**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO. 1996**

**DATE OF QUESTION: 27 AUGUST 2021**

**DATE OF SUBMISION: 10 SEPTEMBER 2021**

**Mr S J F Marais (DA) to ask the Minister of Justice and Correctional Services:**

1. What (a) are the reasons that the National Conventional Arms Control Committee (NCACC) did not consider applications on a monthly basis, (b) is the backlog in terms of the number of applications that have not been processed, (c) is the monetary value of the backlog for armament export applications and permits, (d) is the date on which it is anticipated that the backlog will be something of the past and (e) are the reasons that export permits were withdrawn with regard to existing orders and permits issued especially to the United Arab Emirates;
2. whether the NCACC has considered (a) the damage to the Defence Industry when the Republic can least afford to lose export orders and market and (b) that the groups protesting the export of munitions may base their complaints and protest on false narratives and ulterior motives; if not, why not, in each case; if so, in each case, what are the relevant details;
3. whether the NCACC has determined any violations of the End-user Certificate (EUC) conditions; if not, why not; if so,
4. whether the NCACC (a) is familiar with the respective exporters and (b) has interacted with these exporters and the host nation’s government for EUC inspections; if not, why not in each case; if so, in each case, on what date will they allow non-implicated exporters to proceed with the export shipments in order not to lose more critical export markets?

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**REPLY:**

1. The NCACC is scheduled to meet every last Thursday of the month. These meetings are planned to take place from February to November. In the event that the Parliamentary Program and some important matters present challenges as regards meetings being held as scheduled, the NCACC makes up for such events. To date the NCACC does not have any outstanding meetings and meeting schedule is under control.
2. The NCACC applies the criteria as envisaged in the Act, Regulations and Policy considerations. The protests or reports as alluded to have no bearing on the decision of the NCACC. When an applications is kept in abeyance (under consideration) pending authorization, it for the NCACC to satisfy itself that outstanding issues about such an application are resolved prior to authorization.

1. It is never or it should not be a consideration to seek to harm the Defence Industry and certainly the NCACC would not subscribe to such a notion. The Permits that are Under Consideration have a value of R15,8 Million for Saudi Arabia and R3,8 Billion for the United Arab Emirates, respectively.
2. When a matter is placed under consideration (UC) the risk as identified by the review process must have a corresponding risk mitigation response in place with satisfies the minimization of such risk to a residual risk in order to proceed with a recommendation to consider authorization.
3. It is anticipated that the matters outstanding as regards Saudi Arabia and the UAE will be resolved in September 2021. However, the NCACC authorizes the Categories of Controlled items that fall outside the circle of risk identified. It never or ought not to be a consideration to seek to harm the Defence Industry and certainly the NCACC would not subscribe to such a notion, as it is not sustainable on any grounds.
4. The assertion or otherwise of End User Certificates violations remain unproven to date. However, should there be violations by entities registered under the Act, the NCACC will not hesitate to act against such transgressors of prescripts.
5. I as Chairperson and on behalf of my Committee remain seized of matters of the NCACC in order to resolve and effectively manage Conventional Arms Control as mandated under the Act.

**END**