

National Assembly and National Council of Provinces

The Speaker and the Chairperson

Report of the Joint Standing Committee on Defence (JSCD) on its activities undertaken during the 6th Parliament (May 2019 – March 2024), Dated 28 March 2024

Key highlights

1. Reflection on committee programme per year and on whether the objectives of such programmes were achieved:

The JSCD showed significant improvement in its functioning in the 6th Parliament compared to previous years as it managed to meet more regularly and therefore adhere to its constitutional mandate by focusing on the South African National Defence Force (SANDF), its functioning and capabilities. Delayed by the impact of the Covid-19 pandemic, the JSCD held a Strategic Planning session, along with the Portfolio Committee on Defence and Military Veterans (PCDMV), in early 2021, setting the focus areas for the remaining four years of the 6th Parliament. While remaining flexible in its approach, the Committee managed to address most of the focus areas identified in the 2021 Committee Strategic Plan. However, given the nature of the Committee, it was subjected to both the National Assembly and National Council of Provinces (NCOP) programmes, which limits opportunity for meetings and especially for oversight visits.

2. Committee's focus areas during the 6th Parliament:

The Committee focused on its constitutional mandate by focusing on the SANDF, its deployments, functioning and operational capacity. Furthermore, the JSCD focused on the domestic defence industry as it is a key contributor to long-term military capability. Key focus areas during the 6th Parliament include, inter alia, the following:

- Regular consideration of the letters of deployment for the SANDF.
- Oversight of SANDF deployments, including regular updates on border safeguarding deployments and an oversight visit to SANDF border deployments.
- Oversight of SANDF prime mission equipment and related matters, including engagements with Armscor and Denel on its support to the SANDF in terms of equipment procurement and maintenance.
- Oversight of Force Design and Structure in the SANDF, including engagements with external specialists and meetings with the DOD on human resources management, rejuvenation and succession planning.
- Engagements with the Military Ombud on its support to SANDF members and dealing with related complaints.
- Engagements with the Defence Force Service Commission (DFSC) on its support to the Department of Defence (DOD)
- Quarterly consideration of the National Conventional Arms Control Committee (NCACC) Reports and addressing the levels of engagement with the South African Defence Industry.

3. Key areas for future work:

Section 13 of this document identifies details of key areas for future work which includes the following:

The future of the South African Defence: Focus on the future of the SANDF and broader government policy around the defence force that South Africa needs and can afford. This will require parliamentary debate and careful oversight of the Minister of Defence's SANDF Future Strategic Direction to be finalized by the end of 2023/24.

Improving SANDF capabilities: Monitoring sea-hours and flying hours in the SA Navy and SA Air Force. Focus on spares procurement for the SA Air Force and maintenance contracts for SA Air Force aircraft, as well as SA Navy vessel status. Many SANDF platforms are rapidly ageing and are or will be in need of replacement shortly. Such financial requirements should be made known to Parliament.

SANDF deployments: Oversight of deployments should remain a priority for the JSCD. The Committee should ensure that the SANDF is properly equipped, financed and reimbursed for all missions, including continental deployments, border safeguarding and internal deployments.

Accountability to SANDF members: Through oversight of the DFSC and Military Ombud activities, the JSCD will ensure that the DOD remains responsive to the needs of its members.

The broader defence industry: The JSCD should continue to engage the SADI to ensure that South Africa maintains its domestic defence development capabilities and that these benefit the SANDF.

4. Key challenges and recommendations:

The JSCD showed significant improvement in meeting more regularly during the 6th Parliament. This trend should be continued in future and may be aided by the 7th Parliament considering the following:

Filling of vacancies: Parliament should fill the vacancy of a parliamentary defence researcher for the JSCD.

JSCD meetings: The JSCD in the 7th Parliament should consider a timeslot for weekly meetings to ensure that regular meetings can take place. During the 6th Parliament, the JSCD met virtually at 18:00 on Thursday evenings, which managed to increase the regularity of meetings compared to previous parliaments. However, on occasion, this time-slot was affected by NCOP sittings running into the evening.

Use sub-committees to enhance oversight: The JSCD in the 7th Parliament should consider make use of sub-committees for oversight visits given the limited opportunity afforded to the JSCD in the parliamentary programmes of the National Assembly and the NCOP to conduct oversight visits.

Cooperation with the PCDMV: The 6th Parliament saw strong cooperation between the JSCD and the PCDMV, which improved oversight. The 7th Parliament should continue this cooperation and should also consider ensuring that Members of the PCDMV serve on the JSCD.

1. Introduction

1.1 Mandate of the Committee

The mandate of the JSCD is prescribed in the 1993 Interim Constitution (Act 200 of 1993). Section 228(3)(d) denotes the functions of the JSCD to “be competent to investigate and make recommendations regarding the budget, functioning, organisation, armaments, policy, morale and state of preparedness of the National Defence Force and to perform such other functions relating to parliamentary supervision of the Force as may be prescribed by law.”

Based on this constitutional function, the JSCD in the 6th Parliament shifted its focus primarily to oversight of the SANDF. While the JSCD maintains oversight of all related departments and entities, the 6th Parliament saw specific focus on the DOD and entities specifically related to the functioning of the DOD, including Armscor, the Military Ombud, the Defence Force Service Commission (DFSC) and the Reserve Force Council. Due to parliamentary referrals, the JSCD also focuses on reporting by the National conventional Arms Control Committee (NCACC).

1.2 Department/s and Entities falling within the committee’s portfolio

a) Department of Defence:

The Department of Defence derives its constitutional mandate from Section 200 of the Constitution of the Republic of South Africa (1996). This section stipulates that the defence force must be structured and managed as a disciplined military force, whilst the primary object of the defence force is to defend and protect the Republic, its territorial integrity and its people in accordance with the constitution and the principles of international law regulating the use of force. The Defence Act, (No. 42 of 2002) the White Paper of Defence (1996), the 1998 and 2015 Defence Reviews, give further substance to the Department’s constitutional mandate, and other relevant legislation guide the execution of the defence strategy of the DoD.

b) Department of Military Veterans

The purpose of the Department of Military Veterans (DMV) established in terms of the Military Veterans Act (No. 18 of 2011) is to “oversee and manage the implementation of Government’s framework and programme on military veterans.” Core functions in this regard include the facilitation, management and coordination of support to military veterans; provision of support services to the Department; oversight of the national military veterans’ programme and periodic reporting in this regard.

c) Entities:

Name of Entity	Role of Entity
Armaments Corporation of South Africa (Armscor)	The Armscor Act (No. 51 of 2003) as amended, sets out the mandate of the Corporation. The mandate of Armscor is to meet the defence materiel requirements of the Department of Defence efficiently and economically; and to meet the defence, research, development, analysis, test and evaluation requirements of the Department effectively, efficiently and economically.
Castle Control Board (CCB)	Established through the Castle Management Act (No. 207 of 1993), and is responsible for the

Name of Entity	Role of Entity
	preservation and protection of the military and cultural heritage of the Castle of Good Hope; to optimise the tourism potential of the Castle; and to promote public accessibility of the Castle.

d) Other relevant bodies

Name of Entity	Role of Entity
National Conventional Arms Control Committee (NCACC)	The NCACC is established according to the National Conventional Arms Control Act (No. 41 of 2002) as amended, to regulate the conventional arms sector in South Africa. Members of the NCACC are Cabinet Ministers and Deputy Ministers appointed by the President. The Chairpersonship and Deputy Chairpersonship positions of the NCACC are held by Cabinet Ministers who do not have line function interests in the conventional arms business. This ensures the objectivity of the NCACC. Section 3 of the NCAC Act sets out the objects and mandate of the NCACC. It must implement Government policy regarding trade in conventional arms in order to establish, apply and ensure legitimate, effective and transparent control process in and for the Republic; protect the economic and national security interests of the Republic by ensuring adequate control of trade in conventional arms in accordance with Government policy; and foster national and international confidence in the Committee's procedures for control over trade in conventional arms. Section 4 sets out the functions of the NCACC which are the regulation of development, manufacturing and transfer of conventional arms in South Africa. The Regulations to the NCAC Act dates 28 May 2004 provides details on how the regulation of the conventional arms sector is conducted.
Defence Force Service Commission	Section 6 of the Defence Amendment Act (No. 22 of 2010), sets out the responsibilities of the DFSC. It advises the Minister regarding improvements of salaries and benefits of defence force members, make policy recommendations effecting conditions of service, promote measures and set standards to ensure the effective and efficient implementation of policies on conditions of service within the Defence Force, and make the necessary recommendations to the Minister. It can also investigate and conduct research on conditions of service; review policies evaluate and monitor the implementation of such policies; consult with the Secretary for Defence, the Chief of the Defence Force, members of the Defence Force, Reserve Force Council and any other interested person or body on conditions of service and any other matter relating to the purview of its functions.
Office of the Military Ombud	The Ombud must investigate complaints lodged with it, in line with the requirements of the Military Ombud Act (No. 4 of 2012) fairly and expeditiously without fear, favour or prejudice and to ensure that these are resolved in a fair, economical and expeditious manner.

Name of Entity	Role of Entity
Reserve Force Council	Assist with the development and implementation of the Reserve Force voluntary service system; actively support the South African National Defence Force in the recruitment of Reserve Force volunteers; advise and assist with marketing, advertising and publicity in relation to the Reserve Force; liaise with international, continental, regional, national and local military veterans' and other organisations on Reserve Force matters; and provide guidance and advice to the Reserve Force or to any constituent structural component or member thereof on any matter falling within the ambit of the Act and the Council's object, mission, aims and mandate.

1.3 Functions of committee:

As a joint committee of both the National Assembly and National Council of Provinces (NCOP) of Parliament, the JSCD draws its mandate from Section 228(3) of the Interim Constitution, 1993, read with item 24(1) of Schedule 6 to the Constitution, 1996.

The JSCD is mandated to oversee the Department of Defence (DOD) and the Department of Military Veterans (DMV) to ensure that the Departments fulfil their mandate through the monitoring of the implementation of legislation and adherence to policies, such as the Defence Act (No. 42 of 2002), the Military Veterans Act (No. 18 of 2011), the White Paper on Defence (1996) as well as the Defence Reviews of 1998 and 2015. It must scrutinise legislation which supports the mission statement of Government; the budget and functioning of DOD and DMV; and the employment of the SANDF.

1.4 Method of work of the committee

- 1.3.1 The Committee performed its tasks in accordance with an oversight programme, which was aligned to both the parliamentary programme. This oversight programme is guided by committee resolutions, recommendations in adopted committee reports, additional obligations referred to it by the Speaker of the National Assembly and Chairperson of the NCOP, and the oversight dashboard designed by the Committee's administrative staff, Content and Research team.
- 1.3.2 Oversight of the departments and entities was exercised through parliamentary committee meetings to allow for continued monitoring of the capabilities and utilisation of the SANDF.
- 1.3.3 In addition to meetings, oversight was exercised through site visits to a number of military units around South Africa as well as deployment areas of the SANDF along the South African land borderline. The JSCD also visited a number of defence industry role-players, both state-owned and private, that supports the functioning of the SANDF. The Committee further conducted a joint Study Tour with the PCDMV to Germany in 2023, focusing on matters related to Force Structure and human resources management as well as defence industry management.
- 1.3.4 As a joint committee of Parliament, the JSCD does not process legislation.

1.4 Purpose of the report

The purpose of this report is to provide an account of the JSCD's work during the 6th Parliament and to inform the members of the new Parliament (7th Parliament) of key outstanding issues pertaining to the oversight of the Department of Defence and relevant entities.

This report provides an overview of the activities the committee undertook during the 6th Parliament, the outcome of key activities, as well as any challenges that emerged during the period under review and issues that should be considered for follow up during the 6th Parliament. It summarises the key issues for follow-up and concludes with recommendations to strengthen operational and procedural processes to enhance the committee's oversight and legislative roles in future.

2 Key statistics

The table below provides an overview of the number of meetings held, legislation and international agreements processed and the number of oversight trips and study tours undertaken by the committee, as well as any statutory appointments the committee made, during the 7th Parliament:

Activity	2019	2020	2021	2022	2023	2024	Total
Meetings held	6	14	22	22	21	4	89
Legislation processed	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Oversight trips undertaken	0	2	1	1	0	0	4
Study tours undertaken	0	0	0	0	1	0	1
International agreements processed	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Statutory appointments made	0	0	0	0	0	0	0
Interventions considered	0	0	0	0	0	0	0
Petitions considered	0	0	0	0	0	0	0

3. Stakeholders:

The Committee does not consider any legislation and therefore input from stakeholders were limited. Nonetheless, the Committee engaged with a number of external defence experts and academics on selected topics. In addition, the Committee held engagements with several related departments that contributes to the work of the DOD, including the Department of Public Enterprises and Denel, the Department of Transport, the Department of Public Works and Infrastructure the broader South African Defence Industry (SADI) through the relevant coordinating structures.

4. Briefings and/or public hearings

As noted, the Committee does not consider legislation and therefore input from stakeholders were limited. The following engagements with stakeholders should be highlighted for the 6th Parliament:

- *5 November 2020:*
Engagement with the Aerospace Maritime and Defence Industries (AMD) to orientate Members of the JSCD on the extent of the SADI and challenges faced by the industry. On the same day, the National Defence Industry Council also briefed the JSCD on the implementation of the Defence Industry Strategy.
- *3 September 2020:*
The Committee invited selected defence experts and academics to brief the Committee on matters related to SANDF's Force Structure & Force Design. **The JSCD should, in the 7th Parliament, consider similar engagements with external experts on the development of a new Human Resources Strategy.**
- *11 March 2021:*
The Committee again engaged AMD and the National Defence Industry Council on the status of the SADI and concerns around the functioning of the Directorate Conventional Arms Control (DCAC).
- *25 November 2021:*
Following an oversight visit to the South African land borders and witnessing the impact of vehicle smuggling across the border, the Committee called on selected vehicle tracker companies to brief it on engagement between these companies, the SANDF and the South African Police Service.
- *16 March 2023:*
The Committee held an engagement with Denel on its support to the SANDF.

5. Legislation

Being a joint committee of Parliament, the JSCD does not consider legislation.

5. Oversight trips undertaken

The following oversight trips were undertaken:

Date	Area Visited	Objective	Selected follow-up issues for the 7 th Parliament	Status of Report
27-29 Nov 2020	1 Military Hospital, the SA Army Main Ordnance Sub-depot Wallmansthal, Air Force Base Waterkloof, and	For the Defence Committees to familiarise themselves with the conditions at the three military bases, and especially circumstances under which our soldiers are deployed as part	<ul style="list-style-type: none"> • Security at military bases. • Encroachments of human settlements on military bases. • The state of borderline infrastructure. • Efforts to increase SANDF deployments 	Adopted

Date	Area Visited	Objective	Selected follow-up issues for the 7 th Parliament	Status of Report
	three landline border sites	of Operation Corona	<ul style="list-style-type: none"> along the border. The use of technology as a cost-effective force multiplier along South Africa's land borders. 	
20-21 Jul 2021	SANDF deployments in KwaZulu-Natal and Gauteng as part of Operation Prosper	To review the SANDF's role and participation in Operation Prosper, examine the level of cooperation with the Police and determine operational successes and challenges.	<ul style="list-style-type: none"> Effective guidelines for the domestic deployment of the SANDF. Training for domestic deployments with the police. The state of SANDF equipment. SA Air Force capacity to support internal deployment requirements. 	Report published in ATC 102-2021; 5 August 2021
23-24 Sep 2022	African Aerospace and Defence Expo (Gauteng)	For Members of Parliament to familiarise themselves with developments in the defence industry.	<ul style="list-style-type: none"> Broader security cluster support to the local defence industry. The use of domestically developed defence technologies for border safeguarding. The relationship between the NCACC and the defence industry. Clarity on the future and funding of Project Hoefyster. 	Adopted 13 October 2022.
3 Nov 2023	Rheinmetall Denel Munition (RDM) and Damen Shipyard (Western Cape)	To gain insight into the status of artillery munition development and availability for the SANDF, which is crucial to its operational readiness, as well as a progress update on Project Biro which is delivering three new Inshore Patrol Vessels (IPV) to the SA Navy.	<ul style="list-style-type: none"> Consideration of the Sa Navy's requirement for a 4th IPV. Naval acquisition needs over the medium-term. The need to address decreasing sea hours. Follow-up visits with RDM and Damen Shipyard Cape Town. 	Report published in ATC 168-2023; 28 November 2023.

a) Challenges emerging

The following challenges emerged during the oversight visit:

- Oversight application processing by Parliament:* The process of the JSCD having to apply to both Houses of Parliament for administrative, financial and political approval for site visits is cumbersome and often characterised by long wait-periods for sign off, which impacts on the administrative arrangements of oversight visits.

- *Opportunities for oversight limited:* Given that the JSCD must accommodate the planning programmes of both the National Assembly and the NCOP, limited opportunity exist for oversight visits. Strong consideration should be given the 7th Parliament to the use of sub-committees to conduct more oversight visits and report back to the JSCD.

b) Issues for follow-up

In addition to the areas for follow-up identified in the table above, the JSCD should consider increased oversight to the SANDF areas of deployment. Given that oversight of SANDF deployments is central to the function of the Committee, increased opportunity should be found for the Committee to visit deployment areas, both inside and outside South Africa. The use of sub-committees can again be considered to make such oversight visits possible.

6. Study tours undertaken

The following study tours were undertaken:

Date	Places Visited	Objective	Lessons Learned	Status of Report
25 Jun – 1 Jul 2023 (Joint Study Tour between the PCDMV and JSCD)	Berlin (Germany)	Dual objectives linked to ongoing work of the PCDMV and JSCD: <ul style="list-style-type: none"> • International comparison for SANDF Force Structure and Force Design. • International comparison in terms of defence industry management. 	<ul style="list-style-type: none"> • The need for SANDF personnel rejuvenation through the Development of a new Human Resources management strategy or adjusting the current strategy to ensure long-term stability in the SANDF's personnel contingent. • Finalisation of the Cybersecurity Bill. • Finalisation and implementation of the DCAC electronic permit application system. • Need for PCDMV and JSCD to visit domestic defence industry. 	ATC 26 September 2023. Report debated in the NA mini plenary of 10 November 2023.

a) Challenges emerging

The following challenges emerged during the study tours:

- *Oversight application processing by Parliament:* Lengthy application processes for approval from the two Houses of Parliament.
- *International Cooperation:* Cancellation of visit to other international destinations due to non-availability of counterparts in other countries.

b) Issues for follow-up

The 7th Parliament should consider following up on the following concerns that arose:

- The administration of Parliament should ensure more rapid response to the submission of requests and applications from Committees as lengthy delays for study tour applications and programme amendments impact on bilateral arrangements between the South African embassies and the host country.
- The JSCD of the 7th Parliament should prioritise oversight of the DOD Human Resources management strategy as it is essential to ensure stability in terms of Compensation of Employees in the Department as well as much needed force rejuvenation.

7. International Agreements

The following international agreements were processed and reported on:

Date referred	Name of International Agreement	Objective	Status of Report	Date of enforcement
21 September 2023	Agreement between the Government of the Republic of South Africa and the Government of the Republic of Indonesia concern cooperation in the field of Defence.	To enhance and strengthen mutual trust and cooperation in the defence and military fields, particularly with regard to the Armed Forces of both parties.	Report signed by both parties on 24 August 2023	24 August 2023

a) Challenges emerging

No challenges emerged during the processing of international agreements.

b) Issues for follow-up

The JSCD in the 7th Parliament should continue to monitor aspects related to gender equality in the defence sector, as per its constitutional mandate (See Legacy Report of the PCDMV for referral to the JSCD).

8. Statutory appointments

No statutory appointments that require parliamentary involvement were referred to the Committee.

9. Interventions

No formal interventions were referred to the Committee. However, the Committee did consider a request for investigation against the former Minister of Defence, Nosiviwe Mapisa-Nqakula, and the former Secretary of Defence, Dr Sam Gulube. The request was submitted to the Committee on 26 March 2021 by one of its Members, Hon Bantu Holomisa. Follow-up letters were submitted by Hon Holomisa on 23 April 2021 and 10 May 2021. The allegations against the Minister and Secretary of Defence included alleged “payments totalling over R5 million from a South African National Defence Force (SANDF) contractor, nepotistic appointments, alleged abuse of state resources, as well as allegations of extortion committed by the former Secretary of Defence, Dr Sam Gulube.” The Committee held several engagements on the matter, requested a legal opinion on the way forward and established a multi-party Task-Team to consider the matter further. The JSCD ultimately decided that it could not further investigate the complaint submitted by Hon Holomisa into allegations against the Minister of Defence due to a lack of cooperation from the whistle blower. The matter was concluded on 2 September 2021 when it was decided to close the investigation, but that the Task Team could be re-established if circumstances warrant it.

10. Petitions

No petitions were referred to the Committee.

11. Obligations conferred on committee by legislation:

Parliament’s Joint Rule 120 (d) (i) outlines that the Joint Standing Committee on Defence (JSCD) should “conduct a strategic review of the SANDF mid-term in the life of a particular Parliament and submit recommendations to both Houses on its transformation, integration, equity, morale and defence readiness.”

On 31 March 2023, The JSCD tabled (ATC 46 – 2023) its Mid-term Strategic Review of the South African National Defence Force in terms of Joint Rule 120 (d). The Report considered all aspects required in terms of the Rules. The following observations and recommendations from the Report are of particular relevance to the 7th Parliament:

Mid-term observations regarding the SANDF:

- The Committee notes that the integration process has formally been concluded and subsequent efforts at integration appropriately finalised by parliamentary structures. The Committee notes that minor concerns around the integration process, such as the use of dated force numbers and queries around military promotions, still remain.
- The Committee appreciates the immense work done since 1996 in making the SANDF more representative of the people of South Africa. Yet, the Committee also observes concerns going forward in maintaining this goal given the skewed nature of recent MSDS intakes as it relates to equity targets.
- As of December 2022, the Committee accepts that it is yet to undertake a detailed study of the level of morale in the DOD, but it notes indicators from structures such as the DFSC that efforts to boost morale should be enhanced.
- In relation to defence readiness, the Committee confirms the finding of the 2015 Defence Review that the SANDF is “in a critical state of decline” and that, by December 2022, the *status quo* remains with little progress made to address ongoing challenges.

- The Committee observes an increased reliance on the SANDF for both internal (domestic) deployments in support of the SAPS and other government departments, in addition to its external conventional peacekeeping and peace enforcement operations. While aligned to its Constitutional mandate, the SANDF is, in some instances, not fully suited, trained, funded and equipped for these internal deployments.
- The Committee acknowledges that the decreasing (in real terms) defence budgetary allocation is not commensurate with the increasing operational and unbudgeted deployment demands being placed on the SANDF.
- The Committee notes that the declining defence allocation as a percentage of the GDP is of concern, out of step with international trends and impacts negatively on long-term defence sustainability. The Committee notes the ongoing disjuncture between Treasury and the DOD, whereby the Department current has an unfunded organigram, and has had this for numerous consecutive years. Neither department has been able to correct this issue, resulting in a funding deficit which impacts on the financial performance of the Department.
- The Committee notes that the reduced defence allocation impacts negatively on the maintenance of sovereign defence capabilities.
- The Committee acknowledges that while the defence allocation may not be sufficient, there is misalignment of defence spending, notably the increasing expenditure on Compensation of Employees as a percentage of the defence budget since 2010. The Committee acknowledges that efforts are under way in the DOD to address this.
- The Committee expresses its concern around the decreasing availability of Prime Mission Equipment and inadequate logistical support due to maintenance constraints as well as the lack of new acquisition initiatives. However, the Committee remains hopeful that National Treasury will accede to the request of the PCDMV in its 2022 BRRR to urgently fund selected prime mission equipment maintenance and acquisition, especially as it relates to logistical support provision for deployed forces.
- The Committee notes decreased training efforts, specifically around Prime Mission Equipment in the SA Air Force and SA Navy. Further engagements by the JSCD also revealed similar concerns around training in other arms of service and especially in the Reserve Force.
- The Committee concludes that the level of defence readiness of the SANDF, including its conventional and secondary military roles, is deteriorating and is in urgent need of redress to prevent the loss of capabilities and conventional obsolescence. Delays in addressing this decline will impact the SANDF's ability to fulfil its Constitutional mandate.

Mid-term recommendations regarding the SANDF:

- The JSCD makes the following undertakings to the Houses of Parliament in relation to Rule 120 (d)(i) on which will be further reported at the end of the 6th Parliament (in the JSCD Legacy Report):
 - The JSCD will request the DOD to explain the populations figures in the Annual Reports of 2018/19 and 2020/21, as it is unlikely that these figures were captured correctly. The Committee encourages the DOD to avoid such misstatements in future.
 - The JSCD will request from the DOD the figures of MSDS members retained in the SANDF and report in its Legacy Report how this and other Reserve Force recruitment efforts impact on force rejuvenation.
 - The JSCD will engage the DOD and relevant structures on the status of SANDF morale.
- The Committee recommends that the DOD enhance its efforts to address representivity regarding race and gender. The Houses of Parliament should encourage the SANDF to increase its efforts to keep the Force broadly representative of the people of South Africa, specifically through its intake of young South Africans, and that the SANDF should continue to report to the Houses on this matter through the JSCD.

- The Committee encourages the DoD and Treasury to meet with a view of reviewing the existing Compensation of Employees ceiling affecting the funding of the organisational staff structure.
- Based on the concerns expressed by the JSCD in this report regarding the state of defence readiness in South Africa, both Houses of Parliament should consider a debate on the status of the SANDF with specific focus on the following:
 - The desired roles and functions for the SANDF.
 - The appropriate funding of the SANDF to fulfil its desired roles and functions.
 - The reduced level of force readiness of the SANDF, specifically as it relates to its conventional role and its ability to fulfil its Constitutional mandate.
 - The medium to long-term acquisition and maintenance of prime mission equipment and logistical support equipment to meet the Force's conventional operational requirement.

12. Summary of outstanding issues relating to the department/entities that the committee has been grappling with

The following key issues are outstanding from the committee's activities during the 7th Parliament:

Responsibility	Issue(s)
Parliament's presiding officers	<i>Parliamentary defence debate:</i> The JSCD recommended in its March 2023 Mid-term Review Report that both Houses of Parliament should consider a debate on the status of the SANDF. This debate was not scheduled by either the National Assembly or the NCOP but remains a need. The presiding officers in the 7 th Parliament are therefore urged to consider such a debate in an effort to move towards a broader consensus of the future defence requirements of the country.
Minister of Defence, Secretary for Defence and DOD	<i>SANDF Future Strategic Direction:</i> The Minister of Defence indicated that the DOD is in the process of developing a new Future Strategic Direction that will determine a new level of defence ambition that the country can afford and maintain. The deadline for the development of this strategy was the end of the 2023/24 financial year. The roll-out and finalisation of this process will require careful scrutiny by the 7 th Parliament.
DOD	<i>SANDF flying hours and sea hours:</i> The JSCD has consistently tracked the flying hours of the SA Air Force and the sea hours of the SA Navy and called for improvement in this regard. Yet, due to several concerns, including a declining budget, spares unavailability and maintenance delays, performance in this regard has regressed.
Armcor, Denel and the DOD	<i>Status of prime-mission equipment:</i> The JSCD and PCDMV raised concern over the contract management for SANDF prime mission equipment, specifically in terms of spares procurement for the SA Air Force and maintenance contracts for SA Air Force aircraft. Furthermore, finality on the way forward for Phase 2 of Project Hoefyster is required. Both these aspects require follow-up in the 7 th Parliament.
DOD	<i>Border safeguarding:</i> The JSCD conducted visits to the SANDF border deployments and received regular updates on the status of border deployments. The Committee remains concerned that the scope of deployment remains too limited, and that border safeguarding technology should be used as a force multiplier on the

Responsibility	Issue(s)
	borders. The 7 th Parliament is also encouraged to track efforts to replace the Mobility Packs on the borders as these will shortly reach the end of their lifespan. The 7 th Parliament may also consider a multi-committee oversight approach of all security services involved in border safeguarding.
DOD	<i>State of the SANDF Reserves:</i> The JSCD has expressed its concern over the state of the SANDF Reserves, its growing age profile, the vacancy for the head of the Reserve Force and the current inability of the Reserves to rejuvenate due to recruitment campaigns being halted. The 7 th Parliament should continue oversight in this regard and should view this matter with the proposal for a new Human Resources Management Strategy in the SANDF (See the Study Tour Report)
DOD and National Treasury	<i>Cost of SANDF deployments:</i> The utilisation of the SANDF requires additional funding and both the JSCD and PCDMV conducted oversight of this. While the SANDF were mostly reimbursed for its deployments during the 6 th Parliament, there are outstanding fees owed to the SANDF from other government departments, which requires follow-up by the 7 th Parliament. The latter months of the 6 th Parliament also saw a number of domestic deployments of the SANDF with the South African Police Service (SAPS) and the reimbursement of these deployments requires monitoring by the 7 th Parliament.
DFSC and DOD	<i>Future of the DFSC and implementation of recommendations:</i> With the Defence Union reaching its required threshold, the future of the DFSC remains unclear. While the Minister of Defence indicated that there is scope for both bodies to exist, the 7 th Parliament should continue to monitor developments in this regard. Furthermore, there has been slow progress in the implementation of the DFSC recommendations which requires further follow-up in the 7 th Parliament.
Military Ombud and DOD	<i>Implementation of recommendations:</i> The Military Ombud has improved in its functioning and dealing with complaints from both SANDF members and the public. However, there have been delays in the implementation of some of the Ombud's recommendations by the Minister of Defence. Furthermore, the 7 th Parliament should follow up on the Ombud's marketing efforts to the public, especially in areas where the SANDF is deployed domestically.
NCACC	<i>Electronic permit management system:</i> The JSCD noted discontent among the SADI regarding the use of a manual paper-based application process for import and export permits. The JSCD has monitored efforts to develop an electronic permit management system which, by the end of the 6 th Parliament, was being tested for final implementation. The full implementation should be tracked in the 7 th Parliament, including through engagements with the NCACC and the SADI.

13. Other matters referred by the Speaker/Chairperson

The primary referrals from the Speaker of the National Assembly and the Chairperson of the NCOP relates to the presidential deployment letters of to authorise SANDF deployments. These were considered by the Committee and the consideration thereof reflected in the minutes of the JSCD meetings.

Date of Presidential letter	Date of JSCD consideration	Content of referral	Outcome
13 Sep 2019	10 Oct 2019	Extension of employment of SANDF members for service in cooperation with the South African Police Service	Letter adopted
4 March 2020	22 Apr 2020	Letter on the employment of members of the SANDF to Wuhan City in the Hubei Province of the People's Republic of China.	Letter adopted
2 April 2020	22 Apr 2020	Letter on the extension of the employment of members of the South African National Defence Force (SANDF) in the Mozambique Channel. Letter on extension of SANDF's participation in United Nations Organisation Stabilisation Mission in the DRC. Letter of extension of South Africa's participation in Operation Copper.	Letters adopted
22 April 2020	22 Apr 2020	Letter on the employment of members of the SANDF in support of the SAPS to maintain law and order, support to other state departments and border line control to combat the spread of COVID 19 in all nine provinces.	Letter adopted
2 July 2020	18 Jun 2020	The employment of additional members of the SANDF in support of the South African Police Service (SAPS) and other State Departments dated 23 April 2020	Minutes adopted.
4 Jan 2022	22 Feb 2022	Employment of members of the SANDF for service in cooperation with the South African Police Service	Letter adopted.
28 Feb 2022	3 Mar 2022	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the Southern African Development Community (SADC)	Letter adopted.
5 April 2022	21 April 2022	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the United Nations Organisation stabilization mission in the Democratic Republic of the Congo (Monusco)	Letter adopted.
3 April 2022	21 April 2022	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the Southern African Development Community (SADC)	Letter adopted.

Date of Presidential letter	Date of JSCD consideration	Content of referral	Outcome
14 April 2022	21 April 2022	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the Southern African Development Community (SADC)	Letter adopted.
26 April 2022	5 May 2022	Employment of the SANDF for service inside the Republic of South Africa to preserve life, health or property in emergency or humanitarian relief operations in the Kwa-Zulu Natal and Eastern Cape provinces	Letter adopted.
21 June 2022	25 August 2022	Extension of the employment of the SANDF for service inside the Republic of South Africa to preserve life, health or property in emergency or humanitarian relief operations in the Kwa-Zulu Natal	Letter adopted.
23 December 2022	23 February 2023	Letter from the President of the Republic, dated 23 December 2022, to the Speaker of the National Assembly, informing members of the Assembly of the employment of members of the South African National Defence Force for service in cooperation with the South African Police Service for the prevention and combating of crime, maintenance and preservation of law and order in the Republic of South Africa under Operation PROSPER.	Letter adopted.
17 March 2023	23 March 2023	Employment of members of the SANDF for service in cooperation with the South African Police Service.	Letter adopted.
6 April 2023	20 April 2023	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the Southern African Development Community (SADC)	Letter adopted.
6 April 2023	20 April 2023	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the United Nations Organisation stabilisation mission in the Democratic Republic of the Congo (MONUSCO)	Letter adopted.
6 April 2023	20 April 2023	Extension of employment of members of the SANDF for service in fulfillment of an international obligation of the Republic of South Africa towards the Southern African Development Community to support the Republic of Mozambique on Operation Vikela.	Letter adopted.
2 May 2023	11 May 2023	Extension of employment of members of the SANDF for service in cooperation with the South African Police Service for protecting Eskom power stations.	Letter adopted.
24 July 2023	7 September	Employment of the SANDF for service inside the Republic of South	Letter adopted.

Date of Presidential letter	Date of JSCD consideration	Content of referral	Outcome
	2023	Africa to stop ongoing attacks and burning of trucks particularly in Mpumalanga, Gauteng, Limpopo and North West.	
23 October 2023	26 October 2023	Extension of employment of members of the SANDF for service in cooperation with the South African Police Service for protecting Eskom power stations.	Letter adopted.
3 November 2023	16 November 2023	Extension of employment of members of the SANDF for service in cooperation with the South African Police Service to conduct a high intensified anti criminality on illegal mining in all provinces.	Letter adopted.

a) Challenges emerging

The following challenges emerged during the processing of the referral:

- Given the parliamentary programmes, recess periods and limited scope for JSCD meetings, there was often a delay between Parliament receiving the letter of deployment (from the Presidency or Minister) and the JSCD considering them.

b) Issues for follow-up

The 7th Parliament should consider developing a standard model for the consideration of letters within a specific timeframe from such letters being received by Parliament.

14. Recommendations

The JSCD showed significant improvement in meeting more regularly during the 6th Parliament. This trend should be continued in future and may be aided by the 7th Parliament considering the following:

Administrative recommendations:

- Parliament should fill the vacancy of a parliamentary defence researcher for the JSCD.
- The JSCD in the 7th Parliament should consider a time-slot for weekly meetings that would ensure regular meetings can take place. During the 6th Parliament, the JSCD met virtually at 18:00 on Thursday evenings, which managed to increase the regularity of meetings compared to previous parliaments. However, on occasion, this time-slot was affected by NCOP sittings running into the evening.

- The JSCD in the 7th Parliament should consider making use of sub-committees for oversight visits given the limited opportunity afforded to the JSCD in the parliamentary programmes of the National Assembly and the NCOP to conduct oversight visits.
- The 6th Parliament saw strong cooperation between the JSCD and the PCDMV, which improved oversight. The 7th Parliament should continue this cooperation and should also consider ensuring that Members of the PCDMV serve on the JSCD.

Overarching oversight focus area recommendations:

- The JSCD of the 7th Parliament should continue to focus on its constitutional mandate by emphasising oversight of the SANDF, its functioning and operational capacity. This is especially relevant given the increase in deployment of the SANDF witnessed during the 6th Parliament.
- Flowing from the JSCD's Study Tour recommendation, the 7th Parliament should prioritise the Human Resources management, expenditure, and rejuvenation as key priorities to ensure long-term stability and capability in the SANDF. The management of the Reserve Force is strongly related to this recommendation.
- The 7th Parliament should continue to engage the domestic defence industry, ensure that it received optimal support and that, where contracted, it benefits the SANDF and its capabilities. Related to this, the JSCD should continue to monitor developments around Denel as it impacts directly on the SANDF.
- The 7th Parliament should ensure thorough oversight of SANDF deployments and ensure that the SANDF is sufficiently equipped and funded for such missions. This will be of specific importance to the 7th Parliament that will oversee the SANDF deployed in two South African Development Community (SADC) deployments in Mozambique and the Democratic Republic of Congo (DRC).

15. Master attendance list

As of 28 March 2024, the Committee composition and staff members included the following:

Committee Members (National Assembly):

African National Congress

- Hon VC Xaba (co-Chairperson)
- Hon TN Mmutle
- Hon A Phethle (Alternate Member)
- Hon TI Legwase
- Hon MRM Mothapo
- Hon M Zungu

Democratic Alliance

- Hon SJF Marais
- Hon ML Shelembe

Economic Freedom Fighters

- Hon TWI Mafanya

Inkatha Freedom Party

- Hon Inkosi R Cebekhulu (Alternate Member)

United Democratic Movement

- Hon Gen BN Holomisa (Alternate Member)

Pan African Congress

- Hon M Nyhotso (Alternate Member)

Committee Members (National Council of Provinces):

African National Congress

- Hon EM Nchabeleng (co-Chairperson)
- Hon NE Nkosi
- Hon M Bartlett

Democratic Alliance

- Hon D Ryder

Economic Freedom Fighters

- Hon KT Motsamai

Parliamentary Committee Staff:

- | | |
|----------------------------|----------------------|
| • Dr WK Janse van Rensburg | Content Advisor |
| • Ms N Maxhegwana | Committee Secretary |
| • Mr G Makay | Committee Assistant |
| • <i>Position vacant</i> | Committee Researcher |