

 **NHTL**

**STRATEGIC PLAN**

PORTFOLIO COMMITTEE STRATEGIC PLANNING  
SESSION

Presentation by the National House of Traditional  
Leaders

06 AUGUST 2009

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WHAT IS THE NATIONAL HOUSE OF TRADITIONAL LEADERS

- The National House of Traditional Leaders is a statutory body established by its own legislation. It is composed by delegates from the Provincial Houses of Traditional Leaders of South Africa representing Traditional Leaders and their communities at National Level.

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LEGISLATION AFFECTING AMAKHOSI

- The following are some of the pieces of legislation that affect the institution of traditional leadership:
  - Traditional Leadership and Governance Framework Act, 2003 [Act 41 of 2003]
  - Disaster Management Act,
  - National House of Traditional Leaders Act, 1997 (Act No. 10 of 1997)
  - Traditional Leadership and Governance Framework Act, 2003
  - Municipal Structures Act, 1998
  - Municipal Systems Act, 2000

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### LEGISLATION CONT.

- Municipal Systems Act, 2000
- White Paper on Traditional Leadership and Governance, 2003
- Constitution
- Disaster Management Act, 2002
- Intergovernmental Relations Framework Act, 2005
- Communal Land Rights Act, 2004
- Remuneration of Public Office-bearers Act, 1998

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### FRAMEWORK ACT

The Preamble provides that:

The institution of traditional Leadership must—

- promote freedom, human dignity and the achievement of equality and
- derive its mandate and primary authority from applicable customary law
- strive to enhance tradition and culture;
- promote nation building and harmony and peace amongst people;
- promote the principles of co-operative governance in its interaction with all spheres of government and organs of state; and
- promote an efficient, effective and fair dispute-resolution system, and a fair system of administration of justice, as envisaged in applicable legislation, non-sexism; and practices;

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### FRAMEWORK ACT

- The Framework Act deals only with Traditional Leadership (Traditional Leader, Royal family, Traditional Council, Local House of Traditional Leaders, Provincial House of Traditional Leaders and National House of Traditional Leaders).
- The Framework Act is covering basically everything that has to do with traditional leadership administration except cultural matters.

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## FRAMEWORK ACT

- The Traditional Leadership and Governance Framework Act, 2003 (Act No 41 of 2003) provides in section 4 that the work of the House is to facilitate the involvement of traditional communities in the development and or amendment of IDP's of a municipality,
  - Participate in the development of policies and legislation at the local level

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## FRAMEWORK ACT

- Participate in the development programmes of municipalities and of the provincial and national spheres of government
- Promote the ideals of co-operative governance, integrated development planning, sustainable development and service delivery
- These will be possible through the utilization of the following structures of traditional leadership:

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## FRAMEWORK ACT

- **Traditional Councils**  
Traditional Councils are operating within the area of jurisdiction of the Traditional leader,
- **Local Houses of Traditional Leaders**  
These Houses are operating within a district municipality and or Metro council, some provinces have to establish them as per the requirements of the Framework Act.
- **Provincial Houses of Traditional Leaders**  
These Houses operates at the Provincial Level
- **National Houses of Traditional Leaders**  
It is a National structure and operates at the National and International levels

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## Traditional Councils

- The functions of the traditional Councils are as follows:  
Functions of traditional councils
- 4. (1) A traditional council has the following functions:
  - (a) Administering the affairs of the traditional community in accordance with customs and tradition;
  - (b) assisting, supporting and guiding traditional leaders in the performance of their functions;
  - (c) supporting municipalities in the identification of community needs;
  - (d) facilitating the involvement of the traditional community in the development or amendment of the integrated development plan of a municipality in whose area that community resides;

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## Functions of a Traditional Council

- (e) recommending, after consultation with the relevant local and provincial houses of traditional leaders, appropriate interventions to government that will contribute to development and service delivery within the area of jurisdiction of the traditional council;
- (f) participating in the development of policy and legislation at local level;
- (g) participating in development programmes of municipalities and of the provincial and national spheres of government;
- (h) promoting the ideals of co-operative governance, integrated development planning, sustainable development and service delivery;

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## Functions of a Traditional Council

- (i) promoting indigenous knowledge systems for sustainable development and disaster management;
- (j) alerting any relevant municipality to any hazard or calamity that threatens the area of jurisdiction of the traditional council in question, or the well-being of people living in such area of jurisdiction, and contributing to disaster management in general;
- (k) sharing information and co-operating with other traditional councils; and
- (l) performing the functions conferred by customary law, customs and statutory law consistent with the Constitution.

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### Functions of a Traditional Council

- (2) Applicable provincial legislation must regulate the performance of functions by a traditional council by at least requiring a traditional council to-
  - (a) keep proper records;
  - (b) have its financial statements audited;
  - (c) disclose the receipt of gifts; and
  - (d) adhere to the code of conduct.

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### Functions of a Traditional Council

- (3) A traditional council must-
  - (a) co-operate with any relevant ward committee established in terms of section 73 of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998); and
  - (b) meet at least once a year with its traditional community to give account of the activities and finances of the traditional council and levies received by the traditional council.
- (4) A traditional council and its resources may not be used to promote or prejudice the interest of any political party.

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### NHTL

#### Objects and functions of Council

- (a) to promote the role of traditional leadership within a democratic constitutional dispensation;
- (b) to enhance unity and understanding among traditional communities; and
- (c) to enhance co-operation between the Council and the various Houses with a view to addressing matters of common interest.
- (2) The Council-
  - (a) may advise the national government and make recommendations relating to any of the following:
    - (i) Matters relating to traditional leadership;

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## NHTL FUNCTIONS

- (ii) the role of traditional leaders;
- (iii) customary law; and
- (iv) the customs of communities observing a system of customary law;
- (b) may investigate and make available information on traditional leadership, traditional authorities, customary law and customs;
- (c) shall, at the request of the President, advise him or her in connection with any matter referred to in this section; and
- (d) shall present an annual report to Parliament.

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## PLAN OF THE NHTL

- **VISION OF THE NHTL**
  - To be a House of Traditional Leaders that ensures efficient and effective leadership and service delivery by the institution of traditional leadership for the advancement of the interest of communities
- **MISION OF THE NHTL**
  - To represent the aspirations of traditional communities by playing a meaningful role in cooperative governance

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## STRATEGIC GOALS OF THE NHTL

- **The NHTL has four strategic goals viz:**
  - Advancement of Service Delivery
  - Custodianship of culture, customs , customs, tradition and values
  - Pro-active Communication
  - Capacity-A fully capacitated and capable NHTL and Institution

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## Goal number one

### • Advancement of Service Delivery

#### • Objectives

- Facilitate Implementation of Laws and Policies
- Stakeholder Partnership
- HIV and AIDS
- Poverty Alleviation; and
- Continental House of Traditional Leaders

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## Objectives under Goal one

### Objective 01: Facilitate Implementation of Laws and Policies

- Conduct Public Education processes to get everybody contributing in the drafting of the laws and policies
- Ensure that roles have been clarified and any delegation of functions have been done in terms of the law (resources follow function)
- Ensure that the implementation of policies and laws is internalized by the Institution and they actively participate;
- Monitor the participation of the general community in the law making processes
- Ensure that Municipalities does adhere to the provisions of the Systems Act in terms of consultation with the Public
- Establishment of a sound working relationship with the different legislatures for effective oversight and Public Participation.

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## Objectives under Goal one

### Objective 2: Stakeholder Partnership

- Establishment of relationship with relevant stakeholders
- Determine the benefits (developmental benefits) for traditional leadership and their communities by entering into such partnership
- Ensure that the partnerships in viable for the success of the Institution of traditional leadership.

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## Objectives under Goal one

### Objective 03: HIV and AIDS

- Participate in the National, Provincial and Local Structures dealing with HIV and AIDS and other related health structures
- Develop a strategy of awareness and prevention
- Make sure that every traditional leader makes his/her community aware of the scourge
- Engage on the cultural and traditional methods of curbing the spread of HIV and AIDS

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## Objectives under Goal one

### Objective 04: Poverty Alleviation

- Utilize the partnership established under strategic objective two to improve the lives of our communities
- Hold conferences and agree on the way forward with the relevant stakeholders improving the conditions of the rural communities
- Engage Government and all institutions that may assist to capacitate and develop sustainable job opportunities for rural communities in order to curb influx to urban areas

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## Objectives under Goal one

### Objective 05: Continental House of Traditional Leaders

- Divide the objectives into Regions and Continental
- Lobby the support and active participation of the SADC in establishment of the regional House (six countries are on board)
- Engage the other formations of traditional leadership like the council of Traditional leaders (headed by Contralesa) and the forum of traditional leaders (piloted by President Gaddafi) to synchronize and approach the political leadership as a front.

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## GOAL NUMBER TWO

- Custodianship of culture, Customs, Tradition and values

### • Objectives

- Preservation of indigenous knowledge
- Promotion of indigenous languages
- Promotion of cultural Practices

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## Objectives of Goal 02

### Objective 01: Preservation of indigenous knowledge

- Develop a strategy to preserve the knowledge
- Collate the knowledge from various sectors like traditional healers and the aged,
- Assist the various communities to patent it so as to avoid being stolen by other institutions like what happened by the "Hodia" plant of the Khoisan that can eliminate hunger etc.
- Engage the Department of Science and Technology on IKS

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## Objectives of Goal 02

### Objective 02: Promotion of Indigenous Languages

- Encourage Partnerships with PANSALB
- Partnerships with the Commission for the Protection and Promotion of the Rights of Cultural, Linguistic and Religious Communities (CRL Rights Commission)
- Partnerships with Department of Education and DAC

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## Objectives of Goal 02

- **Objective 03: Promotion of Cultural Practices**
- Initiation is one aspect that does not depend on circumcision but on the traditional and cultural norms that must be transferred from father to son.
- The NHTL is of the opinion that the virginity inspection practice is critical in getting a girl child to abstain from sexual activities until they are matured to make responsible decisions.
- Polygamy is a practice that is carried out today and is very much African. Polygamy is one element that must always be protected and promoted as part of our acceptable practice.

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## GOAL NUMBER THREE

- **Proactive Communication**
- **Objectives**
  - Outreach
    - The NHTL will conduct public outreach in order to inform the rural community and any cultural community about the importance of participating in policy development, development, poverty eradication and generally acquire information to make it available to government.
    - This strategy will ensure that the NHTL communicate with the people in a proactive manner.

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## GOAL NUMBER FOUR

- **A FULLY CAPACITATED AND CAPABLE NHTL AND THE INSTITUTION OF TRADITIONAL LEADERSHIP**
- **Objective**
  - Human Resource Development and Management
  - Research
  - Management Systems
  - Autonomous House
  - Institution of traditional Leadership

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### Objective of Goal 04

- All members of the Houses of traditional leaders must be full time and the Houses be autonomous as per the approval by the President through the Independent Commission on the Remuneration of Public Office Bearers in 2008.
- It must strengthen its research ability by having more quality researchers and using research institution like HSRC.
- It must further influence institutions of higher learning to develop a learning material or certificate for traditional leaders that is recognized.
- Must influence education Department to have traditional leadership as a chapter in one subject.
- Influence Departments and to build capacity to traditional institutions (traditional leaders, officials and traditional councils)
- To get a chamber of the NHTL in Parliament as agreed to by the former Speaker of Parliament and endorsed by the then Minister of DPLG, Public Works and the Presidency.

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### PRIORITIES BY THE MINISTER OF CGTA

- The Minister of CGTA developed priorities for the Institution of Traditional Leadership which are as follows:
  - Establishment of a Department for Traditional Affairs in 2009;
  - Ensuring greater alignment and standardization in the regulatory, institutional and support framework for the institution across provinces and municipalities by 2014;
  - Reviewing and implementing a National Program of Support for the Institution of Traditional Leadership by 2014;

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### PRIORITIES BY THE MINISTER OF CGTA

- Ensuring that the Institution of Traditional Leadership plays a central role in rural development, local economic development, alternative energy, indigenous knowledge systems, Alleviation of poverty and the promotion of peace by 2014;
- Ensuring that the Institution of Traditional Leadership plays a central role in the regional (SADC) and continental forum in as far as it relates to traditional leadership by 2014; and
- Promoting the role and place of the Institution of Traditional Leadership in the governance system in South Africa by 2014.

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### ALIGNMENT OF PRIORITIES OF THE MINISTER WITH THOSE OF THE NHTL

- The NHTL is bound to align its strategic Objectives and Goals with those of the Minister.
- It has therefore resolved to reconfigure the whole of the NHTL in order to play a more central role in Government.
- The reconfiguration will include reviewing the strategic plan in order to accommodate the priorities by the Minister.

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Strategic Priorities of the NHTL and the Institution of Traditional Leadership in line with those of the Minister

- **Ensure the integration of the Institution of Traditional Leadership into the Governance System of the RSA.**
  - Ensuring that the Department of Traditional Affairs is established so as to place matters of traditional leaders at the highest policy making body of the country (Cabinet).
  - Influence planning processes of the government through meetings with the Cabinet Clusters
  - Ensure that the Institution is involved in as many structures of government as possible in order to influence and claim its rightful position (centrality in all departments and government).

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Strategic Priorities of the NHTL and the Institution of Traditional Leadership

- **Strengthen the structures of Traditional Leadership to render Monitoring and Evaluation of Services rendered by Government**
  - Ensure that all traditional councils and leaders have the IDP and the PGDS documents.
  - Ensure that all quarterly deliverables that have not been met are clearly spell out in the reports and mechanism is put in place to overcome the non-achieved programs.
  - A sound working relationship exist between the Provincial Legislatures and PHTL's in order to ensure that portfolio Committees does their oversight work with information obtained from LHTL's and Traditional Councils and that feedback mechanisms is available and utilized.
  - Have a quarterly meetings with the Political Head at Provincial and National level to evaluate the progress made.

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Strategic Priorities of the NHTL and the Institution of Traditional Leadership

- **Build Capacity to the Institution of Traditional Leadership to effectively contribute in the law making processes and governance in general**
  - Ensure that the Legislature's Public Education units are indeed having a program of educating the rural masses about the processes of law making
  - Ensure that each Department that develops a bill, goes to the communities to explain and educate them about the provisions and the implications of the Bill.
  - Ensure that Municipalities does involve the public throughout using various mechanisms like the ward committees etc.
  - Build a better relationship between the Mayors, Speakers and the Institution of traditional leadership so as to acquire a better service for the communities.
  - The LGSETA continues with the training until all priorities identified by traditional leaders have been exhausted

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Strategic Priorities of the NHTL and the Institution of Traditional Leadership

- **Promotion, Development and Protection of the Indigenous knowledge, culture, tradition and custom**
  - Partner with relevant Institutions to develop a framework that will protect communities from the patent sharks of the IKS.
  - Develop a data base of all different cultures of the traditional communities of South Africa
  - Promote and encourage inter-communities tourism to see the different cultures
  - Encourage cultural tourism for the 2010 FIFA World Cup and beyond
  - Ensure that Indigenous Knowledge is used to fight the scourge of HIV and AIDS and other related health problems and for socio-economic growth.

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Strategic Priorities of the NHTL and the Institution of Traditional Leadership

- **Participate in the process of establishing the traditional leadership bodies in SADC and the Continent.**
  - Engage other relevant structures that have similar ideas like CONTRALESA
  - Engage the leadership of the Forum of Traditional Leaders established by brother leader
  - Ensure that all the efforts of the different structures are consolidated into one strong body of traditional leaders in the continent
  - Ensure that the structures fight for the emancipation of their communities from poverty, illiteracy etc

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#### Operation of the NHTL in order to achieve the challenges

- As indicated earlier, the NHTL must reconfigure its committees in order to get maximum output
- It is therefore important that Committees of the NHTL must be clustered according to Cabinet clusters to make it possible for the NHTL to address the Cluster as and when a need arises.
- The committees of the NHTL will be reconfigured in order to align with the Cabinet Cluster thus influencing much better.
- Each committee will have a wider scope of operation.
- All the above is necessary and important only when an inclusive budgeting (Houses being part of the budgeting process) and support is obtained from Government and all structures.

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#### conclusion

- The NHTL will have its strategic review session very soon (second quarter of the financial year)
- This review will ensure that the broad strategic Goals mentioned in slide 34 to 38 will be discussed in details.
  - Have a nice workshop

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