



**DEPARTMENT OF  
TRADITIONAL AFFAIRS**

# **ANNUAL PERFORMANCE PLAN**

**2021/2022**



**traditional affairs**

Department:  
Traditional Affairs  
REPUBLIC OF SOUTH AFRICA





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MARCH 2021



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**PUBLISHED BY THE  
DEPARTMENT OF TRADITIONAL  
AFFAIRS**

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RP: 73/2020

ISBN: 978-0-621-49235-4

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## LIST OF ABBREVIATIONS/ACRONYMS

APP	Annual Performance Plan
CBOs	Community Based Organizations
CBS	Capacity Building Strategy
CD	Chief Director
CFS	Corporate and Financial Services
CFO	Chief Financial Officer
CIA	Customary Initiation Act
CIB	Customary Initiation Bill
CoGTA	Cooperative Governance and Traditional Affairs
COVID-19	Coronavirus 2019
CRLRC	Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities
CRDP	Comprehensive Rural Development Programme
CPA	Communal Property Association
CONTRALESA	Congress of Traditional Leaders of South Africa
CWP	Community Works Programme
DALRRD	Department of Agriculture, Land Reform and Rural Development
DCoG	Department of Cooperative Governance
DDG	Deputy Director-General
DG	Director-General
DDM	District Development Model
DPSA	Department of Public Service and Administration
DTA	Department of Traditional Affairs
DWYPD	Department of Women, Youth and Persons with Disabilities
EE	Employment Equity
EEP	Employment Equity Plan
FY	Financial Year
FM	Frequency Modulation
GRPBMEA	Gender Responsive Policy, Planning, Budgeting, Monitoring, Evaluation and Auditing
GBVF	Gender Based Violence and Femicide
HOD	Head of Department
HR	Human Resources
HSRC	Human Science Research Council
IDP	Integrated Development Plan
IGR	Intergovernmental Relations
ISC	Institutional Support and Coordination

ISRDP	Integrated Sustainable Rural Development Programme
LGBTQ+	Lesbian, Gay, Bisexual, Transgender and Queer Society
LGSETA	Local Government Sector Education and Training Authority
LHTLs	Local Houses of Traditional Leaders
MEC	Member of the Executive Council
MINMEC	Minister and Members of Executive Councils Committee
MP	Member of Parliament
MTEF	Medium Term Expenditure Framework
MTSF	Medium Term Strategic Framework
NARYSEC	National Rural Youth Services Cooperative
NCOP	National Council of Provinces
NDP	National Development Plan
NGOs	Non-Governmental Organisations
NHTLs	National House of Traditional Leaders
PanSALB	Pan South African Language Board
PESTEL	Political, Economic, Social, Technological, Environment, Legal
PFMA	Public Finance Management Act
PSC	Public Service Commission
PHTLs	Provincial House of Traditional Leaders
RIM	Research and Information Management
RPL	Research, Policy and Legislation
SALGA	South African Local Government Association
SAHRC	South African Human Rights Commission
SETA	Sector Education Training Authority
SPLUMA	Spatial Planning and Land Use Management Act
SONA	State of the Nation Address
SP	Strategic Plan
SWOT	Strengths, Weaknesses, Opportunities & Threats
TC	Traditional Council
TCs	Traditional Councils
TCos	Traditional Courts
TID	Technical Indicator Description
TLGFA	Traditional Leadership and Governance Framework Act
TKLA	Traditional and Khoi-San Leadership Act
ToR	Terms of Reference
UN	United Nations



# EXECUTIVE AUTHORITY STATEMENT



**DR NKOSAZANA DLAMINI ZUMA, MP**

As we present this Annual Performance Plan (APP), we are nearing the end of the second year of the Medium-Term Strategic Framework (MTSF) period, and are still confronted by the triple challenges of unemployment, poverty and inequality, worsened by the twin pandemics, the COVID-19 pandemic and the Gender Based Violence and Femicide (GBVF) and violence directed at the LGBTQ+ society.

COVID-19 has been a big blow to our nation and to the global world, the aftermath of which has been enormous economic losses for South Africa, owing to serious economic contraction, estimated at about 7.2%. The consequences of this unfavourable situation have been massive job losses, loss of income for many South Africans, increased poverty and many other consequential conditions that ensued thereafter.

The GBVF pandemic has also been devastating to our country, affecting many of our people, particularly women and children. We cannot afford or wish for a prosperous country if women and children including other vulnerable members of our society are continuously attacked, killed, abused or mistreated. We have seen some devastating crimes perpetuated against women and children, worse by their loved ones in some cases. Our efforts will equally be dedicated to fight the GBVF (including violence directed at the LGBTQ+) pandemic and the institution of traditional leadership remains instrumental to the fight.

We are pleased that in the face of the devastating COVID-19 pandemic, government has been able to contain the spread of the virus through the deployment of differentiated alert levels that came with COVID-19 specific regulations enabled by the Disaster Management Act of 2002. The structure set-up by Government to expedite the financing, sourcing and procurement of a vaccine for COVID-19 is expected to contribute towards relieving the country of the COVID-19 disaster, giving us hope for the much needed economic recovery that will benefit the majority of South Africans. It is further expected that with the vaccination of the front line staff and later most of our citizens, service delivery and business is expected to return to some normality and that the country's economy should begin to grow from the state it is now for the better, with the steady job creation opportunities and steady return to work or re-employment. As is in our nation's character, we remained determined as we embarked on a very difficult balancing act of saving lives whilst

stimulating economic growth. The National Development Plan (NDP) 2030 and the MTSF remains our key reference points for the trajectory of building a capable, ethical and developmental state as a key priority of Government.

The District Development Model (DDM), has been the pillar of our drive for a people centred development and delivery. We have identified districts as the geographic space in which we will make a difference and change the lives of our people for the better, by restoring their dignity through growing the economy, supporting small businesses, embarking on agricultural support, creating jobs and focusing on other critical economic stimulus interventions, with traditional leadership as a critical partner.

Included in this work of the DDM is the 10 worst affected districts and metros located in the Provinces of Kwazulu Natal, Limpopo and the Eastern Cape that all have common characteristics of rich soil, mineral deposits, farming opportunities, abundance of arable land, tourism opportunities including cultural and heritage tourism, oceans economic potential, import and export corridors, wildlife potential and many other economic growth, that we will pursue in our quest for bringing the much needed livelihoods relieve to our communities.

The pace of the implementation of the DDM must get momentum so that by the mid-term, we are able to reflect on the milestones realised and lessons we need to soldier on with even more drive towards a better South Africa. The institution of traditional leadership remains a key partner in this work and we will continue to leverage this partnership to optimise the impact of our collective efforts.

I thank you.



**Dr Nkosazana Dlamini Zuma, MP**

**Minister of Cooperative Governance and Traditional Affairs**

## DEPUTY MINISTER STATEMENT



As we prepare for the next financial year 2021/2022, we remind ourselves and the nation about the role played by the institution of traditional leadership in governance. As part of that role, the institution's contribution towards the implementation of the seven (7) MTSF priorities of Government during this 2020-2025 MTSF is informed by the following key focus areas amongst others;

- a) Fighting COVID-19 and Gender Based Violence and Femicide (GBVF) pandemics, including violence directed at the LGBTQ+ society.
- b) Mobilising and raising awareness for the institution of traditional leadership to support and partner for the implementation of the District Development Model.
- c) Participating in investment programmes for inclusive growth by promoting land reform and rural development as well as the full utilization of communal land in districts.
- d) Promoting employment and entrepreneurship through supporting the implementation of the mining charter, amongst others, in districts and metros.
- e) Call for the inclusion of smart villages in the development of plans for specific investment in the development of smart cities and towns, in districts and metros.
- f) Promote gender representation within structures of traditional leadership and women empowerment.
- g) Supporting the development of district rural nodes and the promotion of rural investment (Invest-Rural).
- h) Convert under-utilised communal land into production in districts and metros.
- i) Avail Traditional Council infrastructure as municipal satellites or government's supplementary service centres.
- j) COVID-19 pandemic has laid bare the real challenges that face South Africa, which undoubtedly require a quantum leap approach to overcome. The impact of the pandemic has been devastating to the vulnerable members of our society and somehow brought to light the worsening situation of twin-pandemic, the Gender Based Violence and Femicide (GBVF), including violence directed at the LGBTQ+ society.

This is so because of the changes to the social traditions that compelled family units to stay home together, thereby arousing deep rooted challenges of gender-based violence and femicide.

We have steadily and carefully moved from one alert level to another to bring to the pathway all the resources needed to restore livelihoods and begin to rebuild South Africa. The COVID-19 pandemic presented what is described as a 'New Normal', a situation that in its tragic circumstances, has also presented opportunities to

improve the work of government in the areas of Traditional Communities to work on the land for agricultural economic development.

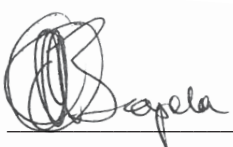
We have mobilised all the Government sector partners to play their role in fighting the scourge which has thus far accounted to close to 50 000 casualties, *may their departed souls rest in peace*. The institution of traditional leadership has equally lost leaders because of this pandemic. I wish to commend the health workers and all the others institutions of the state for having worked and continue to work tirelessly to save the lives of many South Africans, they have been our soldiers at the forefront of fighting this pandemic. We welcome the vaccination of our frontline workers and our citizens, which brings hope for growth and development.

Our task this year is to focus on the development of the One Plans of municipalities for integration with the Integrated Development Plans for implementation as the next phase of the District Development Model. These plans will bring into one space, the resources for development and service delivery and the contribution by all roles players. Traditional Leadership, as a key partner in these processes, will undoubtedly play a significant role in assisting municipalities to identify the needs of communities to be factored into the One Plans and the IDPs.

As a resilient country, we have not lost sight of our objective of building the economy that must grow and create jobs. We have introduced the economic stimulus package to regroup and grow South Africa. I would like to acknowledge the immense contribution by traditional leadership in the fight against COVID-19 but equally so to contribute towards rebuilding the economy. We have joined hands with our Royalty to fight and eradicate Gender Based Violence and Femicide, including violence directed at the LGBTQ+ society.

The President has signed the Traditional and Khoi-San Leadership Bill into law, which will be effective from 1 April 2021, this law gives an official recognition of the Khoi-San Communities. Through this law, the mandate of the department is enhanced to coordinate traditional affairs activities across government. Our plans aim to grow the partnerships and working together as government to promote Institution of Traditional Leaders and improve the lives of people in the Traditional communities and take the implementation of the Agrarian Revolution programme as an economic development mechanism.

I thank you.



**Mr Obed Bapela, MP**

**Deputy Minister of Cooperative Governance and Traditional Affairs**

# ACCOUNTING OFFICER STATEMENT



We have developed this Annual Performance Plan (APP), objectively to contribute towards achieving the outcomes as articulated in our Strategic Plan for 2020 – 2025 MTSF period. With the resources at our disposal, that is the limited number of staff of not more than 120 in total and the annual financial allocation of not more than R165 million, the Department remains determined to realise the targets set in our APP.

The Department has set the following as its outcomes that will be its focus over the MTSF period;


- a) **Effective governance of the Department:** This is about maintaining and improving on the governance of the Department and effecting the necessary improvements on the control environment in order to maintain a clean audit. The Department continues to pay attention to the compliance matters in line with the compliance framework of Government, as a requirement.
- b) **Safe initiation practices:** The enactment of the Customary Initiation Bill is one of the key instruments that will assist in curbing fatalities associated with cultural initiation practices. The Bill is now before the National Assembly for further processing, after having been referred by the NCOP. The Portfolio Committee for Cooperative Governance and Traditional Affairs has concurred with the NCOP amendments and it is expected that the necessary Parliamentary processes will unfold towards the enactment of the Bill into an Act. It is anticipated that the Act will be enacted during the 2021/2022 financial year.
- c) **Functional institution of traditional and Khoi-San leadership:** Various means will be pursued to ensure the functionality of traditional leadership institutions such as the handbook on tools of trade for traditional leaders, framework on powers and functions of traditional leaders, Commission on Khoi-San matters that will be appointed to facilitate the recognition of Khoi-San communities and leaders and lastly, the reconstitution of traditional councils. The Traditional and Khoi-San Leadership Act, 2019 (Act no 3 of 2019) will commence on 1 April 2021, paving the way for the reconstitution of traditional leadership structures and the recognition of the Khoi-San communities and Leaders, amongst others.
- d) **Developed communities in areas of traditional leadership:** The focus will be on the implementation of the Agrarian Revolution Programme and the involvement of traditional leadership in the District Development Model. The Traditional Leadership sector is expected to play a meaningful role in the development, economic growth and service delivery. The expectation here is that the potential of traditional communities should be unlocked, and opportunities tapped into to enable development, growth and service delivery.

- e) **Transformed institution of traditional leadership:** This relates to the transformation of the institution to conform to the Constitutional obligations, the capacitation of Houses and Councils, the participation of traditional leadership in the social cohesion programmes as the custodians of culture and most importantly, women representation in traditional leadership structures such as houses and traditional councils.

In response, we have proposed indicators, outputs and targets for the 2021/2022 that will contribute towards the achievement of our outcomes over a period of time. We have equally made effort to respond to the requirements of our assurance providers as a compliance function and requirement.

We shall at the end of the financial year, through our annual reporting, give account of our delivery to these important commitments of Government.

I thank you.



**MR. MJ DIPHOFA**  
**DIRECTOR-GENERAL**

## OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan 2021-2022:

Was developed by the management of the Department of Traditional Affairs (DTA) under the guidance of the Minister for Cooperative Governance and Traditional Affairs, Dr Nkosazana Dlamini Zuma, MP.

Takes into account all the relevant policies, legislation and other mandates for which the Department of Traditional Affairs is responsible.

It accurately reflects performance targets which the Department of Traditional Affairs will endeavor to achieve, given the resources made available in the budget for 2021-2022.

**MS RS MOGALADI**  
DDG: RPL

Signature:



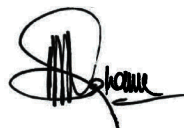
**MS TZL SHANDU**  
DDG: ISC

Signature:



**MR OM APHANE**  
CD: CFS

Signature:



**MR JM MASHISHI**  
Head Official responsible for Planning

Signature:



**MR MJ DIPHOFA**  
Accounting Officer

Signature:



**MR O BAPELA, MP**  
Deputy Minister

Signature:



Approved by:

**DR NKOSAZANA DLAMINI ZUMA, MP**  
Executive Authority

Signature:





## PART A: OUR MANDATE

## 1. Constitution of South Africa

NO	LEGISLATION	DESCRIPTION
1	Constitution of South Africa	<p>The Department's mandate includes overseeing a full range of tasks inherent in dealing with all issues of traditional affairs; and it is informed by the following legislative framework:</p> <p>The work of the Department is informed by <b>Chapter 1 of the Constitution dealing with the founding provisions as follows;</b></p> <p>"The official languages of the Republic are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu. Recognising the historically diminished use and status of the indigenous languages of our people, the state must take practical and positive measures to elevate the status and advance the use of these languages.</p> <p>3(a) Municipalities must take into account the language usage and preferences of their residents. (b) The national government and provincial governments may use any particular official languages for the purposes of government, taking into account usage, practicality, expense, regional circumstances and the balance of the needs and preferences of the population as a whole or in the province concerned; but the national government and each provincial government must use at least two official languages.</p> <p>4. The national government and provincial governments, by legislative and other measures, must regulate and monitor their use of official languages. Without detracting from the provisions of subsection (2), all official languages must enjoy parity of esteem and must be treated equitably.</p> <p>5. A Pan South African Language Board (PanSALB) established by national legislation must (a) promote, and create conditions for, the development and use of (i) all official languages; (ii) the Khoi, Nama and San languages; and (iii). sign language ; and (b) promote and ensure respect for (i) all languages commonly used by communities in South Africa, including German, Greek, Gujarati, Hindi, Portuguese, Tamil, Telegu and Urdu; and (ii) Arabic, Hebrew, Sanskrit and other languages used for religious purposes in South Africa.</p> <p><b>Chapter 2: Bill of Rights</b></p> <p><b>Section 15 (3)(a) Freedom of religion, belief and opinion</b></p> <p>3(a). This section does not prevent legislation recognizing (i). marriages concluded under any tradition, or a system of religious, personal or family law; or (ii) systems of personal and family law under any tradition, or adhered to by persons professing a particular religion. (b) Recognition in terms of paragraph (a) must be consistent with this section and the other provisions of the Constitution.</p> <p><b>Section 31 of the Constitution: Cultural, religious and linguistic communities</b></p> <p>1. Persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community –(a) to enjoy their culture, practice their religion and use their language; and (b) to form, join and maintain cultural, religious and linguistic associations and other organs of civil society. 2. The rights in subsection (1) may not be exercised in a manner inconsistent with any provision of the Bill of Rights.</p> <p>The work of the Department is also informed by <b>Chapter 7 of the Constitution on Local Government, Section 151(3) which stipulate that "a municipality has the right to govern, on its own initiative, the local government affairs of its community, subject to national and provincial legislation as provided in the constitution"</b></p>

NO	LEGISLATION	DESCRIPTION
		<p><b>Chapter 8:</b> The courts are (e). any other court established or recognised in terms of an Act of Parliament, including any court of a status similar to either the High Court of South Africa or the Magistrates' Courts.</p> <p>The work of the Department is further informed by <b>Chapter 12 of the Constitution</b>, relevant policies, the legislation administered by the Department, national policies and laws relating to the public service as a whole, and those pieces of legislation that promote constitutional goals such as equality and accountability.</p> <p>The Department's mandate is particularly derived from <b>Section 211 of the Constitution</b> of the Republic of South Africa, 1996, which states that "the institution, status and role of traditional leadership, according to customary law, are recognized, subject to the Constitution. A traditional authority that observes a system of customary law may function subject to any applicable legislation and customs, which includes amendments to, or repeal of, that legislation or those customs. The courts must apply customary law when that law is applicable, subject to the Constitution and any legislation that specifically deals with customary law".</p> <p>The Department's mandate is also derived <b>from Section 212 of the Constitution</b> which stipulates that "national legislation may provide for a role for traditional leadership as an institution at local level on matters affecting local communities. To deal with matters relating to traditional leadership, the role of traditional leaders, customary law and the customs of communities observing a system of customary law. National or provincial legislation may provide for the establishment of houses of traditional leaders; and national legislation may establish a council of traditional leaders".</p> <p>The Department's mandate is also informed by Part A of Schedule 4 of the Constitution, which states "indigenous law, customary law and traditional leadership are both functional areas of concurrent national and provincial legislative competence, subject to the provisions of Chapter 12 of the Constitution".</p> <p>Furthermore, the Department's mandate is informed by <b>Section 30 of the Constitution- Language and Culture</b> and it states that "everyone has the right to use the language and participate in the cultural life of their choice, but no-one exercising these rights may do so in a manner inconsistent with any provision of the Bill of Rights".</p> <p>In addition, the Department's mandate is informed by <b>Section 31 of the Constitution on Cultural, Religious and Linguistic Communities</b>, which states that "persons belonging to a cultural, religious or linguistic community may not be denied the right, with other members of that community to enjoy their culture, practice their religion and use their language; to form, join or maintain cultural, religious and linguistic associations and other organs of civil society. It further states that the rights in this section may not be exercised in a manner inconsistent with any provision of the Bill of Rights".</p>

## 2. Updates to the Relevant Legislative and Policy Mandates

NO	LEGISLATION	DESCRIPTION
2	<b>Traditional Leadership and Governance Framework Act (TLGFA), 2003 (Act No. 41 of 2003)</b>	<p>The Department also derives its mandate from the TLGFA. Section 19 of the TLGFA places a responsibility on the Department or a provincial government, as the case may be, through legislative or other measures, to provide a role for traditional councils or traditional leaders in respect of arts and culture; land administration; agriculture; health; welfare; the administration of justice; safety and security; the registration of births, deaths and customary marriages; economic development; environment; tourism; disaster management; the management of natural resources; the dissemination of information relating to government policies and programmes; and education. Section 20 of the TLGFA also outlines the responsibilities and conditions for the Department when allocating the above-mentioned roles to traditional leaders and traditional councils.</p> <p>The TLGFA furthermore provides for the recognition of traditional communities and leaders, as well as the establishment of traditional leadership structures such as traditional councils. It also provides for houses of traditional leaders, the functions and roles of traditional leaders and dispute resolution.</p> <p>It should be noted that the TLGFA will be repealed once the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019)(TKLA) commences.</p>
3	<b>National House of Traditional Leaders (NHTL) Act, 2009 (Act No. 22 of 2009)</b>	<p>The NHTL Act provides for the establishment of the National House of Traditional Leaders and determines the powers, duties and responsibilities of the House. It furthermore provides for support to the House by national government, the relationship between the House and the Provincial Houses, and the accountability of the House. Therefore, the NHTL Act places a responsibility on the Department to provide support to the National House of Traditional Leaders.</p>
4	<b>Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA)</b>	<p>The TKLA was assented to on 20 November 2019 and published in the Government Gazette on 28 November 2019 as Act No. 3 of 2019.</p> <p>The TKLA consolidates the existing legislation (the TLGFA and the National House Act) and subsequently will repeal those laws. It also addresses shortcomings that were identified during the implementation of those two pieces of legislation. Of historic value is that the TKLA, for the first time ever, makes provision for the statutory recognition of Khoi-San communities and leaders. For this purpose, a Commission on Khoi-San Matters must be established which Commission will operate at national level.</p> <p>The TKLA also provides an enabling provision for the Department to monitor the implementation of this new law.</p> <p><b>Schedule 4 of the Constitution:</b> Functional areas of concurrent national and provincial legislative competence: Traditional leadership, subject to Chapter 12 of the Constitution.</p>
5	<b>Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities Act (Act 19 of 2002)</b>	<p>This Act provides for the promotion and protection of the rights of cultural, religious and Linguistic Communities, inclusive of traditional communities, Khoi and San and Interfaith.</p>

NO	LEGISLATION	DESCRIPTION
6.	<b>Local Government: Municipal Structures Act (Act 117 of 1998)</b>	<p>The Municipal Structures Act in section 81 lays down the procedure for the participation of traditional councils through their leaders in the proceedings of municipal councils.</p> <p>Schedule 3 of the TKLA amended section 81 of the Municipal Structures Act. Parliament is currently considering amendments to the Municipal Structures Act. One of the proposed amendments in the Municipal Structures Amendment Bill, 2021, intends to move the Code of Conduct from the Municipal Systems Act to the Municipal Structures Act. This has an impact on section 81 as amended by TKLA. The new section 81 refers to the Code of Conduct as it currently appears in the Municipal Systems Act. Once the Municipal Structures Amendment Bill is enacted, such references will be outdated. In order to address this, the DTA will draft appropriate amendments which will be processes after the current Municipal Structures Amendment Bill, 2021, has commenced.</p>
7.	<b>Local Government: Municipal Systems Act (Act 32 of 2000)</b>	<p>The Municipal Systems Act in sections 16, 17, 29, 42 and 76 provide a role for traditional councils and traditional leaders in development including consultation of traditional councils in the compilation of integrated development plans (IDPs). This includes consultation in development and service delivery initiatives in traditional areas. The specific sections provide as follows:</p> <ul style="list-style-type: none"> <li>a) <b>Sections 4(2)(c), 16 and 17</b>: public participation to include traditional leaders and their councils.</li> <li>b) <b>Section 29</b>: involvement of traditional councils in the compilation of integrated development plans.</li> <li>c) <b>Section 42</b>: involvement of community to include traditional communities in the development, implementation and review of a municipality's performance management system.</li> <li>d) <b>Section 76</b>: entering into service delivery agreements between municipalities and the traditional councils for the performance of certain services by the traditional councils.</li> </ul> <p>The Municipal Systems Amendment Bill is undergoing final stages in Parliament and may bring new changes to the provisions in the Act.</p>
8.	<b>Interim Protection of Land Rights Act (IPLRA) (Act 31 of 1996)</b>	Provides for the temporary protection of certain rights to and interests in land which are not otherwise adequately protected by law; and to other matters.
9.	<b>Spatial Planning and Land Use Management Act (SPLUMA) (Act 16 of 2013).</b>	<p>SPLUMA aims to develop a new framework to govern planning permissions and approvals, sets parameters for new developments and provides for different lawful land uses in South Africa. SPLUMA is a framework law, which means that the law provides broad principles for a set of provincial laws that will regulate planning. SPLUMA also provides clarity on how planning law interacts with other laws and policies.</p> <p>There are still reservations about SPLUMA in so far as it relates to traditional leadership. This matter is being addressed through the Inter-Ministerial Committee (IMC) on land reform and agriculture, which is currently considering proposals on how to address the impasse.</p>
10.	<b>Extension of Security of Tenure Act, 1997 (Act No. 62 of 1997)</b>	To provide for measures with State assistance to facilitate long-term security of land tenure; to regulate the conditions of residence on certain land; to regulate the conditions on and circumstances under which the right of persons to reside on land may be terminated; and to regulate the conditions and circumstances under which persons, whose right of residence has been terminated, may be evicted from land; and to provide for matters connected therewith.
<b>PENDING LEGISLATION</b>		

NO	LEGISLATION	DESCRIPTION
11.	<b>Customary Initiation Bill</b>	The objectives of the CIB are: (a) To protect, promote and regulate initiation and for this purpose to- (i) provide acceptable norms and standards; and (ii) provide for structures at national and provincial levels with a view to ensure that initiation takes place in a controlled and safe environment. (b) To provide for the protection of life and the prevention of any abuse. (c) To provide clarity on the various responsibilities, roles and functions of the key role-players in customary initiation. (d) To make provision for the effective regulation of initiation schools.
12.	<b>Traditional Courts Bill</b>	The Traditional Courts Bill was developed to replace Sections 12 and 20 of the Black Administration Act of 1927, colonial-era provisions that empower traditional leaders to determine civil disputes and try certain offences in traditional courts. The TCB's stated aim is to advance South Africans' access to justice by recognising the traditional justice system in a way that upholds the values in customary law and the Constitution.
<b>INTERNATIONAL, CONTINENTAL AND REGIONAL INSTRUMENTS</b>		
14	<b>UN Sustainable Development Goals</b>	<ul style="list-style-type: none"> <li>- Goal 1: End poverty in all its forms everywhere</li> <li>- Goal 2: End hunger, achieve food security and improved nutrition and promote sustainable agriculture</li> <li>- Goal 5: Achieve gender equality and empower all women and girls</li> <li>- Goal 10: Reduce inequality within and among countries</li> <li>- Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable</li> <li>- Goal 13: Take urgent action to combat climate change and its impacts</li> <li>- Goal 15: Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss</li> <li>- Goal 17: Strengthen the means of implementation and revitalize the global partnership for sustainable development</li> </ul>
15	<b>African Union Agenda 2063</b>	<ul style="list-style-type: none"> <li>- A Prosperous Africa, based on Inclusive Growth and Sustainable Development</li> <li>- An integrated continent, politically united Africa</li> <li>- An Integrated Continent Politically united and based on the ideals of Pan Africanism and the vision of African Renaissance</li> <li>- A Peaceful and Secure Africa</li> <li>- Africa with a Strong Cultural Identity Common Heritage, Values and Ethics</li> <li>- An Africa Whose Development is people driven, relying on the potential offered by African People, especially its Women and Youth, and caring for Children</li> </ul>
<b>NATIONAL PLANS</b>		
16	<b>National Development Plan</b>	Chapter 6: An integrated and inclusive rural economy Chapter 13: Building a capable and developmental state Chapter 15: Transforming society and uniting the country Chapter 8: Transforming Human Settlements
17	<b>MTSF</b>	Priority 1: A capable, ethical and developmental state Priority 2: Economic transformation and job creation Priority 5: Spatial integration, human settlements and local government Priority 6: Social cohesion and safer communities

### 3. Updates to Institutional Policies and Strategies

The White Paper on Traditional Leadership and Governance, 2003, sets out a national framework, norms and standards that define the role and place of the institution of traditional leadership within the South African system of democratic governance. It seeks to support and transform the institution in accordance with constitutional imperatives and to restore the integrity and legitimacy of the institution in line with the African indigenous law and customs subject to the Constitution.

The following legislation and policy implementation initiatives are planned for the 2020 - 2025 MTSF year:

- Implementation of the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA)
- Establishment of a Commission on Khoi-San Matters in terms of the TKLA: This Commission will deal with applications for the recognition of Khoi-San communities and leaders.
- Supporting parliamentary processes towards the promulgation of the Customary Initiation Bill (CIB) to regulate the cultural initiation practice.
- Legal constitution of kingship and queenship councils, principal traditional leadership councils and traditional councils [implementation of section 16 of the TKLA, read with section 63 thereof].

### 4. Updates to Relevant Court Rulings

There are litigation cases on traditional leadership disputes and claims, which have implications for the work of the Department and these are as follows:

NO	CASE	BRIEF SUMMARY
1.	<b>Bakgatla Ba Kgafela Tribal Authority vs Bakgatla Ba Kgafela Tribal Community Property Association. case no 939/2013</b>	<p>The Bakgatla Bakgafela Communal Property Association brought a successful land claim over various pieces of land in the North West Province. The claimants voted in favour of creating a Communal Property Association that would receive the successfully claimed land. The Traditional Council and the Senior Traditional Leader were not happy with the formation of the CPA and preferred a trust instead. The CPA was provisionally registered in terms of the CPA Act. The crux of the matter was the construction of a shopping centre on land that the CPA believed it legally owned. The argument of the Traditional Council which was the one constructing the shopping centre was that the CPA was provisionally registered and no longer existed in law.</p> <p>The argument was that if the CPA was no more a legal entity for the restituted land then government would have to take the land back. The CPA argued that if such action were to be taken, then government's intentions of returning land to the people shall have been defeated. On the other side, the Traditional Council insisted that it was the legitimate body to administer the land. The Court ruled in favour of CPA stating that the Department should have registered the CPA as a permanent structure.</p>
2	<b>Bakgaga Ba Mothapo Traditional Council v Tshepo Mathule Mothapo and others: case no 926/18 zasca</b>	<p>The matter involves Kgoshi of Bakgaga Ba Mothapo in Limpopo who restricted a person from occupying and selling land. The matter was heard by the Supreme Court to determine the <i>locus standi</i> of Kgoshigadi MRM Mothapo and the Traditional Council to claim relief. The Supreme Court found that Kgoshigadi had the requisite <i>locus standi</i>. It found, however, that the Traditional Council did not have the necessary locus standi to institute the claim because it had not been reconstituted in terms of the law.</p>



## **PART B: OUR STRATEGIC FOCUS**

## 5. Vision

A community development-oriented institution of traditional leadership.

## 6. Mission

To provide a national traditional affairs governance system in support of cooperative governance for an improved quality of life of South Africans.

## 7. Values

- Ethical
- Cooperative
- Gender equality
- Responsiveness
- Culturally sensitive
- Accountable
- Client focused
- Transformative

## 8. Updated Situational Analysis

### (a) Analysis of emerging trends

#### *Challenges brought by COVID-19 Pandemic*

The COVID-19 pandemic has had an unprecedented impact on the state, government operations and the Department of Traditional Affairs in particular. This has compelled government to integrate the fight against this pandemic in the Strategic Plans (SP) and the Annual Performance Plans (APP). A new twin-pandemic has arisen, the Gender Based Violence and Femicide (GBVF, including violence directed at the LGBTQ+ society) that should equally be the focus of Government for eradication. Government has put measures in place, for all its spheres, institutions, organs and partners to contribute towards the fight against the two pandemics.

The country has thus far been able to contain the spread of the virus. The joint efforts by all sectors to fight the pandemic have indeed yielded positive results. The country is now at the stage of the vaccination of front line workers and later the majority of the citizens. However, the aftermath of the COVID-19 pandemic are far from over, particularly in relation to economic impact and job losses. The institution of traditional leadership and the traditional communities are not absolved from this reality and have their equal share of the brunt.

#### *Trends relevant to Women, Youth and Persons with Disabilities*

The reconstitution of structures of traditional leadership is about to commence in line with the commencement date of the enabling legislation (TKLA) is 1 April 2021. The transformation of the sector to comply with the constitutional obligations seem to be lacking. More often, the discrimination on women, youth and persons with disabilities is often attributed to cultures and traditions which are within the custodianship of traditional leadership. Patriarchy, inherited from the past, has been the major course of discrimination against Women. This implies that traditional leadership has a mammoth task of ensuring the transformation of the sector through

implementing women empowerment and gender equality instruments. As a starting point, the induction programme for members of structures of traditional leaders will include Women Empowerment and Gender Equality (WEGE). This is to sensitise members of these structures of the importance of implementing the transformation imperatives within the sector and will be followed by other programmes and projects over time.

During the Women's month dialogue held during August 2020, the NHTL received a briefing regarding the challenges facing the LGBTQ+ community. As a result, traditional leaders resolved to work towards contributing to the eradication of discrimination directed against the LGBTQ+ society by amongst others educating communities about equality and sexual orientation. Furthermore, the NHTL participated at various engagements aimed at ending discrimination against LGBTQ+. It was further agreed that one of the mechanisms that could be used was the rite of passage to raise awareness among initiates on the matter.

The sector has played its part in so far as the contribution towards WEGE is concerned. There are a number of interventions that were implemented by the sector to transform the institution and some of these relates amongst others to;

- Establishment of the Gender and Women Committee of the NHTL to oversee matters pertaining to WEGE
- Implementation of Project Ndabezitha - Partnership between the NHTL, Department of Justice and Constitutional Development and the National Prosecuting Authority meant to fight GBVF.
- Participation as the friends of the Court during the Jezile Case on *Ukuthwala*
- Implementation of the order of the Polokwane High Court on Male Primogeniture in relation to *Mphephu v Masindi* case
- The recognition of Hosi Nwamitwa's successful court case through partnerships with Hosi Nwamitwa's Traditional Councils on benchmarking practices
- Participation by the NHTL at the Presidential 2018 St. Georges Hotel Conference on GBVF.
- Domestic Violence Workshops held in Provinces such as Mpumalanga and Limpopo to sensitise traditional communities about the GBVF.
- NHTL Sessions aimed at ending discrimination against the LGBTQ+ society

#### *Persistent disputes and claims on traditional leadership and enquiries or claim of traditional leadership positions*

One of the saddest realities of COVID-19 pandemic is the number of people who lost their lives. This includes the number of traditional leaders who have passed on thus far. The vacancies left by the passing on of these traditional leaders has opened a door for contestations to traditional leadership positions. There are pockets of disputes and claims already surfacing relating to some Kingship positions which will persist traditional leadership disputes and claims.

The manifestations of these disputes indicates the desire for opportunities presented by the traditional leadership positions and related benefits, legitimate disputes and claims, mineral resources and other economic opportunities. In this regard, advantages are taken and formations such as a Communal Property Associations (CPAs) are seen as quick establishments and vehicles to claim these opportunities. The reality is that the traditional leadership disputes and claims will continue to exist and characterise the traditional leadership sector over time. However, the Department of Traditional Affairs seized with the matter and projects such as the documentation of genealogies and the capacitation of the institution of traditional leadership on resolution of disputes and claims are interventions meant to address the persistence of the disputes and claims.

These disputes and claims continue to impact negatively on the institution of traditional leadership by dislocating the important focus of the institution to governance, development and service delivery. The Department is inundated with disputes and claims for various traditional leaderships positions and as a result, the Department of Traditional Affairs will among others, document customary laws of succession and genealogies for all Kingships, Queenships and Principal Traditional Leadership positions. Other levels will be dealt with at a provincial level. The Department will also ensure that Provinces are capacitated to respond to the persistent enquiries or claims of traditional leadership positions.

#### *Defining roles and powers of traditional leaders*

The National House of Traditional Leaders established a task team in 2018 to work on the powers and functions of traditional leaders, supported by the officials of the Department of Traditional Affairs. Following the completion of this exercise, the consultation process is expected to commence on the draft report. Once completed, this task is expected to inform the work of traditional leaders and the kind of support expected from the Department of Traditional Affairs and Government at large.

During his reply to the debate of his speech delivered during the annual official opening of the NHTL on 27 February 2020, the President said, "This matter has remained unresolved for many years. However, I am certain that proceeding from a common understanding of our shared responsibility this issue can and will be resolved. The report of the task team provides a platform for our engagement on how we define, within a Constitutional context, the powers and functions of traditional leaders.

We should agree here that we will work together to finalise this matter without undue delay, ensuring that it is given sufficient time and attention and that the various principles and proposals are widely canvassed across society. We should look to have a national conversation so that whatever we resolve, like our Constitution, reflects the views and wishes of the South African people". The way forward outlined by the President will be implemented to address this matter.

The work that will be undertaken to define the powers and functions of traditional leaders will be used as an opportunity to attend to the concerns raised by traditional leaders pertaining to the Spatial Planning and Land Use Management Act (Act no. 16 of 2013). The consultations that will be undertaken in this regard, will provide a platform for engagement in order to address the concerns raised. The reality is that extensive consultations will have to be undertaken with the traditional communities, civil society, political parties, traditional leaders and other stakeholders in order to come to an understanding that will pave the way for workable arrangement to take the matter to its logical conclusion.

#### *Handbook for Traditional Leadership (Tools of Trade)*

In 2013, the Cooperative Governance and Traditional Affairs MINMEC approved the minimum norms and standards for the provision of resources to qualifying traditional leaders, members of houses of traditional leaders and for traditional councils. The intention was to ensure standardized support provided to the institution of traditional leadership, however, this was not the eventuality. The uneven provision of resources continues to persist. The Department intends to introduce a handbook that will provide clarity on the provision of enabling resources to traditional leadership.

During the debate of the President's Speech by the NHTL, the issue of tools of trade was identified as one of the issues that has been a challenge for many years and that there is a need to have a frank discussion on how the matter should be resolved. At this stage, the revised Handbook has been consulted once again with MINMEC and National Treasury to reshape the document but also to assist with the determination of the estimated costs involved to ascertain affordability. Consultations will include Provincial Treasuries since Provinces will be required to provide enabling tools of trade ultimately.

The consultations will encompass structures such as the Budget Council, which will make its determination on the matter, the outcomes of which will be taken back to CoGTA MINIMEC for final consideration and endorsement on the matter. This will then pave the way forward for further processing by the portfolio and the finalization and conclusion thereof.

#### *Performance information gathered during the previous financial years*

The Department of Traditional Affairs has received unqualified audit outcomes for the past five financial years. The results of the audits are a confirmation of good governance and accountability by the Department. The Department will continue to work towards maintaining a clean administration and improve its impact in the sector.

#### *Diminishing official and indigenous languages*

Indigenous languages are increasingly facing the risk of being used less. Working with other partners such as the Department of Sport, Arts and Culture and the Pan South African Language Board (PanSALB), the Department will mobilise the institution of traditional leadership to contribute towards promoting and protecting the use of indigenous languages.

One of the principles for the national curriculum from grade R to 12 is about valuing indigenous knowledge systems by acknowledging the rich history and heritage of this country as important contributors to nurturing the values contained in the Constitution. The incremental introduction of African languages in South African schools is meant to promote and strengthen the use of African languages by all learners in the school system by introducing learners incrementally to learning an African language from Grade 1 to 12 to ensure that all non-African home language speakers speak an African Language; (2) strengthen the use of African languages at Home Language level; (3) improve proficiency in and utility of the previously marginalized African languages (at First Additional Language level); (4) raise the confidence of parents to choose their own languages; (5) increase access to languages by all learners beyond English and Afrikaans; and (6) promote social cohesion by expanding opportunities for the development of African languages as a significant way of preserving heritage and cultures.

Section 36 (1) of the Traditional and Khoi-San Leadership Act, 2019 (Act no 3 of 2019) provides for the duties of the House which encompass the preservation of culture and traditions of communities. African languages are part and parcel of African culture and traditions. In realising this provision, the House will effectively contribute towards preserving African languages. The use of indigenous languages by the South African Broadcasting Corporation (SABC) is commendable for it contributes, not only to preservation by the development of African languages.

The Valley FM Community radio station broadcasts from the town of Worcester in the Western Cape in South Africa and broadcasts to listeners of the Breede Valley, Witzenberg, and Langeberg municipal areas on a wide range of perspectives, views, and opinions on issues of local public concern, stimulating critical thinking and engaging listeners to improve their quality of life and broadcast in Xhosa, Afrikaans and English. Colonialism and apartheid destroyed their culture and language of the Khoi-San people. The radio station was initiated to share information and education programs focusing on Khoi-San matters and provides platform for Khoi-San leaders to engage with listeners, for activists to promote language and culture, and for healers to transfer knowledge about traditional medicine.

The X-K FM, was launched in 2000 by the then Minister of Communications, Dr Matsepe Casaburri as the South Africa's first radio station to broadcast in the endangered San languages, and in Afrikaans to benefit the !XU and Khwe communities of Schmidtsdrit in Northern Cape. This was another initiative to preserve the language and culture of the San people living in Schmidtsdrit. The inclusion of the Khoi-San leaders in the Houses of Traditional Leaders will assist in ensuring that programmes related to the preservation of the culture and traditions of the Khoi-San people including languages are realised.

### *The negative consequences of a weakened family structure in society in general*

Society has over the years experienced changes in the foundations of family life and family structure. This is evident in trends such as the increasing number of female headed households as well as child headed households. This has implications for how young boys and girls are raised and poses a particular challenge for the Institution of Traditional leadership in terms of its role in social cohesion and nation building. The institution of traditional leadership therefore needs to be supported to ensure that through targeted training, traditional leaders are better empowered to ascend to their leadership positions.

The use of the customary way of capacitating or equipping young traditional leaders for their leadership positions should be considered as one of the methods to be applied in this regard. The wisdom of traditional leaders in terms of expert advice on the matter should also be pursued to complement Departmental programmes in this regard. This will also assist in the performance of their roles and functions as per the Traditional and Khoi-San Leadership Act, 2019.

### *District Development Model*

The District Development Model (DDM) as an approach adopted for implementation by the entire machinery of Government including the Department of Traditional Affairs, is on course despite the challenges experienced. This is about the approach that Government uses to fast track development at a district or metropolitan level as a geographical space. The DTA has during the 2019/20 financial year, commenced with the implementation of the DDM and has incorporated targets that are specific to the DDM implementation in the Strategic Plan and the Annual Performance Plans of the Department.

The Department will continue to implement the DDM during the MTSF as a priority of Government that presents opportunities for development of traditional communities. During the 2020/2021 financial year, the Department has contributed to the development of the profiles for districts and metros, and jointly with traditional leadership, participated in the launch of DDM at various piloting districts/ metro. Subsequently, teams have been set up, led by DDM District Champions work towards realising the objectives of the DDM.

The Department has further developed guidelines on the participation of traditional leaders in the DDM which will be rolled out during the 2021/2022 financial year. Part of the DTA's focus during the year in question will be to facilitate the involvement and participation of traditional leadership in the development of One Plans for districts and metros for integration into the Integrated Development Plans (IDPs) of municipalities. This will see the views and aspirations of traditional communities reflected in the municipal plans and guaranteeing implementation.

**(b) SWOT Analysis**

The Department conducted a SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis and the results were that the Department should focus more on:

Strengths	Weaknesses
<p><b>DTA COVID-19 Interventions and precautionary measures.</b></p> <p><b>Traditional affairs legislative framework</b></p> <ul style="list-style-type: none"> <li>• Enactment of the TKLA</li> <li>• Progress on CIB</li> <li>• Legislative framework development</li> <li>• Research / knowledge / information management creation</li> </ul> <p><b>Traditional leadership institution</b></p> <ul style="list-style-type: none"> <li>• Complaints / disputes / claims handling</li> </ul> <p><b>Stakeholder relations management</b></p> <ul style="list-style-type: none"> <li>• Inter / intra-governmental coordination</li> <li>• Partnership management</li> </ul> <p><b>Business management / leadership</b></p> <ul style="list-style-type: none"> <li>• Corporate governance</li> <li>• Business performance management</li> </ul> <p><b>Resource management</b></p> <ul style="list-style-type: none"> <li>• Financial management</li> </ul>	<p><b>Effect of COVID-19 pandemic on human resources capacity of the Department.</b></p> <p><b>Traditional affairs legislative framework</b></p> <ul style="list-style-type: none"> <li>• Monitoring</li> </ul> <p><b>Traditional leadership institution</b></p> <ul style="list-style-type: none"> <li>• Programme implementation facilitation</li> <li>• Institution performance monitoring</li> </ul> <p><b>Business management / leadership</b></p> <ul style="list-style-type: none"> <li>• Strategic leveraging of management/ leadership at provincial level</li> <li>• Strategic positioning</li> </ul> <p><b>Resource management</b></p> <ul style="list-style-type: none"> <li>• HR management</li> <li>• ICT management</li> <li>• Infrastructure / facilities management</li> <li>• Budget constraints</li> </ul>
Opportunities	Threats
<ul style="list-style-type: none"> <li>• COVID-19 Vaccination rollout programme</li> <li>• Funding for COVID-19 Interventions</li> <li>• Fighting gender-based violence</li> <li>• Political support</li> <li>• Supportive constitution</li> <li>• Lessons from experience</li> <li>• Resilience of traditional leadership institution</li> <li>• Supportive stakeholders</li> <li>• Existing structures of traditional leadership</li> <li>• Traditional leadership institution transformation opportunities</li> <li>• Societal belief in the traditional leadership institution</li> <li>• Conducive partnerships on programmes and implementation</li> <li>• Alternative sources of funding</li> <li>• Supportiveness of traditional leadership institution</li> </ul>	<ul style="list-style-type: none"> <li>• Effects of COVID-19 Pandemic including (deaths, loss of income, poverty, etc)</li> <li>• Budget baseline reductions due to COVID-19</li> <li>• Gender Based Violence and Femicide</li> <li>• Financial constraints</li> <li>• Inadequate involvement of traditional leadership in socio-economic development</li> <li>• Harmful cultural practices</li> <li>• Capacity constraints within provinces</li> <li>• Modernisation requiring adaptation</li> <li>• Negative media reporting on traditional affairs</li> <li>• Perpetual litigation</li> <li>• Conflicts within royal families</li> <li>• Community protests</li> <li>• Cultural / religious intolerance</li> <li>• Societal distance with the traditional leadership system</li> <li>• Perpetual claims</li> <li>• Prolonged parliamentary processes</li> </ul>

**(c) Stakeholder analysis**

**(i) Stakeholder identification**

Internal Stakeholder Analysis				
Stakeholder	Characteristics	Influence	Interest	Linkage with other stakeholders
Political Leadership	Executive Authority of the Department providing political direction.	Political Head of the Cooperative Governance and Traditional Affairs (CoGTA) Ministry Provides direction on the policies and programmes of the Department.	High-level interest for achievement of Government Programme of Action and a better life for all	Linkage is through providing executive direction to senior management and employees
Senior Management	Qualified public servants responsible for converting political and policy objectives into measurable programmes and projects	High level of influence in the determination of goals for short, medium and long term attainment Oversees the implementation of programmes and projects	High level of interest in shaping programmes and projects	Linkage is with the employees to convert policy into implementable programmes.
Employees	Qualified administrators with specialized fields who provide services to the public	Operational influence on services rendered. High level influence as the face of development and service delivery	Interest is on availing skills and knowledge in return for remuneration.	Linkage is with the senior management to provide feedback on service provision
Union representatives	Union affiliated representatives promoting the interests of a particular union	Membership influence bargaining for the workplace rights of employees and an increase in union membership	Union interests	Linkage is with employees

External Stakeholder Analysis				
Stakeholder	Characteristics	Influence	Interest	Linkage with other stakeholders
Political Leadership	They are elected political representatives and leaders in society.	Political influence through interface with stakeholders and society at large	High-level interest for realizing a better life for all	Linkage is through providing political direction to senior management and employees
Traditional Leaders	Represent the best interest of Traditional Councils and Communities	Cultural influence through engagements with key stakeholders Influence is on community members	Aim for promoting livelihoods of traditional communities	Linkage is with the Community, Departments, political leadership, Parliament, Chapter 9 Institutions
Community Members	Belongs to a particular traditional community	Influence is through traditional leaders, councils, ward committees and direct engagements with the Department	Individual and group interest	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Experts	Formations such as Universities, Non-Governmental Organisations (NGOs), Community Based Organisations (CBOs), Foundations, etc.	High level of influence owing to standing in society.	Purport to represent the best interest of society – social justice	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Provincial Departments of Traditional Affairs	Part of Provincial Governments and forms the basis for the concurrent function of traditional affairs to implement policies and legislation in a Province	High-level influence to effect implementation.	Provincial interests and dynamics	Linkage is with traditional leaders, political leadership, communities, experts and chapter 9 institutions
Parliament Portfolio and Select Committees	Oversight committees of the National Assembly and the National Council of Provinces (NCOP)	High level legislative influence	Best interest of society and country.	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Chapter 9 Institutions	Established in terms of the Constitutional provisions and vested with powers and functions for the protection of certain rights	High level legislative influence	Best interest of society and country.	Linkage is with traditional leaders, councils, ward committees and direct engagements with the Department
Media	Different media houses promoting different interests	High level of influence	Informing and influencing society, and improving ratings and sales	Linkage is with other media houses, traditional leaders, political leadership, communities, experts and chapter 9 institutions

## **(ii) Narrative on Stakeholder Analysis**

### **Internal Stakeholders**

#### *Political Leadership*

The interest of political leadership is about the implementation of the Government's Programme of Action, which has been converted into the Medium Terms Strategic Framework (MTSF), for implementation during the 5-year term of the current administration. The Department's programmes contribute to the implementation of the MTSF, for example, the release of land by traditional leaders for socio-economic development.

#### *Senior Management*

The primary task of senior management is to convert policies into programmes and to oversee the implementation of the programmes and projects. The Department's strategic plan and annual performance plan have been developed to implement policies, programmes and projects of the Department.

#### *Employees*

The task of employees relates to the implementation of programmes and projects. The Department's strategic plan and annual performance plan have been developed to implement policies, programmes and projects of the Department.

### **External Stakeholders**

#### *Political Leadership*

The interest of political leadership is in realising a better life for South Africans. The Department's programmes contribute to the implementation of the MTSF.

#### *Traditional Leaders*

Traditional Leaders aim to promote livelihoods in communities under traditional leadership. The Department consults regularly with the National House of Traditional Leaders (NHTL) as a representative body of traditional leaders at a national level, on policies and programmes of the Department. The Department's strategic plan and annual performance plan have been developed to implement policies, programmes and projects of the Department.

#### *Provincial Departments of Traditional Affairs.*

The Provincial Departments of Traditional Affairs are an implementing arm of Government on traditional affairs matters. The national Department is bestowed with the responsibility to develop national legislation, guidelines as well as norms and standards for traditional affairs matters, whilst the provincial Departments are charged with the responsibility to implement national legislation by customising national frameworks into provincial policies and programmes. The implementation of national frameworks by provinces gives effect to national legislation.

## Experts

This group of stakeholders purport to represent the best interests of society for the attainment of social justice. Their views are expressed as inputs during the development of legislation that has a bearing on society at large and traditional communities in particular. The duty of the Department is to convert the said legislation into implementable programmes, for example, programmes related to the implementation of the TKLA have been developed and incorporated as part of the strategic and annual performance plans.

## Portfolio and Select Committees

The mandate of these committees is to play oversight to the work of the Department and to also facilitate the development and passing of legislation for traditional leadership. The Departments serves before these committees to give an account on the work of the Department and to provide technical assistance during the development of legislation.

## Chapter 9 Institutions

The mandate of chapter 9 institutions extends to the work of the Department in so far as the rights of people in traditional communities are concerned. The inputs of chapter 9 institutions assists the Department to comply with the bill of rights as enshrined in the Constitution. These inputs culminate in policies that are developed for the Department in order to protect the rights of vulnerable people, for instance, the Customary Initiation Bill has been developed to protect the right to live of initiates.

### **(d) The Department of Traditional Affairs' strategic focus over the five-year planning period encompass the following;**

#### *Implementation of COVID-19 Interventions*

The DTA COVID-19 Projects that will be implemented in the thirty (30) Districts and Metros where there are Traditional Leaders within the context of District Development Model as follows:

- Monitoring the implementation of COVID-19 Regulations in areas of jurisdiction of Traditional Leaders;
- Ensuring that Traditional Councils comply by monitoring the implementation of the COVID-19 Regulations through oversight, awareness campaigns, etc;
- Economic recovery intervention programmes for implementation by government (Agriculture and Agro-processing); and
- Traditional Councils serving as centres for information dissemination and payment of grants.

#### *Socio economic development of traditional communities including the facilitation of the release of land by Traditional Leaders for development.*

In line with the District Development Model (DDM), traditional leaders would be engaged to avail additional land for development and beneficiation in traditional communities. So far, about one million and five hundred thousand hectares of communal land was availed by traditional leaders since 2018 for the implementation of the agrarian revolution programme. A small number of traditional communities benefited from this programme and during this MTSF, the Department intends facilitating an increase in the number of hectares of land to be availed by traditional leaders for development. However, the task at hand is to increase the amount of communal land under cultivation in order to contribute towards the realisation of the MTSF target for the Department working jointly with other partners such as the Department of Agriculture, Land Reform and Rural Development (DALRRD) and the private sector.

Agriculture is one of the key programmes of the current MTSF. In rural areas, there is land that can be put to productive use, but this would require engagements with the institution of traditional leadership to make such land available. The set-back that should be addressed is that communal land has been lying fallow and barren for years and the resuscitation of this land would require investment such as soil testing to ascertain crop and farming suitability, de-bushing, infrastructure provision such as fencing, irrigation equipment, boreholes.

The DTA has recently entered into an Memorandum of Understanding (MoU) with the DALRRD to ensure that the land that has been availed by traditional leaders is cultivated to worked on for agricultural and farming production to contribute towards food security, elimination of hungers, creation of employment and to provide sustainable livelihoods for communities under traditional leadership. Although the actual agricultural projects would not be the responsibility of DTA but the DALRRD, the mobilisation of traditional leaders behind this goal will be the responsibility of DTA. This will be through engaging with the different Houses of Traditional Leaders and ongoing engagements with traditional leaders within the auspices of the District Development Model.

#### *Implementation of the Traditional and Khoi-San Leadership Act, 2019.*

Section 51 of the recently approved Traditional and Khoi-San Leadership Act requires the Minister to appoint a Commission on Khoi-San Matters. The Commission will be responsible for considering applications for the recognition of Khoi-San communities and leaders. This would be a critical step towards the implementation of the Traditional and Khoi-San Leadership Act, 2019. The commencement of the Act is 1 April 2021.

#### *Developing and providing a programme for the Induction of Newly elected members of Traditional Councils.*

Following the enactment of the Traditional and Khoi-San Leadership Act, it is expected that provinces will roll out the reconstitution of their over 800 Traditional Councils. For the effective functioning of these Councils, the newly elected members would need to receive targeted induction training, that would include gender equality and women empowerment in response to the fight against GBVF. Arrangements are being made with selected partners to ensure that such an induction programme is available for provinces that will have conducted the elections of new members of Traditional Councils.

#### *Reduction in Initiation related deaths, injuries and amputations.*

Cultural initiation practice takes place in all the provinces. The practice is faced with a few challenges that includes illegal initiation schools, abduction of young boys, deaths, injuries and amputations among others. There are however, some provinces that are considered best practice on initiation matters, given the minimal challenges faced, such as Limpopo. These challenges inevitably warrants a dedicated response from Government, the Department in particular and civil society. The anticipated enactment of the Customary Initiation Bill (CIB) into an Act will go a long way in addressing many initiation related challenges. There will also be dedicated focus to the Eastern Cape Province, particularly those districts that are mostly affected, once the COVID-19 restrictions are lifted. During the past year (2020), initiation was suspended due to COVID-19 to avoid losing lives as a result of the pandemic.

#### *Transformation of the institution of traditional leadership*

Traditional leadership is an age long institution that survived various oppressive governance systems that dislocated the institution from its original state and thereby denying its evolution. The transformation of the sector is significant to conform to the Bill of Rights as enshrined in the Constitution. As a result, the Department will pay much attention to the constitution of traditional leadership structures that is Houses and Traditional Councils to comply with the one-third women representation as a legal requirement.

### *Functional institution of traditional leadership*

The functionality of the institution of traditional leadership is one of the key focus areas of the Department. The background to this was the assessment of the state of the traditional leadership, which revealed the need to strengthen structures of traditional leadership to transform into a state of relevance into today's environment. The Department will focus on supporting Provincial Departments of Traditional Affairs to ensure that the PHTLs, LHTLs and traditional councils perform their roles and functions in line with the TKLA.

The institution will also be supported to reduce the continuing traditional leadership disputes and claims that derails the institution from paying the much-needed attention to development. There is a need to professionalise traditional councils' governance and accountability and this has been brought up by the unfortunate experiences of mismanagement, resulting in some traditional councils being placed under administration. The Department will focus its attention on supporting Provinces to ensure that the PHTLs, LHTLs and traditional councils perform their roles and functions in line with the TKLA.

#### **(e) Recent statistics relevant to the institution and sector**

Traditional Leadership exists in 30 of the 44 Districts and 8 metropolitan areas in South Africa. The majority of rural communities subscribe to the institution of traditional leadership. These areas are mostly under developed, very poor and lack infrastructure and economic opportunities. There is therefore, a need to develop traditional communities for the benefit of people living in rural areas.

The functionality of traditional leadership structures is another area that warrants attention. There are about 857 traditional councils in the country, 7 Provincial Houses of Traditional Leaders and about 30 Local Houses of Traditional Leaders. There are 14 Kingships/Queenships/ Principal Traditional Leadership, about 829 Senior Traditional Leaders and more than 8000 headmen and headwomen in the country. These structures and levels requires capacity to function optimally. Part of the programmes that the Department will embark upon during this MTSF is to capacitate these structures and levels so as to ensure improvement of their functionality.

One of the challenges faced by rural areas pertains to the persisting deaths of initiates, particularly in the Eastern Cape Province. During the past year (2020), initiation practice was suspended in winter due to COVID-19 pandemic. However, during the summer season initiation schools were opened in some parts of the Eastern Cape with strict adherence to health and COVID-19 Protocols, very few deaths were recorded, in contrast to previous years.

The Department has introduced the Customary Initiation Bill to regulate this practice and to reduce the number of deaths associated with initiation. The Bill will soon be enacted into an act as it has already undergone the necessary parliamentary processes and is yet to be processed further through the National Assembly.

#### **(f) Reference to the medium and long-term policy environment**

The Department's programmes contributes to a number of Chapters in the National Development Plan

- Chapter 6: An integrated and inclusive rural economy
- Chapter 13: Building a capable and developmental state
- Chapter 15: Transforming society and uniting the country
- Chapter 8: Transforming human Settlements

In order to implement the NDP, Government has introduced the NDP Implementation plan and the MTSF 2020-2025. The Department contributes to the implementation of the following MTSF Priorities;

- Priority 1: A capable, ethical and developmental state
- Priority 2: Economic transformation and job creation
- Priority 5: Spatial integration, human settlements and local government
- Priority 6: Social cohesion and safer communities

The Department's programmes provide for the implementation of the NDP and the MTSF through the Strategic Plan and the Annual Performance Plan for 2020-2025.

#### **(g) Information about the demand for services**

The President addresses the Annual Official Opening of the National House of Traditional Leaders (NHTL) after the State of the Nation Address (SONA), usually before the ensuing financial year. Members of the NHTL are provided with the opportunity to debate the President's Speech. The content of the two ceremonies is about the demand for services articulated by traditional leaders on behalf of their communities.

The NHTL, Provincial and Local Houses annually convene in the form of conferences, Lekgotla of Traditional Leaders and through the Chairpersons Forum of Traditional Leaders to articulate the views and aspirations of the institution. Engagements with Kingships, Queenships and Principal Traditional Leadership also takes place to deliberate on matters of common interest. The information deduced from these forums is converted into programmes of the DTA and other Departments depending on the mandate. The latest pronouncement about the demand for services is well articulated in the NHTL Action Plan which will be the focus of the House for the year 2021/2022.

#### **(h) Emerging Priorities and opportunities which will be implemented during the planning period**

The Department continues to contribute towards the implementation of measures to curb the spread of COVID-19 pandemic in order to continue to flatten the curve and to reduce the rate of infections. Among others, The Department has facilitated the suspension of the cultural initiation practice for the 2020 year, purchased and distributed sanitizers and masks to Provincial Houses of Traditional Leaders (PHTLs) and distributed COVID-19 information pamphlets to PHTLs. Among other interventions to be pursued includes the traditional leadership proposal on traditional communities' recovery plan focusing on agriculture and sustainable livelihoods, monitoring of adherence to COVID-19 regulations in traditional communities, to name just a few examples.

The District Development Model (DDM) as an approach, is implemented by the entire machinery of Government including the Department of Traditional Affairs, despite challenges experienced. This is about the approach that Government is using to fast track development at a district or metropolitan area as a geographical space. The DTA has during the 2019/20 financial year, commenced with the implementation of the DDM and has incorporated targets that are specific to the DDM implementation in the Strategic Plan and the Annual Performance Plans of the Department. The Department will continue to implement the DDM during the MTSF as a priority of Government that presents opportunities for development of traditional communities.

Amongst others, traditional leaders are expected to play a role and contribute towards accelerating service delivery in traditional communities, contribute towards strengthening oversight and institution of local governance, contribute towards strengthen cooperative governance architecture & approach, contribute towards strengthening local government finances, play a central role in accelerating the implementation of the Agrarian Revolution programme and lastly, strengthening the management of disasters in traditional communities.

**(i) Information about the Department's capacity to deliver on its mandate**

The capacity of the Department remains a key challenge to ensure thorough implementation of programmes and projects for the institution of traditional leadership. There are about 104 employees of the Department in total for the entire sector of traditional leadership. During its establishment, the view was that the Department's capacity would be increased on a phased approach over time. This has not been the case and the Department has since been stagnated with the capacity it was provided with at the time of establishment. This situation should be addressed. Currently, the Department survives by prioritizing and with officials working overtime and constantly under pressure to deliver.

**8.1 External environmental analysis**

Approximately 21 million people constitute rural and traditional communities in South Africa. Therefore, the strategic role of the DTA is to strengthen the institution of traditional leadership to discharge its role of promoting and contributing to service delivery, socio-economic development, nation building, moral regeneration and preservation of customs and culture within their geographic areas.

The institution of traditional leadership encompasses traditional communities, kings/queens, principal/senior traditional leaders, and headmen/women. In addition, the Institution also includes various councils, for instance, kingship/queenship councils, principal traditional councils, traditional sub-councils, as well as, the national, provincial and local houses of traditional leadership and traditional courts. The Khoi-San communities and leaders would also form part of the institution, after the TKLA's enhancement in 2019, following the necessary processes of recognition.

The Department's key clients and stakeholders are traditional and Khoi-San communities as well as traditional leaders. There are approximately 8241 legally recognised traditional leaders, of which 10 are kingships, 1 queenship, 2 principal traditional leaders, about 829 senior traditional leaders and more than 7399 headwomen/headmen. The structures of traditional leadership constitute 1 National House, 7 Provincial Houses, 30 Local Houses, about 829 traditional councils, 10 kingship councils and 1 queenship councils.

The table below indicates a breakdown of the number of traditional leaders and traditional leadership structures per level in each province:

No.	Province	Senior Traditional Leaders/Traditional Councils	Headmen / Women	Kings and queens (kingship and queenship councils)	Principal traditional leaders (principal traditional leadership councils)	TOTAL
1	Eastern Cape	241	1193	7	2	1414
2	Northern Cape	9	25	0	0	33
3	Limpopo	185	2118	3	0	2303
4	Mpumalanga	60	522	2	0	582
5	Gauteng	2	14	0	0	16
6	KwaZulu Natal	303	3372	1	0	3669
7	North West	54	59	0	0	113
8	Free State	13	96	2	0	111
<b>Total</b>		<b>871</b>	<b>7399</b>	<b>11</b>	<b>2</b>	<b>8241</b>

The table below provides a number of women traditional leaders in the country according to rank against men in terms of traditional leadership levels per Province.

Province	Headmen/women		Senior Traditional leaders		Kings/queens		TOTAL
	Male	Female	Male	Female	Kings	Queens	
Free State	88	21	12	1	2	0	124
Gauteng	2	-	2	0	0	0	4
Eastern Cape	1193	-	125	46	5	1	1370
Limpopo	2118	-	147	40	2	0	2307
Mpumalanga	494	28	50	4	2	0	578
Northern Cape	24	1	19	1	0	0	45
North West	81	3	54	4	-	-	142
KwaZulu Natal	3372	-	272	26	1	0	3671
<b>TOTAL</b>	<b>7372</b>	<b>53</b>	<b>681</b>	<b>122</b>	<b>12</b>	<b>1</b>	<b>8241</b>

The following table presents gender breakdown of the number of women against men in the national and provincial houses of traditional leaders.

Houses	Members of Provincial and National Houses of Traditional Leaders		TOTAL
	Male	Female	
National	17	6	23
Free State	10	2	12
Gauteng	2	-	2
Eastern Cape	27	11	38
Limpopo	29	7	36
Mpumalanga	17	4	21
Northern Cape	8	3	11
North West	20	4	24
KwaZulu Natal	48	6	54
<b>TOTAL</b>	<b>178</b>	<b>43</b>	<b>221</b>

The table below depicts the positions in the National and Provincial Houses of Traditional Leaders according to males and females.

National and Provincial Houses	Chairpersons		Deputy Chairpersons		Executive Committee members		TOTAL
	Male	Female	Male	Female	Male	Female	
National	1	-	-	1	6	1	9
Free State	-	1	1	-	3	2	7
Gauteng	-	-	-	-	-	-	-
Eastern Cape	1	-	1	-	5	3	10
Limpopo	1	-	1	-	5	-	7
Mpumalanga	1	-	1	-	4	1	7
Northern Cape	-	1	1	-	4	1	7
North West	1	-	1	-	4	1	7
KwaZulu Natal	1	-	0	1	9	1	12
<b>TOTAL</b>	<b>6</b>	<b>2</b>	<b>5</b>	<b>3</b>	<b>40</b>	<b>10</b>	<b>66</b>

The above statistics gives a synopsis of the traditional leadership spread throughout the country and will once again be collated immediately after the reconstitution process that is about to be conducted.

It is evident from the statistics presented above that the targets for women in traditional leadership is still far-fetched. The Department will work jointly with all other stakeholders and key partners to fast track the representivity status of Women in traditional leadership. The traditional leadership sector will also play a leading roles in this regard.

### *Data relating to women, youth and persons with disabilities*

For many decades, there was a focus on only male customary initiation practices. During the development of the Policy on the Customary Practice of Initiation in South Africa, the Department of Traditional Affairs conducted research on female initiation with a view to develop an all-inclusive policy. The policy was presented to Cabinet and Cabinet endorsed the approach to deal with both male and female initiation. The policy was approved by Cabinet in April 2016 and the Department was directed to draft legislation based on the principles contained in the approved policy.

This resulted in the development of the Customary Initiation Bill (CIB) which is currently being considered by Parliament. The CIB, once enacted, will apply to both male and female customary initiation practices, schools and structures. The CIB makes provision for a National Initiation Oversight Committee (NIOC) and Provincial Initiation Coordinating Committees (PICC). The NIOC will consist of 9 members of which at least 3 must be females. Specific provision is also made for the Department of Women, Youth and People with Disabilities to be represented on the NIOC. The same principle applies to the PICCs.

Historically, traditional leadership positions and structures were male-dominated. The enactment of the 1996-Constitution however introduced new guiding principles, including one of equality. The Constitution also states that traditional leadership, including customs and customary law, is subject to the Constitutional principles. In compliance with the Constitutional principles, the Traditional Leadership and Governance Framework Act was promulgated in 2003. This Act makes provision for the various traditional leadership positions which can be filled by male or female traditional leaders.

The Framework Act requires that at least one-third of the members of traditional leadership structures must be women. This applies to kingship and queenship councils, principal traditional councils, traditional councils and traditional sub-councils. This principle also applies to the various houses of traditional leadership. Through these provisions, the representation of women in traditional leadership structures is guaranteed. The Traditional and Khoi-San Leadership Act, 2019 which will commence on 1 April 2021 contains a similar provision and it includes the same requirement of one third representation of women in Khoi-San councils.

In so far as the adaptation of and transformation of customary laws of succession in relation to traditional leadership, the Traditional Leadership and Governance Framework Act provides that *“traditional communities must transform and adapt customary law and customs to comply with the relevant principles of the Bill of Rights*, in particular by:

- a) *Preventing unfair discrimination;*
- b) *Promoting equality; and*
- c) *Seeking to progressively advance gender representation in the succession to traditional leadership positions”.*

The TKLA has the same provision. Most of customary laws of succession for traditional communities and royal families are based on the principle of male primogeniture. The Branch has a project on documenting customary laws of succession for kingships and queenships. Previously, the project was focused on the documentation of customary laws of succession and genealogies of kingships only.

To implement the afore-mentioned legislative provision, in the current Medium Term Strategic Framework (MTSF), the project will entail documentation as well as supporting the kingships and queenships to adapt their customary laws of succession to progressively advance gender representation in the succession to traditional leadership. For those kingships and queenships that already have documented customary laws of succession, the focus will be to adapt and transform accordingly.

#### *Additional External Performance Environment*

COVID-19 has had a devastating effect on human lives and all health care systems in the world. It was said that the pandemic will fundamentally change lives at every level and all spheres. All sectors of the economy and society have been negatively affected and so is the functioning of the institution of traditional leadership. The COVID-19 situation has been put under control and Government has succeeded in containing the virus. It is expected the vaccination rollout programme will bring the much needed relieve to society and contribute to further relaxation of the restrictions to enable economic recovery and return to business despite the effects that will last for longer. However, the effects of COVID-19, such as the loss of employment and income, increased poverty, shifting of resources, exacerbation of inequality and others, have taken the country backwards and will take a very long time to be addressed.

Traditional Leadership exists in 30 of the 44 districts and 8 metropolitan areas in South African. This implies that people living in the 30 of the 44 districts and 8 metropolitan areas fall under traditional leadership. Therefore, the strategic role of the Department of Traditional Affairs (DTA) is to strengthen the institution of traditional leadership to discharge its role of promoting and contributing towards socio-economic development, nation building, moral regeneration and preservation of customs and culture within their geographic spaces of traditional leadership, amid this pandemic. The programmes of the Department, including the COVID-19 interventions responds to this ultimate end. The DDM is being used as a vehicle to integrate the fight against COVID-19 and the districts and metros shall serve as centers for this purpose.

The Department's key clients are traditional, Khoi-San leadership and communities and the interfaith sector. The South African Constitution legislates traditional leadership as a concurrent function of national and provincial governments. The Department of Traditional Affairs as a National Department provides national legislation, policy and regulatory environment to provide direction to the sector and provincial government. It is a leader and a custodian of coordination of the traditional affairs sector across the spheres of government. The implementation arm of the Department are provincial departments of traditional affairs. The DTAs implementation role is minimal and mostly limited to monitoring and supporting provinces to implement national legislation, policies, and programmes and to ensure that there is alignment between national and provincial policies and legislation.

The institution of traditional leadership includes traditional leadership and Khoi-San leadership. The 'affairs' of the institution includes:

- Leadership;
- Governance of traditional leadership structures;
- Community development;
- Administration of justice;
- African culture, heritage and languages, traditional communities' customs, cultural practices and protocols; and
- Spirituality (interfaith).

Government has adopted a District Development Model (DDM) in terms of which the three spheres of government are required to work together with communities and other role players to bring about development. The model offers new opportunities for DTA to have improved impact given that the roles, activities and resources of different institutions that will be better coordinated and synergized to address the development needs of communities. DTA has and will continue to mobilise the institution of traditional leadership to participate in the implementation of the District Development Model (DDM).

## **PESTLE Analysis**

The Department of Traditional Affairs operates within the following context;

### *Political*

Politically, COVID-19 provides the country with an opportunity for driving faster structural reforms. This may be a hope, rather than a certainty if a concrete plan is not put in place to effect such reforms. It has been indicated that the longer the lockdown lasts, the more the country will experience additional economic contraction, which will have further negative consequences for the majority of South Africans, who are already feeling the burden of COVID-19.

However, Government has placed the District Development Model at the centre of its delivery and to fight COVID-19. The current administration introduced the DDM to speed up development and delivery at a district or metropolitan area as geographical space. The proposed model seeks to utilise existing legal framework and implementation machinery, which includes the Intergovernmental Relations (IGR) Framework Act which provides for the Minister (and department) responsible for cooperative governance to provide “a framework for coordinating and aligning development priorities and objectives between the three spheres of government” as well as the development of “indicators for monitoring and evaluating” the implementation of the framework.

Thus the Model utilises and enhances these frameworks and the existing implementation machinery by facilitating for joint planning, implementation as well as monitoring and evaluation, between and amongst all spheres of governance wherein the term District is seen to refer to locality rather than the District Municipality, which no doubt forms an important part of the planning, delivery as well as Monitoring and Evaluation architecture. The Department of Traditional Affairs’ plans contributes to the implementation of the DDM.

### *Economic*

The economy, which was already in its worst state since the 2008 financial crisis, has been severely hit by the coronavirus pandemic. Unemployment had risen to approximately 30% and this is an indication of hard times for South Africans. There is therefore a need for urgency on the economic stimulus by Government. One of the key areas of focus of the current administration is to stimulate economic growth and create jobs, with the mandate clearly articulated as one of continuing along the path of growth and development. The growth rate of the South African economy has been affected by shortage of the required skills to match the modern-day economy, extreme levels of unemployment, decreasing levels of infrastructure investment and the effects of the global economic outlook.

Areas of traditional leadership are mostly rural, underdeveloped, poor and affected by a number of social ills. The Department of Traditional Affairs is responsible for supporting traditional leadership on socio economic development in order to benefit communities under traditional leadership. The dedicated focus on the implementation of the NDP and the MTSF is one of the key areas for economic growth stimulation and so is the District Development Model. The economic potential of rural areas is enabled by a number of untapped and under investment in potential economic sectors such as agriculture, tourism and blue economy amongst others. The Department's plans have been drawn from the broader plans of Government and do contribute to their realization, for instance, the release of land for development and agriculture as one of the key focus areas of the Department over the MTSF period.

### *Social*

Over the 25 years of democracy, there have been several attempts at steering development towards communities in a coordinated manner, with a view of maximizing impact and delivering cohesive and sustainable communities. These have included the War on poverty, the Integrated Sustainable Rural Development Programme (ISRDP) and the Comprehensive Rural Development Programme (CRDP). Despite these attempts COVID-19 has impacted on the social landscape of our country. This includes practices such as funerals, cultural functions, rituals, customary practice of initiation, weddings, social gatherings, cultural events, imbizos, community engagements and many other social traditions that define South Africans. Technology is the new means of building social networks. However, it will take time to fully integrate it into societal norms and standards owing to technological disadvantages experienced by the majority of South Africans in rural areas.

Unfortunately, 25 years after democracy the legacy of Apartheid spatial planning persists wherein the areas which were previously designated as 'native areas' continue to serve as labour reservoirs, which provide cheap unskilled labour to mines, industry and farms. These largely rural 'reservoirs' continue to keep women and children in extreme poverty. The migrant labour system, which extends to neighbouring countries in Southern Africa, continues to separate workers from their tears families.

Vibrant and cohesive communities also imply inclusive communities where women play an active and developmental role. The realities in terms of the lives of people in traditional communities was demonstrated by the social characteristics of the OR Tambo geographical space, as provided for in the profile of OR Tambo District as follows:

- High levels of youth unemployed (80% in OR Tambo) with no skills base
- High levels of child and woman headed household, above 40% (in OR it is 57%);
- High levels of poverty and inequality, for instance in OR Tambo 68.6% of the population reported that they had no income or earn less than R400 per month;
- High levels of crime, grime, rape and violence against children and women; and
- Additionally, despite high youth unemployment and number of women headed households there is little evidence of targeted interventions aimed at addressing these challenges.

This is a reflection of the majority of districts and metropolitan spaces in which traditional leadership has a footprint. The District Development Model (DDM) approach is meant to bring into a district or metropolitan space, the entire machinery of Government and the resources to address among others, the social ills identified above. The contribution of the Department of Traditional Affairs would among others be to mobilise the institution of traditional leadership to play a meaningful role in the socio-economic development of their communities.

## *Technological*

Global technological advancement has played a significant role in the fight against the Covi-19 pandemic and has also sustained the delivery of Government services, notwithstanding some disadvantages related to its use such as connectivity in remote rural areas. The Human Science Research Council (HSRC) puts it explicit that technology has provided a solution to contact-tracing, which is an essential tool in curbing the spread of the disease. The use of cell phone location tracing enables officials to accurately identify where an infected person has been, and which cell phone numbers were in their proximity.

The holders of these cell phone numbers can then be contacted for testing to determine whether they contracted the disease through close proximity to the primary infected person. This innovation has solved the contact-tracing challenge in a reliable and scientific manner since cell-phone use is widespread in South Africa, and almost everyone carries their cellphone wherever they go. Modern information technology has also allowed people to work from home, churches and artists to livestream their services and productions, and schools to conduct lessons remotely and even confer academic degrees. These practices have helped to ensure that people do not always have to gather and thereby increase the risk of the spread of the virus.

The institution of traditional leadership is concerned with the custodianship of culture, traditions and customs of traditional communities. The global technological changes bring about developments that should be embraced by the institution of traditional leadership. The key question is what are the technological developments and or innovations that are likely to affect the institution. The fact of the matter is that South Africa has young people being in the majority and they are likely to grasp new technologies and developments. This therefore places traditional communities' spaces as a potential for untapped technological advancements that could bring about socio-economic development. The modern day agriculture that can be implemented through the agrarian revolution programme is one of the potential technologically driven programmes of traditional communities.

## *Legal factors*

COVID-19 has brought a considerable amount of litigation to government with cases that were before the courts estimated to have been more than hundred and sixty-six (116). In their nature, these cases have challenged everything about COVID-19, with some challenging the legislation, the locus standi of the National Corona Virus Command Council (NCCC), the lockdown regulations including the different alert levels and others. The majority of cases were about the plaintiffs claiming that Government is limiting people's right of movement while a few others were arguing that Government is being reckless by easing the lockdown.

In terms of the Departmental legislation, the Traditional and Khoi-San Leadership Act (TKLA) no 3. of 2019 repealed the Traditional Leadership and Governance Framework Act (TLGFA) no of 2003 and the National House of Traditional Leadership Act (NHTL) no. 22 of 2009. The Act would for the first time, guarantee the statutory recognition of the Kho-San communities and leadership. The national and provincial Departments of Traditional Affairs are charged with the responsibility to implement the TKLA. The CIB has undergone the necessary parliamentary processes, the latest being the referral by the NCOP to the NA and lately the concurrence to the NCOP amendments issued by the Portfolio Committee. It is expected that the Bill will soon be passed into law and will be instrumental in addressing challenges experienced with the cultural practice of initiation.

## *Environmental factors*

The HSRC provides a very succinct analysis of the environmental impact of COVID-19 in South Africa. “There will be additional pressure on health facilities as more infections emerge, should the lockdown continue and current mitigation measures fail to curb the spread of the virus. Testing equipment and centers are being increased and isolation centers are being created to help isolate the infected. The demand for intensive care beds and ventilators is likely to increase as more people become infected. Frequent washing of hands, staying hydrated, staying indoors, avoiding handshakes and body contact, and practicing good personal hygiene have been recommended as useful measures for curbing the spread of the virus.

All these are being practiced as best as possible by South Africans. However, there are larger health and environmental challenges beyond the control of the individual. First is the poor water and sanitation facilities in some communities. South Africa is a water-scarce country in which some communities lack access to clean water. In addition, sanitation facilities are in a deplorable state in many townships, with many households often having to share highly deficient facilities. Moreover, littering in some communities, coupled with poor waste pickup service, creates unhygienic environments. In general, these poor sanitation conditions facilitate the spread of diseases. All of these factors taken together make practicing good hygiene, frequent washing of hands, and staying hydrated a significant challenge for those South Africans who have access only to contaminated or otherwise poor-quality water”.

The environmental factors that should be considered in this regard relate to the environmental conditions in which traditional leadership areas exist. These areas are dry, lack enough rainfall at times, characterized by high pollution and with extreme conditions brought by changing climate conditions such as extreme heat conditions among others. These conditions have brought disasters in traditional communities and have negative impact on farming and agriculture as the sources of livelihoods in traditional communities.

The Department of Traditional Affairs and the traditional leadership and communities at large, would have to partner with the disaster management institutions for disaster relief to traditional communities. The DTA and the NHTL are key stakeholders on matters pertaining to Disaster Management, in particular, including on directing relief efforts. The Ministry, the Department and Traditional Leaders participate actively in COVID-19 structures such as the Presidential Coordinating Council (PCC), the CoGTA MINMEC, Chairpersons Forum of Houses of Traditional Leaders, and many other structures set-up to fight the COVID-19 pandemic.

## **8.2 Internal environmental analysis**

The summarized emerging issues from the SWOT (Strengths, Weaknesses, Opportunities and Threats) analysis are as follows;

- COVID-19 Pandemic and its impact.
- GBVF and violence directed at the LGBTQ+ society.
- Effective institutional mechanisms within and across the spheres of government. For the effective support to be provided to the institution, the coordination function of the Department should be strengthened.
- The enactment of the TKLA and implementation thereof.
- Khoi-San leadership, communities and structures, other Khoi and San issues need to be given adequate attention.
- The issue of traditional leadership disputes and claims also continues to be a challenge;
- In addition, the developmental role of traditional leadership which is at the heart of traditional communities development was not given adequate attention.

## **Institutional Capacity of the Department to Mainstream all issues of Women, Youth and Persons with Disabilities**

The organisation population, comprising of a total of 104 employees as at 31 December 2020 is depicted on the table below as follows;

	POPULATION		SMS		PWD	YOUTH
	Male	Female	Male	Female		
<b>National Target</b>	50%	50%	50%	50%	2%	30%
<b>Current Status</b>	44%	56%	52%	48%	3%	22%

- There is shortfall on the target for the appointment of women at SMS with 2% to achieve the national target.
- The department exceeded the target for appointment of PWD with 1% with an increase of 2% from the last quarter.
- Furthermore, the target of youth appointed in the department also increased with 2% from the previous quarter, with a shortage of 8% to achieve the national target.

**The following is a break-down of the departmental EE targets as at 31 December 2020:**

	AFRICAN	COLOUREDS	WHITES	INDIANS
<b>Target</b>	75%	11%	9%	5%
<b>Current Status</b>	94%	2%	3%	2%

**The following plan is in place to improve and achieve EE targets:**

- Prioritise vacant and funded SMS positions for appointment of Women.
- HR Practitioners, among others presents EE targets during shortlisting/interviews and advice panels as well as ensuring compliance to achieve EE targets.

The Department also hosted a Women in SMS management meeting with the Accounting Officer during Women's Month (August 2020) to institutionalise the HOD's 8 principle action plan and also to report back on progress made in this regard some of which is reported above. The Department has also launched the Men's Forum to educate men on WEGE including fighting GBVF, including violence directed at the LGBTQ+ society. These initiatives are at an infant stage and will progress will be made as they mature with time.

A compulsory workshop for SMS members on Gender Mainstreaming is planned to take place during the course 2021 year and is meant to sensitize SMS members but also to capacitate them on how to integrate or mainstream gender, youth and persons with disabilities in departmental programmes and projects

The Department has in place the Employment Equity Policy and Disability Strategy as is required by the Employment Equity Act, 1998. The Department intends to review all its policies to ensure and guarantee alignment with national policies and implementation guidelines on women empowerment and gender equality. The Department has recently collated a list of all its policies for review. This should be implemented during the 2021/2022 financial year.

The Departmental Governance Structures are used as a platform for stakeholder engagements and consultations on strategies and mechanisms to mainstream Women, Youth and Persons with Disabilities. Branches have Branch Management Committees at which further consultations take place. The Department is further required to report on these matters to various assurance providers to demonstrate the commitments to comply with Government prescripts.

### **Gender Responsive Policy, Planning, Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) Framework**

The Gender Responsive Policy, Planning, Budgeting, Monitoring, Evaluation and Auditing (GRPBMEA) Framework was adopted by Cabinet on 27 March 2019 for implementation. In June 2020, the Department of Women, Youth and Persons with Disabilities (DWYPD) conducted an assessment of Strategic Plans (SP) and Annual Performance Plans (APP), which revealed that the vast majority of plans remained gender blind with limited elements of gender related targets, the cumbersomeness of multiple reforms to Departments for compliance, low levels of capacity on mainstreaming within government and significant advocacy on GRPBMEA that have been initiated at national and provincial levels, though training has not yet commenced.

In order to respond to the requirements for GRPBMEA, guidance was sought from the DWYP which advised that the Department should mainstream women, youth and persons with disabilities in planning, monitoring and evaluation, that the Strategic and Annual Performance Plans should be integrative of these aspects, for instance, the indicators should integrate these elements and that the Technical Indicator Descriptions (TIDs) should show gender, youth and persons with disabilities disaggregated data and that the programmes should further mainstream gender, youth and persons with disabilities through the Preferential Procurement of the Departments which could be effected by putting a percentage of 30% of procurement, as an example.

The Department will seek to progressively implement the GRPBMEA by among others, learning lessons from other Departments and government initiatives which successfully advanced women empowerment. In addition, the Department will consider the gender responsive evidence collected through the implementation of the women specific or targeted research agenda which will also contribute to the DTA's knowledge repository.

## **Internal environmental capacity analysis**

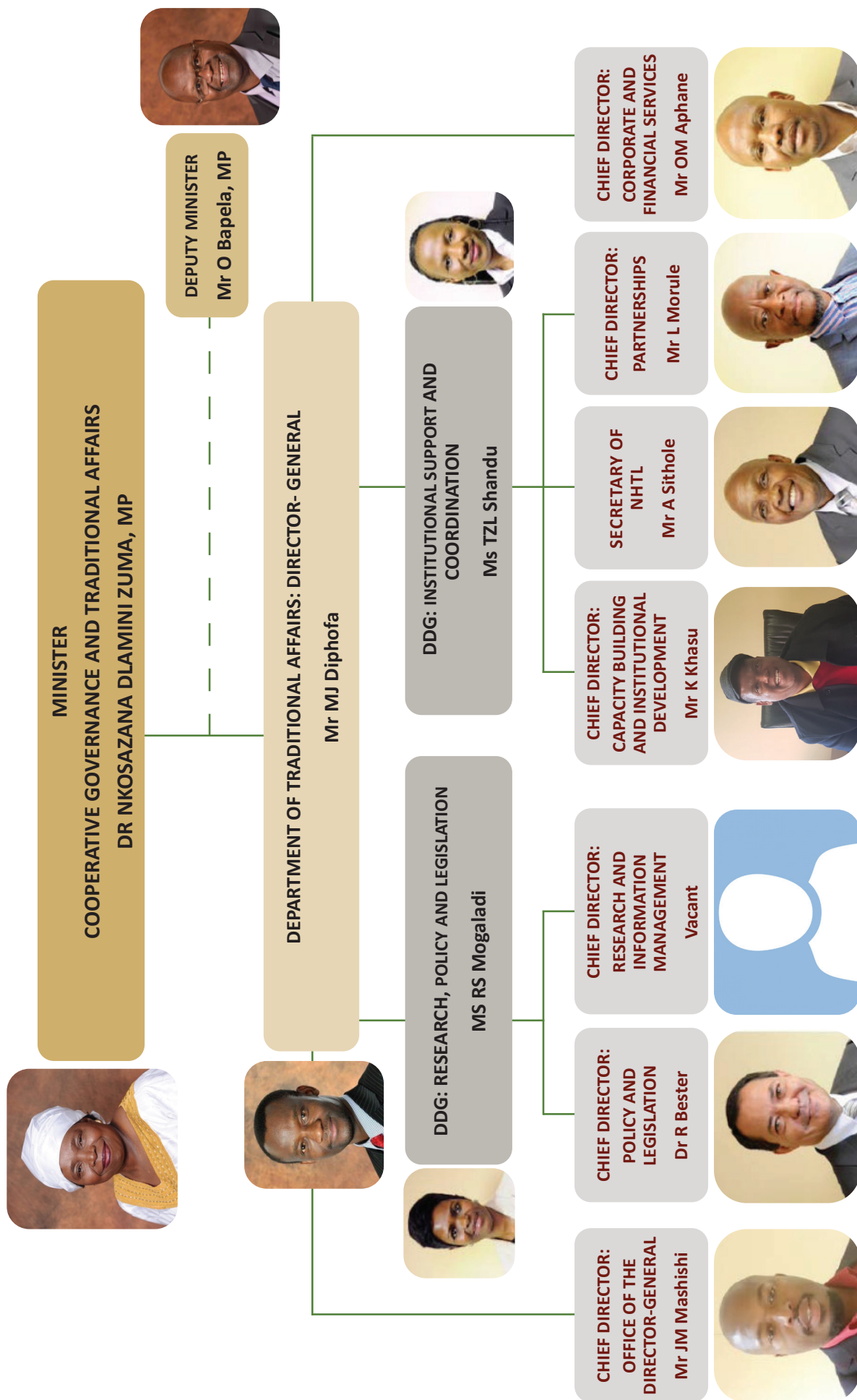
The Department does not have entities reporting to the Minister, however, it makes a transfer payment to the CRL Rights Commission, a Chapter 9 Constitutional Body which reports directly to Parliament and not to the Minister. Furthermore, the Department has the National House of Traditional Leaders which is provided as a sub-programme of the Institutional Support and Coordination Branch. As highlighted above, for the Department to make an impact in traditional and Khoi-San communities, there should be strong partnerships with and coordination of various government and private sector institutions.

The Department's processes for the implementation of these partnerships will be strengthened.

One other gap is that there is misalignment of national and provincial legislation in some provinces. This leads to inconsistencies in the manner in which national legislation is applied and exposes the state to possible litigation. Improved monitoring of how legislation is implemented across provinces, supported by an effective information management system for the sector are thus of paramount importance. Some of these gaps are as a result of the misalignment between the strategic plan, mandate and the organizational structure, whereby some of these critical functions are not included in the structure and do not have dedicated human resources. In order to address this gap, the Department is currently in the process of reviewing the organisational structure to include these functions.

As part of its COVID-19 risk management measures, the Department made arrangements to supply staff with Personal Protective Equipment (PPEs) in the form of masks and gloves as well as sanitisers. These too were provided to the seven Provincial Houses of Traditional Leaders in order to distribute among traditional leaders and their communities, as a contribution by the Department. The Department further made arrangements for compliance with all the necessary COVID-19 protocols as prescribed by the Department of Labour, Public Service and Administration and other Departments which are responsible for COVID-19 regulations in line with the National Disaster Management Act. These arrangements are updated and employees of the Department are kept informed of developments.

## 9. Organisational Structure





## PART C: MEASURING OUR PERFORMANCE

## 10. Institutional Programme Performance Information

### PROGRAMME 1: ADMINISTRATION

#### Purpose

The purpose of the Administration Programme is to provide strategic leadership, effective administration, executive support, monitoring and evaluation of Traditional Affairs' performance, corporate and financial services.

#### Description

The sub-programmes within the Administration Programme are:

- **Department Management** (Office of the Director-General): promotes effective strategic management and governance of the Department, corporate planning, integrated and aligned planning within traditional affairs, risk management, corporate secretariat, strategic communication and Parliament and Cabinet support services. The sub-programme's focus is to improve operational efficiency, and oversee the implementation of Departmental programmes and policies through monitoring and evaluation. It also ensures that adequate support is provided to Traditional Affairs entities.
- **Corporate and Financial Services:** This sub-programme provides human resource management and development, information and communication technologies, legal, records management, supply chain management and financial management support services to line function programmes within the Department.
- **Internal Audit:** This is an independent and objective appraisal function, which provides assurance to the Director-General and senior management concerning adequacy and efficiency of the Department's internal controls and governance system.

## PROGRAMME 1: ADMINISTRATION

### OUTCOMES, OUTPUTS, PERFORMANCE INDICATORS AND TARGETS

Outcomes	Outputs	Output indicators	Audited actual performance				Estimated performance	Medium-term targets		
			No	2017/18	2018/19	2019/20		2021/22	2022/23	2023/24
Effective governance of the Department	Performance against organisational performance information (OPIM) Compliance Management Plan	1 % performance against organisational performance information (OPIM) Compliance Management Plan		100%	100%	80%	80%	80%	80%	80%
	Actions in the Corporate and Financial Management (CFM) Compliance Management Plan implemented	2 % of actions in the CFM compliance management plan implemented		100%	100%	100%	80%	80%	80%	80%

### INDICATORS, ANNUAL AND QUARTERLY TARGETS FOR 2021/22 FY

No	Output indicators	Annual target 2021/22	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
1	% performance against Organisational performance information (OPIM) Compliance Management Plan	80%	Organisational Performance Information Compliance Management Plan approved 80% of actions in the organisational performance information Compliance Management Plan for the quarter implemented	80% of actions in the organisational performance information Compliance Management Plan for the quarter implemented	80% of actions in the organisational performance information Compliance Management Plan for the quarter implemented	80% of actions in the organisational performance information Compliance Management Plan for the quarter implemented	Approved Organisational Performance Information Management Compliance Management Plan Quarterly Organisational Performance Information compliance reports
2	% of actions in the CFM compliance management plan implemented	80%	CFM Compliance Management Plan approved 80% of actions in the CFM Compliance Management Plan for the quarter implemented	80% of actions in the CFM Compliance Management Plan for the quarter implemented	80% of actions in the CFM Compliance Management Plan for the quarter implemented	80% of actions in the CFM Compliance Management Plan for the quarter implemented	Approved CFM Compliance Management Plan CFM Quarterly compliance management reports

## TECHNICAL INDICATOR DESCRIPTION

Indicator title 1	% performance against organisational performance information (OPIM) Compliance Management Plan
Definition	<ul style="list-style-type: none"> <li>To identify and develop a compliance management plan of Organisational Performance Information Management indicators with timeframes from the Compliance Framework.</li> <li>Obtain DG's approval of the Organisational Performance Information Management indicators that will be implemented and monitored.</li> <li>Facilitate the implementation of actions in the Organisational Performance Information Management indicators Framework.</li> </ul>
Source of data/Collection of data	<p>Sources: DTA Compliance Framework, AG and Internal Audit Findings, DTA Policy on Managing Organisational Performance Information</p> <p>Collection: Review the above documents, identify and include compliance issues and dates in the compliance management plan</p>
Method of calculation/assessment	Number of compliance indicators in the compliance management plan achieved/implemented divided by the total number of compliance indicators in the compliance management plan multiplied by 80.
Means of verification	<ul style="list-style-type: none"> <li>Approved Organisational Performance Information Management Compliance Management Plan.</li> <li>Quarterly Organisational Performance Information Management compliance reports.</li> </ul>
Assumptions	The department adhering to all timeframes with regard to organisational performance information reporting.
Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)	Not applicable.
Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)	Not applicable.
Calculation Type	Non-Cumulative.
Reporting cycle	Quarterly.
Desired performance	100% compliance with government timeframes on organisational performance information.
Indicator responsibility	CD: ODG

Indicator title 2	% of actions in the CFM compliance management plan implemented
Definition	<ul style="list-style-type: none"> <li>To identify and develop a compliance management plan on CFM indicators with time frames from the Compliance Framework</li> <li>Obtain DG's approval of the CFM indicators that will be implemented and monitored.</li> <li>Implement the CFM indicators in the compliance management plan and produce reports on a quarterly basis.</li> </ul>
Source of data/Collection of data	Sources: DTA Compliance Framework, AG and Internal Audit Findings, DTA CFM policies Collection: Review the above documents, identify and include compliance issues and dates in the compliance management plan
Method of calculation/assessment	Number of compliance indicators in the compliance management plan achieved/implemented divided by the total number of compliance indicators in the compliance management plan multiplied by 80.
Means of verification	<ul style="list-style-type: none"> <li>Approved Compliance Management Plan.</li> <li>Quarterly CFM reports.</li> </ul>
Assumptions	The department adhering to all timeframes with regard to CFM reporting.
Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)	According to the targets as contemplated in the Preferential Procurement Policy Framework Act, 2000 (Act no 5 of 2000)
Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)	None applicable.
Calculation Type	Non-Cumulative.
Reporting cycle	Quarterly.
Desired performance	100% compliance with government timeframes on organisational performance information.
Indicator responsibility	CD: CFS

## EXPLANATION OF PLANNED PERFORMANCE

The planned performance of the Administration Branch contributes to the realization of the following

Departmental outcomes;

- Effective governance of the Department

The planned performance is about compliance with the Public Service prescripts governing performance information, risk management, internal audit, corporate and financial management including human resources. The Compliance Plans for the Office of the Director General and the Corporate and Financial Services have been developed for compliance by the Department covering the wide range of compliance obligation. The ultimate will be the Compliance Framework that would provide for the compliance universe of the Department, which will be monitored on a monthly, quarterly and annual basis. In future, the ODG will have to be capacitated fully regarding the Control and the Compliance units to operate optimally to guarantee full compliance by the Department.

## PROGRAMME RESOURCE CONSIDERATION

R Thousand Programmes	Audited Outcome			2020/21 Adjusted Appropriation	MTEF Estimates		
	2017/18	2018/19	2019/20		2021/22	2022/23	2023/24
Ministry	7 488	8 509	11 249	10 411	11 377	11 524	11 533
Management	11 992	11 991	13 298	14 659	14 386	17 703	17 859
Corporate Service	15 622	17 231	20 930	21 160	22 181	22 307	22 467
Internal Audit	4 651	3 567	3 793	4 455	4 349	4 320	5 623
<b>Total</b>	<b>39 753</b>	<b>41 298</b>	<b>49 270</b>	<b>50 685</b>	<b>52 293</b>	<b>55 854</b>	<b>57 482</b>
<b>Economic Classification</b>							
Compensation of Employees	26 294	28 486	33 337	35 122	35 755	38 900	40 340
Goods & Services	10 497	10 892	13 158	12 696	13 514	13 760	13 809
Transfers and Subsidies	103	33	138	12	12	12	11
Payments for Capital Assets	2 794	1 848	2 636	2 855	3 012	3 182	3 322
Payments for Financial Assets	65	39	1	-	-	-	-
<b>Total</b>	<b>39 753</b>	<b>41 298</b>	<b>49 270</b>	<b>50 685</b>	<b>52 293</b>	<b>55 854</b>	<b>57 482</b>

### Narrative on Planned Expenditure

The bulk of the budget for the Administration Programme will be utilised for the following priorities of the Programme over the MTSF are:

- Organisational Performance Information Compliance Management Plan approved
- 80% of actions in the organisational performance information Compliance Management Plan for the quarter implemented.
- CFM Compliance Management Plan approved
- 80% of actions in the CFM compliance management plan implemented

The expenditure for the Administration Branch relates to the implementation of the compliance obligations in the Compliance Management Plans of the ODG and CFS. This relates to items such as transfers and subsidies, payment of capital assets of the Department and the honouring of the contractual obligations of the Department.

## PROGRAMME 2: RESEARCH, POLICY AND LEGISLATION

### ***Purpose***

To conduct research, establish and manage information on legislation implementation and traditional leadership institutions/structures. Furthermore, the Programme's purpose is to develop, implement, monitor and review traditional affairs policies and legislation.

### ***Description***

The sub-programmes of the Research, Policy and Legislation Programme are:

- **Policy and Legislation:** To develop, review, monitor and support the implementation of traditional affairs policies and legislation for the transformation of the institution of traditional and Khoi-San leadership. The sub-programme also support provinces in the development and implementation of provincial traditional leadership legislation.
- **Research and Information Management:** To conduct research, establish systems to manage information on legislation implementation and traditional leadership institutions/structures.

## PROGRAMME 2: RESEARCH, POLICY AND LEGISLATION

### OUTCOMES, OUTPUTS, PERFORMANCE INDICATORS AND TARGETS

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Functional institution of Traditional Leadership	Kingships and Queenships Royal Families monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims	3	Number of Kingships and Queenships Royal Families monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims	2	2	1	-	3	4	4
	Draft set of regulations on identified sections of the TKLA	4	Number of draft sets of regulations on identified sections of the TKLA developed per year	-	-	-	-	1	1	1
	Research Report on Local Houses of Traditional and Khoi-San Leaders i.r.t. issues in section 50 of the TKLA	5	Number of research studies conducted for the development of TKLA Regulations	-	-	-	-	1 (Research on Local Houses of Traditional and Khoi-San Leaders i.r.t. issues in section 50 of the TKLA conducted)	1	1
Transformed institution of traditional leadership	Research report on struggles of women and people with disabilities in traditional leadership	6	Number of research studies in the Traditional Affairs Research Agenda on transformation and human rights related matters within the institution of traditional leadership conducted	-	1	1	1	1 (Research on struggles of women and people with disabilities within the institution of traditional leadership and traditional communities)	1	1

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Developed communities in areas of traditional leadership	Research report on culture and heritage economy in traditional communities	7	Number of research studies in the Traditional Affairs Research Agenda on socio-economic development-related matters of traditional communities conducted	-	-	-	-	1 (Research study on culture and heritage economy in traditional communities)	1	1
	Report of the information on traditional leaders, traditional leadership structures and communities collected from Provinces i.r.t. implementation of the TKLA	8	Number of Provinces from which information on traditional leaders, traditional leadership structures and communities has been collected i.r.t. implementation of the TKLA	-	-	-	-	8	8	9

# INDICATORS, ANNUAL AND QUARTERLY TARGETS FOR 2021/22 FY

No	Output indicators	Annual target 2021/22	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
3	Number of Kingships and Queenships Royal Families monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims	3	<p>Analytical report of the institution of traditional leadership on issues related to sections 3-14 of the TKLA developed</p> <p>Functionality Criteria and monitoring tool developed for assessing the functionality of Royal Families i.r.t. implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims</p>	1 Kingship and Queenship Royal Family monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims	1 Kingship and Queenship Royal Family monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims	1 Kingship and Queenship Royal Family monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims	<ul style="list-style-type: none"> <li>Analytical report on issues related to sections 3-14 of the TKLA</li> <li>Approved functionality criteria</li> <li>Attendance Registers</li> <li>Reports approved by the DG</li> <li>Agendas of meetings with Royal Families</li> <li>Monitoring reports</li> </ul>
4	Number of draft sets of regulations on identified sections of the TKLA developed per year	1	Sections in the TKLA that would require regulations to enhance implementation of the Act identified	-	First draft set of regulations on identified priority sections of TKLA developed	Final draft set of regulations on identified priority sections of TKLA developed	<p>Draft regulations approved by the DG for consultation with other stakeholders in the 2022/23 financial year</p>
5	Number of research studies conducted for the development of TKLA Regulations	1 (Research on Local Houses of Traditional and Khoi-San Leaders i.r.t. issues in section 50 of the TKLA conducted)	Research proposal approved	-	-	Research report on Local Houses of Traditional and Khoi-San Leaders i.r.t. issues in section 50 of the TKLA developed	<ul style="list-style-type: none"> <li>Approved research proposal (by the DG)</li> <li>Approved Research Report (by the DG)</li> </ul>

No	Output indicators	Annual target 2021/22	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
6	Number of research studies in the Traditional Affairs Research Agenda on transformation and human rights related matters within the institution of traditional leadership conducted	1 (Research on struggles of women and people with disabilities within the institution of traditional leadership and traditional communities)	Research proposal approved	-	-	Research report on struggles of women and people with disabilities within the institution of traditional leadership and traditional communities developed	<ul style="list-style-type: none"> <li>Approved research proposal (by the DG)</li> <li>Approved Research Report (by the DG)</li> </ul>
7	Number of research studies in the Traditional Affairs Research Agenda on socio-economic development-related matters of traditional communities conducted	1 (Research study on culture and heritage economy in traditional communities)	Research proposal approved	-	-	Research report on culture and heritage economy in traditional communities developed	<ul style="list-style-type: none"> <li>Approved research proposal (by the DG)</li> <li>Approved Research Report (by the DG)</li> </ul>
8	Number of Provinces from which information on traditional leaders, traditional leadership structures and communities has been collected i.r.t. implementation of the TKLA	8	-	-	-	8	<ul style="list-style-type: none"> <li>Reports on the information collected</li> <li>Data collection template</li> </ul>

## TECHNICAL INDICATORS DESCRIPTION

Indicator title 3	Number of Kingships and Queenships Royal Families monitored on implementation of the TKLA and the Framework on Resolution of Traditional Leadership Disputes and Claims
<b>Definition</b>	<ul style="list-style-type: none"> <li>· To analyse sections in the TKLA i.r.t. issues in sections 3-14 of the Act and the current practices (i.r.t. identification and withdrawal of successors to hereditary positions) within Royal Families and the institution of traditional leadership and produce an analysis report.</li> <li>· Informed by the analysis report, develop functionality criteria and monitoring tool for assessing the functionality of Kingships and Queenships royal families on the resolution and processing of traditional leadership disputes and claims and on the implementation of the TKLA (sections 3-14: provisions on identification and withdrawal of traditional leaders) and the Framework for the Resolution of Traditional Leadership Disputes and Claims.</li> <li>· From the functionality assessment findings and results, convene information sharing sessions with Kingships/Queenships royal families for purposes of:               <ul style="list-style-type: none"> <li>- Addressing weaknesses and gaps regarding their functionality;</li> <li>- Documenting and sharing good practices of royal families that are functional in resolving and processing their disputes and claims; and</li> <li>- Supporting them to:                   <ul style="list-style-type: none"> <li>✓ Document their customary laws of succession and genealogies</li> <li>✓ Establish effective systems and mechanisms for resolution and processing of disputes and claims, document their customary laws and customs informing leadership succession and withdrawal;</li> <li>✓ Identify and document their core royal families;</li> <li>✓ Perform the roles and functions of Royal Families' Committees/ structures responsible for traditional leadership succession and resolution of disputes and claims; and</li> <li>✓ Effectively implement the Framework on the Resolution of Traditional Leadership Disputes and Claims.</li> </ul> </li> </ul> </li> </ul>
<b>Source of data/Collection of data</b>	Literature, royal families, traditional communities, structures of traditional leadership and TKLA
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>· Analytical report on issues related to sections 3-14 of the TKLA</li> <li>· Approved functionality criteria</li> <li>· Attendance Registers</li> <li>· Reports approved by the DG</li> <li>· Agendas of meetings with Royal Families</li> <li>· Monitoring reports</li> </ul>
<b>Assumptions</b>	Cooperation by the Royal Families.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/ Metros as per DDM)</b>	Districts and metros with kingships and queenships
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Kingships and Queenships having functional systems for resolution of traditional leadership disputes and claims.
<b>Indicator responsibility</b>	CD: RIM

Indicator title 4	Number of draft sets of regulations on identified sections of the TKLA developed per year
<b>Definition</b>	<ul style="list-style-type: none"> <li>· To identify sections in the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) that would require regulations to enhance the implementation of the Act and to prepare a list of such identified sections. Once the list has been prepared, it will be submitted to the DG with recommendations and for his/her guidance on which sections should be prioritised. Following approval by the DG of the prioritised sections for 2021/22 FY, a set of regulations will be developed.</li> <li>· The set of draft regulations will be submitted to the DG for approval for further consultations with stakeholders in the 2022/23 financial year.</li> </ul>
<b>Source of data/Collection of data</b>	Traditional and Khoi-San Leadership Act, 2019.
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Draft regulations approved by the DG for further consultation with other stakeholders in the 2022/23 financial year
<b>Assumptions</b>	DG approval of prioritised sections of TKLA for development of regulations
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Not applicable.
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Not applicable.
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Regulations enhance implementation of the Traditional and Khoi-San Leadership Act, 2019.
<b>Indicator responsibility</b>	CD: Policy and Legislation

Indicator title 5	Number of research studies conducted for the development of TKLA Regulations
<b>Definition</b>	<ul style="list-style-type: none"> <li>· To develop and obtain DG's approval of the research proposal relating to Local Houses of Traditional and Khoi-San Leaders as contemplated in the TKLA</li> <li>· The research would commence after approval of the research proposal.</li> <li>· The focus of the research will be on issues provided for in section 50 of the TKLA and proposals on how section 50 may be implemented.</li> <li>· The research report would be approved by the DG.</li> </ul>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>· TKLA</li> <li>· Local houses and provinces</li> <li>· Document review</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>· Approved research proposal (by the DG)</li> <li>· Approved Research Report (by the DG)</li> </ul>
<b>Assumptions</b>	Cooperation by provinces and local houses
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Not applicable
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Not applicable
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Research report to inform possible regulations on Local Houses of Traditional and Khoi-San Leaders
<b>Indicator responsibility</b>	CD: P&L

Indicator title 6	Number of research studies in the Traditional Affairs Research Agenda on transformation and human rights related matters within the institution of traditional leadership conducted
<b>Definition</b>	<ul style="list-style-type: none"> <li>· To develop and obtain DG's approval of the research proposal for the Research on struggles of women and people with disabilities in traditional leadership structures, royal families and traditional communities.</li> <li>· The research would commence after approval of the research proposal.</li> <li>· The draft and final research reports would be approved by the DG.</li> </ul>
<b>Source of data/Collection of data</b>	Literature, royal families, traditional communities and structures of traditional leadership, government officials, archival material, journals and other documents
<b>Method of calculation/assessment</b>	Simple count.
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>· Approved research proposal (by the DG)</li> <li>· Approved Research Reports (by the DG)</li> </ul>
<b>Assumptions</b>	Cooperation by and availability of Royal Families, members of traditional leadership structures, members of traditional communities and other members of the public
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Participants in the research would include women, girls and people with disabilities in traditional leadership structures, royal families and traditional communities
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	All Districts/metros with recognised traditional communities
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Research report informing the development and review of policies, legislation and programmes i.r.t. women empowerment, gender equality, empowerment of people with disabilities, transformation within the traditional affairs sector and addressing GBVF.
<b>Indicator responsibility</b>	CD:RIM

Indicator title 7	Number of research studies in the Traditional Affairs Research Agenda on socio-economic development-related matters of traditional communities conducted
<b>Definition</b>	<ul style="list-style-type: none"> <li>· To develop and obtain DG's approval of the research proposal for the <i>Research on culture and heritage economy in traditional communities</i>.</li> <li>· The research would commence after approval of the research proposal.</li> <li>· The draft and final research reports would be approved by the DG.</li> </ul>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>· Traditional leadership structures, traditional community members, royal families and experts in the field of cultural and heritage economy</li> <li>· Relevant literature, reports and other documents</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	<ul style="list-style-type: none"> <li>· Approved research proposal (by the DG)</li> <li>· Approved research reports (by the DG)</li> </ul>
<b>Assumptions</b>	Availability and willingness of skilled cultural and heritage economy experts to participate in the research
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Participants in the research would include women, youth, LGBTIs and people with disabilities
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	All Districts/metros with recognised traditional communities
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	<ul style="list-style-type: none"> <li>a) One Plans of the 30 Districts/Metros reflecting projects on advancing culture and heritage economy informed by the Research Report</li> <li>b) Usage of the research report for the design of traditional and Khoi-San communities' socio-economic development initiatives in relation to cultural and heritage economy</li> </ul>
<b>Indicator responsibility</b>	CD: RIM

Indicator title 8	Number of Provinces from which information on traditional leaders, traditional leadership structures and communities has been collected i.r.t. implementation of the TKLA
<b>Definition</b>	<p>To determine the state of readiness of provinces to implement the TKLA by determining the availability of and collecting the following information on traditional leaders, structures of traditional leadership and traditional communities in 8 provinces:</p> <ul style="list-style-type: none"> <li>- Maps of jurisdictional areas of traditional leadership per kingship/queenship, principal traditional leadership per District and Local Municipality</li> <li>- Number and names of cross-boundary kingships/queenships, principal traditional leadership and traditional councils per District and Local Municipality</li> <li>- Number, certificates and government notices of recognised headmen, headmen, headwomen, senior traditional leaders, principal traditional leaders and kings/queens per District and Local Municipality</li> <li>- Number and names of Community Authorities per District and Local Municipality</li> <li>- Number and names of households per traditional community per District and Local Municipality</li> </ul>
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>· DTA database</li> <li>· Provincial Departments</li> <li>· Traditional leadership structures, traditional leaders and traditional communities</li> <li>· Government Notices</li> <li>· Statistics SA</li> <li>· Relevant literature, reports and other documents</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	<p>Reports on the information collected</p> <p>Data collection template</p>
<b>Assumptions</b>	Cooperation from provinces
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	All Districts with recognised traditional leadership
<b>Calculation Type</b>	Non-Cumulative
<b>Reporting cycle</b>	Yearly
<b>Desired performance</b>	Use of the information for planning implementation of the TKLA
<b>Indicator responsibility</b>	CD: RIM

## EXPLANATION OF PLANNED PERFORMANCE

There are existing legislative gaps in the traditional affairs sector emanating from the Traditional Leadership and Governance Framework Act and the National House of Traditional Leaders Act, which would be repealed by the Traditional and Khoi-San Leadership Act, 2019 (Act No. 3 of 2019) (TKLA).

There is also no legislation to regulate the customary initiation practice, the Customary Initiation Bill closing this legislative gap. The Bill is still in Parliament and it is envisaged that it may be enacted during the 2021/22 financial year.

Some of the challenges in the sector resulting from these legislative gaps are:

- a) No legislation for statutory recognition of Khoi-San leadership and communities.
- b) Escalating numbers of traditional leadership disputes and claims across all levels of traditional leadership which often result in litigations. Most of the kingships and queenships have disputes.
- c) Lack of clarity on the participation of traditional leadership in municipal councils.
- d) Lack of clarity on the roles of traditional leaders provided for in legislation.
- e) Inadequate provision for regulations to enhance implementation of traditional affairs legislation.
- f) No provision was made for monitoring implementation of national legislation by the Department of Traditional Affairs, which led to instances of inadequate or non-implementation of national traditional affairs legislation, such as traditional leadership councils not constituted within the legislated timeframes.
- g) Fatalities from the customary initiation practice.
- h) Inadequate disaggregated research data pertaining to WYPD within traditional leadership

Therefore, the focus of the Research, Policy and Legislation Programme over the current MTSF period would be on addressing these gaps through implementation of the following projects throughout the MTSF period, starting with the 2021/22:

- a) *Establishment of the Commission on Khoi-San Matters:* The statutory recognition of the Khoi-San leaders, leadership structures and communities through the establishment of the Commission on Khoi-San Matters and ensuring that it is operational and adequately resourced.
- b) *Facilitating legal constitution of traditional leadership councils* (traditional councils, principal traditional communities' councils, kingships and queenships councils, houses of traditional leaders across all the three spheres of government), taking into account gender representivity.
- c) *Establishment of the National Initiation Oversight Committee* and ensuring that it is inclusive of Women, it is operational and adequately resourced to perform its functions.
- d) Monitoring the establishment of the *Provincial Initiation Coordinating Committees*
- e) Development and implementation of Regulations and legal determinations for implementation of the two pieces of legislation
- f) *Monitor implementation and compliance with legislation* (TKLA and Customary Initiation Act (CIA) by provinces, structures of traditional leadership and all role players.
- g) *Establishment of an information management system* for traditional and Khoi-San communities, institutions/structures and leadership as part of TKLA and CIB implementation.
- h) Implementation of projects in relation to the *management of kingships and queenships leadership disputes and claims* and supporting Legal Services on addressing litigations in this regard.
- i) Documenting community rules for traditional communities under kingships and queenships for the capacitation of communities to adapt and transform their rules to conform to the Bill of Rights.

The Programme will further focus on research towards enhancing implementation of the TKLA, customary laws, customs and cultural practices with potential to violate human rights as provided for in the Bill of Rights within traditional communities. In particular, the Programme would conduct research on:

- Customary roles of Khoi-San leaders to inform their roles and functions ones they are legally recognised.
- Various sections of the TKLA to inform the development of the regulations.
- Customary laws, customs, cultural practices, patriarchal beliefs that may contravene the Bill of Rights in order to protect the human rights of vulnerable groups within the institution of traditional leadership and traditional communities.
- Coexistence of the institution of traditional leadership within the democratic dispensation.

## PROGRAMME RESOURCE CONSIDERATION

R Thousand Programmes	Audited Outcome			2020/21 Adjusted Appropriation	MTEF Estimates		
	2017/18	2018/19	2019/20		2021/22	2022/23	2023/24
Management	-	1 772	2 645	2 843	3 184	3 123	3 128
Policy and Legislation	3 555	3 805	4 016	5 052	5 197	5 236	5 240
Research and Info Management	10 439	11 500	9 944	9 034	9 650	9 869	9 878
<b>Total</b>	<b>13 994</b>	<b>17 077</b>	<b>16 605</b>	<b>16 929</b>	<b>18 031</b>	<b>18 228</b>	<b>18 246</b>
<b>Economic Classification</b>							
Compensation of Employees	11 011	13 012	13 005	13 748	13 979	13 978	13 978
Goods & Services	2 954	3 868	3 598	3 181	4 052	4 250	4 268
Transfers and Subsidies	29	197	-	-	-	-	-
Payments for Capital Assets	-	-	-	-	-	-	-
Payments for Financial Assets	-	-	2	-	-	-	-
<b>Total</b>	<b>13 994</b>	<b>17 077</b>	<b>16 605</b>	<b>16 929</b>	<b>18 031</b>	<b>18 228</b>	<b>18 246</b>

## Narrative on Planned Expenditure

Most of the budget for the Programme would be utilised for the above-mentioned projects. In this regard, the programme's budget would be utilised for:

- Legislation (TKLA and CIA) implementation and compliance monitoring, particularly the establishment of national and provincial institutional mechanisms for implementation of the TKLA and CIA.
- Development of TKLA regulations to enhance implementation of the Act.
- Strengthening information management systems for traditional and Khoisan leadership and communities as part of implementation of the TKLA.
- Projects aimed at supporting and empowering kingships and queenships to manage their traditional leadership disputes and claims.
- Research projects towards implementation of the TKLA, development of the TKLA regulations and transformation of traditional leadership and communities to conform to the Bill of Rights.

## PROGRAMME 3: INSTITUTIONAL SUPPORT AND COORDINATION

### Purpose

To promote institutional development and capacity building for the institution of traditional leadership and facilitate partnerships between the institution of traditional leadership and all spheres of government, civil society and private sector.

### Description

The sub-programmes of the Institutional Support and Coordination Programme are:

- **Secretariat of the NHTL:** To provide secretariat, administrative and research support to the NHTL. In collaboration with the NHTL and the Department, the Secretariat provides planning, performance reporting services to the House and assists the House to implement the House Strategic Plans and APPs. The Secretariat also supports the House to comply with financial, planning, performance reporting and corporate governance prescripts.
- **Institutional Development and Capacity Building:** To ensure that structures of traditional leadership are empowered by reviewing, developing, implementing and monitoring national institutional support programmes.
- **Partnerships:** To promote and integrate the role and place of the institution of traditional leadership, including Khoi-San leadership and structures in the South African governance system by establishing collaborative relations between the institution and other governance structures across the three spheres of government.

## PROGRAMME 3: INSTITUTIONAL SUPPORT AND COORDINATION

### OUTCOMES, OUTPUTS, PERFORMANCE INDICATORS AND TARGETS

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Transformed institution of traditional leadership	Implementation of the social cohesion programme	9	Number of Provincial Houses of Traditional Leaders monitored on the implementation of the Social Cohesion programme	-	-	-	8 Provinces monitored on the implementation of the Social Cohesion programme: ➤ Funerals and cultural events adhering to COVID -19 regulations ➤ Awareness programmes on the COVID -19 stigmatization	7 Provincial Houses of Traditional Leaders monitored on the implementation of the Social Cohesion programme Empowerment of Women in traditional leadership on: ➤ Food security ➤ GBVF ➤ Substance abuse	7 Provincial Houses of Traditional Leaders monitored on the implementation of the Social Cohesion programme Empowerment of Women in traditional leadership on: ➤ Food security ➤ GBVF ➤ Substance abuse	7 Provincial Houses of Traditional Leaders monitored on the implementation of the Social Cohesion programme Empowerment of Women in traditional leadership on: ➤ Food security ➤ GBVF ➤ Substance abuse
	Awareness campaigns on the customary initiation practice conducted	10	Number of awareness campaigns conducted on the customary initiation practice				9 awareness campaigns on the customary initiation practice conducted	9	9	9
Safe initiation practices	Provinces monitored on adherence to initiation policy guidelines	11	Number of Provinces monitored on adherence to initiation policy guidelines	-	-	-	9 Provinces monitored on the implementation of customary initiation practice	9	9	9

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Developed communities in areas of traditional leadership	Participation of Local Houses in government development programmes in terms of the DDM monitored	12	Number of Provinces monitored on the participation of Local Houses of Traditional Leaders in government development programmes in terms of the DDM	-	-	Cooperative Governance Framework for traditional leadership in governance developed 28 districts profiles on the institution of traditional leadership with regard to institutional development, capacity building and partnerships	30 Local Houses monitored on the participation in the District Development Model	8 Provinces monitored on the participation of Local Houses in government development programmes in terms of the DDM	8 Provinces monitored on the participation of Local Houses in government development programmes in terms of the DDM	8 Provinces monitored on the participation of Local Houses in government development programmes in terms of the DDM
Developed communities in areas of traditional leadership	Provinces monitored on the implementation of section 24 of the TKLA	13	Number of provinces monitored on the implementation of section 24 of the TKLA	-	-	-	New	8 provinces monitored on the implementation of section 24 of the TKLA	8 provinces monitored on the implementation of section 24 of the TKLA	8 provinces monitored on the implementation of section 24 of the TKLA
Developed communities in areas of traditional leadership	Implementation of the remodelled Agrarian Revolution Programme in traditional communities monitored	14	Number of provinces monitored on the implementation of Agrarian Revolution programme in traditional communities	-	-	Number of provinces monitored on the implementation of traditional leaders in Agrarian Revolution projects	Concept document on the remodelling of the Agrarian Revolution Programme developed	8 provinces monitored on the implementation of Agrarian Revolution programme in traditional communities	8 provinces monitored on the implementation of Agrarian Revolution programme in traditional communities	8 provinces monitored on the implementation of Agrarian Revolution programme in traditional communities
Developed communities in areas of traditional leadership	Provincial Houses of Traditional Leaders consulted on the Communal Land Tenure Policy	15	Number of Provincial Houses of Traditional Leaders consulted on the Communal Land Tenure Policy	-	-	-	New project	7	7	7

Outcomes	Outputs	Output indicators		Audited actual performance			Estimated performance	Medium-term targets		
		No		2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Functional institution of traditional leadership	Provinces monitored on the functionality of the LHTLs	16	Number of provinces monitored on the functionality of the LHTLs.	-	-	-	New project	8	8	8
Functional institution of traditional and Khoi-San leadership	Interventions in the Integrated Traditional Leadership support programme implemented	17	Number of interventions in the Integrated traditional Leadership support programme implemented.	Capacity building strategy implemented	Curriculum in traditional leadership developed	Curriculum in traditional leadership consulted and approved	Integrated Traditional and Khoi-San Leadership support programme developed and approved	1 Intervention in the Integrated Traditional and Khoi-San support programmes implemented: <ul style="list-style-type: none"> <li>• 8 Houses trained on Gender Based Violence and Femicide (GBVF)</li> </ul>	2 interventions in the Integrated Traditional support programmes implemented	2 interventions on the Integrated Traditional support programmes implemented

# INDICATORS, ANNUAL AND QUARTERLY TARGETS FOR 2021/22 FY

No	Output indicators	Annual target 2021/22	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
9	Number of Provincial Houses of Traditional Leaders monitored on the implementation of the Social Cohesion programme	7	2 Provincial Houses of Traditional Leaders implementing Social Cohesion program ▪ Empowerment of women in traditional leadership on food security, GBVF and Substance abuse.	4 Provincial Houses of Traditional Leaders implementing Social Cohesion program ▪ Empowerment of women in traditional leadership on food security, GBVF and Substance abuse.	1 Provincial Houses of Traditional Leaders implementing Social Cohesion program ▪ Empowerment of women in traditional leadership on food security, GBVF and Substance abuse.	-	Approved Social Cohesion Programme Attendance registers in terms of WYPD Report Consolidated monitoring report
10	Number of awareness campaigns conducted on the customary initiation practice	9	6 Provincial awareness campaigns on the customary initiation practice conducted	-	3 Provincial awareness campaigns on the customary initiation practice conducted	-	Targeted awareness campaign plan. 9 provincial reports and 1 consolidated national report
11	Number of Provinces monitored on adherence to initiation policy guidelines	9	6		3	-	Initiation policy guidelines 9 monitoring reports and 1 consolidated report
12	Number of PHTLs monitored on the participation of Local Houses of Traditional Leaders in government development programmes in terms of the DDM	7	7	7	7	7	Participation reports One Plans for 30 LHTL
13	Number of provinces monitored on the implementation of section 24 of the TKLA	8 provinces monitored on the implementation of section 24 of the TKLA	Draft Guidelines on the implementation of section 24 of the TKLA developed	Consultation with provinces on guidelines on the implementation of section 24 of the TKLA	8 provinces monitored on the implementation of section 24 of the TKLA	8 monitored on the implementation on the implementation of section 24 of the TKLA Final Guidelines approved	Approved Guidelines on the implementation of section 24 of the TKLA Monitoring Reports

No	Output indicators	Annual target 2021/22	Quarterly targets				Means of Verification
			Quarter 1	Quarter 2	Quarter 3	Quarter 4	
14	Number of provinces monitored on the implementation of Agrarian Revolution programme in traditional communities	8 provinces monitored on the implementation of the Agrarian revolution programme in traditional communities	2 provinces monitored on the implementation of the Agrarian revolution programme in traditional communities	2 provinces monitored on the implementation of the Agrarian revolution programme in traditional communities	2 provinces monitored on the implementation of the Agrarian revolution programme in traditional communities	2 provinces monitored on the implementation of the Agrarian revolution programme in traditional communities	Consultation reports Attendance Registers Templates for reporting and reports to provide disaggregated data in terms of WYPD Monitoring Reports and 1 Consolidated monitoring report
15	Number of Provincial Houses of Traditional Leaders consulted on the Communal Land Tenure Policy	7 Provincial House of Traditional Leaders consulted on the Communal Land Tenure Policy	-	-	-	7 Provincial Houses of Traditional Leaders consulted on the Communal Land Tenure Policy	Consultation Reports Consultation presentation Invitations Agenda Attendance Registers
16	Number of provinces monitored on the functionality of the LHTLs.	8	Functionality assessment tool developed	8 provinces consulted on the functionality assessment tool	4	4	Functionality assessment tool Report on consultation with provinces 8 Monitoring reports
17	Number of interventions in the Integrated Leadership programme support programme implemented.	1 Intervention in the Integrated Traditional and Khoi-San support programmes implemented: ▪ 8 Houses trained on Gender Based Violence and Femicide (GBVF)		3 houses trained on Gender Based Violence and Femicide (GBVF)	3 houses trained on Gender Based Violence and Femicide (GBVF)	2 houses trained on Gender Based Violence and Femicide (GBVF)	Workshopping content approved by DG Reports Attendance registers

## TECHNICAL INDICATOR DESCRIPTION

Indicator title 9	Number of Provincial Houses of Traditional Leaders monitored on the implementation of the Social Cohesion programme
<b>Definition</b>	To monitor the implementation of the social cohesion programme by the provincial houses of traditional leaders in provinces. The existing draft social cohesion programme will be revised, submitted for approval by the Chairpersons Forum and the Director General for implementation.
<b>Source of data/Collection of data</b>	NHTL, PHTLs, National and Provincial Departments responsible for Traditional Affairs, Department of Sports and Culture, Provincial departments responsible for Traditional Affairs.
<b>Method of calculation/assessment</b>	Simple count.
<b>Means of verification</b>	Approved Social Cohesion Programme Attendance registers in terms of WYPD Report Consolidated monitoring report
<b>Assumptions</b>	Social cohesion programme successfully implemented with the traditional leaders, as custodians of culture and traditions, taking a lead.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Programme to target; 50% Women 30% Youth 2% People with Disabilities
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Districts and metros with traditional leadership.
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Traditional leaders embedded as custodians of culture.
<b>Indicator responsibility</b>	Secretary: NHTL

Indicator title 10	Number of awareness campaigns conducted on the customary initiation practice.
<b>Definition</b>	Develop the awareness campaign plan and secure approval of the plan by the Chairperson / DG Arrange awareness campaigns on customary initiation practice as per the approved awareness campaign plan
<b>Source of data/Collection of data</b>	NHTL, PHTLs and Provincial Departments responsible for Traditional Affairs.
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Approved awareness campaign plan. 9 provincial reports and 1 consolidated national report
<b>Assumptions</b>	Awareness campaigns successfully organized.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Communities under traditional leadership who practice customary initiation
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Reduction in the fatalities associated with the cultural initiation practice
<b>Indicator responsibility</b>	Secretary: NHTL

Indicator title 11	Number of Provinces monitored on adherence to initiation policy guidelines
<b>Definition</b>	To monitor Provinces on the adherence with customary initiation policy guidelines as well as legislation.
<b>Source of data/Collection of data</b>	NHTL, PHTLs, and Provincial Departments responsible for Traditional Affairs
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Initiation policy guidelines 9 monitoring reports and 1 consolidated report
<b>Assumptions</b>	Provinces are complying with customary initiation regulations
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Communities under traditional leadership who practice customary initiation
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Reduction in the fatalities associated with the cultural initiation practice.
<b>Indicator responsibility</b>	Secretary: NHTL

<b>Indicator title 12</b>	<b>Number of PHTLs monitored on the participation of Local Houses of Traditional Leaders in government development programmes in terms of the DDM</b>
<b>Definition</b>	To promote the participation of Local Houses of Traditional Leaders in development programmes in terms of the District Development Model by contributing in the development and implementation of the One Plans. Facilitate the development of traditional leadership One Plans for 30 LHTL and submit to DCoG for incorporation into the broader One Plans of Government
<b>Source of data/Collection of data</b>	Provincial Traditional Affairs Units Local Houses of Traditional Leaders Traditional communities
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Participation reports One Plans for 30 LHTL
<b>Assumptions</b>	DDM will be rolled in all districts with traditional leadership
<b>Disaggregation of beneficiaries(where applicable, for Women, Youth and PWD)</b>	Members of traditional communities
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	District municipal areas with traditional communities
<b>Calculation Type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Improved cooperative relations between traditional leadership and government resulting in developed traditional communities.
<b>Indicator responsibility</b>	Chief Director: Partnerships and Inter-governmental Relations

<b>Indicator title 13</b>	<b>Number of provinces monitored on the implementation of section 24 of the TKLA</b>
<b>Definition</b>	To capacitate and solicit inputs from provinces on development of Guidelines on the implementation of section 24 of the TKLA by conducting workshops with officials of traditional affairs units in provinces The follow-up activities will be to monitor the implementation of section 24 of the TKLA by Provinces
<b>Source of data/Collection of data</b>	Provincial CoGTA
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Approved Guidelines on the implementation of section 24 of the TKLA Monitoring Reports
<b>Assumptions</b>	TKLA will be proclaimed for commencement by the end of 2020-2021.
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Not applicable
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Not applicable
<b>Calculation Type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Inputs and comments from provinces will be incorporated into the Final Guidelines on the implantation of Section 24 of TKLA
<b>Indicator responsibility</b>	Chief Director Partnerships and IGR

<b>Indicator title 14</b>	<b>Number of provinces monitored on the implementation of Agrarian Revolution programme in traditional communities</b>
<b>Definition</b>	<ul style="list-style-type: none"> <li>• Consult DCoG, DALRRD, NHTL, PHTLs and other stakeholders if any on the implementation of the Agrarian Revolution Programme</li> <li>• Consult Provincial CoGTAs on the implementation of the Agrarian Revolution programme.</li> <li>• Facilitate and coordinate the implementation of the Agrarian Revolution programme by Provinces</li> <li>• To monitor the implementation of the Agrarian Revolution projects implemented in Traditional Communities</li> <li>• Monitoring tool developed as part of the implementation plan together with the Department of Agriculture and Rural Development and Land Reform (DALRRD) and the National House of Traditional Leaders (NHTL)</li> </ul>
<b>Source of data/Collection of data</b>	DALRRD /DTA together with the NHTL, PHTL and Provincial Departments responsible for Traditional Affairs.
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Consultation reports Attendance Registers Templates for reporting and reports to provide disaggregated data in terms of WYPD Monitoring Reports and 1 Consolidated monitoring report
<b>Assumptions</b>	Agrarian projects successfully implemented in Traditional Communities and Khoi -San Communities
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	50 percent of the beneficiaries to be Women, 30% to be Youth and 2% to be People with Disabilities
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Districts and metros with traditional leadership.
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Communal land availed for the implementation of the Agrarian Revolution Programme
<b>Indicator responsibility</b>	Chief Director Partnerships and IGR

<b>Indicator title 15</b>	<b>Number of Provincial Houses of Traditional Leaders consulted on the Communal Land Tenure Policy</b>
<b>Definition</b>	To support the participation of traditional and Khoi-San leadership in the development of the Communal Land Tenure Policy by convening the consultation sessions with PHTLs.
<b>Source of data/Collection of data</b>	<ul style="list-style-type: none"> <li>• Department of Agriculture, Land Reform and Rural Development</li> <li>• National and Provincial Houses of Traditional Leaders</li> <li>• PHTLs</li> </ul>
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Invitations Agenda Attendance Registers Consultation- presentation Consultation Reports
<b>Assumptions</b>	Department of Agriculture, Land Reform and Rural Development will lead the process National and Provincial Houses of Traditional Leaders will be available for engagements
<b>Disaggregation of beneficiaries(where applicable, for Women, Youth and PWD)</b>	Traditional and Khoi-San leaders Reports to disaggregate data into WYPW
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Communities under traditional and Khoi-San leadership.
<b>Calculation Type</b>	Non-Cumulative.
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	All National and Provincial Houses of Traditional Leadership engaged on communal land tenure processes.
<b>Indicator responsibility</b>	Chief Director Partnerships and IGR

Indicator title 16	Number of provinces monitored on the functionality of the LHTLs.
<b>Definition</b>	To promote the functionality of traditional leadership structures by monitoring provinces on the functionality of the LHTLs This entails engagements with provinces on the functionality assessment tool of Local Houses of Traditional Leaders. Thereafter, the next activities will be to monitor provinces on the implementation of the functionality assessment tool.
<b>Source of data/Collection of data</b>	Provinces
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Functionality assessment tool Report on consultation with provinces 8 Monitoring reports
<b>Assumptions</b>	
<b>Disaggregation of beneficiaries(where applicable, for Women, Youth and PWD)</b>	N/A
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	N/A
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Increase the number of functional local houses of traditional leadership
<b>Indicator responsibility</b>	Chief Director: Partnerships and IGR

<b>Indicator title 17</b>	<b>Number of interventions in the Integrated traditional Leadership support programme implemented.</b>
<b>Definition</b>	The project entails the workshopping of 8 Houses of traditional leaders on Gender Based Violence and Femicide (GBVF). The Houses include National House of Traditional Leadership (NHTL) and Provincial Houses of Traditional Leadership (PHTL).
<b>Source of data/Collection of data</b>	Provinces, Houses of traditional leadership, sector departments and NGOs
<b>Method of calculation/assessment</b>	Simple count
<b>Means of verification</b>	Workshopping content approved by DG Reports Attendance registers
<b>Assumptions</b>	All training interventions are done in line with the needs of the traditional leaders, the sector and society
<b>Disaggregation of beneficiaries (where applicable, for Women, Youth and PWD)</b>	Members of houses, women and people with disabilities
<b>Spatial transformation (where applicable, reflecting which Districts/Metros as per DDM)</b>	Structures of traditional leadership including national and provincial houses
<b>Calculation Type</b>	Cumulative (year-end).
<b>Reporting cycle</b>	Quarterly
<b>Desired performance</b>	Functional and transformed houses of traditional leadership
<b>Indicator responsibility</b>	CD: ID and CB

## EXPLANATION OF PLANNED PERFORMANCE

The White Paper on Traditional leadership (July: 2003) and the Traditional Leadership and Governance Framework Act, Act No 41 of 2003 accord the following responsibilities to traditional leaders and their structures in addition to their customary functions:

- Participate in and promote service delivery and development processes in partnership with government at all levels based on mutual respect and cooperative governance.
- Advise government on policy related matters pertaining to traditional communities and custom.
- Perform various functions and roles assigned to the institution by various government departments.
- Promote cultural heritage of the traditional communities in the country.
- To assist government in implementing programmes geared towards supporting the institution of traditional leadership.

Furthermore, the National House of Traditional Leaders (NHTL) is a statutory body comprising delegates from seven Provincial Houses of Traditional Leaders (PHTL) and two traditional leaders from Gauteng Province, has a responsibility of fulfilling among others, the following:

- Cooperate with the provincial houses of traditional leaders
- Promote nation building, peace, stability and cohesiveness of communities;
- Preservation of culture and traditions of communities.
- Consider Parliamentary Bills
- Advise the national government and make recommendations on any matter that the government may require, in relation to the Institution of Traditional leadership.

In 2019, government introduced the district development model which requires joint planning and implementation of development programmes in the district municipalities. Traditional leadership being a key role player, entrusted with the responsibility to advise government on matters affecting traditional communities, has to be supported to ensure that it is able to perform the legislative role.

In this regard, traditional leadership will be supported to participate in the government development programmes in terms of the DDM. To this end, the department developed a Guide in the participation of traditional leadership in the DDM. Therefore, participation of the Houses of traditional leadership in the development programmes shall be in line with the guide which in turn shall be used to monitor the participation of the institution in the 8 provinces.

Recognising that Local Houses are key in the development of the District Development Model's One Plan, the Programme planned to develop joint Intervention Plans for the eight (8) provinces where the institution of traditional leadership exists. These joint Intervention Plans shall guide provinces in terms of determining the kind of support the Institution of Traditional Leadership require in order to perform optimally in terms of supporting the development as well as the implementation government development programmes in terms of the District Development Model. The Intervention Plans shall further assist in terms of improving the overall performance and functioning of Local Houses of Traditional Leaders.

Over the MTSF period, the ISC Branch will focus on the following priorities:

- Monitor implementation of the agrarian revolution programme in traditional communities
- Monitor provinces on the participation of Local Houses in government development programmes in terms of the DDM
- Monitor the implementation of the Social Cohesion programmes by Houses of Traditional Leaders
- Conduct awareness campaigns on the customary initiation practices
- Monitor provinces on adherence to initiation policies and or legislation
- Develop intervention plans on the functionality of local houses in provinces
- Monitor provinces in the implementation of Section 24 of the TKLA
- Monitor provinces on interventions in the implementation of Integrated Traditional and Khoi-San Leadership Support programmes

## PROGRAMME RESOURCE CONSIDERATION

R Thousand Programmes	Audited Outcome			2020/21 Adjusted Appropriation	MTEF Estimates		
	2017/18	2018/19	2019/20		2021/22	2022/23	2023/24
Management	-	2 348	5 375	5 496	9 789	8 967	9 032
Institutional Dev and Capacity Building	6 364	6 553	6 320	7 099	7 356	7 388	8 652
Intergovernmental Relations & Partnership	5 980	6 914	7 667	7 688	8 126	8 156	9 162
National House	20 841	22 338	24 101	21 379	22 182	22 750	22 789
CRL Commission	42 447	48 793	45 189	46 046	46 032	46 818	46 998
CTLDC	10 179	8 942	6 189	6 363	7 583	7 572	7 601
<b>Total</b>	<b>85 811</b>	<b>95 888</b>	<b>94 841</b>	<b>94 071</b>	<b>101 068</b>	<b>101 651</b>	<b>104 234</b>
<b>Economic Classification</b>							
Compensation of Employees	25 239	24 129	26 546	30 906	33 237	32 385	34 702
Goods & Services	18 101	22 966	23 000	17 119	21 799	22 448	22 534
Transfers and Subsidies	42 471	48 793	45 290	46 046	46 032	46 818	46 998
Payments for Capital Assets	-	-	-	-	-	-	-
Payments for Financial Assets	-	-	5	-	-	-	-
<b>Total</b>	<b>85 811</b>	<b>95 888</b>	<b>94 841</b>	<b>94 071</b>	<b>101 068</b>	<b>101 651</b>	<b>104 234</b>

## Narrative on Planned Expenditure

For 2021/22 financial year the bulk of the budget for the Institutional Support and Coordination Branch will be utilized for the following programmes and projects

- Participation of Local Houses of Traditional Leaders in the development programmes in terms of the District Development Model (DDM)
- Implementation of the agrarian revolution programme in traditional communities
- Coordination of training and capacity building for the Institution of traditional leadership
- Conducting of awareness campaign on customary initiation practices
- Coordination of women empowerment; gender-based violence and femicide programmes
- Implementation of social cohesion programmes

- g) Monitoring of the implementation of Section 24 of the TKLA.
- h) Development of intervention plans for Houses of Traditional Leaders by provinces

#### UPDATED KEY RISKS AND MITIGATION FROM THE STRATEGIC PLAN

Outcome	Key Risk	Risk Mitigation
Effective governance of the Department	Ineffective system to monitoring compliance to ensure good governance. Lack of compliance to representivity targets for WYPD	Monitor compliance to compliance indicators framework Monitor the implementation of the EE plan of the Department
Safe initiation practices	Inability to regulate customary initiation practice. Lack of inclusion of Women in the CIB structures to achieve gender equity and equality	Regulate and standardize the minimum requirements for the initiation cultural practice (Support the parliamentary processes for the enactment of the Customary Initiation Bill). Monitor the implementation of the Initiation Schools Policy Guidelines by Provinces. Monitor the establishment of the CIB structures to achieve gender equity and equality
Functional institution of traditional and Khoi-San leadership.	Inadequate implementation of the Traditional and Khoi-San Leadership Act provision on the functionality of the traditional and Khoi-San leadership	Monitor the implementation of the TKLA on the provisions for the functionality of traditional leadership (TC's performance of roles and functions, reduction of disputes and claims and positive audit outcomes).
Developed communities in the areas of traditional leadership.	Ineffective development within Traditional and Khoi-San communities. Lack of targeted beneficiation for WYPD	Empower traditional communities, through development and implementation of traditional community's integrated support plan. Monitor the implementation of traditional community's integrated support plan. Monitor the implementation of socio-economic development programmes targeted at WYPD
Transformed institution of traditional leadership	Lack of a willingness by the institution to transform.	Develop and Implement the transformation empowerment plan for the institution of traditional leadership, working with key partners (SAHRC, Gender Commission, CRL Commission, etc). Monitor the implementation of the transformation empowerment plan.



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RP: 73/2020

ISBN: 978-0-621-49235-4