people choose to do not understand the difficulties and struggles faced by people with disabilities in our society.

Even though there are different awareness days there is still stereotypes and stigmatisation. Barriers faced by us are different or the wrong terms are used, like deaf and dumb, cripple, handicapped, to name but a few.

Society needs to understand and to continue to learn and understand the different status and uniqueness of disabilities and the different needs, and not simply clumps disabilities together.

To give an example why I am saying that, when I returned to Parliament in 2016, somebody asked me whether I needed Braille to read. And I am deaf. I only need a Sign Language interpreter and not Braille. You will find that at the airport travelling with a disability, travelling I guess it doesn’t state which disability they have but you will find staff members standing at the doorway of the plane with a wheelchair for a person who might not need a wheelchair. So that is just an example. I am glad that this does not happen to me because I am myself an independent traveller.

The late Tata Nelson Mandela said:

We cannot claim to reach anywhere near our society which should be in terms of practical equality for disability. We continue to try and we realise that legislation or regulation is not efficient to end the long walk to equality and nondiscrimination. Education, raising awareness and conscientising and eradicating the stigmatisation. This is key to achieve nondiscrimination against disability in practice in everyday life.

I would like to share with you regarding Parliament having a very good success story. In 1994, Parliament had disable

members. The first being hon Ranto. May her soul rest in peace! Her activism made a few things possible. In 1999, more members with disabilities entered Parliament real new accommodation were made. For, example, myself as a deaf Member of Parliament needed two Sign Language interpreters. This is not really enough for the load of work that we as Members of Parliament, MPs, do but at least I do have two Parliament and my work. I would also like to take the moment to remember the late first Speaker of Parliament, hon Frene Ginwala. A letter that I sent to her requesting this got the wheels rolling to have full time permanent Sign Language interpreters on the screens of Parliament as we see it today. I will always be grateful to her for making this possible in large monitors, in the National Assembly and also made it possible for members who were visually disabled to have access to the screens.

The spaces that remain for wheelchairs to have access in the National Assembly was also made. The ANC made those changes possible because the ANC was the first party to have many people with disabilities and Members of Parliament with disabilities. I would like to encourage all political parties to have at least one member with disability in your 2024 election list. Some oppositions on my left don’t have any members with disabilities on their benches and I would like to

encourage you to have those members on your list in 2024. The reason I am saying this is the UN Convention on the Rights of Persons with Disabilities in article 29 states that people with disabilities have a right to participate in political and public life.

Another achievement from Parliament which I congratulate and thank members of the opposition parties who supported the South African Sign Language to become the 12th official language as a constitutional amendemnet. I applaud everyone for that and it is also a great achievement.

The National Development Plan approved in 1212, envisaged that by 2030 poverty should be eliminated and everyone should be equal in the country and it includes its citizens capable to achieve broader opportunities and have these opportunities available. The National Development Plan, NDP, acknowledges that many people with disabilities are not able to develop to their full potential due to various barriers that they face whether physical, information, communication and other barriers. Disabilities should be integrated in all facets of planning, recognising that there is no one style fits all approach.

The White Paper on the Rights of People with Disabilities approved by Cabinet in 2015, recognises disability to be part of all forms of discrimination and including the denial of reasonable or a combination with regard to devices and it is necessary to make modification and adjustments where a system devices and technology is adequate so that disable people can enjoy an exercise fully equally compared to all other rights which is fundamental freedom. The White Paper also says that the Public Service needs to employ 2% of disabled equity targets. Unfortunately, a full 2% is really met by different government departments. But as time goes on we are hoping and I am hoping that members from different sectors can monitor that we reach this 2% target.

The national departments are only at 0,15% and it is only one province which is over 2%, Gauteng. The rest of the provinces are less than 1% reaching their target which is very difficult. But I am hoping that in future we can raise this target to be more than the 2% as required.

Hon Chairperson, before I end I would like to remind hon members of the rallying slogan of the disabled community which states that nothing about us without us. When decisions are made, and when policy decisions are decided on, have

discussion with people who are disabled to include them in this. I thank you, Chair.

Mr M HLENGWA: House Chair, section 9 of the Constitution states that everyone is equal before the law and has the right to equal protection and benefit of the law. Further, it states that equality includes the full and equal enjoyment of all rights and freedoms. However, when you consider how the Department of Women, Youth and Persons with Disabilities has prioritised issues related to persons with disabilities, it is clear that they are not upholding section 9 of the Constitution properly or adequately.

The Human Rights Watch report has indicated that South African government has failed to deliver inclusive education for children with disabilities and to ensure that they have adequate skills for employment. The report states that an estimated 600 000 children with disabilities remained out of school in South Africa and in 2017 more than 11 000 children with disabilities were on waiting lists to enrol in special schools.

When you look at the circumstances these children face in rural communities, it is evident that government needs to do

more. Merely providing an inadequate number of specialised schools for learners with disabilities, means nothing if our learners are not provided with learner transport to get to these schools, amongst others. Most of these learners cannot make use of public transport such as taxis and buses, and therefore we call on government to prioritise the need to provide them with transport specifically catered to fit their needs.

The shortage of specialised schools for learners with disabilities is accompanied by a shortage of educator specialists that are familiar with the needs of learners with disabilities. Currently, the majority of our country’s education graduates have the skills needed to teach learners in mainstream schools. Therefore, there is a need for government to put structures in place to upskill our teachers with the necessary knowledge to educate learners with abilities.

It is not solely the responsibility of society to mainstream these concerns thereof and needs of persons with disabilities, it is the duty of government to liaise with civil society organisations to conduct research on issues faced by persons with disabilities and implement actionable solutions.

*IsiZulu:*

Sengiphetha Sihlalo sifisa ukushaya ikhwela ukuthi bonke abantu bakithi abaphila ngokukhubazeka bangazizwa bengeyona ingxenye yomphakathi nesizwe esiphila kusona. Kubalulekile ukuthi izingqalasizinda nezinsizakuphila nezinsizakusebenza abazidingayo zitholakale ezindaweni zonke ukufaka phakathi izikhungo zikahulumeni, izibhedlela, amahhovisi ezidingo ezifana nehhovisi lezindaba zaseKhaya, yisemaphoyisa njalo njalo. Ukubaluleka kwalezi zakhiwo kwenza ukuthi wonke umuntu waseNingizimu Afrika abe yingxenye yentuthuko kodwa futhi akwazi ukuthola kalula izinsizakusebenza eziqondene ngqo nohulumeni. Ngakho ke kuwumsebezi wethu sonke ukubambisana nokuqinisekisa ukuthi bayazithola izidingo. Siyathokoza Sihlalo.

Ms T BREEDT: House Chair, a country’s legislation may help or hinder people with disabilities to overcome barriers to economic, civic and community life. Widely regarded as one of the most progressive constitutions in the world, section 9 of the South African Bill of Rights specifically states that no one may be discriminated against on the grounds of disability, amongst others.

This section also expressly protects the rights of disabled persons by providing that the state must take whatever steps necessary to protect and advance persons or categories of persons disadvantaged by unfair discrimination. These steps are inclusive of the enactment of national legislation as well as the monitoring of the development of such vulnerable groups. The ANC, however, woefully fails in meeting such needs.

Persons with disabilities are still some of the most marginalised groups within South Africa with poor access to basic services. One such example is the infamous Life Esidimeni tragedy, and I would like to quote a Human Rights Commission article on how the South African government is failing people with disabilities and the state.

In 2016 at least 118 of Gauteng’s most vulnerable mental illness patients died after the provincial health department had terminated its contract with Life Esidimeni and moved the patients to defective nongovernmental organisations, NGOs. The arbitration hearings are under way, with shocking testimonies coming to light. The legal consequences of the catastrophe are manifold. Numerous basic human rights, including the paramount right to life, were flouted.

In his report, the Health Ombudsman said the provincial health department ignored warnings and moved patients out of Life Esidimeni into ill equipped and unlicensed NGOs. In fact, he likened the move to that of an auction cattle market where patients were left to die in poor conditions. The supreme tragedy of the Life Esidimeni saga is that it was entirely avoidable.

This is proof that the ANC are failing our people with disabilities. People with disabilities, especially those living in low and middle-income countries such as South Africa, experience significant challenges in accessing health care services and support. At times of disaster and emergencies, people with disabilities are surgery further marginalized and excluded. During the COVID-19 pandemic, many people with disabilities were unable to access health care facilities, receive therapeutic interventions or rehabilitation or gain access to education. Of those who were able to access facilities, many experienced challenges and at times direct discrimination accessing lifesaving treatment such as intensive care unit admissions and ventilated support.

Assistance is a daily battle for people with disabilities. The ANC are very good at trying to legislate people into jobs and

into equality, but always fail dismally in the process. People with disabilities are no different. The ANC are also good at talking about a problem without actually addressing the issues faced head on and with clear cut plans of action. This can be seen in another presidential working group that has been established, this time it is one for disabilities.

The President himself admits that the government are not meeting the needs of the people. There are a number of articles looking at the African continent and specifically South Africa, with regard to persons with disabilities.

Although South Africa does not rank in the bottom percent howl when it comes to access to transport, health care, etc., it still has a lot of improvement that needs to happen.

Statistics SA found that persons with severe disabilities experience difficulty in accessing education and employment opportunities. They also found that households headed by persons with disabilities were found to have less access to basic services compared to households headed by persons without disabilities.

In the last 10 years people with disabilities have organised themselves into their own organisations in 100 countries. This

is good, but what we need to see is that persons without disabilities are stepping up to the plate we need to see government stepping up to the plate. We need to see government stepping up. We need more basic services being disability friendly. We don’t need more talk without action. I thank you.

Mr M G E HENDRICKS: Hon House Chair, I was secretary general of a trade union for 10 years for workers with disabilities, and I hope that my experience as a union organiser will contribute to the debate. I would like to thank the hon member for introducing the debate now and not waiting for Disability Month, which is November.

Hon House Chair, we organised amongst 10 factories that were under the control of the Department of Labour, and they made the hospital gear like linen and they made furniture and several items. The problem that we had as a union was that our members had to work short time because most of the contracts went to the private sector.

I know about President Ramaphosa’s localisation project where certain products can only be made by people in the townships. Similarly, I am going to ask the Presidency and the Department of Small Business to look at the possibility of identifying

certain products which people with disabilities make according to the South African Bureau of Standards. That is what I am talking about; they produce high quality goods. Just because they are disabled doesn’t mean they can’t do so.

So, if President Ramaphosa declares one or two or three of their items as part of the localisation project, and only they can make it, then this will guarantee a lot of opportunities for people with disabilities and economic empowerment. The 10 factories of the Department of Labour can then increase their capacity from 1000 to 4000. I am sure there will be similar opportunities held elsewhere.

My contribution to this debate, hon House Chair, is for President Ramaphosa and the Department of Small Business to look at declaring some items made by people with disabilities. That will means everyone has to buy those from them which will guarantee them economic activity where they can create jobs and take themselves out of poverty. Thank you very much, hon House Chair

Ms J S MANANISO: House Chairperson, our government has inherited a society burdened with the legacy of inequality and this requires the state to play a deliberate role in

developing and uplifting historical and underprivileged groups in order for them to realize their full potential.

The Constitution protects the human rights of all citizens regardless of their socioeconomic status. It further mandates the state to respect, promote and fulfil the rights enshrined in the Bill of Rights, including the rights of persons with disabilities.

The abovementioned, in line with the ANC resolution from its 55th National Conference, indicates that the state has a responsibility to be biased towards the disadvantaged and marginalized groups. This is why the government has prioritized the social protection of persons with disabilities through grants, among other and the initiatives to empower them.

The SA Social Security Agency, SASSA, 2021-22 annual report indicates that social assistance plays an important role in protecting vulnerable groups from the worst effects of food insecurity and hunger, while others see it as welfare. But for persons with stability it is an enabling tool.

In order to improve the economic and social prospects of people with ... [Interjections.] [Inaudible.] ... robust antidiscrimination legislation ... [Inaudible.] [Interjections.] ...

The CHAIRPERSON (Mr Q R Dyantyi): Hon Mananiso, just a pause. I just need to attend to this.

Hon Sonti, you are not going to disturb this debate.

Go ahead, hon Mananiso.

Ms J S MANANISO: In order to improve the economic and social prospects of people with disabilities, robust antidiscrimination legislation that protects their rights in all aspects of life must be implemented.

As the ANC-led government we have developed and implemented several strategies to protect and advance the rights of people with disabilities, including but not limited to the National Strategic Framework on Disability Rights Awareness raising campaigns for persons with disabilities 2022.

White Paper on the Rights of People with Disabilities 2015, the Employment Equity Act of 1998, and the South African Schools Act of 1996.

According to the Department of Basic Education, DBE, as of 2022 there were 489 special schools serving learners with disabilities, with 89% of them being public government schools. There were 137 483 learners enrolled in special schools and 122 461 learners with disabilities were enrolled in public ordinary schools.

To ensure adequately trained education officials the DBE has, since 2015, trained 178 757 teachers and made sure that all of them are assessed, are supported and they understand the policies.

The ANC-led government is also concerned with empowering and improving employment prospects of persons with disabilities and quotas in one of many avenues which have been utilised.

Quotas are important because they ensure that institutions actively seek marginalized groups who have been previously disadvantaged by setting objectives for employment or participation.

By raising the disability quota, institutions will be supporting the development of a more inclusive and tolerant society by challenging the stigma and stereotypes associated with disabilities.

Chairperson, however, quotas alone are not sufficient. We must also deliberately evaluate the environment in which they are achieved and ensure that sufficient support systems are established to ensure meaningful participation and success.

Hon Chairperson, the inclusion of persons with disabilities is not a privilege or a favour, but a constitutional human right. Le bona ke batho [They are also human beings], they belong.

The Employment Equity Act is one of the important pieces of legislation that seeks to promote and provide guidance for the inclusion of persons with disabilities in the workplace through affirmative action, safety and occupational health.

Hon Chairperson, it is important to note that we call on the Department of Employment and Labour to intensify their oversight to ensure that those who are not complying must be punished and fines must be issued as they are supposed to do so.

The Department of Social Development report on the department’s services and programmes for people with disabilities states that from March 2021 to March 2022 the total number of department had surpassed the 2% representation of persons with disabilities, increased from 44 to 53, of which 40 were provincial and 13 were national.

So, Chairperson, it is important to note that as Members of Parliament, MPs, we must make sure that we do oversight even on local government to ensure that they comply on the issue of the quotas.

Chairperson, as many have said, Chapter 9 Institutions such as the SA Human Rights Commission, SAHRC, must play a significant role in fostering economic and social opportunities as they are entrusted with promoting inclusive policies and fostering an environment where all marginalized groups can thrive, particularly ensuring that persons with disabilities participate on an equal footing with others. They must go door to door, institution by institution, department by department to ensure that there is compliance.

The Department of Planning, Monitoring and Evaluation’s role, as per its mandate, is central in holding government

accountable for its commitment to the development, implementation and improvement of policies that seek to foster inclusion for persons with disabilities.

The protection and advancement of the rights of persons with disabilities is not the responsibility of the single entity. However, there should be a joint effort across various sectors, government departments, civil society, among others.

Through this kind of collaboration, we may be able to build social cohesion and inclusion.

As I ... [sound glitch.] ... in this particular debate because you can see that we have actually forgotten that we are Members of Parliament, but we are deliberating on a topical issue that says, what is it that we need to do as a collective as passed to ensure that we include people with disabilities?

Chairperson, one needs to note that we must tell ... [sound glitch.] ... it is that it is important to note that as the ANX-led government we have made sure that we move from separation to inclusion, from inclusion to integration, from integration to mainstreaming and cost guarding. However, more needs to be done in terms of integrated planning. I thank you.

Ms A L A ABRAHAMS: House Chairperson, one of Parliament and government’s many roles is to identify and address barriers and gaps which exist in the disabilities sector. Recently, it would appear government has become a barrier itself, increasing the burden on this vulnerable group. The average South African citizen is struggling with the stresses of rising unemployment, cost of living, load shedding, crime, health care, etc, all exacerbated by the governing party’s incapacity. Now, imagine the added pressure of living with the disability in these circumstances. Having a disability automatically comes with added expenses, be it medical, employment of a care giver, assessor devices, speech therapy or having to upgrade wheelchairs as your child grows. The financial burden on a disabled person and their households is greater.

So, where is the relief from government. Immediate relief would see this government implement the DA cost of living strategy and the very least crack vat on certain food items. Sassa grants are not enough to sustain a household and there are obvious gaps in the grant process. Gaps which government is well aware of be it seemingly unable and unwilling to remedy. The disability grant application process is complex with multiple steps where the applicant will require

assistance from a care giver. The temporary disability grant can only be renewed the day after the grant expires. The entire application process must start afresh, leaving the client without the grant to pay their rent, medication or food for months.

A challenge which can readily be solved by amending legislation and government regulation. The lack of medical assessment doctors to verify the client’s disability is the problem the DA has raised constantly with the particular shortage in the Western Cape. The pattern of the National Health Insurance, NHI, Bill by this Parliament on Tuesday will have these very doctors leaving our shores, adding to Sassa backlog, prolonging the further suffering of the vulnerable.

As at December 2022, just over a 156 000 children with disabilities received the care dependency grant out of over 700 000 children with disabilities in South Africa. Well, not every child will require a grant. A recent report aired on Carte Blanche highlighted the vulnerabilities of children with disabilities living in rural and informal areas. This episode also highlighted the gaps within government robbing children with cerebral palsy of millions of rands, which would have made a significant difference in their quality of life, is a

horrid crime. Government often speaks of mainstreaming children with disabilities in public schools, but is quick to forget this was in place before the ANC government. Public schools had qualified special needs and remedial teachers. I know this because my primary school on the Cape Flats had two designated teachers for these learners. One of them my mother. All government had to do was expand these teaching support to all public schools instead of removing the post entirely.

Legislation is also a barrier which this very Parliament has a duty to improve on and affirm the constitutional rights of all. Unfortunately, Parliament, the Portfolio Committee on Social Development and the Department of Social Development missed the opportunity to do this with the Children’s Amendment Bill. And the Bill will have to start afresh in the Seventh Parliament as a result of flawed parliamentary legal advice given to the committee. A submission received from Equal Education Law Centre stated and I quote: “The Bill, like the Children’s Act itself, has not been drafted through the lens of mainstreaming disability and with the explicit intention of creating a truly inclusive piece of legislation.”

The White Paper, on the rights of persons with disabilities and its implementation matrix was approved by Cabinet in 2015.

It clearly states that the employment equity and work opportunity targets for persons with disabilities shared increased to at least 7%. However, this has not been achieved and government continues to use outdated and measly 2% employments targets which few departments entities actually achieve. With all of these examples, the topic provided by the ANC today is rather hypocritical.

When government and Parliament are not playing their role but wants to tell society what they should be doing. This House must be accountable first, setting the example for society to follow. I would like to use this opportunity to thank the amazing ... [Inaudible] ... and compassionate NGOs in the disability sector for their perseverance and hard work. They are truly leading by example. Thank you, House Chairperson.

The CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Abrahams. Before I recognise the hon Masiko to just indicate that in the debate you have sponsored, you have saved yourself three minutes, if you need to use them. Over to you the hon Masiko.

Ms F A MASIKO: Thank you very much, hon House Chair and one must thank all the hon members who have debated in this important theme which requires as public representatives of

the people to continuously respond to. Our pursuit for justice, equality and the protection of human rights ... [Interjections.] ... is noble and just. The essence of this debate rights ... [Interjections.] ...

The CHAIRPERSON (Mr Q R Dyantyi): Just a pause ... Serjeant- at-arms and information technology, IT, please remove the hon Nolutshungu. Please continue, hon Masiko.

Ms F A MASIKO: Thank you, House Chair. The essence of this debate was to give this House an opportunity to reflect on the status of persons with disabilities. Central to it is the responsibility of the broader society as our actions and inactions contribute to the living conditions of persons with disabilities. We seldom debate such questions if we are not on the calendar month base focusing on persons with disabilities. That is what we should correct as a society.

As a country, we have taken significant measures to improve the environment and conditions of persons with varying conditions. As mentioned within the debate, 7,5% of our population, as a nation, had a disability in 2011 according to those statistics. This is over 2,8 million South Africans. Our democratic government has adopted a legal and policy framework

which protects the rights of persons with disabilities. As a nation with a vibrancy for society and nongovernmental organisations focusing on persons with disabilities, they have an important role to play – to respond to the task which the hon Dr Wilma Newhoudt-Druchen has outlined before. Without the societal shift in thinking and awareness of various disabilities, we can admittedly contribute to creating barriers and exclusions.

Our objectives at all times should be about creating an inclusive society. Over and above the government interventions, we should continue our call that we are making to society to make conscious efforts to take accommodative actions. When we innovate and develop various goods and services, we should always factor in how such goods and services will be inclusive and accessible to persons with disabilities. Compliance of development is also critical for inclusion whether it is an infrastructure development, we need to build with the blind in mind and those with physical disabilities. Also, our technological developments and innovations should have capabilities to ensure and enable that they are able to be used by persons with disabilities.

Digital transformation has resulted in growth of the digital economic globally and domestically, therefore, we need to ensure that this development is also accessible to persons with disabilities. We do have family members and civic society organisations responsible for persons with disabilities who neglects their duties and responsibilities. We need to have patient-oriented attitude and thinking when we support persons with various disabilities. The spirit of Ubuntu should always reign supreme because we cannot have a society that does not take care of its most vulnerable.

We cannot claim to have mainstreamed by just appointing persons with disabilities. In addition, we cannot claim to have mainstreamed by just establishing a disability desk or a disability directorate and institutions. The core pillars of mainstreaming are human rights-based approach and people- centred development. The human rights-based approach to persons with disabilities as equal human beings and human rights as enshrined in our Constitution. The human rights approach focusses more on the attainment of the Bill of Rights for persons with disabilities, therefore mainstreaming ensures that the priorities need a consent of persons with disabilities are addressed holistically and at all levels.

The Life Esidimeni experience has brought about pain for everybody and all in our nation. It has brought pain and sorrow for the families that has lost loved ones due to negligence. Never again, hon members, should vulnerable persons lose their lives in such a manner. We should learn as a society from this experience and we do however welcome the actions taken by our government to provide support for the families and we hope for justice in the interests of the people.

As a member of the Portfolio Committee on Women, Youth and Persons with Disabilities, we had observed that there are challenges with compliance and implementation of the disability commitments, and we shall heighten our focus and ensure interventions from government. The private sector should also prioritise inclusion in a development.

As mentioned by the hon Mananiso that at government level the Department of Planning, Monitoring and Evaluation must continue to assess progress on the implementation of priority programmes for persons with disabilities in all government’s departments. Gone should be the days where persons with disabilities feel neglected and not seen. Our humanism as people should be one that is opposed to any form of

discrimination. And in closing, as President Nelson Mandela stated in his address in a conference of persons with disabilities and I quote:

It is not a question of patronising philanthropy towards disabled people. They do not need the patronage of the nondisabled. It is not for them to adapt to the dominant and dominating world of the so-called nondisabled. It is for us to adapt our understanding of a common humanity, to learn of the richness of how human life is diverse, to recognise the presence of disability in our human midst as an enrichment of our diversity.

Thank you, House Chair and thank you, hon members.

The CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Masiko and thank you, hon members. That concludes the debate. We now proceed to the Second and last Order of this mini-plenary, which is the subject for discussion in the name of hon Liezl van der Merwe, and I read her long title: On the ever-growing crisis of cross-border crime, immigration management failures in general and the dire impact thereof on communities and the safety and security of the state. Hon Van Der Merwe?

Ms L L VAN DER MERWE: Chairperson, thank you for reading that long title.

*Afrikaans*:

DIE VOORSITTER (Mnr Q R Dyantyi): Dit is baie lank.

Me L L VAN DER MERWE: Baie dankie.

*English*:

South Africa has a new crime-fighting hero, and his name is not Minister Bheki. Sizokuthola Xolani Khumalo has won the appreciation in respect of many as he has taken it upon himself to root out crime and expose drug syndicates. In his efforts to reduce crime, he has seen his life threatened and had just recently revealed that some police officers are not allowed to investigate certain criminals because of their links to those in power, and that is the crux of today’s debate.

A ruling party that has seen its very moral fibre eaten away by the cancer of criminality and corruption. Our government has given up on its constitutional obligation of keeping its citizens safe. But for South Africans living near our borders, the crisis we speak of is a constant lived trauma. There

cross-border syndicates terrorize communities. These syndicates traffic weapons, they traffic children out of the country, and drugs into our country with impunity. They smuggle cigarettes and other goods, they invade homes, they steal cars, abduct family members, and commit murder. Faced with the government’s failure to protect our citizens, communities like Manguzi and Umhlabuyalingana in KwaZulu-Natal have taken it upon themselves to combat cross-border crime.

They have no other option but to fight back.

In March, Sandile Tembe, a prominent member of the Manguzi Policing Forum, was gunned down at a tuck shop near his home. Just two weeks earlier, Judah Mthethwa, the chairperson of the Umhlabuyalingana Society Against Crime, was ambushed and brutally murdered. They are not the first to oppose these syndicates and they are not the first to be killed. Following Mr Mthethwa’s murder, one local resident, Mr Siya Khumalo, spoke and he said:

When you die, your family must know that nobody will be arrested. If your car was hijacked or stolen, forget that you will ever get it. If you are lucky to be alive, you will have to work harder to buy another one. But what kind of life is

this? Comrade Judah did not fold his arms like many other government officials when our areas are under siege.

Chairperson, today’s debate is not about law-abiding citizens or anyone that is legally within our borders, contributing to South Africa’s growth, it is about a government that has allowed our country to become a playground for criminals, like the Minister of Home Affairs once admitted to Parliament that South Africa has been sold to the lowest bidder and I don’t blame the Minister because he is right, and he has been handed a poisoned chalice by the former Minister. Today’s debate is about the likes of the Guptas and the Bushiris could simply walk out of our borders. It’s about the likes of Bulgaria’s most wanted criminal, Krasimir Kamenov, who was found in Cape Town, leaving his best life before being assassinated, and the Rwandan genocide suspect who was found living in Paarl. It begs the question: What type of government allows such people to be here?

But it’s not surprising because the Department of Home Affairs immigration section exists in name only. There is very little internal enforcement of our immigration laws. The department can neither confirm nor deny whether South Africa is home to

15 million undocumented persons. Corruption flourishes at our

borders. There are far too many people with fake South African documents and the Minister of Home Affairs will agree with me that our weak laws and the weak enforcement of our laws have allowed economic migrants from all over the world to enter our borders, claiming asylum, and disappearing into a broken system.

South Africans no longer own the spaza shop industry. The livelihoods of many have been taken away from them. It is a fact that it is the ruling party’s gross mismanagement failures that has seen South Africans condemned to unemployment lines and Sassa queues. There are far too many people in our country with fraudulent documents and so deep is corruption that extended its tentacles within the Department of Home Affairs that syndicates have been in charge of awarding visas. Those fake visas have not been revoked.

Whilst President Ramaphosa, the Minister of Labour and Home Affairs have admitted that some sectors employ only foreign nationals and some who are not legally permitted to live and work here, they have done nothing about it. In September 2019, during a joint historic sitting of Parliament, President Ramaphosa acknowledged that South Africans are concerned about illegal migration, border management, and the prevalence of

drug trafficking in communities, amongst other revelations, yet the President has done nothing about it. No wonder then, when a group of 40 organisations marched to the Union Buildings on 1 June to highlight these issues, the President simply ignored them.

When I’m done here, Chairperson, the ANC will come and tell us about the Border Management Authority, BMA, but what they are not going to tell us is that the BMA cannot be effective without the Bill it requires to become fully operational. It will not fix the Minister’s internal enforcement capacity woes, nor will it work if there are no physical borders at Beitbridge and in KwaZulu-Natal as an example. It is extremely worrying as well to see today that the BMA has failed to pay its staff and that it is beset by alleged administrative woes.

Chairperson, we need the SANDF to be deployed to crime ridden communities, whether to the Cape Flats, farming, or border communities to restore law and order. We need the Minister of Home Affairs to table urgent immigration reforms without further delay. We need the Minister of Labour and Small Businesses to work towards reserving the spaza shop industry for locals as an example and reserving entry level jobs for South Africans without further delay.

We have had enough of this lawlessness. The IFP will lead the fight back to save our communities, and to protect and rebuild South Africa. I thank you.

Mr M S CHABANE: Hon Chairperson and hon members, this debate on the matter of cross-border crime, migration, border management and control take place in the month that is dedicated to the commemoration and celebration of the youth of our country. We salute the generation of 1976 for changing the course of history. Some of them have disappeared without trace and as a nation we should continue to advance the national democratic revolution in their memory. Others are leaders and members of this Parliament and serve in various spheres of government. We stand in honor and salutation to their bravery and patriotism.

House Chairperson, the ANC refutes the assertion made by the sponsor of this debate as she argued that, and I quote: “There is an ever-growing crisis of cross-border crimes.” The ANC in its 2007 national conference made its assessment on the state of land border, hence it has resolved to establish the Border Management Authority, BMA. While we agree that the cross- border crimes are of serious concern to all of us, we, however, do not agree that this is an ever-growing crisis,

especially in the face of the interventions that our ANC-led government has come up with to strengthen border management and control and thus address the challenges of cross-border crimes.

Perhaps at this point, we should refresh our memories on why the ANC introduced the Border Management Act. House Chairperson, migration is an international phenomenon that not only affects South Africa, but the world at large. In realizing this phenomenon, the ANC in its 2012 policy document emphasized that and I quote:

Immigration impacts strongly on our security, economic, social, and cultural development. The creation of decent work depends on trade and tourism and the flow of skills and knowledge, all of which is impossible without movement of people. A better and safer life for all South Africans is only possible if we are integrated in the global community and if we develop together with our region. The ANC and the masses of our people have ever stood against racism and embraced internationalism and a sense of belonging to humanity. At the same time, we must be ever vigilant to defend our state, our people, and our independence. A well-

managed immigration system is therefore crucial in advancing or achieving our national objective.

To achieve all these noble ideas, require a multilayered approach, and our government is working on multiple fronts to tackle this complex challenge. From a broader regional perspective, we continue to work with other countries within the SADC region to ensure that they find solutions to economic and political challenges that lead to higher migration numbers. A safe and economically growing SADC region and a broader African continent will only enhance safe and legal migration.

Hon members, the pervasive nature of cross-border crime remains a driver of illegality across the borderline. We must continue to encourage co-operation between our law enforcement agencies across our borderlines because only through collaboration we can defeat the mastermind behind closer other crimes. Despite the shortage of resources, as the sponsor has indicated, the SANDF continues to do a commendable job in fighting illegality across borderline.

The fragmentation of functions within the border management area led to this House passing the Border Management Act to

enable the streamlining of services effective planning while on points of access, responsibility, and accountability. The often chaotic festive and Easter period at the land border of entry, especially Beitbridge in Limpopo, were not experienced since the Border Management Authority started implementing a single strategy at the ports of entry.

Yesterday, House Chairperson, the Minister of Defense, Minister of Police, and the Minister of Home Affairs, during the security cluster questions demonstrated co-ordinated efforts within the security cluster that are hanging positive results in breaking the back of organized crimes in our land ports, in the Beitbridge area.

To this end, contrary to the sponsors assertion, since 14 July 2022, 35 144 undocumented migrants were apprehended and processed, 1 651 suspects arrested for various criminal cases,

139 detected stolen vehicles were recovered, counterfeits alcohol, footwear, and cigarettes were confiscated. This is a demonstration of work on the ground within the land border, which must be appreciated as an improved service in our borders since the Border Management Authority has been established.

The BMA is an important entity that will have a single command control points to enhance efficiency. It will tighten border management by implementing an integrated approach in a border management environment and will play a critical role in tackling border security challenges impacting our country and neighbors. It will facilitate the development of smart border posts, a system that will facilitate trade in the region. This Border Management Authority is established at the time the African Union is in pursuit to consolidate the Africa Continental Trade Agreement ... [Inaudible.] ... as windows of service are set in motion, the BMA starts operation fully.

We can report to this House that the Department of Public Works and Infrastructure jointly conducted state property asset audit at all land ports of entry. The findings have led to the identification of capital projects aimed at improving infrastructure, augmenting the current staff complement with additional personnel, and investing in modernizing technology that will aid in enhancing service and minimizing turnaround time for facilitating persons and goods.

The ANC from time to time, informed by the concrete views expressed by South Africans, asserts its policy position having assessed in its 55th national conference resolved that

the Immigration Act must be reviewed to make it comprehensive to ensure that while it promotes development, national, and regional security concerns are addressed. The Minister of Home Affairs will table the Bill to that effect before the end of this year. The ANC further directed for the establishment of refugee centres and one-stop border posts at the port of entry. All these initiatives, House Chairs, are meant to strengthen the security measures against acts of illegality and respond to the core objective of Africa Continental Trade Agreement.

To this end, our ANC-led government has published the One Border Stop Border Post Bill for public comments. The Bill, amongst other things, will promote the establishment of one stop border post through the international agreement and common control zones in the territory of an adjacent state. In this case, we urge the sponsor of this debate to mobilize society to contribute and comment on the Bill to ensure that our country and states around the SADC deal with cross-border challenges in a co-ordinated and collaborative manner.

The ANC remains aware of the funding shortfalls that the BMA is facing effectively to implement their mandate. As we move with full speed ahead to ensure ... [Time expired.]

Mr A C ROOS: Thank you, House Chair. House Chair, we will hear many inputs today about how the immigration system is broken. But let me tell you, our immigration system is working perfectly. Unfortunately, it is an immigration system designed to extract money from foreigners for the benefit of deployed cadres.

It’s been six years since the Project Lokisa report exposed rampant corruption at refugee reception centres, starting with a R100 to R200 payment to South African Police Service, SAPS, or security guards to let the applicant into the centre through to the several thousand rands charged by the Department of Home Affairs official who stamps the final permit.

As part of a sting operation on a Department of Home Affairs official, a corruption watch searched through public databases revealed that the official was arrested in 1998 and found guilty of fraud. He received a 10-month sentence which was suspended for five years. He was not only officially registered as an employee of the Department of Home Affairs, but also had three active companies registered to his name. So this Department of Home Affairs official was not there to enforce immigration law. He was there for business. The

Department of Home Affairs failed to collect millions of rands in fines from transporters bringing in undocumented cross border travellers. How did they return to the country without paying the official fine, unless they are simply paying an official?

The first draft of the Lubisi report into corruption in the permitting department found that a visa fraud syndicate is operating within Department of Home Affairs. But we must somehow believe that former chief director of permitting, was fired on two counts of gross dishonesty and non-compliance with the Immigration Act, and yet had nothing to do with a syndicate despite his extensive powers.

It’s already been two years since the draft Lubisi report first served and these criminals continue to work inside the Department of Home Affairs offices to this day. The Minister appears willing to give some officials early retirement by firing them. But they keep all their takings and sail off into the sunset. What message does this send to corrupt officials who continue to operate within the Department of Home Affairs?

Minister, you have succeeded in continuing an extractive immigration network and an immigration regime based on fear,

untraceable persons with fake documents or no documents. And the ANC’s job killing policies have met with considerable success in killing jobs. And you then turn around and say it’s foreigners that are stealing jobs, but it’s you.

The African Continental Free Trade Agreement is expected to create 14 million jobs by 2025. How many of these jobs will be getting in South Africa? Very few. Because while you were building your fraud and corruption syndicates, West and East Africa were gearing themselves to take advantage of intra African trade. They were envisaging immigration in the language of opportunity.

In East Africa, the East African Community has been at the forefront of transformative regional migration processes. The introduction of the single customs territory, a key pillar of integrated border management, and one stop border posts has yielded remarkable results. Intra-regional trade has increased by over 50% since the implementation of integrated border management, and this is in a region with countries of varying levels of wealth and poverty.

In West Africa, the Economic Community of West African States, ECOWAS, has also made significant strides in implementing

integrated border management. The ECOWAS trade liberalization scheme and the establishment of joint border posts have facilitated the movement of goods and people promoting regional trade and integration. West Africa has witnessed the boost in trade, attracting more investments and generating employment opportunities. These regions have shown what is possible in Africa. The small and medium-sized enterprises in particular, have benefitted greatly as they are now able to access larger markets source inputs more efficiently and expand their customer base. Meanwhile, Minister Motsoaledi shows a total lack of urgency dithering over a one stop border post for several years now, never mind having a vision for regional integration.

At the root of this is an inability or unwillingness to take the lead in regional integration and get to grips with the underlying problems causing irregular immigration and caused cross border crime to flourish in South Africa. Instead, South Africa tries to isolate itself and takes an approach of quiet diplomacy.

The DA has highlighted the urgency of regional co-operation in identity crime and labour information systems. And it is clear this work has barely started. This is why an irregular

immigrant can be deported and return again and again in an ongoing cycle.

A 2022 study on undocumented migration, cross border crime and the role of technology in securing borders in the Journal of Social Sciences and Humanity Studies finds that South Africa’s weak border controls are an indictment of a weak government with no plan. And sadly, cross borders syndicates have become well entrenched. And while borders are characterized by some form of operational deficiency, cross border crime is a regional issue, hence the need for regional co-operation. It is argued that it is not a lack of technology in borders that is a problem, but a lack of leadership. Citing a 2009 budget debate, the study goes on to say that:

We have soldiers without vehicles, we have ships without sailors, we have planes without pilots, and we have military hospitals without doctors.

So, the real problem is that we are under led.

The DA convened a joint parliamentary committee meeting on the issue of irregular migrants in our cities, which in October 2019 called on Minister Motsoaledi to facilitate

intergovernmental engagement on roles, responsibilities and funding between metropolitan municipalities and the national government, SAPS and the Department of Home Affairs in dealing with allegations of xenophobia and the legitimate concerns of residents of these cities about the impact of undocumented migrants on their daily lives.

To date, the Minister of Home Affairs has done little to nothing, opening the way for vigilante groups to violently deal with the situation.

The DA will work on these much-needed intergovernmental frameworks to address the legitimate concerns of South Africans living in our cities, and work towards regional integration systems and protocols to make movement at our borders more secure. These include national registry systems linked to border posts, movement control systems with alert mechanisms linked to advanced passenger information systems, Interpol and regional security systems, a Southern African Regional Development Community (SADC) and progressively a continental registered vehicle database to track cross-border movement of vehicles, motorcycles, trucks and border crossings, identify and register members of communities and border lines to facilitate safe cross-border movement of these

communities. In particular, of children and parents attending schools in areas such as Eswatini, as well as bilateral cross- border education between neighbouring countries, and improved security and integrity of travel documents through a dealing decisively with corruption in the Department of Home Affairs.

The DA will also explore an e-verification system for employers to check work permits to reduce the numbers of those with forged documents, or no work permits who managed to gain employment. To keep a flow of new vulnerable migrants coming in. Under the ANC, the number of border patrols has been reduced from 35 to just 15 companies. That’s according to the latest defence budget, they cannot even ... [Inaudible.]. Very little of the R40 million Beitbridge border “washing line” is still standing today to tackle illicit trade, wildlife poaching, drug and human trafficking, migrant smuggling, organized crime, terrorism, stock theft, and unchecked irregular immigration.

The DA would increase the number of companies deployed along our borders, and the fence works formation will have a greater border fence maintenance and repair mandate and capability within the Department of Defence. The Border Management Authority is capacitated with millionaire managers spending

all their time dealing with human resource, HR, issues because there is no money for an HR department as they try and integrate stuff. As we speak, the South African side is also at standstill as unpaid officials strike.

Despite the R114 million in funding injection from the United Nations High Commission for Refugees, UNHCR, the refugee appeal backlog is being worked off as slowly as ever. The longer the appeal applications take to process, the longer those applicants are legally entitled to work in South Africa. The Minister shows no urgency in this regard. And it is South Africans that suffer, Minister.

In a 2015 briefing in Parliament, the then Deputy Minister of Home Affairs for Fatima Chohan said, and I quote:

We are going to make screening more difficult because most of those who are taking up late registration of both are failed asylum seekers who have not left the country, then they try their luck in South African citizenship through late registration of birth applications.

In the 2019, Phakamisa case, the Department of Education reported 1,19 million undocumented learners within the

education system, of which only 167 000 were of foreign origin and an astonishing 830 000 were of South African origin. So, our undocumented South African children are suffering because the Department of Home Affairs is unable to control irregular migration and decisively process asylum appeals.

Without any catch nets, these children are becoming undocumented adults, as they are prevented from getting an identity document, ID, a qualification or driver’s license or a job in the formal sector. The Minister needs to show some urgency on processing the asylum appeal backlog, and provide assistance to undocumented South Africans in schools. It’s also essential before they disappear from the school system and into a life of exploitation and poverty.

But there is hope around the corner. After the moonshot pact sweeps to victory in the 2024 election, the DA will bring in an immigration system that works and creates opportunity, not just for ANC cadres, but for all South Africans. I thank you.

Mr Y TETYANA: Chairperson, I take this opportunity to greet the leadership of the EFF, the president and commander-in- chief, the leadership, the top six, the Central Command Team and all ground forces of the EFF. Before I venture into this

debate, Chair, I listened to the presentation that was made by Hon Liezl. You can tell, Chair, that the intention is to deal with Africans in particular because even the examples that are made, crime according to the sponsor of this debate has a colour, and we want to warn and tell Hon Liezl that criminal activities in this country are not only committed by black people. It is not only us who commit those crimes. It's all of us, including white people. We have the likes of ... [Inaudible.] ... in the prisons of this country ... [Inaudible.] ... [Interjections.] ...

The CHAIRPERSON (Mr Q R Dyantyi): Hon Tetyana! Just pause, Hon Tetyana. Take a pause.

Ms L L Van DER MERWE**:** Chairperson, on a point of order: The member is misleading the House. I never made any examples of Africa. I said illegal immigration that has entered our borders from all around the world, citing examples of people from Bulgaria, for example, and other parts and continents. So, therefore, then to suggest that I made this debate about Africans, I think it's unfortunate and he should withdraw because he's misleading the House. I never mentioned anything about Africa. Illegal migration into our country is from all parts of the world. Not an African issue

The CHAIRPERSON (Mr Q R Dyantyi): Thank you, Hon Van der Merwe. [Interjections.] I do think that I’m not in a position to uphold that point of order. I think it's a point of debate. Let's just allow Hon Tetyana to continue with his debate. Go ahead, Hon Tetyana.

Mr Y TETYANA: Chair, we are in this debate so we heard what was said. The EFF has for the past 10 years, consistently advocated for a Pan-African approach that includes permitting the unrestricted flow of movement of Africans between the states of Africa. This is a crucial and fundamental step towards the realisation of an independent United States of Africa envisioned by the giant revolutionaries like Muammar Gaddafi who was killed by the imperialists with the assistance of ... [Inaudible.]

We wish to put across a well-known fact that South Africa is a country ravaged by crime even within its borders, and the ruling governing party embodies corruption. Therefore, to expect one of the most unsafe countries riddled with high crime rates and a corruption hub not to have criminal activity within its borders and high corruption activities is delusional. Various criminal activities take place cross- border.

A few years ago, in 2015, the SAPS came to make a presentation here in this Parliament when the EFF came to this Parliament where they highlighted the key trends in cross-border crimes, they highlighted amongst other; Smuggling of vehicles which had increased, and continues to increase, alongside cigarette smuggling, rhino poaching and various other criminal activities that are taking place; Poor performance and incapacity of the SA Police Service abets these crimes as it is reported that some cars are stolen from as far as Cape Town and smuggled through the Limpopo River.

How does a reported stolen car travel from Cape Town to the Limpopo River or border post without police intercepting these cars? Corruption and bribery at these cross-borders have been normalised and further undermined the already poor existing border management failures, and this results in dire consequences for the surrounding neighbourhoods. We have seen the increasing levels of crime at the cross-border of Mozambique and KwaZulu-Natal which has resulted in increasing frustration amongst our people and resulted in protests and the torching of innocent businesses and trucks and businesses transporting foreign and South African tourists early this year. These borders are gangsters’ paradise where dangerous

criminals or criminal activities take place often with full knowledge and complicity of the police.

The EFF proposes the following factors to assist the Department of Home Affairs in addressing the challenges brought by the introduction of this debate today; a multidisciplinary collaboration approach inclusive of the Department of Home Affairs, the Ministry of Defence, the SA Police Service, the department ... to curb the crime rates at all our borders posts.

The Department of International Relations should mobilise and make meaningful attempts to have sanctions against Zimbabwe uplifted in order to improve the economic situation in Zimbabwe. The imperialist sanctions hurt the poorest of the poor and not the elite class. Therefore, they are senseless. Not uplifting the sanctions will have dire results, and it ... in my question, we should improve the quality of our intelligence services at cross-borders, and most importantly, we must innovate. We must be innovative and introduce technology like drones and others to assist in catching criminals and decrease crime. Rooting out corruption across borders and catching all corrupt officials should be an immediate priority. Sentencing rhino poachers must be

increased as the current sentences are a slap on the wrist, this would decrease rhino poaching smuggling at across borders.

The government must undertake a massive campaign of registering immigrants who are already in the country and recording their fingerprints. This will go as far as abating crime in South Africa and lessening the dire impacts on our people. It is important that we should not only do that, but we must also assist our neighbouring countries in this space because if we only do it in South Africa, it'll mean that we're only curbing people in South Africa.

Not only that, the EFF reaffirms its commitment towards the realisation of a United States of Africa with a single currency as advocated by the revolutionaries that came before us. I thank you.

Mr S S ZONDO: Chairperson, we cannot overemphasise the negative effect of failing immigration management by the state, which directly influences cross-border crime and subsequently compromise the safety and security of the state. Although cross-border crime and the issue spilling over from

one country to another owing to our poorly managed borders did not start in the early 2000s.

This was gaining traction. The IFP raised to the government various concern and responsibilities and the department they lived experience of our people who reside in the villages and townships of the border of Mozambique, such as the Umkhanyakude District and surrounding districts. From time to time, the government has shown disinterest in facing the matter head-on and addressing it.

This has exposed and forced people of the affected communities to attempt to resolve this matter themselves. As the subject of that result, all rising from that frustration.

*IsiZulu*:

Ngicabanga kufanele sibonge noma sigqugquzele la kufanele khona. Umhlonishwa uNgqongqoshe uBheki Cele ngiyafisa ukusho ukuthi ...

*English*:

... well done ...

*IsiZulu*:

... kuyena. Uthumele ithimba eMkhanyakude eManguzi emuva kokudutshulwa nokubulawa kukaBaba u-Judah. Kuningi okade sekwenzekile kodwa leli thimba alithumele kukhona okuhle esikubonayo elikwenzayo futhi ngiyafisa ukumncenga nokumcela ukuthi aphinde alinikeze elinye ithuba elingaphezu kwalezi zinyanga eziyisithupha ayekade elinikeze lona.

Kodwa, Sihlalo, futhi ngombiko walo leli thimba kuzovela ukuthi izimoto zabantu bakithi nezimoto zithathwa yiwo amaphoyisa ahlangene nazo lezi zigebengu eziphinde zihlale e- Mozambique futhi iwona awenza isiqiniseko ukuthi lezi zigangi azibanjwa, uma zibanjiwe, enza isiqiniseko ukuthi ziyaphuma ejele noma bekufanele zigwetshwe ngoba ayathinteka nawo lawo maphoyisa.

Lokhu sekwenze umphakathi oyizisulu zobugebengu uphumele obala uzilwele nalezi zigebengu. Sibonile laphaya kuphuma emisakazweni nakomabonakude kusha izimoto zase-Mozambique ngenxa yokuthi umphakathi ubusuphumele obala ukuthi awusakwazi ukuhlala, usuthathelwe izimoto emini ilanga libalele. Bathatha ngisho izimoto ezithutha iziguli bahambe bayongena emizini yabantu benza ngathi bazoletha iziguli noma bazothatha iziguli bafike bangene bathathe izimoto zabantu emini ilanga libalele.

Ngiyafisa ukuthi ngikushayele ihlombe okwenzakele kodwa sicele futhi ukuthi ukungenelela kuqhubeke ngoba sekubonile ukuthi amaphoyisa ngeke asisize ngalutho singabantu abakhelene nomngcele. Akukhona ukuhlakanipha ukuza kule Ndlu sizovikela amaphoyisa sivikele namaqembu ethu esombusazwe kube ngathi lokhu esikukhulumayo ...

*English*:

... is a political speech. This is not a political debate.

*IsiZulu*:

Sikhuluma ngezimpilo zabantu ezidinga ukuthi thina njengezisebenzi zabantu senze isiqiniseko ukuthi sithatha izinqumo ezizokwenza ukuthi abantu bakithi bahlale ngokuthula ezindaweni zabo.

Uma kuthathwa lezi zimoto kubulawa abantu, kudlwengulwa amakhosikazi abantu, kuthunjwe kudlwengulwe ngisho nezingane phambi kwabazali bazo. Lokho uMhlonishwa uBheki Cele uyakwazi ngoba ngisho nokhomishani waKwaZulu-Natal abantu abayizisulu zalokhu kade befikile emphakathini babatshela bona ngqo emehlweni ngalezi zinto. Ngakhoke inkulu lento, akudingi niyithathe ngombusazwe. Kufanele senze isiqiniseko sokuthi sisize abantu bakithi.

Omunye wezikhulu eziphezulu zikaHulumeni osebenza esifundazweni saKwaZulu-Natal osewungqongqoshe wezifundazwe manje uke waba yisisulu salokhu esikhuluma ngakho kuwo lonyaka esisuka kuwona, kwathathwa izimoto ezimbili ... [Akuzwakali]

... futhi naye bamthatha bayomlalisa emahlathini aseduze nomngcele.

Lokho kukodwa kufanele kusitshele ukuthi lento inkulu kangakanani nokuthi inobungozi obungakanani ngoba uma ungambuza uzokutshela kuwubuhlungu obungakanani lokhu abhekana nakho.

*English*:

This is not a regional crisis ...

*IsiZulu*:

... lokhu kokuthathwa kwezimoto. Izimoto ziyathathwa ...

*English*:

... even in Gauteng ...

*IsiZulu*:

... zizokweqiswa laphaya e-Mozambique. Zithathwa eThekwini, eMhlathuze ...

*English*:

... even in Mpumalanga ...

*IsiZulu*:

... ziyokweqiswa laphayana ziye e-Mozambique futhi lezo zimoto uma sezithathiwe azibuyi. Yilapho uHulumeni okufanele angenelele khona ukuthi izimoto zaseNingizimu Afrika ezihlala e-Mozambique ngokungafanele, ezihlala e-Zimbabwe ngokungafanele. Uma sekufanele zibuye mazibuyise eNingizimu Afrika.

Lokhu kuwukucabanga kancane ... [Akuzwakali.] ... azithshela ukuthi uma siletha le nkulumo-mpikiswano la kule Ndlu ukuthi sizokhuluma izinkulumo-mpikiswano zombangazwe. Lana asicwasi ngokwebala. La sikhuluma ngento eyiqiniso nento ekufanele inakekelwe. Ngiyafisa ukthi ...

*English*:

... this is exacerbated ... Thank you. [Time expired.]

Mr F J MULDER: Hon House Chair, Hon House Chair, if the Department of Home Affairs fail in its mission to regulate immigration, to ensure security and to fulfil its international obligations, the department also fails South

African citizens and becomes complicit in allowing cross border crime and illegal immigration with a detrimental impact on communities, thus jeopardising state security.

If we use the eight borders of the Limpopo province with neighbouring countries as example, the smuggling of vehicles across the Limpopo River has escalated in recent years and National Vehicle Crime Syndicates are operating within the South African Zimbabwe border line in Limpopo. Vehicles are stolen as far as Cape Town and KwaZulu-Natal and smuggled through the Limpopo River into Zimbabwe. The smuggling of commercial explosives between South Africa and Zimbabwe has escalated in recent years.

Commercial explosives used in the dwindling mining sector in Zimbabwe finds its way into South Africa and are normally used in violent crime such as cash-in-transit robberies and ATM blasts.

Chair, illegal immigration movement of stolen goods, ordinary smuggling, drug smuggling, rustling, poaching and the movement of terrorists and explosives and weapons are commonly observed at all the borders of South Africa and neighbouring countries.

The effects of migration in South Africa include increased stress on housing, political and social tension, increased costs, overcrowding, transmission of disease and the marginalisation of people. Not only does crime add a direct cost to the business through the loss of merchandise or money, but it also adds indirect costs. This include costs like security expenses, repairs needed after burglary, insurance costs, temporary business closure and a loss of work hours.

South Africa has according to the Global Peace Index been ranked as the tenth most unsafe place in the world.

This index also estimates that violent crime consumes as much as 19% of the country’s GDP.

*Afrikaans:*

Die onvermoë en versuim van die Department van Binnelandse Sake, om Suid Afrikaanse grense effektief te bewaak en onwettige immigrasie en oorgrens-smokkelary van goedere te verhoed, faal Suid-Afrika op ’n veel meer drastiese wyse as wat dit op die oog af lyk.

Dit verdra korrupsie en oneffektiwiteit, dit bevorder wanorde en skep agteruitgang, en ’n teelaarde vir misdaad, dit minag

die regte van Suid-Afrikaners en speel ’n fundamentele rol in die vordering van Suid-Afrika as ’n gevalle staat.

Suid-Afrika is in werklikheid reeds ’n gevalle staat, wat weens swak beheer nie instaat is om sy grense te bewaak nie. Dankie.

Ms M A MOLEKWA: Chairperson, the Freedom Charter as adopted in 1955 just claws read as follows: There shall be peace and friendship. South Africa shall be a fully independent state, which respect the rights and sovereignty of all nations. South Africa shall strive to maintain world peace and the settlement of all international disputes by negotiation – not war. The right of all people outside South Africa to dependent and

self-governance shall be recognised and shall be the basis of close corporation.

One of the implication of the international law principle of state sovereignty is that a state has its control over its own territory. Another implication is that state should not interfere with each other domestic affairs.

The international community derive substantial benefit from making of the global world. But as a result, it has also to

deal with the negative impact of globalisation on international crime. This include physical crime committed across borders such as drug trafficking, human trafficking, corruption, environmental crime and terrorism.

Chairperson, it is generally accepted that, once a crime has been committed it should be investigated, the perpetrator should stand trial and on conviction be punished for his unlawful conduct. The challenge that arises is hew this could be ensured where the perpetrator is outside the borders of the state in which the crime was committed for where the effect of the crime was felt.

The work for effective international and transnational criminal justice had to be balanced with respect for state sovereignty and territorial integrity.

The ANC government firmly believes in the importance of regional corporation. The SA Police Service has relentlessly perused to end cross border crime that threatened the safety of the inhabitants of our neighbouring states.

In March this year, Police Minister, General Bheki Cele, led a high level delegation of SA Police Service to Lesotho for bilateral security discussion.

South Africa was commended by the Basotho government for its readiness to enhance working relation. [Interjections.]

The CHAIRPERSION (Mr Q R Dyantyi): Just a pause, hon Molekwa. Serjeant-at-arms and IT, please remove on hon Hlengwa.

Ms M A MOLEKWA: Okay. Thank you, Chairperson. As an effective migration system is key in the fight against cross border crime. As a strategy to prevent some of the cross border crime both counties have agreed to intensify information sharing and co-ordination between law enforcement agencies to identify share threats whilst developing a data base on person of interest. Both states have also agreed to conduct join policing operation that allow for better crime detection and infiltration of criminal gangs in pursuit of justice. This will amongst other things, include the development of intelligence sharing agreement and establishment of intelligent sharing platform between South Africa and Lesotho.

Chairperson, the National Commissioner of SAPS also deployed a task team to northern Cape to clamp down on cross border crime between South Africa and Mozambique. This is registering commendable progress since the deployment four months ago. The SA Police Ministry and SAPS top management and its Mozambican counterpart are working together in a bit to be strip and dismantled crime along the border line affecting both countries. Since its inception, the multi-disciplinary teams has been in operation to strap criminal involved in organised crime affecting the areas. For example, Chairperson, 51 750 persons as well as 27 663 vehicles have been searched.

Fourteen cases are under investigation with 59 arrest and 26 vehicles and 18 firearms have been recovered. Amongst these arrested is a notorious criminal who has been on the police radar on suspicion of hijacking ... [Inaudible.] ... These vehicles will then be smuggled across the border of Mozambique. It has been reported that the accused is still in custody as we speak. So, this must also be commended, Chairperson.

Some of the success of regional co-operation include those who through operation between South Africa and Botswana. Our SA Defence Force soldiers recovered stolen vehicles worth

R23 million confiscated, dagga worth more than R4 million and

retarded 16 weapons. These are just a few example of work done by the ANC-led government in the fight against cross border crime.

Co-ordination and alignment between South Africa and its neighbours to combat cross border crime is critical for peace, security and stability. We also welcome the investment made by the Ministry of Police to fund community policing forum as a necessary intervention in the fight against crime.

While the general crime picture is worrying, we also welcome SAPS commitment of R17 million for community policing which should give much needed energy to the policing which should give much needed energy to the policing in collaboration between police and the communities in the fight against crime.

A societal approach in this current fighting is the only solution to South African rampant crime problem. ‘Operation such as O kae Molayo’ in Gauteng has built a great success. This operation aloof and the analysis of crime patterns because of its effectiveness it has contributed to the inspection of ‘Operation Shanela’.

The SA Police continue to implement the department five pillars approach in the resort to reduce the volume of crime in our communities. ‘Operation Shanela’ will see all provincial commissioners and see management from each province leading and taking part in a weekly density crime prevention and combating operation. It is not true that the government is doing nothing to fight against crime.

The ANC government will always be committed in creating a safe and stable environment for the community and South Africa as a whole. For us to win this fight against crime and corruption we all need to play our part. Thank you very much, Chairperson. [Time expired.]

Rev K R J MESHOE: Thank you, hon Chairperson. Cross border crime poses a significant challenge as we share borders with a number of neighbouring countries, making ineffective border control a significant threat to peaceful coexistence with our neighbours. human traffickers and their victims, drug dealers and many illegal firearms in the country have been smuggled through our porous borders.

There were high hopes for the new Border Management Authority, the BMA, to get a grip on corruption, criminal syndicates and

human traffickers while maintaining smooth flow of people, goods and traffic. But it is not happening. Just last week border posts were again experiencing serious congestion and delays, which we hoped were a thing of the past. Minister Motsoaledi reported that customs delays cost about R48 million per annum to Southern African countries.

He further said that trucks in some instances have to wait for about 36 hours at the South African Zimbabwean border, thereby endangering the lives of truck drivers because of criminals and human traffickers in the area. By now, the BMA should have implemented measures to improve traffic flow and border security, including increased surveillance, improved infrastructure and the deployment of advanced technologies for detection and monitoring.

The ACDP is very concerned and wants to know why Home Affairs has not accepted the offer made by the Road Freight Association to assist the Border Management Agency to get freight moving swiftly and efficiently across borders. South Africa has faced significant challenges in managing immigration, leading to notable failures in the immigration management system.

One key issue is the high influx of undocumented migrants crossing our borders. Limited personnel, porous borders and corruption have contributed to this. Home Affairs frequently leaves tens of thousands of documented Zimbabweans hanging while waiting for visa extensions until the last minutes, which the ACDP finds cruel and inefficient. With the BMA fully established in April, by now several changes should have been seen.

Steps should have been taken to address corruption within the border control over urgencies, implementing rigorous anticorruption measures, promoting transparency and establishing mechanisms for reporting and investigating corruption cases are crucial for ensuring integrity and effectiveness within the BMA. It is heartening, however, that border guards have already recorded a number of successes since being deployed to safeguard South Africa’s borders, including recovering stolen vehicles and seizing drugs and guns.

Yet, when it comes to human trafficking, it will take international co-operation and a comprehensive approach to stem this heinous crime. It requires law and enforcement, victim support and public are now awareness campaigns to fight

and win this battle. It is good to hear that the BMA is forging relationships with farmers in the Lesotho border areas to address stock theft by Lesotho syndicates. This leader not only to financial losses for the farmers, but impacts on South African trade and community relations when fully established.

The CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Meshoe.

*Sesotho*:

Re utlwile.

Rev K R J MESHOE: Ha re lwantshane!

Ms M R M MOTHAPO: Hon Chairperson, hon members and fellow South Africans, ...

*Sesotho*:

Dumelang!

*English*:

Today we gather to address a significant issue that affects not only the safety and security of our nation, but also our sovereignty. We are all aware of the ever growing crisis of cross border crime and immigration management failures that

have hugely impacted our communities. It is important imperative that we take effective measures to combat the issue and secure our borders to guarantee our sovereignty.

The ANC 2019 Manifesto emphasised the importance of collaboration with neighbouring countries and regional bodies to manage porous borders effectively in a bid to address the porousness of borders. The manifesto states:

We will strengthen co-operation with our neighbouring countries, ensure the implementation of bilateral and regional agreements and actively participate in regional initiatives designed to address common security challenges.

This quote demonstrates the ANC’s recognition that border management requires co-operative efforts and regional strategies to effectively combat transnational threats. Hon Chairperson, the defence forces of South Africa have indeed lived up to the prescripts of section 227(1)(a) of the Interim Constitution of South Africa of 1993, which states that one of the functions of the SA Defence Force is, “For service in the defence of the Republic for the protection of its sovereignty and territorial integrity”.

To address this growing issue, we strongly believe that the SA Defence Force has a crucial role to play in securing our borders orders. Operation Corona has already been successful in reducing crime rates in the border areas, but we urge the SANDF to continue in this endeavour.

*Afrikaans*:

Luister hier, agb Van Der Merwe, Roos en Mulder ...

*English*:

Operation Corona is a SA National Defence Force mission aimed at securing the country’s land board as the operation was launched in two thousand and six and is ongoing, its mandate is to prevent illegal border crossing, men, women and child trafficking, smuggling, illegal mining and wildlife poaching. The operation has achieved various goals.

Firstly, it has facilitated in ensuring the safety and security of the countries land borders this has helped to curb the influx of illegal immigrants and human trafficking which were prevalent issues before the mission was launched. More still needs to be done in this regard secondly, it has kept smugly across the borders which were rampant before the operation, thus reducing crime rates in the country. Sadly, it

has facilitated in dismantling illegal mining that has helped in the maintenance of the country's natural resources.

Hon Chairperson, to increase the effectiveness of our efforts, we need to collaborate with police and border guards to achieve our goal of border security. The integration of SANDF, police and border guards will lead to a more cohesive approach, enabling us to better tackle cross border crime.

Hon Chairperson, we also understand that we must improve the conditions of our border infrastructure and also use new technologies that increase our controls. This includes, with increasing the number of border posts, providing funds for repair and maintenance of our border walls and increasing the personnel deployed in these areas.

Effective border security measures must involve both the physical security of the border and the ability to detect and apprehend criminals. Hon Chair, as a government we must embrace technology and its crucial role in border security the use of defence technology, including drones, CCTV cameras and radar system will aid in our efforts to reduce the number of illegal border crossings, detect and prevent criminal activities.

In conclusion, hon Chairperson, hon members, we must together we are sorry we must together we must work together to address this crisis. Our efforts must be attacking over, moderated by more resources we must secure our borders to guarantee our sovereignty and safeguard the safety and security shortfall people. May we call on all Members of Parliament to support this critical initiative to make South Africa a safer place. [Interjections.] Thank you.

The CHAIRPERSON (Mr Q R Dyantyi): Okay, I was going to assist you, but thank you, hon Mothapo. I was attending to something. Are you finished with?

Ms M R M MOTHAPO: Yes, I am done, hon Chairperson.

The CHAIRPERSON (Mr Q R Dyantyi): Hon Mothapo, if you have left few minutes it will go to the next member. Okay. Thank you.

The MINISTER OF HOME AFFAIRS: Thank you, hon Acting House Chairperson and hon members. In this fast-globalising world it is inevitable that cross-border crimes will escalate if not checked by appropriate means. There are four main factors that contribute to cross-border crime around the whole world. These

are corruption, rapid migration, which is now a global phenomenon, weak cross-border systems, and of course, porous borders. We know that all these four factors apply to our region in general and our country, South Africa, in particular. Cross-border crimes can be smuggling vehicles which has been mentioned a lot in this debate, cigarettes, many of whom have been stopped along the border between South Africa and Zimbabwe in particular, this can be about explosions, drugs, counterfeit goods, and more worrying, it can even be smuggling of people, women and children specifically. However, there is also poaching, denying the country of its natural resources. It may also be the issue of illegal migration that has given birth to things like zama- zamas, stock theft, and many other misdemeanours.

With our 4 766 kilometres of land border with six countries, South Africa is a prime target for cross-border criminal activities. It is for these reasons that more than a decade ago, the National Intelligence Co-ordinating Committee, Nicoc, being the structure that co-ordinates intelligence in our country, identify the dangers of unguided borders as the main factor that is contributing to this issue of cross-border crimes. Hence, it recommended the establishment of a new structure to perform this important function. This led to the

birth of the Border Management Authority, BMA. It is a great pity that it took about a decade for Parliament to enact and finalise a legislation to establish the Border Management Authority. Be that as it may, it is pleasing that from 1 April 2023, the Border Management Authority became an autonomous schedule 3(A) public entity.

Since then, 1 664 staff members from four government departments were integrated into this autonomous authority. The four departments which were integrated consist of the immigration from the Department of Home Affairs, which is dealing with border access. It also consists of port health from the National Department of Health which deals with major health issues across the border. It also consists of biosecurity and scientists, the Conventional International Trade with Endangered Species, so that we do not violate a scientist law which are international. This is from the Department of Forest, Fisheries and Environment. Also, agriculture in terms of biosecurity function from Agriculture, Land Reform and Rural Development, this has been successfully integrated.

In addition, 221 border guards were deployed at eight of the

10 segments of our country’s vulnerable parts of the

borderline from 14 July 2022. Forty of them were deployed to Beitbridge to deal with illegal migration and movement of illicit goods, 22 to Giriyondo in the Kruger National Park to deal with cross-border poaching, 39 to Lebombo Border Post with Mozambique to deal with smuggling, and 33 to Oshoek Border Post with Eswatini to deal with stock theft. Another 33 to the Northern Borders of KwaZulu-Natal and Kosi Bay to deal with smuggling of vehicles into Mozambique, which has been mentioned extensively in this debate today, 33 were deployed to Maseru Bridge and Border Posts - Ficksburg Bridge ports of entry with Lesotho to address illegal migration. Then the last

21 which have just been added were deployed to the KwaZulu- Natal and Lesotho borderline and Eastern Cape and Lesotho borderlines to deal with stock theft. The border guards since their inception were able to intercept lots of things. I won’t repeat them, hon Chabane has already given you statistics. The

35 904 people who were entering the country illegally, the 139 vehicles that were intercepted and the stopping of 95 000 undesirable people. The list can go on, and on, and on, and on.

However, to increase these important activities, 400 extra border guards are now being recruited and will soon take their positions on the borderline and our border posts. Despite

these successes, we still need more financial resources and modern technology in the form of drones ... [Inaudible.] ... technology and others which are used successfully in other destinations around the world. We are happy to announce that in July we’ll be calling for request for proposals to massively upgrade the infrastructure in the six busiest ports of entry. This will be at Beitbridge with Zimbabwe, Lebombo with Mozambique, Oshoek with Eswatini, Maseru Bridge with Lesotho, Ficksburg with Lesotho and Kopfontein with Botswana.

I picked up a bit of panic from what distractors in this debate today when we announce this issue of one-stop border post process. I don’t blame those who are panicking when trying to rubbish the one-stop border post and this initiative even before it starts. It is going to be a massive project, which, of course, in which the state and the private sector will collaborate in a way unseen before at the ... [Inaudible.] ... to upgrade our borders. Therefore, of course, it is natural that it will scare off official opposition parties such that they try to rubbish it.

Let me come to the issue of corruption. I want to inform the sponsor of this motion as well as hon Roos that the things they are quoting here about corruption, most of them they got

them from us, especially myself and the Deputy Minister when we report to the portfolio committee. Therefore, it is because of the work that we are doing that you came to know about such things. When we appointed the Lubisi report and brought the report to you to read their findings, it was because for our work against corruption. That’s why you know what are in the findings of the Lubisi report. You wouldn’t have known if we’re just folding our arms and not doing anything.

Now, the Lubisi report has recommended a multidisciplinary team that consists of forensic investigators, data analysts, senior legal experts and other people, and they’ve already started to work. They’ve already started to work, hon members, and we are expecting arrest, deportation, retrieval of state documents that were obtained fraudulently. Therefore, hon members, I’ve reported the number of officials in Home Affairs who have been charged and some of them handed over to the Hawks, who are still investigating. I just want to correct a few things which I had during the debate that the BMA staff was not paid. The BMA staff are being paid today. The problem that was announced this morning was simply that payment started 00:01 midnight and it delayed by a few hours, but they are being paid. Therefore, let’s not develop panic where it does not exist, hon members.

I also want, hon members, here not to mislead, the chief directors that are being mentioned that were on the Lubisi report, I’m the one who brought the report to the committee that they’ve been charged and dismissed, and they’re being handed over to the police and the Hawks for further investigation. On the issues of not getting money from bus companies that bring people here illegally, it’s also information from myself when you stop buses like the Rimbi Travel and Tours Bus Service and I announced here that we charged them a total of R7 million, and we’re continuing to try and collect money from them in that regard. Therefore, hon members, I don’t want us to turn this problem into an electioneering when it is so important to our country. Thank you very much. [Time expired.]

An HON MEMBER: Malibongwe! Well done, Minister.

The CHAIRPERSON (Mr Q R Dyantyi): Hon ... who is that?

The MINISTER OF HOME AFFAIRS: Anonymous, Acting House Chair.

The CHAIRPERSON (Mr Q R Dyantyi): Hon Van der Merwe, just before you come to the platform, in addition to the ruling I made, I think just to say that you have an opportunity to

respond to the issues in your time that you have. If still not happy, I would want to invite you to utilise Rule 91, which you would interact with the Speaker for a further opportunity even in the House to clarify the matter. If you think your two minutes will not help you to clarify the matter. Over to you. You are muted. Just pause, hon Van der Merwe. Hon Tetyana!

Mr Y TETYANA: You need to be consistent, Acting House Chairperson, you removed hon Nolutshungu for a minor disruption here. I think what has just happened is the disruption. Therefore, if you removed another Nolutshungu, why are you not removing the person who just entered here out of nowhere? You should be consistent.

The CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Tetyana. Your point is taken just as when hon ... [Interjections.]

Mr Y TETYANA: You removed her on a small minor. She was not even talking to us here.

The CHAIRPERSON (Mr Q R Dyantyi): Thank you, hon Tetyana. I’ve heard your point, and to just indicate my consistency, as hon Mothapo was concluding, there was a similar issue done by hon Mhlongo and I needed to apply my mind perhaps to show that it

would have been a mistake doing that, it’s not deliberate. Therefore, I apply, I’m still consistent on the issues. Thank you. Hon Van der Merwe!

Ms L L VAN DER MERWE: Chairperson, of course, we will take your guidance and advice and I would really like to thank everyone that participated in today’s debate. In fact, I also want to really thank the Minister for taking the time to be with us today. I do think we should ... [Inaudible.] ... a lot of concerns and I think we all agree that this is not an electioneering issue, it is an issue that affects South Africans and we have to do better.

I also want to thank hon Roos for his constructive inputs. However, let me also deal with the hon Tetyana. Hon Tetyana unfortunately derailed his own misguided accusations against me when you went on to agree with everything I said, in fact, it was like he was reading my speech. Nevertheless, hon Tetyana is new and let me just tell hon Tetyana that I am a very proud IFP Member of Parliament, MP, and I have been so for more than a decade. When we come here to this Parliament, we fight for communities and we fight for them regardless of their race.

Today we brought this issue to Parliament because it is something that is closely to the IFP’s heart and our constituencies are suffering. Women and children are facing war daily. They are being raped, they are being trafficked, they are being drugged and killed. If hon Tetyana is not interested in debating those issues from that viewpoint, well, then you know that is something him and his party must deal with. However, we are fighting for South Africans as the IFP, regardless of the race. That is why we won another ward of the ANC yesterday, Ward 40 and exactly also why his party has rejected by-election after by-election.

However, I think the crux of the matter today is, we all agree that we must stem illegal migration as it has created a national crisis. Let me also remind us of the cost of illegal migration and the failures to manage migration. If our physical borders are standing open, Sars estimates that the illicit trade in counterfeit goods are costing our economy R100 billion each year. In terms of tax losses, that is

R250 million per year. Yes, we are putting our hope in the border management authority but as I said, it has not been given the billions it requires to become fully operational. Without the physical infrastructure of the borders, we are setting the Border Management Authority, BMA, up for failure.

So, yes, we want to partner with the Minister to fix these problems. We must admit that we are failing our communities who are left defenseless against heavily armed and brazen criminals at our borders and on our farms in gangsterism communities and on every street corner of our country. We need to be doing better, we need a government that enforces our laws, protect South Africans and puts South Africans first. It is time to rebuild South Africa and the IFP stands ready to lead that fight. Thank you very much, Chairperson. I appreciate your time.

The CHAIRPERSON (Mr Q R Dyantyi): That concludes the debate and the business of the day is adjourned.

Debate concluded.

The mini-plenary session rose at 16:18.