

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Eastern Cape Public Hearings: 16 – 17 August 2017

16 August 2017: Morning Session

Introductions by Program Director Thulani Thsefuta and members of the High Level Panel (0:00-40:22)

Monalisa Nqisha-Pule, Masikhule Gender Aids Alliance, Mdantsane (40:40):

Masikhule Gender Aids Alliance is a non-governmental organisation which focuses on health education, governance accountability and public participation and also livelihoods and employment. As an organisation we are trying to address issues that are affecting our communities where we teach youth how to prepare themselves for the job market when they leave standard 10 (Grade 12) to know what to do when they have to work. We also teach them on the South African legislation starting from the Constitution and others that are affecting the South African citizens so that we have a youth that is knowledgeable. We also teach children about the Children's Parliament and also understanding of their rights. We also teach the community on the role of the municipality and how they are supposed to govern.

We are going to focus on [*Footage breaking and audio loss*] Eastern Cape is a very poor province more especially here in the Buffalo City municipality where you find most people are unemployed and mostly the youth and women, skills are uneven. There are those who have been to university but still they are unemployed. There are also those who have been fortunate to get a job after university but there are still gender disparities. The third issue is that we live in a place whereby you could call it a metropolitan where people are expected to pay rates and taxes but the people, unfortunately, are unable to pay because they are battling to make ends meet; but our government has created an indigent policy to assist us. We are trying to acknowledge the fact that our government has made gains in terms of drafting and making a point

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

that we have legislation that will talk to the issues that are affecting the people of South Africa, that will talk to the issues that are affecting women of South Africa, that are affecting the youth of South Africa.

We have people that are living with disabilities that we always see as being marginalised and being ignored but we are saying now that there is legislations that is addressing this sector but the question is whether this legislations is within reach of the people, is this legislations easily available to people who reside in the rural areas. When we go through the legislation addressing unemployment, though we have this legislation, we are saying that there is still a lot that needs to be done. We want the communities to know the legislation. We are very appreciative when we are visited by the national Parliament but what we are saying is that it should not be a once off event. We should have people from national Parliament that will come to the local level to monitor the progress of work being done at a local level so that these activities do not remain within local, regional or provincial level but we will also have people from national level that interact with the local community to understand how the legislation is impacting on them.

On addressing inequalities, this starts at school level. Does our education system address this? Does it address the issue of skills preparedness for the job market after school? Again, does the present legislation help us to ensure that our youth are not just being prepared for the job market but also to become entrepreneurs and not depend on finding a job? Does our education system address that from the primary level that they are encouraged to learn entrepreneurship skills at that level? Addressing inequality, this affects us even at the workplace as far as salaries and wages are concerned. Women within leadership positions, are there any programs that will capacitate or empower you as a woman that you be able to take over the leadership role because sometimes the agendas are being set by men and even if we are in a committee led by women the men are dominating – why is that? These are the things that we should be bringing up when we talk about the inequality programs that are designed to assist us women to not

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

suppress each other but to augment the voice of the woman in the workplace. We need to support each other as women so that we take an effective leadership role as women in South Africa.

The last thing, having addressed the unemployment, poverty and inequalities. Within the inequalities, we need to capacitate young girls, because we currently have a problem of young girls who are dating older people because they want to be seen at high places. We have a problem of old people who are dating children, so we want programs that are going to assist us to make sure that this young girl must have confidence that she can and has the ability to stand on her own but that should start at the early childhood development phase. The programs of Early Childhood Development should be a stepping stone to capacitate these young children and empower them so that by the time they reach the stage of womanhood, they know that they have the autonomy over their own bodies and make informed decisions about themselves. That is the country that we would like to have.

Ntsika Gqali, SANCO (51:56): As SANCO, we would like to first address inequality. With reference to the short video that was shown earlier on inequality, the examples used were of interest but for some of us, we might not have understood the concept that was being presented. Inequality in plain language starts in the work environment. There are few pieces of legislation that are not of help to the community but the problem is monitoring the legislation. The lack of monitoring is the cause when your child leaves tertiary education level. It doesn't matter from which province, after obtaining their degrees and looking for work within the government department, the first thing that is checked – is the surname known? What I observe now is that when we talk of inequality, we will bring in white or black whilst the black community is fighting its own battle within.

The following point that I will address is education. There was a difficult time when we were facing strikes on #FeesMustFall. There is currently no report that is giving direction

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

on it whilst the poor are still battling to send their children to university. We are still waiting for the Minister, that, before the end of August, which is known as the Women's Month, that he would have made the announcement of whether they are going up or remaining the same. Maybe he will say that they must go up and then we go back to the streets.

On addressing health issues, the conditions of government hospitals that are surrounding us are very difficult. I would say that, the situation is made worse by the saying that 'they are services for the people'. We should have a question mark once a service is being referred to as 'for the people' and you will see the conditions are of lower quality. That is mainly caused by the people that we have voted for and are appointed to positions and have inflated pockets, when their children complain about a toothache, they don't take them to these facilities of the people. We are all still black and we are still fighting the battle of a black person on our own.

As SANCO, I represent the youth but the elders of SANCO took a decision that I should represent the organisation as they are exhausted and the youth still have fresh minds. They hope that this will be also replicated by the other departments within the government sphere. Since we received correspondence inviting us to this meeting, in actual fact the night before the event, requesting that we participate in these public hearings, we will as SANCO go back and compile a document that will address what was shown on the video that was played earlier so that policies that are written are relevant to the situations. The recruitment policy within the Buffalo City Municipality is very clear in terms of employment but there are people who are working in important positions and they have Grade 12 and the question will arise why? Let's stop saying that inequality is between black and white people, inequality is within us as black people. We will submit that document. Thank you.

Nomava Gungqa, Chairperson of Eastern Cape Braille and Print Institute (58:00):

We are a cooperative and NPO which we started because we discovered that a blind

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

person in South Africa is unemployable and lives on government grants. We took a decision that, in order to show to the government that we are also employable, let's take the braille skill and use it. What is it that we do? We change the written word that is used by others to braille. We have discovered also here that we, as the blind people have not been catered for, so we see this as not really being part of these public hearings.

Moving on to the main issues, we hear that one of the issues to address is employment. As I have already indicated, for a blind person it's difficult to be employable here in South Africa. We don't even reach the stated two percent. Let me be honest by saying that, I liked what the previous speaker said that let us be open about issues. A physically disabled person is given preference over a blind and deaf person when it comes to employment opportunities. We now want to show them as the blind society that there is work for the blind if they were prepared to come and discuss with us our capabilities. On the other side, we also attend to matters of the disabled. We have discovered, though there are social workers that are employed to look after the needs of the disabled, they don't have much information about us. We are the people who know and understand us. This has led us to use our NPO to make assessment of our needs and take them to government in order to show the government that there is work for the disabled only if they would make time to listen to us.

On the matter of inequality, there is a lot I can say. Our disadvantage begins with our colour, then our disability and being women. Referring to how we are affected as disabled people, most of the time government focuses more on physically disabled. The deaf, blind, those who have speech impairment, people with fits, they don't even consider them. When they do something for the physically disabled, they address that as if they have covered all of the various people living with disability, but that's not the case. As I have made an example earlier, when we get invited to these events as people living with disability, the first thing that is checked is whether there is accessibility

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

to the building for those in wheelchairs and we are left out of the loop as we also are not able to use some of the facilities in the venue.

Moving on to education. We are still facing challenges also on this as blind and deaf people are not given the same opportunities to further their education up to university. We go as far as standard 10 as in the old times and Grade 12 according to today's standards. When they want to enter universities they are not accepted and the excuse is that the universities do not have a place for them and lecturers would say how will they teach using a finger as they don't know how to use braille. If government were to take the blind people to go and teach braille at these universities, it would be easier for other blind people to have access to the universities. Take someone using sign language to be part of the university, this will pave way for the deaf person. The government sees to it that people living with physical disability have easy access to the university buildings. We do know they are given priority, to access education that people without disability get equally. The sad part is that we, the blind, deaf and those with speech impairment are always side-lined and we lose the opportunity to get high paying jobs due to lack of education.

On the health issues, we battle a lot when it comes to these matters. Let me make an example, when you are a mother, pregnant and disabled; the nurses will ask you a question, 'how did you see it'? Do you see that? How can you in this day and age be asked such a question when you are just disabled but you still have feelings? Now you can see that we are being ridiculed just because of your disability? How can a nurse ask you how do you see it when you are also a human being? We also, as the blind people respond to them that you also do not look at it at night. So, how can they ask such a silly question? We get oppressed seriously and asked why we get pregnant when we can't even see. We respond by saying we give birth in order for our children to help us to move around. I mean to say that we are still far from being equal as we are still excluded within the community, government institutions, and even private institutions. There is a lot that is still needed to be corrected first and for the government to be able

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

to fix all these things, they have to come to us as they will never know and understand disability having not experienced it. As I stand here, I started working when I was 20 years old whilst I was still able to see, and for me to understand the lifestyle of a blind person it is when I became blind. For the government to be able to open employment opportunities within their institutions, they must first appoint disabled people within their special programs units. The people in those units do not know or understand us including the social workers. In order for them to understand us, they have to work with us in order to guide them as we fully understand the difficulties of a disabled person. Lastly, for us to correct this, we need to work together in order to understand each other. Even tat' Tambo, he left this world partially blind and disabled, so why are we treated differently as if we didn't fight for this freedom too? Thank you.

Sikolwethu Msuthwana, Lihlumelo Foundation, Duncan Village (1:06:53): I am here to give our input and thank the Program Director for the guidance on saying that we should be direct and to the point. I am here on behalf of Lihlumelo Foundation. We focus mainly in education matters and education is a real challenge especially here in the Eastern Cape Province. In our program we assist children from Grade 4 up to Grade 11. We specialise in maths and science. The reason I am here today is mainly because we have discovered that there is inequality between black and white schools. There is a lot of difference between the two and since 1994, there are schools like Selborne, Hudson Park, Clarendon, etcetera, which are schools whereby the majority are white children, since the government of the people, why don't they have systems of their own whereby we hear of a Hudson Park in Duncan Village? Which is, the black people who are in the High Level Panels, people who are within the Setas, people within government who can have children who attend schools within Duncan Village. Why don't we have such facilities from the current government? So, what I would like to address here, in terms of inequality, is that education for the child in Iziphunzana and Duncan Village is not the same. There are places called Master Maths today and we are trying to bring them locally so that children in Duncan Village can also have access to them. What I would also like to point out is that there are agencies that help

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

businesses. Why then in the field of education don't we have such agency that deals with education matters? For example, we as Lihlumelo Foundation, we are struggling to access funds or support from the Department of Education.

Since our registration in 2014, we have been visiting the education district office and have written to the province but there is nothing tangible that we are getting as in support related to education. For example, our programs start at 15h00 – 17h00 after school, and in winter it becomes dark very soon and by the time the children finish classes it's already late. We don't have transport for these children as some of them stay in faraway places from the centre where we operate. There is nothing tangible that we can say the Department of Education has supported us with. The only thing that they are able to assist us with is prior years' question papers, which is information that we could have easily downloaded from the internet, and also disks to be used by the children. That is the only support that we have received. Today, I am here to talk to this Panel, to state that we need assistance with accessing the education systems that should assist us as organisations that have an interest in the betterment of education in East London, within the Buffalo City, in Duncan Village. Within the Lihlumelo Foundation, we have made a partnership with the University of Fort Hare and Statistics South Africa, which is we get professional people who come and teach Duncan Village children maths and science. We have 16 tutors coming from the University of Fort Hare and Statistics SA has given us statisticians to help us with maths. As I am talking to you now, we need assistance with transportation of these tutors from the university residence to our centre in Duncan Village. We are currently using our own financial resources on daily basis to provide transportation for the tutors. We have also tried to manage that the children who attend the program, to at least have something to eat whilst at the centre. I thank you.

Thozamile Peter, Cumakala Builders Forum, Stutterheim (1:12:13): If it wasn't for God, we wouldn't be here but God has his own plans. He has also given us the opportunity that we also be part of this gathering in order to voice our concerns. The

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Program Director has indicated that we should be straight to the point but I do not know what the repercussions of doing so will not cause anger from where we come from; but as I am not a coward, I don't care for that. People of South Africa, it is tough. I am going to start with unemployment. Unemployment is very rife in South Africa. It is like something we say as we greet each other on a daily basis. It is sad Tata Motlanthe. I don't know if you ever notice as you pass along the roads, they ask for this and that for one to be employable. The employment system these days is becoming more complicated. When you look at the local newspapers for jobs advertised, they say you have to apply using a computer. Where do you get a computer? It is very difficult. Coming to the municipality, nepotism is very rife. You don't stand a chance to be employed if you are not from the Mazangweni clan. If you come from the Tshawe clan, you are given priority. The local newspapers do not advertise jobs that are relevant to us. Jobs that you see are the ones for selling papers of Nigerian doctors and loans. We are looking for jobs that will restore our dignity in our homes. We are not looking for jobs that are going to make us slaves. Please do help us.

Let me move on to what I think impacts on me mostly, meaning being a contractor. We reach the ceiling Tata Motlanthe in Grade 1 and one cannot go beyond that to the next grades. The way the CIDB system is set up doesn't allow us the opportunity to get more jobs. They say we shouldn't be the fronts for the white companies but the jobs are given to the whites. Who is fooling who in this process? You will find out that the municipality gives jobs to companies from certain areas, but the local people are not given the opportunities. You get told that your tender was not successful. You are not told the reasons why your tender was not successful whilst you have met all the requirements of the process. We are not able to be taken to the next grade because we are unable to get jobs. For you to get a job, a certain limit is first set up for you, for example, you will be given a job for R150 000. It's difficult to reach that if you are not given jobs to reach that target first. I am humbly requesting that we really pay attention to this matter and I am sure, as we come from the different areas, we all have built the toilets. I want to specifically address these toilets because as we speak now, my comrades were saying

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

that they were on their way to march to Amathole Municipality because they were never paid. It is a full year now and we still have not received our payment for the work already done in all the rural villages within the Eastern Cape. The employees that we hired were never paid. Our tools were left behind as we ran away. You may ask what the problem was. Government didn't pay us and therefore were not able to pay for the labour.

We ask ourselves why people are so disillusioned by the politicians and the system, forgetting that all these things we are doing to the people, they eventually see them, and as they see them, they will turn against us. People who are poor would rebel against those who do have as we don't treat them respectfully. Even today, we were told that the company that subcontracted us called Siyavela, left South Africa. How can the company leave when it is still in South Africa? The money is with the company and certain individuals. People are still asking for their monies from us. We invested in these companies. We have lost our homes and cars and you can't even look at your neighbour because you owe them R5000 that they loaned you. As you walk down the road you are reminded that, hey I once borrowed R15 000 from that white man. You thought you were being an investor because of the job but that ended badly. Please try comrades to work professionally.

Municipality officials also submit tenders. When there is a call for companies to come forward for incubation, their companies and their children's companies are the participants in those incubations. Where are we going to get Grade 4, 5 and 6 when we can't move from Grade 1? There are companies like SANRAL who should be assisting us to uplift our grading. When we meet with officials like now, we do talk shows on companies to be uplifted. That doesn't happen. I registered my company in 2006 but I am still Grade 1. The reason is that I have never been given the opportunity to work. I do have the skills and competency but because I am not given the chance to work how will I prove that I have the skill and competency? You see comrades and friends, it's difficult. For instance now there is a new tendency. Foreign nationals have companies

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

and the jobs are given to them. I really don't want to sound xenophobic here but the anger and hatred that we have currently causes us to take it out on them. I have done a boiler making learnership for 4 years and passed it with session 13 and I know the quality of the job I am doing. Somebody from Zimbabwe will make this table, and the table is uneven, and because he is cheaper than me, you will choose him over me. You, as the municipality official, your burglars are made by that person from Namibia or wherever. This is painful as they have now moved in to building houses in our own locations, carpenters etc., etc. and we employ them. Our people who are qualified, who can also do the job, are sacrificed because according to us they are more expensive. We are enslaving the very same nationals that we are saying we have given them asylum. People it's difficult but I have just been notified that I have run out of time.

I just wanted to talk a bit about skills. I was fortunate enough that I was developed by a big company called Anglo Platinum. That company gave me a lot of skills. There is a difference between learnership and apprenticeship and let's look at our matriculates, in fact starting at Grade 9, if technical high schools cannot be revived. If we don't touch on technical skills at an early age, in the long run we will end up not knowing what we want. These days, people are trained in plumbing for 6 weeks and they are given a certificate of qualification to go and work, he will not make it. It takes about 3 – 4 years for a person to qualify as an artisan. We have companies like Transnet, Portnet. Those are the companies that during the apartheid era would accommodate the white people, upscale and train them in different fields, but today we are running the companies and we are not able to do that as black people. Why? The children who left school at Grade 11 were absorbed by these companies, taken to technical colleges. Today, technical colleges want people with matric and you must have passed maths plus you won't get them. As long as we don't address that we are behind in terms of our education, but how do we look at it by addressing these issues that I have highlighted? I apologise, Program Director for going over the set time. As I have said, we didn't get enough time to prepare for this meeting, we would have prepared for a shorter speech but I would

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

like to add that, it's very difficult in South Africa. A black person is still battling. Thank you.

Mnquma SANCO (1:24:36): I am here representing the Mnquma Stakeholders and SANCO and I am with some chiefs and we are a committee that brings all the stakeholders together including taxi association. There is one thing that we are short of in Mnquma. We are requesting that the ANC stop shooting itself in the foot. Let us agree that the ANC is disgracing itself. Even now, they go out there and fetch you whilst you are minding your own business. The branches, if you have noticed, are called Zuma. Mr Zuma has never set his foot in Mnquma. He has never been to a meeting whereby he would say this person or the other should not be part of a meeting because he/she is a member of SANCO. We expect today from you and your Panel, that by the time you leave here, you would have addressed this matter with the provincial office; that they should go to the branches in the municipal level to stop destroying the ANC movement. The Port Elizabeth ANC is not functional because it is not able to work with other structures. As the people of Mnquma, we only need one thing, so we are not going to be saying a lot of things here, this is not a place to be crying, we need the Mnquma municipality to be taken care of. ANC is destroying us.

Mnquma Disability (1:27:42): I am here representing the people of Mnquma living with disability. I will read what has been given to me to present at this meeting. Mnquma municipality is made up of Gcuwa, Ngqamakhwe and Centane. What I am going to read is written in English and I apologise for that.

An aircraft runs very fast on the runway on airways before taking off and folds the wheels after taking off and flies with its wings. This is a balance in the life of an aircraft. Mnquma Disability is thirsty of a balance in humanity or balance in the affairs of mankind. Mnquma wishes that all people with disability from the fringes should be connected to mainstream to avoid oblivion. Mnquma wishes that access to municipality buildings should be the order of the day. RDP houses should be made available to

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

people with disability. Quality assurance coordinators should refrain from trivializing problems of people living with disability or making them a joke. Leading to homes of people living with disability, they should be landscaped and taps be installed in their yards. Tertiary institutions that are existing in these municipalities should be user friendly to people living with disability. Libraries should be accessible and user friendly to people living with disability, technology allows that. Municipalities should be a terrain that is up to scratch for the landing of any person who should become disabled from a workplace. A joint venture should be created by the following departments, Health and Home Affairs to make disability data. Mnquma Disability wishes to seek reception and departure points being created in the Mnquma termini. People with disability should be made conscientious of and indoctrinated with teliography. Mnquma people with disability wish that traffic lights or robots with audio signs be installed purposely to encourage independency to people living with disability. HIV/AIDS should be taught to people living with disability. The Panel should revisit the issue of treatment with justice to people with disability. Placement of air-towing type assistance to people with visual impairment arm-in-arm. Introduction of signing whilst talking by sign language practitioners purposely to supplant sign language throughout. Conducting electoral education to people with disability and seek devices that are user friendly. Eradication of disability preponderance tendency over each other. Removal of a threshold when applying for a formation of a disability entity. End.

(1: 32:36): I am standing here as a parent of a disabled child, representing disabled children within Mnquma municipality. It's painful to be a parent of a disabled child. What happens is that, as a parent within the Mnquma Municipality, we tried to start a centre for children with disability – cerebral palsy children. These are the children who wear disposable nappies who can't do anything for themselves. Where it's very painful is when you go to the municipality, the municipality tells you that you are out of ambit from Mnquma, go to Social Development. When we get to Social Development they tell you that we don't have a budget for you, go to Education. When we get to Education, they say we don't work with children that are not able to be educational. Then we realise that

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

we have nowhere to go and see that the centre that you are starting in order to help parents who are facing the same challenge of having a child living with disability, no one is interested to help you. I used to be a maths and science teacher but I chose to leave my career as I could not get a dependable person to look after my child. This is how the idea came about but at the same time you feel that you are also looked down at for having given birth to a child with disability. Wherever you go, no one wants to associate with you. I am standing here today, pleading and saying that, our children are the same with the able bodied children. There is nothing that they are not able to do and we request that they be treated the same by our government. We all carried the children for nine months like any other normal pregnancy and gave birth in the same way, we should not be segregated just because my child is unable to talk nor use his/her limbs just like the one who is able to play and jump. We are pleading with government to help us and treat our children and be afforded the same services like any other child. Now to the parents who are here, because you will find that these children, some of them, are locked up and left alone. The reason we started the centre, it was mainly that they are taken out to be with other children and not locked up. They must be given love like any other child. They must not be raped just because they can't do anything for themselves, can't speak, not to be abused. We are here as parents, pleading with our government to be given the same resources that the normal child is afforded.

Reverend Ngangani, Mawethu Development Project, Centane (1:36:42): I will not be long but the reason I am standing here is because of the women and children of Centane who are very poor. I am not making a mistake, we are under the Mquma Municipality but I am singling out Centane because the place is far. The reason I am singling it out is because it is a very distant town just like Gatyana-Willowvale, where there a very few things that one could get because even if we were to ask for someone to represent us, the person understands that we are in the wilderness and the representative will be in town. As the clergy of Centane, when we realised our predicament, we decided to form this NGO called Mawethu Development Project. We also started a cooperative for the youth which is called Centane Youth Bricks and

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Farming. We only have one request to the government, as the saying goes, the one leading should help with putting together co-ops for the people. When the structures have been put together, there is a lack of capital from the municipality. Our question now is, where do you expect these people to get the capital seed to start these co-ops when they are so poor? I am trying today to show you the responsibility that a priest carries as the leader of the community. You call for a meeting at 11h00 and finish at 15h00, when they leave that meeting they don't even know what they will eat. As the priests in the area, we have encouraged the children to make bricks, we bought goats for them and then changed to sheep and also built a pigsty. We have done all of that because the government said continue and we will follow you. The co-op I am referring to was started in 2012, we just need one person who could make time to go and see the work being done by these children. I want to say again, we are not waiting for anyone, we take from nowhere to encourage these kids to move forward. What we want is that, this thing of the government officials that come to Centane in such a hurry because a grandmother was raped, or someone was beheaded, people from grant collection get robbed because of hunger. We only want to create job opportunities. We have a request to the municipality. We have a house that belongs to Department of Agriculture. We have called upon the Department as we have a 15 hectare piece of land donated to us by iNkosi Dike in order to assist these children. As I am talking to you now, we have only used 1 hectare of the land as we don't have fencing. We are telling our story today because we want to say, we are watching what you are not doing and we are aware of what you are doing.

As Mawethu Development Project, we have made it our mission to protect and guide these children and those that are not participating are aware that they cannot mess with the project as we will send them to jail. We don't teach them that when child hits another one, he or she will end up behind bars and his/her future will be bleak. You haven't taught your child to work to avoid being a thief as you will end up in jail. The first thing that happens is to send these kids to jail. We as Mawethu Development Project, are saying to the government, make a plan for these children. We have structures in

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Centane and Thutura that are white elephants that need to be refurbished for a purpose and we train these children to keep them away from illegal activities and to cap poverty. Before I sit down, there is a small thing that I need to make clear as you might be asking yourself why this man is saying that there is high poverty in Centane. We as priests, if you want us not to be honest, then you are in trouble. In Centane, there is a company from Wiphold that is doing crop farming. That company, we agree they are farming, but when it's time to harvest all the people who are part of that project, they don't even know where the maize they plant and harvest is taken to. Those people are paid with 5 bags of maize and after that they don't get anything. I want to emphasize today that you shouldn't think that the people of Cenane are better off and on top of that there is more oppression that has been brought by another black person. We are in trouble there as there is a rule set that says, don't harvest that particular maize, just keep watch over it. That is a problem as people in autumn, people want to eat food from the autumn harvest. People steal the maize and now they come to us to ask for help to protect the maize so that it doesn't get stolen. We said to them that, we approached you first and asked that you first plough these people's gardens so that they can have their own maize. Now, you are sitting with the problem that they are stealing the maize from your own farms, and what do you expect from them as they don't earn anything from ploughing this maize for you. We kindly request that special attention be paid to the Centane area and we do vote for you because we love you but now you must understand that we need you in Centane and the areas of Gatyana. I thank you.

(1:44:11): I come from Mnquma Municipality. *(Lot of noise and the speaker requested to sit down as the people will not listen to her).*

Bandile Mbalekwa, Greater Mdantsane Business Forum (1:47:46): In 1994, if we remember, when we got our freedom, we celebrated a lot and there are a lot that we were assisted in but we have discovered that the gravy train didn't reach us all. The Greater Mdantsane Business Forum are the businessmen who missed the gravy train. So, we sat down and looked at ways of overcoming this. Without further ado, as I have

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

been advised to conclude, I would like to mention just a few points raised from the presentation. I would like to mainly focus on inequality, poverty and delve a little bit on the other points.

There is something that is bothering me when I look at the statistics that were shared, that the whites are widening the gap from the black people though we are the ones in power. Also I would like us to note when referring to the statistics. There's a statistic that says since 1994, the whites have widened the gap when it comes to employing each other. There is a statistic that is never shared that says, we black people, how have we benefited in receiving financial assistance towards starting businesses so that we are the ones that are creating these employment opportunities. You will find out if you were to compare these statistics, they will effect that the main South African people who have benefited from our tax money or the money that is collected through VAT, you will find that the whites are still the ones that are benefiting. This makes us ask where this democracy that we have been talking about is. I would really like us to deal with this matter and have straight policies from government that focus on the loans given to small businesses and those that are already in business. How much is it I compare to slice of cake that goes to the white companies. I would like us to take note of that.

In sport we talk about quota system that says in proportion to the people of South Africa, the teams that represent the country, we wish to see a certain number that represents the black community as a country. We wish that this could also be reflected on the side of business loans. How can we enforce quotas when it comes to venture capital and business loans for the black SMME's, and all financial institutions to give a report on how much has been given to black businesses, so that we all have the opportunity to start our own small businesses. This will give us the opportunity to create jobs for the citizens of South Africa. I am sure if this were to be addressed, that wide gap that we see in the presentation that says that since 1994 the gap between white and black businesses is growing - we can close that gap. The other issue I would like to refer to, is the business market. As black people who are manufacturers, we are not given the opportunity to sell in white shops but you will discover that the consumable

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

food and products used by black people are sold back to us. When we want to manufacture and distribute to the white shops, we get told that we don't have the qualification and our products are of low quality, but you will find that the white people always qualify. These markets are open for them. When I look at unemployment seriously, it is caused by...if we were given the opportunity to sell to all markets there might be a difference in that statistic that says the gap has widened between black and white since 1994... would also that when we focus on BEE, what they call preferential procurement, that other people are given preference and business is done with them. We wish that government can be strict and have quotas enforced so that the white companies could also buy from the black businessman also. If there is a shortage of skill, there should be a way that government gives support to assist us to meet these quotas. The last point as a contractor, I was pained when I heard the previous speaker telling us about the oppression they get at the sites as a contractor. I also support what he said, as a contractor and builder here in South Africa we find ourselves very oppressed and it is much better when we work with international companies than the local ones.

It is even worse for us that we even went as far as to research what is really happening at these sites. We discovered that the most oppressed are the lady contractors to the extent that they don't get contracts without having slept with the foreman from all these countries and cities. We don't accept this form of oppression that is given to the black people especially women. We would like to request our government that when they speak of contractor development or incubators, not to just do them for the sake of doing them, as you will find that the people who will be admitted to those incubators are already known, but the rest are just a formality. This needs serious attention. When you get to these places, you find that they say the program is for Grade 1 and then you discover there is a Grade 6 amongst you, people who have been afforded the opportunity and have received tenders already and you are competing with them. You then realise that they are just playing games by inviting other people to participate. We really wish that government takes note of this and resolves it speedily. There is a

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

grievance that we always bring up when the issue of contractor development is brought up, whereby government is more focused on skilling the contractors but when it comes to tenders, they don't even look at the people that they are capacity building. Out of the blue, you see people from the top picking and choosing the tenders in front of us. We really wish that these could be corrected. There are still more points that I wanted to raise but due to time constraints I will stop here. Thank you.

Thandiswa Mbali, Amahlathi Municipality, eZeleni, (1:58:31): Greetings to the Panel and everyone present. There is something that is irking me most relating to education. Education in the rural areas is very poor. You will find that schools in the location have some equipment to assist the learners with their studies. Looking at the schools in my own area, they have stopped teaching agriculture at high school. Now this becomes a challenge for the kids who want to venture into business who are interested in agriculture. It becomes difficult for them to start their own agriculture business where they can up skill other children. Even with us, the out of school youth, it is difficult for us to be given skills. You go and apply at the nearest colleges and you get told that you are a bit old for you to be applying now. We are looking for fresh people out of school to be enrolled at the college. We have been at home looking for jobs and now when we take the education route we get told that we are too old to be applying. They even go as far as to tell us that they want someone who left school at least 2 or a year back. We really need to have our education reviewed because we were educated to be slaves...that when you finish school go and work for someone else you do not start your own business. I thank you.

Mr Lulamile Ponono, Mnquma Municipality, Centane (2:00:23): I am here representing small scale fisheries from Jeffries Bay to Mthamvuna. These are the rural areas that are coastal adjacent. People whose livelihood is dependent on fishing - that we call small scale fishers. Chairperson, we are the fisherman who get caught when fishing as we are described as unlawful fisherman. So, when this started happening, we called upon the government department and a meeting was scheduled in Port Elizabeth

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

in December 2007. We met then with Minister van Schalkwyk who advised us to form a cooperative. When the cooperative was put together, we formed small scale fishing and we became Eastern Cape, Northern Cape, Western Cape and KZN. After that we set up a national, provincial and local structures for the people to be able to address their issues. Now, we are coming from Parliament, to present our problems to the Fishery Standing Committee and everything was signed by the government representatives, and even the President, uMsholuzi, we love him. The policy was completed in June 2012, signed and gazetted No 35455 on the same month, presented to Parliament and signed. Now we have a policy and Act. Our problem now is that there was an amendment that was made in 2013, and after the amendment there is an Act 21 of 1935 which was repealed nationally but now this Act was not distributed to the provinces as it hits on us as we do our fishing business. This Act is still a problem for us as it states that a black person should not be allowed anywhere near the sea. We all stay next to the sea in all the municipalities mentioned before. We are not able to go and stay closer to the sea, fish and have our cold storages nearby and go in with our boats and have own sleep-ins in order to fish. We want this practise to be stopped, that our fish is being taken and given to other people that we don't know who stay at the beach front. We also stay along the beach front, we are also poor and hungry. They must be given their types of fish but abalone, steenbras and cod are our fishes. We must be allowed to fish them. Where do these abalone go to? We go to the Western Cape and we see big boats fishing and leaving with them. Where to? We don't know. They say to us on the coastal towns that we must not fish them, why?

We are requesting now, that, when we asked for an audience with government, we were afforded the opportunity. We haven't turned our back and faced the sea yet, because if we were to do that, we will think of other not too friendly manners of dealing with this issue. Now, in March to May, the government department was busy with identification and verification of who is who. Now we want this policy which is ready, signed, amended and gazetted to allow us to do our work without permits but be given our quotas to each village and our boats to sleep-in and we get our own fish. We are a

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

simple community and don't want to stress government with this and that, as we are traditionally skilled. We just go into sea, fish the fish and we know what we use to fish. We don't want this to take long, we need to be helped now and be able to do our fishing as we are ready for action. Government listened to us before. Now we want to strengthen the cooperatives and start fishing.

Mr Zithulele Dlephu, eMalahleni Municipality, Lady Frere (2:05:22): I am here to represent the disabled community as I work with children living with disability. I am a man who works with children with disabilities within the eMalahleni Municipality. My first issue is, the Department of Rural Development has caused me a lot of angst. In 2013 I was promised that I will be given an amount of about R280k and I did receive the tools like rake etc. and I waited for the money. The money was for fixing the structure that we work from and since then, we haven't received a cent.

Secondly, the National Department of Health also disappointed me. Mr Vincent is the person that I normally deal with. Every year end, we do disability month, and he asked for this and that and as an uneducated person, I would ask other people to assist me. He also promised me R50k last year. On the disability month, I went to Pretoria to meet with him and he told me that I need to have a tax clearance number. I got confused as we are registered as an NPO, we should be having a tax clearance certificate as the social workers never told me about it. I ask him where I should get that, as the event is the following day. So, he came back to me and said that I will never get the money as it has been given to other beneficiaries. Then I asked where Mr Zuma's office is even in Cape Town. I am very sad, Mr Motlanthe. The people who end up raping, it is not because they like doing that but situations force them. I work with vulnerable children but that never crosses my mind. We work from a small garage and we only want assistance to open up the garage. We are always there for these children, day in and day out. Some of the people we work with are not trained in this type of work. Our only wish is for the government that we love so much, to look at our needs holistically. We

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

are in the area called Indwe, we humbly ask that we be visited and the place be checked out.

Mr Phakamile Bamla, Buffalo City Municipality, Mdantsane (2:09:35): I will be addressing education and health. I just want to say that the time has come that these two issues be given proper attention. When we visit the Model C schools, there is a lot of difference compared to the schools in the township. What I am kindly requesting and at the same time giving advice to the people in power is that they try and find a way to give all schools an equal status. It's the same story with the health facilities. When you visit these facilities in our areas, you get worse; but when you go to the private facilities you can easily see that a person gets much better before they are even attended to by the doctor. This is related more to the environment. You see a person becoming stronger and standing up. So, we are requesting that the people in power to look at how they can close this gap that is glaring. The last issue, we would like you to check for us in Mdantsane, one of the nodes, regarding the urban renewal. Mdantsane was also identified under the urban renewal project. Now when this started, and was presented to us, this gave us hope that Mdantsane, as it was once neglected by the apartheid government, it will get an upgrade during President Mbeki's period in government. There are very few things that we saw happening and we got confused as we couldn't identify the reason why it disappeared too. The Urban Renewal Unit was residing within the municipality, and was under Buffalo City here. When we ask our councillors what happened, we don't get straight answers from them. There were studies done, people going house to house in Mdantsane wanting to find out the standard of living and how the community interacts and the quality of life. Now that hasn't helped us and we don't know where the program disappeared to. We don't have any hope now as the incoming council is even worse than the one we had before and we doubt if we will even get answers on this matter. That is why I am making a plea to the Panel to check for us what the status of the urban renewal project is. The urban renewal project will create jobs for the people and this will also help to alleviate the rate of crime. Thank you very much, Panel.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Nokwanda Juca, Buffalo City Municipality, Mdantsane Ward 17 (2:13:36): I am a victim of a labour broker, scarred by a labour broker. I am requesting that the Panel today go back to the employers/government department that use labour brokers to go and re-look at the contracts they signed with these people and remedy the errors they made in signing these contracts. We are suffering profusely by the treatment we get from these labour brokers that our government allowed to be part of the employment system. I worked for 8 years for one company and by the time I left, I had nothing because of a labour broker. I am begging our government to review this issue of the labour brokers. Maybe at the time it was introduced, it was meant to correct something, but no, it is not doing that but is destroying us mentally and physically. If you are under a labour broker in whatever company you work for, you are nothing. Firstly, you don't have a union representation. Secondly, you can never make an error in this company because, one little mistake, you are out there and then. There is no one who will represent you. We are victims of labour brokers that were brought by our government and I am saying this to you again, I worked for eight years and I have nothing to show for that. I worked very hard and they just extend their hand and receive the money.

Mr Stemper, Buffalo City Municipality, Mdantsane (2:17:53): We hope Mr Motlanthe, you do see how we are oppressed under the ANC government. It is becoming worse now. One of the previous presenters from Mnquma said earlier that the ANC is hurting itself. The spear that is killing the ANC is this thing of deciding for the people. We grew up within the ANC knowing that the power is within the branches but now there are decisions that are taken from above and forced downwards. These decisions are killing the spirit of the organisation.

Now back to today's agenda, I am from Buffalo City and we have a Buffalo City Business Forum. First, I am also a small business. There is something that we have noticed, that the small businesses are not given the opportunity to participate in the big projects. We are therefore requesting government to try and bring in a policy that says,

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

when government is doing a project specification, the specification should state that 40% of this project goes to local small businesses. What is happening is that we can't all be engineers. Let me make an example, if there is a bridge to be built, 40% of that contract could be ring-fenced for the services of the small businesses. That 40% should not be given to just one small business company, but benefit the small businesses in that area. That should form part of policy from National Treasury Supply Chain Department. We humbly request that.

Second matter is, we have this thing called LED, Local Economic Development, that government has but is not working. For example, here in the Buffalo City, in Mdantsane, there are two big companies there that build houses and we have discovered that these company formations are not local people only. The worst part of it, even the painter is not Xhosa. Please note I am not being Xenophobic. The plumber is not Xhosa. Here at the harbour, it is another place that we would like you to consider changing policies about because what is currently happening now, administratively there is transformation but on the business side these harbours are being ruled or managed by investors. What do you mean Stemper? The containers, when they reach the harbour, when we want to move them to wherever their destination is, we are told that they are controlled and can only be released by the investors in our harbours. That is uncalled for. I mean for the local people how do they benefit from these harbours? I don't mean employment but small businesses. Those containers are moved only by white companies. The East London harbour is pure white! This enforces that the current policy be changed so that small businesses can also benefit. There is someone who referred to SANRAL. We all know what SANRAL is to the government but SANRAL again exploits the small businesses and give business to the white companies to sub under SANRAL in our areas and then the small companies are subcontracted by this white company. This is another issue that we request as small business to take into consideration and review policies that rule SANRAL. The other thing that is a problem is that government doesn't have provision for funding small businesses. We request that we have institutions that

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

will fund small businesses as the existing ones require us to use our houses as collateral. I don't think that is the right thing. Thank you.

Mr Siyabulela Manona, Ngqushwa (Peddie) (2:24:28): I am standing here firstly to address the issue of why there is so much inequality that we were shown on the slides earlier on. The reason is that we are not honest. We are not honest to ourselves. Why are we asking that we are sliding when we see that the road is jagged? The gentleman who was talking about the fish, there is a section in our Constitution which recognises the customary rights of the people. As he was talking, he was talking as if it's just a right that they should get from government to fish. It is their right that is entrenched in the Constitution but the fault is not in the laws, only in the laws that have been passed by this government, but it's in the laws that have not been passed. The government up until now has done zero to ensure that the provision of the Constitution of providing for customary law is taken into effect. The only protector in this regard is the Constitutional Court which has increasingly over the past few years been taking very progressive decisions to defend that space, but on the ground there is not a single piece of legislation which has attempted to protect people. I want to make one simple example. You take all environmental legislation that has been passed post 1994, without isolating any. I can isolate the Coastal Management Act. That Act is definitely in contradiction with the customary rights. It protects the environment, it protects the fish in the sea at the expense of customary rights which are provided for in the Constitution. I am a Christian and as Christians we say when we pray, forgive our sins for what we have done and we also ask for forgiveness for what we haven't done which we were supposed to do. There is legislations that was in place from the previous government. When this government took over, Marxism/Leninism got confused in the head. In its confusion we thought that we would be able to change the donkey to be a horse by smearing it with umhlontlo. We have acts here like marriage laws, succession laws which have not be tempered with because they were done in England. We have laws that deal with land ownership that give right to title deeds.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

You can ask the people here now, they never used to own land but belonged to the land but now because we are influenced by the England laws and in our minds, now we are all talking about ownership of the land, we talk about title deeds. This is a slippery slope, slipping back to what has been set for us by the apartheid and colonial government. How do we expect that equality to be achieved? One last point I would like to make is, in 2006 the Presidency produced a report which was called the National Spatial Development Framework. It said everything that Dr Shisana has outlined to us today. That report was so glaring and embarrassing that government used it for a year because people didn't want to face that reality and the report was shelved. Today, Dr Shisana is presenting the same realities, the same facts, nothing has changed. The inequality that was there in 1994 is probably worse now. The special map of the Ciskei is just as it was then. The special map of the former Transkei is still as it was. We are asking why this is the case? It's because we are using instruments of oppression to liberate a people. We are using the wrong tools to do the right thing. Thank you.

Mrs Dyantjies, Buffalo City Municipality (2:31:15): I have been abused by our government and am standing here full of sores from their treatment. Last year I started a drive of collection youth that is abusing drugs from the Buffalo flats community which is mainly coloured. When I started this program, I would take these children to a place called Sizabantu Mission which is in Durban, the one that makes the water that is in front of you today. When I take them to Sizabantu, they stay for a period of 21 days and they come back 100% good. At that place they are not given medication nor injections but are just ministered in the word of God. Each child reverts back to their senses and become whole again. Whilst busy with that, having started in March 2015, I found 14 children in their hangout places where they take their drugs, and asked them if they don't want to turn around their lives. The place where we live, good people, a coloured area, is an area that is undermined all over the country. These children said they would love to turn around their lives but they can't as they are facing unemployment and everyone at home is unemployed, what can they do? After talking to them, I recalled that I had bought a DVD that had a child who abused drugs and ended up killing people.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

I took these kids to my RDP house, which is a small house, but by the time I reach home with them, there was a group of 55. The house was so full to an extent that one of the window blinds is still damaged and the children were very interested to watch this DVD and to change their lives. When I noticed this, I couldn't sleep. I knocked at each door of a priest around the area, telling them about these children who are desperately looking for help. There was no assistance and these children wanted to go to this place called Sizabantu. I went to the Buffalo City municipality requesting assistance, instead they just clapped hands and said well done Mrs Dyantjies, what you have done is commendable but we can't help you. I left Buffalo City Municipality and approached Social Development, I won't lie here. I was well received and within a week everything was in place.

On the 24th of June 2015, 55 children were on a bus, and there were 10 girls within the group of 55. With the assistance from Social Development, I had high hopes that government was on board and these children will be assisted. My vision about these children is that, they need education, health and other various needs of which in my view I could see a lot of the government department playing a role in these children's lives. We left for the Durban rehab and on our way back, Social Development said, on the 25th of September last year, we are going to do a welcoming ceremony for these children and thereafter we will see how we continue assisting the project. I am telling you now, dear parents and friends, that the ANC abused me and my head nearly burst. The programs that were handed out at the hall where the ceremony was held, stated Substance Abuse, with all the preparations that were put together by me, and having about 1000 people in the hall; and when I looked at the program, my name was not even mentioned. The most visible thing on the program was – VIVA MEC So and So of Social Development and the name was written on the program; for helping this coloured community for collecting the children. The odd thing was that, the youth speakers who were on the program were my children. Now, I want to ask, how does one deal with this? Later on I called the Social Development office to find out what was the way forward after the 25th of September? I was told that there will be no way forward as they

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

have discovered that I am campaigning for a Christian movement and also that the rehab where I take these children to is also a Christian mission. They didn't care about the fact that the kids came back healed. What I had requested from them was that we create a centre where we could sit down with these children, and when they said they will not be continuing with me, I accepted their decision gracefully. I am still continuing with the project but its difficult. Parents do want their children to be assisted but they don't have the transport money to Durban. Regardless of that, what I want to say now is that, last week I took another girl to the centre, whose parents gave me the permission to take her there. What was amazing is to find 2 other children that were already there having been sent by social workers from Social Development at the same rehab they said they don't want. How do you handle that?

I haven't been assisted even now but I am grateful to God for opening this opportunity that the top leaders come to us because I have been stressing about where could I go and share this pain as I am being abused by the same government that I had hoped would help us in this country that is facing challenges of our children dying from the abuse of tik, dying from nyaope and all other types of drugs that I can't even call out as they are too many. When there is a plan to help, we wish that the children can be given the assistance but our government comes and closes the doors and instead talks about ANC instead of focusing on development in our communities, when there are people like me who have already identified the need for assistance to help our children. Let me end there.

(2:38:58): Greetings to all. I will not be long. How I wish Comrade Motlanthe that this session was the session of hearing people's cries because the people that are sitting here, if you hear clearly, its spilling over to political debate or session. Again I reiterate that how I wish that this session was a session of listening to us as people because people are bleeding politically. Nonetheless, let's leave that. We are here deliberately, it is no mistake, it is the old school of thought that brings us here today. It the creation of the apartheid government knowing that we are going to revolt against our own

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

government at the end. Now, I want to first say that, 'zemka inkomo magwala ndini'. The country is not standing still Comrade Motlanthe. Our comrades within the ANC must be honest and must deal with issues at hand the way they are supposed to deal with them. I would like to say one thing and then sit down. Most of the people you see here if not all are unemployed and our government is busy negotiating with Japan only but there are other countries. There are factories that disinvested in this country. What is difficult in bringing back companies like Berketts and other factories? Our people are battling and are busy doing grass work within the CWP program. CWP that doesn't pay them enough money. So, what I am proposing is for our government to bring back factories from overseas so that our people can be employed because there are no jobs. I don't want to say unnecessary things but would like to say is that as an antidote we need foreign investment in this country, not just Japan and China. Let me quote from Karl Max when he says; 'necessity is blind until it becomes conscious. Freedom is the consciousness of necessity'. I thank you.

Nozizwe Ondala, Ward 20 (2:42:36): I stay at ward 20. This ward has a lot of fraud. I want to say as you are here, turn on the lights Jesus, the matches are with you. Maybe by being here things are going to turn around for the better. Leadership has come to us several times and we have poured our problems to them but they just disappear afterwards. As we are here, several of us are wounded by the way things are done here. Decisions are taken on behalf of the people when it comes to election of councillors. (Wild clapping). We are wounded by the demarcation decisions taken on our behalf. We couldn't accept these things. All of this has led to the downfall of the ANC during the elections because of the suffering we are going through that is taking place here. What I am basically saying Tata Motlanthe, that we would like you to pay attention to the municipality tenders that have been mentioned before. The officials from the municipality offices have tenders. There is a person from eBhayi who has a tender of the trucks that collect garbage. What puzzles me is, if we say local people should be employed, people are not being employed for 6 to 8 months because of fraudulent and corrupt tenders within the Buffalo City Municipality. We wish that this receives attention.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Thank you for coming to us and wish that you go and come back to fix our concerns. The other thing is, we would like that after 3 months you come to grassroots level and talk to people but not when its only during the election season. That is painful and we would like you to take note of these issues. We hope that this Panel will also make note of the other issues of when we are called to meetings. Other people get told that you are not invited only a group of so and so has been invited. We all have one father. Thank you.

Bukeka Maxeke, Buffalo City Municipality, Ward 17 in Mdantsane (2:45:21): The one standing in front of you is a victim of fighting for the same freedom that you all fought for. But now, this victimisation stems from the people you assign to us regardless of how we feel about them. I live my life in the informal settlement, living in a shack. My mother and grandmother died in a shack and I was born in the shack and still stay in a shack. The service delivery that is supposed to service all, it's given to dishonest people. When I say that Tata, you give it to dishonest people, I am a victim as I stand here in front of you. I am a victim of being shot at and being jailed within Ward 17 under Councillor Yenana. Tata, we are going to deal with the ANC and we are going to defeat it. I am in the youth category, active and a member of the ANC, a youth member within the ANC. But the way things are happening we end up having independent candidates. There is a project called EPWP from the sanitation department that was advertised by the Buffalo City to assist people within the informal settlement to have proper sanitation facilities. Fortunately for me I was very close to the councillor even as a member of the ANC so that you can get services and be able to eat at the end of the day. When I noticed the way things were happening, I distanced myself because he is not doing according to the needs of the people. He sent me an SMS saying 'please call – it's over. Eyakho indima iphelile', because we are not singing from the same hymn page. But because I do have a little bit of labour law understanding as I had worked as a domestic worker before, I visited the labour department. Without wasting more time, Chairperson, that project called EPWP is headed by a person called Bonisile within the Buffalo City Municipality. Conditions of employment are not good at all. Since 2013, when the

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

project started, I have never received protective gear, though we know that when you start any job – they say safety first. When you ask about the protective gear from Bonisile, I am being painted as someone who is very difficult because, instead of being an official he became pals with the councillor and a politician. You irritated people when you are honest. I have bullet scars because I stand for the truth. Even now, I nearly burned down in my shack because of telling the truth. Within the EPWP project, we are asking Buffalo City to assist us with, at least, the safety and protective gear as this project has been going on now for a long period. We were only given then, a broom, gloves, deep and we never got anything else after that but those close to the councillor were given protective shoes. As I am not close to the councillor, I am always ignored because of fighting for my rights on the ground with the ANC members. I am not going to leave the ANC up until my last breath. I am currently in and out of court as we speak now.

Moving on to education. I would like to request the Department of Education, as I was nominated by the community at the school near where I stay at Dumisa, but not just representing them only as I am also an SGB member at that school; please bring back the old way of doing things. It's very difficult for us as parents, to be taking out money from our meagre pockets, to contribute for services like water and electricity as the school has to pay for these like the people who stay in the 4 roomed houses. The municipality must come and unblock toilets when they are not working. We as part of the community that are in the sanitation project, you can also deploy us to the schools so that everything moves smoothly and we continue working as well. But, our councillor, when you elect them, they also have to benefit from these projects, just like him that he is waiting for his 5 year term, to return the tractor that used to cut grass in the school yards and now our children get eaten by snakes, get raped and also the schools get vandalised. Now going to urban renewal, when we ask for community halls in our areas that we can use to hold events, instead of using schools, we would work a little better and smarter as we would all meet at the community hall. If you were to go to

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Ward 17, meetings take place in a small place in Eluxolweni. You moved from Kewuti garage to Esizamele, not an easy route.

16 August 2017: Afternoon Session

(4:40): Presentation on land by Dr Aninka Claassens

Mazibuko Jara, Ntinga Ntaba kaNdoda, also representing thirteen other organisations that work within the provincial rural and farm areas (4:48:30): I have a presentation to do but the people at the back can't find it. Whilst we are waiting for them, let me say Mr Motlanthe; our country is sticky. Sticky with phlegm of poverty, red with blood, bleeding heavily especially when we talk about the issue of land, poverty in the rural areas, talking about human rights in the country, we are talking about tell-tales within hundreds of our community. The focus of this discussion, looking at the maps that we have hanged behind the Panel's table, to be able to identify where the land issue inequality is. The land, you will remember Mr Motlanthe, is what defines you. One of the previous speakers said that we belong to the land. Secondly, as African people, we do our traditions using the land, but in the places where we are, they become the land of poverty. Also in the areas where we stay in the rural and farm areas, there are some local authority people that have designated unto themselves power over the land. That is why our focus in this presentation is looking at identity, custom, poverty and authority in the areas we live in. The map that we are seeing now, shows us the areas that were set aside for the people of the land by the white people as per the Act of 1913. As a reminder, what we today call 13%, where does it come from? If you remember then in 1913, it was not 13%. It's the Act of 1936 that makes it 13%. In 1913 then then, it was 7%. When they moved us then, Mr President, what surprises us is that, its 22 years now, but we as the government of the people we haven't even reached the 7% of the first batch that adds on to the one in front of us. That is our first pain that we want to share with the Panel.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

The next map is just reflecting a bit of the reserves that were identified in 1913 and were getting closer to becoming homelands. We all know the homelands and we are still squeezed in within them where whites forcibly moved us to and there is no noticeable change when it comes to land reform. But now, Mr President, I would like you to pay special attention to the next map. The next map shows the boundaries that the comrades were fighting then during the time of the struggle which were called tribal authorities. If you see these maps in front of you, when we thought in 1994 that we have erased the different colours and had just one colour, a new Act called Traditional Leadership and Governance Framework Act of 2003. That Act has caused the boundaries that we thought were erased in 1994 to resurface. These boundaries if you notice, are existing boundaries in the here and now as we speak. These boundaries are taking us back to the old maps of the homelands. We thought that we are free but now we have Acts that are bringing back the tribal authorities as they were before. Let alone the fact that the 2003 Act has a way of changing a name from tribal authority to traditional council, it's one and the same thing.

Just remember Mr President that these places that are called homelands are the same areas that do not have a strong economic base. The round circles are telling you where the economic strength of this country is. If you notice the red circles, they do not include the rural areas at all. There is no economy base per se in the rural areas. You do see where the economy of our country is. You see Gauteng, Cape Town, Durban, East London but you don't see Fort Beaufort (Qoboqobo). When a writer based in Grahamstown now, translates this, says that, we people from Qoboqobo, Cofimvaba, Lusikisiki; as black as we are, we are ruled under false pretence saying that we are traditional people at the governments mercy. When you compare this ruling with the people in urban areas, like Grahamstown, Port Elizabeth, East London; be it black or white, they are ruled using democratic rules, development, but we are ruled under false pretence as explained earlier. Still going on Mr President, I won't focus on all that Dr Claassens mentioned, I will focus on the land in the former homelands. In these places, honestly, rights to the land are weak a lot. Mrs Mateza from Cala, having been left with

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

land by her late husband, who had bought the land, the Chief of Amagcina said we are removing you from this piece of land Mrs Mateza. Where have you ever heard a woman having a piece of land in her name before? The second thing that has happened also, is the right to ownership of land in the rural areas no longer exist. Anyone these days just takes the piece that he/she wants. When you drive between Alice and King William's Town, the rural areas are growing, not that the people in the area have agreed but anyone who fancies a piece they just take it. That is a living example of the non-existence of the land administration program. When you drive between Butterworth and Cala, you will pass Ncorha. You will notice that the land that used to exist there was for crop farming, but now is being converted to grazing land and the previous grazing land is turning to homesteads. This means that we are having less and less land and there is this new saying now called land hunger. The conversion of crop farming land being converted to grazing land takes away from women's [access to] the land. Man now are having more rights on the land than before. Whilst looking at that, the government has failed several times that they put through an Act that clearly protect the rights to the land in our rural areas. You will remember Mr President that in 2010, Judge Moseneke gave a verdict that the Communal Land Rights Act does not agree with the Constitution of our country. Section 25 of the Constitution states that the Parliament must pass an Act that will protect the rights to the land in its entirety to those who were disadvantaged before.

Even today, there is no legal clarity on communal land. The story that I have narrated before about people who were forcedly removed by the chiefs and others as traditional councils from their piece of land under pretence that women cannot hold land in their name in the rural areas. This issue of communal land relates to the Act I had mentioned before called the Traditional Leadership and Governance Framework Act. When you look a Section 20 of that Act, the opening sentence in front of you points out ... at anytime and anywhere in the province [they] can give the rights to a tribal authority. That authority is within twelve departments from Arts and Culture, Land Administration, Agriculture and so forth and reaches a stage whereby information from government departments can be outsourced to these tribal authorities. That is not a problem for

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

people to choose their own chieftaincy program if they want to do so. The problem starts when Section 20 is written the way is. It looks like it adds on a new subsection of governing that is not reflected in the country's Constitution. Section 28 of this same Act continues to say that the previous tribals will continue as if there were no issues about them and some of the chiefs. In continuing with these tribals means that the land boundaries will remain the same, hence I have shown you that multi-coloured map before.

The other problem about this Act, Mr President, is that it says people are not given the power to choose as in if you used to stay in a certain way, because of the drawn boundaries, that boundary pulls you in and once it does that you are no longer free to have your own way of governing. That is the case that was taken to court, Mr President, by Mr Ntamo from Cala Reserve with his group called Siyazakha, saying that as Cala Reserve residents, they do have culture and tradition to appoint their own chiefs but the Premier, Mr Masualle and Chief Gecelo of AmaGcina said no, they will not give them that right. We will force it upon you and choose your tribal authority. They took the case to court. The court in Bhisho gave a verdict in August 2015 that the Premier was in the wrong and the officials from the Premier's Office and COGTA went back to Cala Reserve to enforce that the tribal authority that was forced on the people be re-elected, whilst the people were saying they have their own way of doing things. It's obvious this Act is a problem. I will leave out our recommendations as I am running out of time but you will see them as you read the document on your own. Let me move on to the next points.

It is obvious the land reform programme has failed dismally. It is not working at all. As I have said before, we are not even near the first 7% to return the land to people. If we continue at the rate we are going, it will be another 70 years to return just the 13% we've been mentioning before. The money that government is spending on land reform is less than 1% of the National Budget that Minister Gordhan gives out every year. We also have recommendations that we would like them to focus on - the department being

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

capacitated to expedite the process. If this doesn't happen Mr President, this country is going to be in trouble. I have already mentioned Ncorha that is running out of crop-farming and grazing land. What is happening in Ncorha, it is going to happen all over the country if there is no proper program to fast-track the land reform. Restitution – Dr Claassens has gone in-depth into the Constitutional Court decision as summarised. The decision by the Constitutional Court on 28 July of this year, just a few weeks ago says: the Law on Restitution of Land Rights Amendment Act, as of 2014 when most of us have been rushing to the Commission's office to submit new claims...The Constitutional Court says that, that law doesn't go along with the Constitution and therefore is invalid and no longer operational. As the case maybe, we still want the claims to continue but when the Constitutional Court comes up with this decision, whilst the Commission on Land Restitution has such a small budget, have a look there it is. In 2012 it was R2,8 billion and in 2018/19 the Commission estimates that it will be R3,5 billion, whilst in the report by government says that from 2013 - 2022 it will be 10 years to finalise the land claims that are still outstanding from 1998. It will also be another few years to complete other claims. Minister Nkwinti, in April this year said new claims that were submitted from July to now are about 130 000. Government has made the projection saying that they could go as far as 390 000. There is no need why these claims should even be considered and approved. That is a major problem. We close this presentation by saying, Mr President, please advise the Constitution House so that it strengthens in dealing with land restitution.

There is something that is always used to defeat us that says, we can't go back as far as June 1913. According to our research, Judge Pillay, there is an international law for the whole world namely, International Legal Provision and International Jurisprudence on historical land claims. Those laws that are available in the world, fully agree with the decisions taken by our own courts in the matter of Richtersveld and another one that is known as Pollela case. The decisions say that there might be a possibility for claims before 2013 to be allowed to be entertained and not be guided by the way the Constitution is being misrepresented in the various ways that it is translated. Therefore,

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

we shouldn't be scared of amending the Constitution in that regard. If the amendment is failing there are other options of recommendation that we have made in the presentation. We are pleading Mr President that Parliament ensures that the Land Reform Commission adheres to the Constitutional Court decision. The Constitutional Court decision says, it must be 2 years and the Commission should be done with all the previous claims so that they can start with the claims. This must quickly happen Mr President, because if it doesn't happen we will be in deep problems. Thank you.

Ronald Eglin, Afesis Corplan Developmental NGO, East London (5:06:50): I just have two main comments to make to this Panel. We decided to focus our input on the two issues that we feel are the most important. The first one is on communal land administration and second one is on managed land settlement. On the question of communal land administration the issue that we want to highlight is that the Interim Protection of Informal Land Rights Act takes the rights of people living in communal areas but doesn't effectively create or give people rights. So in fact there is a land administration void for people living in communal areas in that there is actually no legal officially legal recognised mechanism for recording and noting people's rights to that particular piece of land. The legislation that was in place in the past to provide permission to occupy certificates for example has been repealed and no new legislation is in place to cover that void. Also in relation to communal land administration, we have observed that there is a continuing disagreement, for lack of a better word, on what is the solution to the issue of the communal land challenge. There are some people that are saying we need to transfer land to traditional councils or to individuals whereas some are saying, no, we need to recognise the social tenure that the people already have to the land. So, that creates tension as to what the solution is to the communal land issues.

Our recommendations to the Panel are that, in the short term, we are recommending that the Interim Protection of the Informal Land Rights for period be amended and regulations be developed under that legislation allowing for the establishment of a land

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

record system in parallel to the existing land registration system. So, in effect we will have the land registration dealing with title deeds and survey general and you will have a new land record system that will keep records of who is staying in communal land and under what rights. We feel that can be introduced with the existing legislation with amendment to the period and regulations to that Act. In the longer term there could be continued consultation amongst the stakeholders involved to find a negotiated and long term solution to the land rights question in communal areas, because as I indicated there are very widely different views on what the solution is and so it's going to take time to negotiate and find that solution. So that covers the question of communal land rights administration.

The second issue that we would like to highlight to the Panel is what we call managed land settlement. Land is not just a rural issue, it is an urban issue also. People are, according to statistics, it will take 20 years for the government to provide people on the housing list with a house if they continue to use the building houses at the existing delivery rate. So that is just dealing with the backlog, it doesn't look at new household formation for that period. Clearly there is a problem with the way that housing is being addressed in this country and it is not keeping up with the demand for land and housing. So, the recommendations that we want to make here, again we have a short term and a long term recommendation. In the short term we are asking national government to make policy statement to recognise that incremental settlement or managed land settlements be identified as a recognised form of land and house delivery. Managed land settlement is similar to the upgrading of the informal settlement except that it starts from a green field context. So it's about making land available in advance of need and allowing people to settle on that land in an organised manner over a period of time. So we are saying that a policy statement needs to be made and recognise it as a legitimate way of housing delivery. In the longer term in particulars that relate to this Panel's committee 2 that is dealing with land, that the question of housing and land for residential purposes needs to be also seen as a part of the land redistribution concept.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Land redistribution is not only about redistributing agricultural land, it also includes redistribution of residential land. The National Department of Human Settlements is in the process of revising or developing a new human settlement policy that will turn it into a new human resettlement act to replace the old housing act. We ask that this Panel engage in that process of consultation around the development of a new human settlement act because that will then lead to an establishment of a new housing code and the question of different types of housing delivery can also be accommodated in that new housing code. So those were our two issues and thank you very much for this opportunity.

Mr Siyabulela Manona, Phuhlisani NGO (5:14:35): Phuhlisani is an NGO that works on land reform issues, so I am part of its Eastern Cape Chapter. I do not want to repeat some of the issues that are sad news that have been raised by my colleagues here. I would like to add a few additional points that have not been covered here and parallel to that I am definitely will be making written submissions and whatever I say will be in written form or another. Let me start by saying, we have a very good Constitution but we have various other mechanisms of taking away what is inherently good in the Constitution. The Constitution gives the first [inaudible] that takes away from people, it is political arrogance. Political arrogance, I am not saying this in a political sense to refer to any political party. I want to give you a short story so that you understand. Last year we held a communal tenure summit in Johannesburg. There were more than a 1000 people who attended the summit. We advised the Minister that the trajectory which is being currently taken with regard to communal tenure policy is not going to stand constitutional scrutiny. The Minister stood up in the podium as I am, told us, more than a 1000 delegates, told us that he is actually preparing to go to the Constitutional Court and we were giving him free advice that what is government is now doing will not stand constitutional scrutiny and he said he is preparing to go there. I interpret this, in a technical sense to be political arrogance, which when is said in this context, the Director General of the Department, the officials of the Department take that literally and we end up with all the battles in the Constitutional Court.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

All our policies on the land are being resolved at the Constitutional Court and not in forums such as these. CLARA - Communal Land Rights Act - ended there for this reason. It is a big problem. There is a second issue that I would like to raise that relates to two new pieces of legislation. I don't want to cover a lot. One piece of legislation that I would like to talk about is the Land Reform Valuation Act of 2014. This piece of legislation creates a new concept of what we don't have in our legal jurisprudence, a land valuer general. This is a useless piece of legislation which is not necessary. We have spent years developing this piece of legislation. We have mechanisms already in place in law in the form of Expropriation Act which government hasn't used for the past 20 years. We didn't review the elements of the Expropriation Act which are unconstitutional. We have never made use of the Act even when we needed to. Instead of making use of the existing legislation we spent two to three years developing legislation which enables government to acquire land without fair compensation. Where is this going to lead us? We are going to end up in the Constitutional Court again with this piece of legislation.

I want to mention one more piece of legislation which is a reflection of this trajectory we are moving. The second one is the Communal Land Rights Bill 2016. This bill is a copycat from what was done in Kenya. At liberation Kenya privatised and upgraded the land. They are today, I am proud to say, their land reform has largely been an international best example of failure. There we are, our country with the best Constitution, we go and copycat that model and come and super impose it in a totally different context. What happened in Kenya, people's rights were upgraded and formalised and then people were given titles that they didn't know which came at a cost and they went back to what they are used to; to customary ways of living. So that whole thing went down, boom, and it failed. After 22 years of democracy, instead of our government following the constitutional imperative of satisfying Section 25.6 by putting in place law that secures people's rights, we've been dilly-dallying. Out of that dilly-dallying, we go and pick up a piece of defunct piece of legislation from Kenya and there

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

we have a bill. If you were listening when I started I might have sounded like politically insensitive but the point I was mentioning about political arrogance, this is where it comes in.

For as long as our leaders are taking the country for granted, we are destined to nowhere. We are going to end up having in our books of law all these pieces of legislation that are defunct and unused. I have given you an example of that, the Expropriation Act. Why don't we make use of the best of these pieces of legislation that we already have? Why add more when there is no need? Then the other element that I want to raise, I will not raise it in relation to all pieces of various legislation, is political arrogance leads to bureaucratic arrogance. Bureaucratic arrogance leads to a situation where, we've got beautiful pieces of legislation and they are implemented badly on the ground and then it becomes very difficult to differentiate when people are sitting like this to distinguish between whether it is practice that is wrong or legislation. I have got a few examples of these instances that I written up that I will submit to the commission for scrutiny. Thank you.

Border Rural Community (5:23:59): Mr Chairman, let me first mention that you are in a province of a political man who once said about the sticks that have given us scars, said this is a province that in 1936 the last nail was driven in to make this province the poorest. That means the betterment trust schemes that were coming to this province were to make the province poorer. It was a nail that drove our fathers away from their wives to work in Johannesburg. Which means it was a time when assurance was made that pride in building our homes was removed from us. This province, Program Director, that I can say, when we entered the democracy era in 1994, had the unfortunate decision that the rights were taken away of being given the right to claim on land restitution. We were told that we will be addressed differently because the Land Restitution Act which states that if there are claims that have not been addressed that the Minister will take a decision. People of the betterment had to face that difficulty. It is this province again Mr Chairman that the previous comrades have mentioned, that give

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

us the additional wounds as people had their faith in this act. Under apartheid we have two wounds and under democracy we have two also. The question that stands is why is it like that? I want to say that unfortunately when there are victims where it is said one white farmer has been killed, lots of monies that are used on complaining it's easy for it to be released but when it comes to this province, this province is given attention lastly when it comes to land issues. There is very little hope that there would be anyone who would hear our cries.

Let me then address, Mr Motlanthe, to the Act that was used of 1998, saying that we are requesting that the Act that has been amended be taken back to Parliament. When it goes back, the paragraph Section 26b must be taken out. That section says that it's the Minister that should take the decision if it happens that you were not able to claim, he will decide what happens to it instead of the court. This will lead us not to trust the Ministers even if we trusted them before going forward. Now I hear that restitution is going to be put on hold for a while, but I want us to know that the restitution wasn't meant for land claims only, but means restitution also has caused wounds in this province again because the Department has encouraged that money be given instead of returning the land. There is a lot of land and as you pass through Butterworth there is a land claim that has been taken up by the chiefs in that area. Those chiefs are being pestered to take money instead of the land and they want their land back. Going on to the issue of land redistribution, when the land redistribution was brought up, we thought that we will no longer be called people from Nxarhuni, congested in Nxarhuni and people of Mooiplaas who are congested there, we were going to move in to the Qumrha farms and get a piece of land. Now instead you become sad when you see all these people in a small piece of land and then just across there is land that is not utilised. Land distribution is in those farms not in the areas of Dimbaza. Land redistribution that we must do is there if the government is incapable of doing so.

The problem with land redistribution, former President, is that when it comes to our province, we discover that land is being given to certain individuals not everyone. Even

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

those people who are given the land when you go up towards King Williams Town, you'll find that they are utilised for braais over the weekends and are not utilised for economy. Moving on towards Kei Bridge and on to Mount Frere, there are quarries all along but people who stay in those areas don't know anything about them. There is that act that talks about infrastructure development, we don't have them. The quarries come and go without consulting the people about the piece of land that is being utilised. We would like that this be paid attention to especially that word community – that doesn't mean to be represented but community is the homes that are in that area where the quarry is going to be opened, not a representative, nor a councillor or traditional leader, but the land belongs to the people.

Last thing that is an issue here is, that I plead for as I have been checking on all the acts and laws, as I have said I will not waste more time, we have a problem across all services of the state that the accounting officers, when they have broken the laws, there are no punitive measures in our laws that deal directly with the individual. We thought that the decision that was taken and given to the SABC that says a man or woman that has taken a decision, robbing the country, using the resources of the country and the court of law has discovered that he or she is responsible, the person must pay. I have the hope that this Department will also work properly once there is that punitive measure attached to the mandate - that one is given across all spheres of government. Last but not least, in Qoboqobo the people there have received money for land restitution and they made a development with their money. After they had done that they said here is a dam within our community that was done by Sebe's government but the dam was feeding Dimbaza and we as the people had to get water from the rivers, now we are asking government to allow us to do what is called trout fishing. They wrote a letter and 5 years later that hasn't been resolved because the problem we have is the inter-governmental relationship of this country is not functioning well. This is something else that we wish that to be noticed, that which we call inter-governmental relations is functioning so that we can talk about a country that is fully functional. Thank you.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Zoleka Sikasana, Ward 1 (5:33:46): Let me start with the RDP R140m of Tata Mandela that made a bridge in Duncan Village, did Gompo welfare in Duncan Village, and there was a balance of R11m, that I am now asking what happened to it? With the Integrated Development Plan at the Gompo Hall, we have been raising these issues Mr Motlanthe and that we are not getting answers on them from all these offices. Where is the Duncan Village Residential fund? Year in year out, there is money allocated to Duncan Village, even the credentials, people are very frustrated by the stories that are made by my own party. I criticise my party mainly to build it because it is art of the ANC Constitution what I am saying. Subsidy towards renovations – houses in Duncan Village are very old. Duncan Village fought forced removal to Mdantsane and those who have remained and unemployed have no means of renovating the houses. Duncan Village needs a new face because the people of Duncan Village have also fought the apartheid regime. The last time we had houses built for Duncan Village was the 4 roomed houses during the apartheid regime at Ndende Street, Lujiza etc. Now they have started building these houses that are subdivided during Councillor Koko Qebeyi's time, the popular candidate that we had elected and I was the fourth candidate. Now we have a councillor that we do not want.

We are pleading that, with the by-elections that have been mentioned, Mr Motlanthe, they should be called immediately. We know who we want and we want to be led by the person we want. Our leaders should not be telling us to swallow a pill even if it is bitter to do so. That is not right. We need to elect people that we want you leaders to choose whom you want, that is to be done as soon as possible Mr Motlanthe. Here, the duty and responsibility of the councillor is to assist people, that's what I know; but people are not happy because of the councillors who just say whatever they want without caring and they are given R36 000 salary on the 24th of each month and they have no interest in service delivery. There is another issue that I have raised of a sleeper site project. Sleeper site project, being a deputy mayor, to have a sleeper site project that is going on. We do read the papers and there is this thing called sleeper site project that the deputy mayor of Buffalo City that he is running. That regional office must be disbanded.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

We have complained Mr Motlanthe to the regional office and there was no response, we went to Luthuli House there is no response. With our party, you lay a charge about a police to another police.

Concerning an MK combatant Mema who died in Angola. His bones must still be brought home. His father lives in a shack and is still waiting to be allocated an RDP house. We have written to the Premier's Office and other government departments several times but there was no response. Our concern is that Mema is old and is going to die without getting a house, and before the remains of his son are brought home. The 2016 elections were difficult because all the Wards are complaining about imposed councillors.

Thethinene Jordan, Ward 2, Duncan Village (5:40:10): A lot has been said on land issues. We are learning a lot. If we had the previous speakers in the Portfolio Committee on Land in Parliament and Legislature, we could have the best committees that can assist the province and the country as a whole going forward. The biggest problem is not the policy and laws because the laws are good but there is lack of implementation. There is a problem with the leadership of the ruling party is with implementation. There is a need for amendment of some legislation, but most importantly there is a problem of arrogant leaders and whenever you raise concerns as an ANC member you are threatened with disciplinary action. I am one of those who are on suspension for pointing out weaknesses in the ANC and arrogant and corrupt leaders in the ANC. We are subjected to that corruption in the ANC here. With this current leadership we must forget that we are going to govern the province successfully. The problem of corrupt and arrogant leadership is in both government and the political party level. When you complain at a branch or political structure you are told that you will be met by the same person you complain about in the ANC Branch when the complaint is addressed at other levels of the ANC including by Mantashe in Luthuli House. I have never seen an arrogant General Secretary of the ANC like Gwede Mantashe. I am happy with members of this Panel because as I look at all the faces

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

there I see no thief. It is a good thing that your number has not been increased when you visit provinces so as to include thieves in your number. That was going to dent the image of this exercise you are embarking on as this Panel. Again Chairperson of the Panel, I appeal to our government that is now building a consumer class; social grants, housing subsidy, and all of that happens without production, just handouts. The day the ANC abandoned the RDP was the day it abandoned good policy. If people were people who are properly fed there would be no need to spend so much on the health budget, but if we have the Department of Agriculture as number five or six in a province that is largely rural, then we have no reason to expect food security and sustainable livelihoods.

Nomabhelu Luwe, Ward 42 (5:48:17): Chairperson, let me address you directly, because there are those of us who know the ANC and who never thought that when we voted in 1994 we would still be in misery. In preparation for the 2016 election, we followed all the processes to ensure that we have candidates of our choice. But our pleas feel on deaf ears. So we decided to put forward independent candidates, and they were elected as people's choice. As I speak to you we are not satisfied that the elections were free and fair. Only yesterday I picked a ballot box in the river. What is that supposed to tell us? What must we do? We are confronted with a serious problem. The previous councillor, the one who will be sworn in on 18 August 2016 will be on his 20th year as a councillor. He is not serving the community. He is old. What are we supposed to do? In the community there are divisions because there are those who support People's Choice candidates and there are those who support ANC candidates. What are we supposed to do? We have enemies. We were born and grew up in the ANC but now we have huge problems. And we stand by our position that we will never allow us to be led by people we do not want. Where I live is filthy, there are rodents everywhere. The shacks are everywhere. It has been years since I stayed where I am and there is no development at all.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Simpfiwe Sandlana, eBhayi (5:50:25): I want to talk about land, as an emerging farmer. I am clear about the processes to follow to get land to farm on. I notice that people who are given farms by the government are those who have no interest in farming. Some of them have never farmed, yet they are given land. From Grahamstown to Port Elizabeth you will notice that there are only eight livestock farms. The rest of the farms along the N2 national roads are game farms. I do not understand how we can talk about food security on the one hand and then not give land to people who are interested in producing food on it. Instead the farms are in the hands of the whites to operate game reserves. It is puzzling. Secondly farms are given to government officials. I first applied for a farm in 2001, and my file was misplaced, and I had to reapply. I am leasing farm land for my livestock and yet the government is giving farms to people working in government departments who have no interest in farming. The next point is to ask why the government is giving people caretakership instead of a lease agreement or a title deed. The caretakership papers do not open opportunities to get loans from institutions such as the Land Bank, and in that way the government is setting up people for failure. Also Black people are not getting financial support and mentoring from the government. Instead they are on their own, and are left to fail. Lastly, the government must support people with interest in farming.

Busisiwe Peter, SANC in Nkonkobe Municipality (5:54:26): On poverty we have a food security policy that is failing. The household food security is non-existent. The food sovereignty of the country is under a serious threat. People have no control over means of production, there is no control over water resources, and there is no funding for indigenous seeds. There must be funding for research on indigenous seeds including research on maize seed that is conducted at the University of Fort Hare. We urge the government to support research on rainwater harvesting conducted at Fort Hare University, Rhodes University, Fort Cox Agricultural College, and other institutions. Such research is necessary to ensure food security and to fight hunger, poverty and unemployment. In areas surrounding Fort Hare University there is communal land that is available for farming but has acacia trees. None of the government programmes are

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

prepared to help remove the acacia trees. DWAF has turned down requests saying they only remove invasive alien species. We ask for support to remove acacia trees and fence the land for us so that we can farm. That is infrastructure development. That is government support which policies and legislation are supposed to assist communities with. That is where government financial resources are supposed to be directed. Access to water in the rivers is important to enable food production on available land.

On inequality and wealth creation, Mazibuko Jara spoke about absence of recapitalisation. The government is only focusing on recapitalisation for those individuals who received farm land, private or commercial farmers. Yet there is communal land for people to farm, and not every one of us will ever get a farm. Yet if the recapitalisation programme can also include people farming on communal land, there can be increase in food production.

Renewable energy can create employment. Cow dung is available in abundance in rural areas. Bio gas technology can be made available to people in rural area so that they do not have to rely on Eskom for electricity supply. There are a number of universities in this province that can assist with developing appropriate technology, with training a new generation of innovators and with empowering rural communities in order to improve the quality of life and to enable people in rural areas to participate in the formal economy.

Pamana, Zeleni in Cwengcwe (5:59:10): I am part of the Cwengcwe Poultry project. We started in 2010, self-funded under Amahlathi Municipality. In 2015 the Department of Agriculture promised to build a structure and gave us measurements. The service provider changed the measurements. The officials in the Department said let us take whatever we are given. The service provider disappeared. The Department has never followed up. The structure was never completed. The government is not following up on complaints. We are unfortunate in that village, because the previous councillor was imposed on us by the ANC and when we said no we were told to be patient and we stayed with that councillor for five years, and then we voted for an independent but did

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

not win. We said to the councillor let us work together but he refused for five years. Now we have moved to Buffalo City Municipality and the situation is worse. The ANC branch meeting has been held several times to elect candidates, so much such that we ended up voting for an independent candidate in 2016. We are aggrieved by the corruption in the ANC. Our relatives were imprisoned for many years fighting against apartheid. They sacrificed with their lives. At Ward 19 the ANC branch is named after her. There has been no development in that area. Today the ANC has been hijacked and the councillors are arrogant as they tell the people that they will not listen to them, they listen to the ANC leadership. Today I am hopeful because I see the members of the Panel. They must tell us which way to go. Before 1994 I was a taxi owner in Port Elizabeth, and we were told that we will be free. Today we are neglected. Lastly, the most unfortunate thing is that my father who was born in 1918 taught me that that was our land, but Sebe brought an illegitimate chief and even this government has introduced an illegitimate chief. We were told to go to the Mndende Commission. Even there we were told to go to the Premier. She said we must accept the chief. It is not our argument that this young man is not a chief, our argument is that where we live we have never had a chief. But we were told he is our chief because our government has found it easy to rule by chiefs. That has caused hardship and discontent.

Sipho Katana, Kwelerha Communal Property Association (6:08:46): Rural development, I recommend that the Land Restitution Act must be amended to claim the land from the 1800s. The Department of Land called us in Gauteng to form the National Land Forum. I ask the government to protect us where we live. I was one of the people who attended that meeting in Gauteng and I represent people who are evicted by commercial farmers from the land. The Department of Land has received a court order that by July it must form this organisation. In our area this NGO is opposed by SANCO because this NGO is not ANC aligned. We urge the government to assist us in this land restitution process so that we do not end up being divided.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Ntsika Dapho, eNgqushwa (6:12:33): These issues are related, and I am going to try to be brief. It is true that in South Africa the structural problems were never changed but de-racialised. This we see from the inputs made by the Panellists this morning. In the former Ciskei the people were opposed to the traditional leadership system. And yet this government is imposing the system on the people. This situation exposes that we are divided, there are people in urban areas that are governed by human rights and democracy, and there are people in rural areas who are governed by traditional leaders. The people in rural areas are forced to accept traditional leaders who are branded as experts on cultural issues, and yet they are not. And so this problem is evident in this province as the migrant workers are from the rural areas.

Khuthala Simelane, Ward 11 (6:15:52): I have a question that I ask and answer myself. As ANC members we find ANC leaders in the municipal councils who do not care about interests and needs of people they say they did not vote for them. Sakhumzi Qhaga asks for ANC membership cards and if you cannot produce the membership card you are not helped. Also Sakhumzi has nepotism as he has employed his cousin who lives in another area outside the ward. We do not want him. As People's Choice independent candidates we encountered situations when we were campaigning for election where the ANC councillor told people that he had already won the election. In schools, you find teachers not teaching, female and male teachers are not doing their work. There is no one in government who is doing anything about this problem. Gllishe must not be sworn in as a councillor.

(6:20:24): I want to talk about drugs. Nkosinathi Joyi is a boxer but has never received support from government. As a result he is involved in drugs. Also children live in poverty and yet prisoners are well fed. It appears that it is better to be in prison than outside in the community. The justice system is failing us because criminals who commit crime today and are roaming the streets the following day. I am not going to be long, let me give others a chance. Thank you.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Nzondelelo Frans, Cofimvaba, iNtsikayethu Municipality (6:21:06): As disabled people in South Africa we are not getting services. The public transport is not available to us. We are discriminated in special needs schools. Only the severely disabled people are admitted in these schools as there is not enough space. Most students are not accepted in these schools because they are told that they are over age. In health we get problems because most disabled people are not working. The companies that sell assistive devices are selling at expensive prices. There is a delay in getting crutches or wheelchairs. The waiting period is very long. This is limiting chances to find opportunities for sustainable livelihood. I recommend that the government creates repair centres for wheelchairs and other assistive devices in all the municipalities. At the moment most people are forced to replace wheelchairs instead of repairing them because of lack of repair facilities near the places in which they live.

Jabane Phumelele, DEAR Centre (6:26:46): *[Sign language speaker, no audio at the beginning]* Greetings to everyone here. I am sensitive about time. Thank you to the Deputy President who is willing to stay until this time. Thank you very much for your attention. As we can all see the little box on the screen, it is too small for people who depend on the sign language services. That box showing interpretation for sign language is not visible. Therefore this conference is not accessible to people who depend on sign language. Anyway, my name is Jabane Phumelele. We empower deaf people. We train, retrain deaf people to make sure that they have independent livelihoods. Just a word of caution to our Programme Director, please make sure that people stick to time. Thank you to the national Parliament for choosing this province as the first province to conduct your first hearings. Now, I am communicating with you in sign language. In our Constitution sign language is protected and promoted. However, for many years we have lobbied, we have fought with government to make sure that South African sign language becomes the twelfth official language but still to this day that is not happening. Why are we treated as foreigners in our own country? As deaf people, we were born in this country but we are treated as outsiders. There is nothing

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

else that I am able to do without a sign language interpreter. What I want to request for from all institutions is that there must be qualified and professional sign language interpreters so that we can have access to services just like other people, quality information that affirms that we enjoy human rights. I am not the only deaf person in the province of the Eastern Cape, yet I am the only deaf person in this public hearing. Why? I received an invitation to come here only yesterday. I see other speakers are presenting written submissions because they had time to prepare and yet I was not given enough time to prepare a presentation. Why? Why are we treated as outsiders? Please Panellists, assist us to make sure that we are treated the same, whether we are black or blind or have other forms of disability. And when you invite deaf people, make sure that there are professional sign language interpreters.

Lastly, what hurts me is the denial of education to children with disabilities. Special schools are used as a dumping place for children with disabilities. The quality of education is very poor. Most of the time the children are not taught, they are neglected by those who say the children are getting social grants and they have no need for education. These children are not looking for social grants, they are looking for education and knowledge, and to be economically productive and to be financially independent. That is the empowerment we are talking about. I urge you to be in solidarity with us to make sure that the sign language becomes the twelfth official language in South Africa. We want to be respected as people with views worthy to be heard. South Africa is lagging behind from countries like Uganda where their sign language is recognised and promoted as the official language. Why? Thank you.

Noxolo Gonono, eMalahleni Municipality (6:33:57): We have a company for disabled people set up in 2001. We urge the government to provide us with stipends so that our projects can be sustainable. As disabled people we are a joke to government officials, we are just used as statistics for reports. At first there was a 2 percent requirement for employment of people with disabilities. In my municipality, there is zero percent employment of people with disabilities. Now there is a talk of 5 percent, it is not

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

implemented. There is no will and commitment to employ people with disabilities. The EPWP programmes do not involve people with disabilities because they are seen as people receiving social grants. That hurts us to be discriminated in this way. How can anyone survive with a social grant? We are a curse and mockery to many people because of the way we are treated by government. We face a challenge of long waits for wheelchairs. Our dignity is violated. We ask for quality assistive devices. Government must do away with tenders, because tenders are compromising the quality of services. We ask for white canes for the blind. We ask for access to buildings. We ask for the government to come to us when doing evaluations, and not use the government officials for writing reports. Those glossy reports are not a true reflection of what is happening on the ground. Buildings are inaccessible, and as I must visit ECD offices for my business, I have difficulty accessing the building.

Mrs Funda, Ward 42 in Mdantsane (6:40:08): Our councillor is not servicing us. We are neglected in our community. I ask that our councillor must not be sworn in in that meeting. We do not want that councillor. I have a child who is a graduate. He submitted his CV to the municipal offices. He received an SMS calling him, but when he arrived at the municipal offices he was told to go back home as he was not called. I depend on a social grant. My other child is a reservist in the SAPS. The reservists are not employed. Even during the elections they were working without pay. Thank you.

17 August 2017: Morning Session

Mona Lisa Ngqisha-Pule, Masikhule Gender AIDS Alliance1 (7:40): Today I will speak about nation-building and social cohesion. The Constitution was adopted to ensure that we live together in this country in harmony, without discrimination, with human rights and dignity. I will start by saying in response to the questions asked here, we are from a homeland system that was abolished after 1994. Back then there was Ubuntu. Today Ubuntu has been eroded. There is lack of tolerance in our communities. There is tribalism. Secondly, there is rife racism, especially in Buffalo City. Thirdly there

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

are foreigners who are not always welcome in our communities. Do we have laws to promote social cohesion, immigration, refugees, and to be able to deal with social ills? No. Whatever policies and legislation is not enough. People still need to be educated to understand what public participation means and government must take seriously the views of ordinary people expressed during public participation processes. There must be meaningful participation, and not just quick roadshows that are conducted to tick boxes and yet people are not given enough time to express their views. We must work towards a united African continent. Amandla!

Nokhanyo Makhuphula, eXesi in Nkonkobe Municipality (28:24): I come from an area rich in natural resources. We have fertile land in the same vicinity as Fort Cox on the way to Hogsback. We need support with agricultural implements to be able to produce our own food.

(30:15): ...to be approved. Back then the subsidy was R16 000. And then be approved the following year to receive a subsidy and yet you still do not have a place to stay. You get approved to receive R23 700 in 2002. Again on 09 May 2007 you are told that your application has been withdrawn by the applicant, from a list of over 100, even though you still do not have a house. Again you are told to reregister on the list of those waiting to be allocated houses, over 100 people have been told over and over again to re-register. I was shocked to learn that the government is still working in cooperation with AfriSisco Plan because this company started a cooperative for houses in Amalinda and yet up to today we do not have houses. The government allocated R23 700 per house back then, and up to today there are hundreds of people whose names were on the list and yet are still waiting to be allocated houses. The company did not use the money from government as was expected instead the occupants of houses that were built by the company were not termed as illegal occupants.

Today what I want to say is that all the people have been told about our plight. There is no Premier I have not met. I have been to Pretoria to meet with Minister Sexwale. All

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

the Premiers here know about the situation in Amalinda, and the corrupt people who gave houses to their friends and relatives, yet the rightful beneficiaries are homeless up to this day. Now we have the Erf numbers for the plots on which houses were supposed to be built, those were issued by the then MEC Gugile Nkwinti, but he moved to another government department without ensuring that the plots and the houses are handed over to the rightful owners. Today in Buffalo City we are still suffering under Ngesi who is reshuffling names on the lists and removing rightful beneficiaries off the housing lists. Every day the lists are reshuffled in the Buffalo City Municipality. Even today Monwabisi Mahodi has drawn his own list of beneficiaries who will be allocated new houses built with money from Pretoria. The cooperative for housing in Amalinda has been sidelined many times. We have been living in temporary shelters for six years with no electricity. This is the hardship we are subjected to here in Buffalo City, and it is not going to change anytime soon unless the national government intervenes. What I want to explain is that I am disturbed by the fact that we the uneducated are abused as business for individuals in power. Under a democratic government we are still victims of corruptions.

Mpumelelo Feni, Buffalo City, Ward 35 (33:29): The way I see things is that we have a problem with nation-building because you cannot build a nation on lies, corruption, money-laundering, and theft. In Buffalo City there can be no government if those in leadership are thieves. On the list of Buffalo City municipality, there are thieves. How can you build a nation when you are led by thieves? You cannot build a nation without trust because trust goes hand in hand with openness, not factional meetings held at night, not meetings held in the early hours of the night in the Calata ANC Provincial Offices. Trust goes hand in hand with transparency, and a married person who is in love will know exactly how trust is built. Trust goes hand in hand with accountability. We have a government here in the Eastern Cape that has none of these qualities. Again, what we have seen in our government and in South Africa as a whole is that a person who steals money is the one who is promoted into higher positions. We must mention that in these 23 years of democracy, the ANC thought we are in the palm of its hand, and that is why it is playing with us. What that means, as once mentioned by

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Zwelinzima Vavi while still a leader of COSATU, is that there are many people who have been crippled by the ANC during this 23 years of democracy. Again, the class project has been ignored because there can be no successful nation-building without breaking down the class divisions in this country. Who fought for liberation of South Africa? Because today there are certain individuals who put themselves out there as though they are the only people who fought for the liberation of this country. We were born here in this country and we fought for liberation, and we are still fighting for liberation to this day. We were never compensated for our role in the struggle and yet people who left the country are receiving compensation as though they are the only ones who fought for liberation. We say the solution is that we need compensation as a black nation. That is why there is this wide gap. Otherwise we will continue to suffer.

Mphuthumi Ntlanganiso, Ward 24 (39:01): Today we talk about nation-building. It is built in Tynhuis, in the Union Buildings, in Luthuli House, in Calata House, in Rhubusana House. What about us here as communities? What about us in communities? Today we are fighting for the rights of our communities. We see the liberation movement dividing the nation. Because all the time people had hopes that the ANC will put South Africa and the continent into a higher level. Today I want to talk about the community I am from because policies and legislation are implemented at community level.

There is a housing development which is 75 percent complete and occupied, and the remainder of houses stand empty and are being vandalised. The Housing Department has all along ensured that by the time construction starts a house has a beneficiary but today there are government officials and politicians occupying houses that were earmarked for people in Mdantsane and people in shacks. Today we see houses that have been vandalised, over 200 of them. The councillors know about the situation and the manipulation of the housing system. Yet nothing has been done. Local communities requested a clinic, but the councillor chased Health Department officials away.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Siyabonga Nongqayi, Ward 45 (43:50): Condolences to the Stofile family. We appeal to the Buffalo City Municipality not to misuse funds allocated for the funeral (as they did with the Mandela funeral) because we know he will be accorded an official state funeral. There are political factions in the branches, regions, and then up to national level. This is not Buffalo City Municipality. This is Phumlani Mqolo Municipality because we are controlled by him. We can never run away from the truth. Phumlani stated openly that principles cannot be deposited in a bank account. That is why we say the absence of unity today is based on his words because today once you become principled you are told openly that you will not get service delivery. Is this the democracy we fought for? No. We must understand that there are people who see democracy in their own bodies, because someone said we are free because we live in places like Beacon Bay, but the mother who spoke here before me said they are still living in temporary shelters without electricity. Is that democracy? I have one word for the Chairperson of the Panel, because I believe that you are close to people like Gwede Mantashe and others; we ask that they must not destroy us because they are only thinking about their stomachs and what they will have for supper while there are ordinary people on the ground who are suffering. It is not acceptable that there can be people staying in temporary houses for over six years. We have uncaring leaders. There is no respect for masses. If it is true that we respect the Freedom Charter that says The People Shall Govern, then those imposed on the people by political parties as new councillors must not take their oath of office until such time the choice of the people is respected and preferred election candidates are allowed to serve as councillors.

Maqhayi, Ward 45 (48:24): The Panel visited us at a critical time. The people are angry. The people are wounded. I come from a ward that has in the past made news headlines. Our people in my ward have on more than one occasion blockaded the national road. The ANC promised to come and address the issues we are unhappy about. If MEC Nciphisa is watching she will remember us. She promised to come back. There are people who have been living in temporary houses for over six years. Some live in the factory buildings, still waiting to get RDP houses. There is air pollution. There

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

is no public transport for children to go to schools that are far away. People get sick from pollution caused by the factories. And the government is uncaring. The families are crammed in one RDP house. It is true that young girls living in these houses fall pregnant. And there is overcrowding. The municipality is corrupt. The houses are leaking, the toilets are overflowing. Yet there is rampant corruption. There is no prosecution of corrupt officials and politicians. For three years there were no IDP meetings. Lately, it is politicians who conduct IDP meetings and when we raise hands to make a point in a meeting, we get asked which faction do we support? There are many of us who have no say. I want to ask that you speak to SASSA about illegal deductions. Grant beneficiaries are robbed in broad daylight by illegal deductions.

(52:09): As young people the municipality does not care about us, the councillor is a dictator, the youth is side-lined. The ANC is overlooking us, we are going to end up voting for the DA. We are taken for granted because corrupt officials are not prosecuted, instead they are deployed elsewhere in government. Why is the ANC taking us for granted as citizens who voted it into power? I don't know where we are supposed to go. Education system is failing. There are no skills development. Companies are not transferring skills.

Pasika Eric Mvandaba, Ward 31 near the airport (54:29): My area is bulging the pockets of corrupt officials and politicians because we get no service delivery. We arrived in the area in 1987, we have no electricity, we live in shacks, but when it is time for elections politicians come to canvas for our votes. We are persuaded to vote for the ANC. We vote for the ANC because we like it. That area we are living in, we have on many occasions brought forward our plight, starting during the time of President Mandela. President Mandela brought us service delivery, because money was allocated by the national government to develop our area. But once the money was in the hands of the municipality, everything came to a standstill. We have been to many offices and spoken to all the Premiers without service delivery. The previous Premier, who is now the Speaker of the Legislature, agreed with the municipality that by the end of March

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

2013 that phase of development must be completed, but the municipality under Ncitha did not honour that agreement. We are ignored. I urge the Panel to look into our plight. Today we have independent candidates and independent councillors because of the ANC. The party candidate list is rigged. The two roomed houses are too small.

From Duncan Village (59:29): I have a homework for the Panel, we have no electricity we use izinyoka and people are dying because of electrocution. The water drains are blocked and overflowing. The clinic in Jabavu is closed now and then because there are no nurses. The Health Department has no control. In Day Hospital we are not admitted, we are told to go to the clinic first. Also, next to CTM in Amalinda there are people looking for piece jobs. Women are vulnerable and compromised because those looking for piece jobs to do domestic services are sexually abused. I urge the Panel to send people in the areas we live in so that they can see our conditions. Even in the government EPWP programmes, women are sexually abused by those responsible for employment.

(1:02:29): At Ward 42 we have a councillor who has been serving for 15 years. Now he wants to serve another 5 year term. And yet he does not do anything for us as community members. He is giving favours. We do not want that councillor. We have chosen someone else who is an ANC member to represent us. Thank you.

Mrs Funda, Ward 42 (1:03:49): I also have a problem with our councillor who is never there. He has nepotism when it comes to government projects. Our children are made volunteers and reservists in the police service but are not employed full time. Instead they are told that they are over age to be incorporated into the police service. Yet they serve the community, they are exposed to dangers, and when they get injured or are killed they are not taken to hospital or buried by the police force. We have a problem of unemployed graduates, like my child who has been unemployed for over four years now.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Nolwandle Mpungose, Ward 24 (1:06:09): Councillor Zameka Gajula, in our ward we have no clinic, no primary school, no roads. My 77 year old mother has been on the housing list since 1995. As her children we built her a house after we finished school. Today the councillor is building a house for someone else inside the yard, just because our mother is old and cannot challenge the councillor. The councillor is abusing us.

Thembinkosi Tose, Ward 24 (1:09:08): One, we are suffering in our ward. Two, we have no high school. Three, the councillor Zameka Gajula is sowing divisions and disrupting community meetings, and is sending ANC members to tear off election posters of other political parties. That means we have cases against the councillor, but the police are colluding with the councillor. Her husband attacked people. The vandalised houses is a way of the community to say enough is enough. There is no scholar transport for our children. A lot of children have dropped out of school because of poverty. Our councillors have let us down. We will not allow the new councillors we do not want to be sworn in in the Buffalo City municipality.

[Intervening points of order as people jostle to the microphone]

Xolani Ncame, Bhalasi Village, Ward 35 (1:20:48): I just want to touch on few things. Two weeks ago we just came from local government elections that were declared free and fair. Where I come from the prevailing situation before elections and the prevailing situation after elections is not different, but things are getting worse. In a democracy we had hopes that with every election democracy is strengthened, but what we see is that those elected and forced on people by the ruling party are mastering tricks to introduce corruption into our democracy and are serving their narrow personal interests instead of serving the people. What the ANC did is the mistake of electing people who are corrupt and unprofessional to implement policies. As a result there is chaos and factionalism, nepotism. Politicians are threatening to take away the social grants from people who do not vote for the ANC. Why are people being brainwashed by ANC politicians? There is polarisation because of gatekeepers of government services by politicians. Our

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

experience is that people must protest and burn down buildings and infrastructure for them to be heard by the politicians.

Mrs Mpetha, Centane (1:25:38): We have a project given in 2009 of 301 hectares to farm. We were given no government support. Minister Xingwana handed over the project formally as a cooperative and promised that we will get R18 million. Mr Gcasamba took away the lease agreement from us. And the project suffered and is not doing what it is supposed to do. The database shows that we have been allocated what was promised, but from our side we did not receive anything. I want to hand you the official documents for the Panel to assist us. Thank you.

Nompendulo Bhushula, Mdantsane (1:28:58):

It will sound like we are singing from the same hymn book because of the problems caused by imposed election candidates. And for us who did not vote for them are told we will not get jobs. In Ward 20 there is Vukile, who is told that he must not issue us with letters of proof of address, those of us who did not vote for the ANC. On housing, my name has been on the list to get a house since 1998. Until today I have no house. Again in 2009, I was added onto another list but up to now I have not received a house. There is no explanation given. Yet we see others whose names were added on the list before us getting houses. Thank you.

Mrs Matshisi, Ward 22 (1:31:31): [*Sign language input through an interpreter*] I agree with most of what has been said here. As deaf people, most of the time when we bring forward our concern we are not heard. In municipality offices we are treated unfairly and ridiculed. It would help to have dedicated officials in government offices who understand the sign language so that we can feel included and so that we can see a caring government. We are discriminated as people with speech impairment because even during processes calling for people to add their names on lists we are excluded, we are not included in the public announcements, we miss out on getting the information. When it comes to land, we have no facility. We wanted a church site for the deaf people. We

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

want to practice our religion. The youth with deaf disabilities migrate to other provinces in search of better services, but even then they cannot cope with being far from home and usually come back with no qualifications of skills that can help them to survive. As parents who speak sign language we have children who can speak and our children do not have opportunities that other children born of parents without disabilities have. And so our burden is heavy, it extends to our children and grandchildren. We urge the government to protect our human rights. Deaf people also want opportunities. We want to be treated equally. We are called with derogatory terms. That must stop. We like the ANC but the problem is that we have no leadership. Our problems are the same but as deaf people we have an extra burden. Even when we go to hospital, we are getting poor service, there are no interpreters. Often we go back home unattended because even when our names are called to been seen by medical staff, we do not hear the announcements, and because there are no interpreters we do not get medical attention as we should. Staff is discourteous. The service is poor. Our concerns are not taken seriously. Thank you.

(1:38:02): I came here because in 2011 our councillor was imposed on us by people who held meetings in the middle of the night. We complained but our complaints were ignored. Again the same thing happened in 2016. That is when we decided to put our foot down. We are aware that plans are advanced to induct councillors, and if our demands to get rid of councillors that have been imposed on us...tomorrow we will be at the Buffalo City municipal offices to stop that process of inducting and swearing in of councillors we do not want. We are going to barricade the offices. We are fed up. We will not allow those employed by these councillors to work for this municipality because already we have been told that we will never be employed for not voting for these imposed councillors. We are prepared to die. Thank you.

Pheleka Ntontela, Ward 42 in Mdantsane (1:39:02): Our councillor is full of nepotism. We chose Phakamile Bhamla to represent us. We are not afraid. We are ANC members. We do not accept the labels given to us. We are suffering because of

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

nepotism and factionalism in the ANC. We say NO to imposed councillors. [*Footage breaking and audio loss*]

(1:40:52): In Woolwash we were given land and photographs were taken. We were told that there is R47 million for housing but we were never told which bank the money was deposited into. We asked for one meeting with Land Claim officials and the municipality officials. Up to today there has been not meeting and no houses were built for us. Also, the Electoral Commission, we say teachers must not be used as officials. They are corrupt. [*Footage breaking and audio loss*]

Ward 11 (1:49:42): Ekupholeni informal settlement we have no basic services. I have a brother who is disabled and ambulant. We told Mona Lisa Ngqisha who advised us to write to SANCO. The municipality officials arrived but did not help us. [*Footage breaking and audio loss*]

Khuthazwa Qangule, Eastern Region, MK Veterans (1:52:08): MK Veterans are people who are not working, some are divorced, some have no children, some have no families, and some have no force numbers. It is worse because they are not recognised by the municipalities. Even the security companies are not employing them. There are no pensions for them. There is no form of identification as military veterans. We ask the Panel to consider our plight. Thank you.

Nobathembu, Ward 42 (1:57:12): I want to say to the ANC the dignity of the ANC has dropped because of corrupt ANC individuals. I want to emphasise that the independent candidates are increasing in numbers because of the corrupt ANC individuals. Tomorrow at the City Hall we will be there in large numbers to make sure that the new councillors are not sworn in. If the ANC continues to ignore our voice, we will not vote for it in the next elections. We want to be represented by people of our choice. We do not want candidates that are imposed on us by ANC factions. We will resist that. We are tired of being manipulated. Thank you.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

(1:58:28): I am not watering down any inputs made here so far. Our problem is deep seated and has a long history. ANC leaders have long been here to listen to problems of factionalism. Jesse Duarte was here to listen to problems about disbanded ANC branches and regional structures that manipulate internal ANC processes. The Secretary General of the ANC was here to listen to problems were addressed to him. On the ground we have tried all what we could. We now turn our hopes to you. We are doing so because we looked at all of you and found that you are all unblemished. And so we talk to you with confidence. We have high hopes. I have a question: are these last local government elections indeed free and fair? If in Ward 11, Ward 13, Ward 10, Ward 17, Ward 35, Ward 40, Ward 45, Ward 1; where ballot boxes were lost? What is of great concern is that the people are speaking openly that they are living in poverty. This is a serious situation. I say this because we have lost so much hope but we are determined to move forward. As we crossed from apartheid to democracy we thought things were going to be different. What stops us from winning the struggle today? What would you say to a local ANC leader who says Mama Chiliwe you are still going to suffer under this ANC of 1912? Would you recognise and respect that person as your leader? There is a culture in the ANC of looting and self-enrichment, forgetting about ordinary people and their plight. We ask you our leaders not to let us down now that you are here. Do not think that we respect the provincial leadership of the ANC because there are no leaders there. Do not think that we respect the regional structures of the ANC because they are going to call members of the faction they support, and leave us worse off. And so please come down at branch level so that we can have real discussions and do real work to face up to the challenges confronting us. Thank you.

Ntombizodwa Sikade, Duncan Village, Ward 1 (2:03:36): We elected our own councillor who has served as a councillor way back. That councillor impressed us before because they used to be transparent. If there were employment opportunities the councillor used to call meetings in a community hall to conduct local government business in a transparent manner. Even when a community member died, the councillor

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

would help. I remember there was a family that had to bury six members as a result of an incident, and the councillor helped to bury those family members. That councillor handed over to another five years ago, and things changed. The community was neglected. We saw as elders that we should call the previous councillor who told us that he was away in rural areas and we asked him to come back and stand as our election candidate in 2016. The councillor we had in the last five years did not care and would tell us to buy the Daily Dispatch newspaper to get a job. He tells you that he is not the municipality, and if you come to see him in his house at 07h00, he will tell you that even in town office hours start at 08h00. In 2016 we choose our councillor candidate of choice, and then Xola Phakade and others arrived to tell us that Kuhle Chiliza will be our new councillor. We told them straight that we do not want to be led by a councillor who is that young, we want to make our choice. Eventually we voted for the councillor of our choice, and he won the elections. On the day that councillors were supposed to attend a meeting and sign, Kuhle said he was not going to sign because he had agreed with Gura. Gura confronted him saying he must not say he has reached an agreement with him.

The following week we were told that Kuhle has signed to be a candidate councillor. We discovered that he had 88 points that that he received mysteriously because he did not get that much support in the Ward meeting to nominate councillors. Now Kuhle has been announced as candidate councillor. We rejected that as community members. I have said it clearly that in Dunga where I stay a poster of a thief will never be hanged on any lamppost. He came with a police van, and I told him outright that there is no genuine comrade who can bring police to deal with political differences, anyone who does that is a traitor. None of his campaign posters were hanged on lampposts in my area. Even now after the elections, we stand by our position that Kuhle Chiliza is not our councillor, he is not the people's choice. He must not be sworn when the council sits tomorrow. Thank you.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Ward 11 in Chaga (2:07:37): I registered for an RDP in 1994. I have been to all the government offices, I met with Dlova and Shakes. I was sent from pillar to post. I put my name of the list at the time of Msimang who was the councillor then. After him it was Jita, an illiterate man who rose to power mysteriously to become a councillor. Thirdly, it was Chaga, who was never available to attend to our needs. We reported the matter to the SABC Speak Out programme, so that we could expose them. Even today they must be exposed.

Nosiviwe Witbooi, Ward 11 in Mdantsane (2:10:17): I live in the Sisulu Section in NU2. We arrived there in 1990. We waited for houses. We met with municipal officials in 2013 in NU 12 and we were told that there was going to be housing construction. In February 2015 construction started but it does not finish. There is a woman born in 1918 who is still waiting for a house. The construction is not finishing building. Towards elections we chose an independent candidate to represent us. A week before elections the ANC candidate councillor was inaugurated officially in an event held in a big tent, even though the election date was still coming. This is despite people being opposed to his candidature.

Also there was an overflow of people in our area who were listed to receive houses. When people moved to the new houses with letters from the municipality identifying them as owners of the new houses, they found people occupying the houses. The people occupying the houses said they had been asked to stay in the houses and watch them on behalf of the owners. The municipality told us that the houses are usually vandalised and the municipality places people in them temporarily to prevent vandalism. We ask them why they are not notifying the rightful owners to take occupation of the new houses, and leave the shacks they currently live in while waiting to get houses. We get no answers. Instead we are told to wait for a meeting. Thank you.

(2:15:20): I live in an RDP house in Ward 10 in Veergenoeg. I lived in an RDP house for four years, and my house was in bad condition. During Minister Sexwale's visit I took

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

him by hand for him to see my house. He saw and told me that I must leave the house. One day a truck arrived to repair the house. After nine years the house has cracks again. The ANC councillor said they cannot help me. I urge the Panel to help. Thank you.

(2:20:59): On nation-building and social cohesion, education is key and yet most youth in black communities are not studying. The quality of care in health is important and yet there is poor service in the health sector. More must be done to restore the dignity of Black people. I am over 50 years now and when I was a student in Port Elizabeth in the 1980s we used to say that houses we live in were called matchboxes. The RDP houses are too small. Some people may want a bigger plot instead of a small house. The government must consider an option of giving people bigger plots. Also there is proliferation of illegal guns in the townships. I don't know where these guns come from, and yet people are victims of gunshots every day. The police are not doing enough, the government is not doing enough to eradicate drugs and yet the biggest victims of crime are people in the townships. Twenty three years ago the only drug available on the streets that I knew of was dagga. But today there are all sorts of drugs available. A lot of people are drug victims. How can the youth appreciate school and education when there are drugs, unregulated sheebens and taverns everywhere in the community? In the township there are gangsters, amagintsa, who you cannot report to the police because they will know the same day that you are the one who reported them to the police, and terrorise you even more. I do not know what plan the government has to address this matter because all these things have a negative impact on social cohesion. We know that the economy is depressed. The Statistics SA tells us that the projected economic growth is less than 1 percent. But if you notice that anybody can enter into South Africa because there is no screening of people at the border posts. It is free for all. If you notice in Cape Town on Long Street, there are more foreign nationals than South Africans, I am referring to Black people. And the undeniable truth is that job opportunities are taken by foreigners to the disadvantage of foreign nationals. It is also true that there are many foreign nationals who are better skilled than South Africans.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

The point is that if foreign nationals are not screened at the border before entering the country, there will always be social instability in South Africa. I want to say that there must be screening of foreigners arriving in South Africa, otherwise we are going to deceive one another saying that there is xenophobia and yet South Africans are unemployed, they have no hope, they are experiencing social tensions in their communities, they are not prioritised by government policies and legislation. Thank you.

Mbali Xaliphi, Unit P (2:27:51): I want to raise concerns about child-headed households who are poor and have no family support. I am one of them. We have been to meetings with councillors, but we have been turned away several time after being asked whether we have an appointment. We have been to Zameka's house but were turned away. We went to her offices but Nosakhele cannot give me papers confirming proof of residential address because the last paper she has is reserved for a person. I then asked if I am not a person deserving a proof of address, or can I not get the uncompleted form so that I can make a copy for myself and complete it to be signed? She said we will not get the form, and yet we want to take the proof of address to SASSA offices to apply for social assistance. At that moment she was with people who work on the EPWP project, and at that moment the people were cleaning Nosakhele's crèche. They were not doing the EPWP work they were recruited for but cleaning Nosakhele's crèche. What do we do in such a situation because those EPWP volunteers were recruited to work on community projects? Next, the water and sewerage pipes are leaking, and there is a risk of children playing in the area catching diseases. The council is not doing anything about that. We have reported the matter several times as community members but there has been no action taken. We also have a problem of children who do not attend school because there is no provision of learner transport. There are no schools in our community. We ask for help, especially as orphans. Thank you

(2:30:40): I just want to ask one question by saying in conclusion so that I do not waste time. We would be satisfied if the Panel can go back and address one important issue

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

for us all here, that the newly elected councillors after the recent local government elections must not be sworn in tomorrow. If the Panel can address just that immediately, I am sure that the high tensions and frustrations expressed here during these two days will subside and we will be able to find constructive ways to deal with all the challenges facing us. We say the councillors must not be sworn in tomorrow. There is only one reason for that, and it is because they were not democratically elected, they are not the people's choice. If that is the case, that they were not democratically elected, we are asking as the people that they must not be sworn in because there is a clause, which sometimes may sound like it has lost its meaning, in the Freedom Charter which states that: The People Shall Govern. The time is now to see whether people are governing. The time is now to assert that the people shall govern. We want to say that we release the Panel here today in anticipation of an announcement, whether in the news or in our local communities, saying that the meeting for the swearing in of councillors has been cancelled and the councillors will not be sworn in. Then we are going to conclude when we speak and say indeed the people are governing, they are no governed.

I want to request that the Panel take this homework and do something about it, because if we were to ask ourselves whether these elections were free and fair, how come that the Buffalo City Municipality has 45 Ward councillors and 15 Proportional Representation councillors? I mean, logically if think about it, which ANC member would vote for an ANC member on the ballot paper for Ward Candidates and then vote for another political party candidate on the PR list ballot paper? That does not make sense. That is why today ANC executive committee members are reshuffling names on the PR list as they are having tough time deciding on who to include and who to exclude. It is difficult. That means we are asking politely that we either go for a re-run of the elections or we go for by-elections in all the wards we have in the Buffalo City Municipality. That is what we are asking for. We emphasise that here in the Buffalo City Municipality we have not adopted the Durban metro route of pointing guns at one another as ANC members, instead we were excited when we saw the Panel members arrive here to conduct this listening exercise. To conclude, we ask for councillors that do not favour

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

certain people in the community to an extent of blatantly telling community members even before their term of office as councillors begin that they are going to penalise community members with political views different to theirs, and that they are monitoring community members. Please take that homework for us. The councillors must not be sworn in. Thank you.

(2:34:35): I live in Ward 8 after being moved by the Municipal Demarcation Board from Ward 10. I am a volunteer for the African National Congress. There are a lot of irregularities taking place in our areas. Firstly, we are unhappy about the issue of membership to the ANC. I do not understand how it happens that as an ANC member you find your ANC membership altered by another ANC member. We wrote letters to different ANC offices but were not helped. We ended up choosing an independent candidate to contest the local government elections. The independent candidate is an ANC member and community members who are disgruntled because of irregularities in the ANC. There is a community project in our area to build houses in Orange Grove. The temporary houses are different from others we have seen because they are very cold to live in. The way they are so cold you can leave a bowl of jelly to freeze overnight. There are 15 people who were living in those temporary houses who have died because it is freezing in them. Councillor Ngesi was approached several times to do something, and elderly people were crying asking for help from Nomiki (Councillor Ngesi) but to no avail. The funny thing is that each councillor for the area compiles their own list of people waiting to receive houses. The demarcation process was driven by gentrification so as to side-line people who are vocal in ward meetings. Even in Ward 8 where we have been moved to (from Ward 10) by the Demarcation Board, there is no community participation because there are protection orders against different factions in the ANC. We ask for the Panel to help us have a say on projects implemented by government in our area and stop the manipulation of community members because of factionalism in the ANC. Also we have a cooperative that was registered in 2012, but it has not been supported. As volunteers we have been sidelined in municipal projects because of nepotism and smearing of our names by being told we voted for the DA.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Mzwanele Mjuza (2:39:08): Mzwanele Mjuza the grandchild of Makhanda Mjuza who died in Robben Island. We are tired because the ANC does not punish criminals. Mkolo and Ncitha are corrupt because the national government has long allocated land and money to develop Makhanda's birthplace, the one and only Makhanda who died in Robben Island. But the local ANC official have pocketed that money. Next, the wards are corrupted as councillors are imposed on people. In our area, councillor after councillor is elected because of corruption and these councillors do not serve the interests of the people. Sakhumzi Qhaga, the councillor, is not serving people. Now is the time to put women in positions of leadership, and make them councillors. Children of councillors and corrupt ANC members are the only ones benefiting from the learner transport. Those children have WhatsApp to communicate. Children of ordinary people are left out without the learner transport. Ward 11, Ward 42 are overwhelmed by problems.

Lizo Tyililizwe, Ntsikayethu Municipality (2:41:23): The crisis we are in in the ANC is my main concern. Yesterday I wrote a letter to say that the MC is not treating us fairly in this meeting and as an individual I am not happy about the way he is conducting the proceedings. I suspect that the letter I wrote yesterday was not read and that it is yet to receive your attention. I want to focus on the high unemployment rate and poverty, drug and substance abuse. We visit these areas where there are foreign nationals we suspect are peddling drugs. We get no support from police. We now ask that the police must rotate in police station and serve for only six months because it appears as though police are colluding with criminals, especially drug dealers. Also, we were told that government services are brought closer to communities, but our experience is that services are drifting further and further away from the people. This you can see in the ambulance services. You wait for an ambulance for a very long time because even though a hospital may be nearby our experience is that you must call Bhisho to get an ambulance. We want ambulances to be controlled locally where we live, in the spirit of Batho Phele. Also, the taxi operators are abusing us. They take meetings on their own

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

without involving us as community members and force their will on us. We are victims of taxi operators who are law unto themselves.

Then let me turn to my main point about the ANC. The ANC is in trouble because of the leadership. The big problem is that even now we have a Panel to listen to us venting our frustrations. We have a common problem here. In the ANC there are corrupt people who act with impunity. Those people are supposed to be here so that we can address them directly. Instead we are venting to members of this Panel who are not connected to our problems. I am concerned that by the time you table the report to those who sent you here, I wonder whether it will be accepted by the powers that be. Lastly, in the latest evaluation conducted in my area, we reported that during the introduction of the mayoral candidate for our area, the ANC provincial Secretary stated clearly that the provincial leadership has powers to reshuffle the order of preference of the candidates. That has led to some of us leaving the meeting. The deployment system is haemorrhaging the ANC.

Xoliswa Nwabu, Ward 1(2:48:51): We are pleased to see you here as the Panel. We have a long history as ANC members. Today we see new faces who come and dictate to us, doing all sorts of things that are against the traditions of the ANC. In Buffalo City I think the reason for this chaos is the statue in front of it. People in public office are panicking. We have Mkolo who is the Secretary but is destroying the organisation. Mkolo has been suspended by the ANC yet he attended the ANC Siyanqoba rally. At the confirmation of ANC candidates, Mkolo was present. Maybe because I am illiterate I don't know what a suspension means. I request that I get an explanation. There is a Koko Godlo who is destroying the ANC. I am identifying things and people who are destroying the movement. We who are long-time principled ANC members, I have trust in this Panel, and I want to say if the report of the Nkosazana Zuma Commission had been presented to us and implemented back then perhaps we would have no independent candidates. We are deceived by the corrupt individuals in the ANC. By electing independent candidates, we are seeking a remedy for the corrupt ANC

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

because government tenders and the chaos they brought have destroyed the organisation. In the same Siyanqoba rally, there were death threats against employees of the traffic department. In the HR department of the Buffalo City Municipality there are people who implement the nepotism of Phumlani. What happened to the induction meetings of the ANC? We last had those during the times of Comrade Cihoshe, the old and loyal cadres. Lastly, in Ward 1 we were deceived that the popular candidate is Chiliza, and not Koko Qebeyi. The yellow bones are destroying the organisation. The Women's League and the Youth League are not what they used to be. The new tactics are destroying the organisation. Now that the ANC weaknesses are exposed, let us do something to correct the mistake.

Nosandile Mbizo, Cofimvaba in Ezigudu (2:57:58): I was disappointed when I arrived here to see that the national leadership of the ANC is not present here. When we were campaigning for votes ahead of the August local government elections, we were not asked questions by the voters that pertain to service delivery. Instead we were asked about the Nkandla scandal and the Guptas. So the focus must be on ANC leadership and corruption by individuals in the ANC. I have long had a headache because of the loss of control of the Nelson Mandela Bay Municipality by the ANC to the DA, I am still devastated to this day. The ANC must listen to the voice of the people. In appropriate forums we can say out what we want in the ANC. The ANC of today does not care. It has been captured. The glorious history of the organisation is tarnished every day because of selfish and corrupt individuals. There are complaints everywhere. The DA is going to take over. There is no social assistance for people between 35 and 60 years. The ANC must come to its senses. The people must govern.

Ernest Pono, Ward 32 in Tsholomnqa (3:01:49): Let me open with these words to say I see no reason what councillors should be sworn in here tomorrow. I reinforce the call that says councillors must not be sworn in tomorrow. The state of the ANC in my area is bad. As an old ANC member, I cannot identify with the ANC. We are led by corrupt people. There is a heredity of ANC Secretaries who are councillors. When you complain

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

about lack of service delivery by the municipality, the complaint is taken by the same councillor to be discussed first by the branch executive committee of the ANC, yet this is a matter for attention of the municipal council. There are no ward committees or ward committee meetings in my area. There is only the ANC branch executive committee meetings and volunteers in ANC regalia. They are in charge, whether it is in government or ANC programmes. These so called ANC volunteers have no respect. Today you see them in ANC regalia, the next day you see them in EPWP overalls, or in SANRAL overalls, or in CDW overalls; it is the same faces. That is what is happening here. We have raised our concerns about these abuses of public offices a long time ago, before we were labelled as disgruntled ANC members. We raised them with Somyo, who is here with the Speaker Kiviet. We raised them with Pam Tshwete, to Jessie Duarte, to everyone except Tata Montlanthe. Our concern at the moment is whether the things we raise here are not going to be handed over to Tata Mantashe in the offices because Tata Mantashe and Zizi Kodwa are the kind of people referred to as "All is Well" because time and again they have been in Buffalo City and back only to say over and over again that all is well in Buffalo City. Yet we have letters sent to them about unresolved issues.

Ward 32 consists of 24 villages but I can tell you that in the audit report of last year they were celebrating the victory of having 124 members in the books. The reason is because the only people allowed to be card carrying members of the ANC are the volunteers. They are sexually abused by the councillor. We have been raising these matters a long time ago. Some of us have recruited members to the ANC because the ANC Constitution says every member is an organiser. But I tell you, even my membership has not been renewed because I do not belong to any faction. When talking about service delivery, there is a school that is a legacy of Nelson Mandela that was built with R13 million donated by Daimler Chrysler, but I can tell you the pig farm of Thandi Modise is far better than that school. It is a shame! We have asked the leadership to speak to Inkosi Mandla Mandela to come and see the state of derelict the school that is in Westville. The taxi rank is filthy. Xola Phakathi is destroying the ANC.

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HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

The ward is rich in natural resources but the factions in the ANC are destroying community development. But please these complaints must not land on Gwede Mantashe's desk, or Zizi Kodwa, or the people in Calata House. Thank you.

Sisiwe Daniso, Ward 13 (3:10:55): Oscar Mabuyane, the ANC provincial Secretary calls Ward 13 the Ward of Misfortune. I will not be long. I live in Reston from Duncan Village. We have no roads but the money was allocated. We have no schools, no clinics, and no transport. We are destitute. The allocation of houses was stopped just ahead of the elections because the ANC wanted to impose a councillor for the area. People in the database were reshuffled. There was no explanation. We are in trouble. Please disband the ANC Regional and Provincial Structures. Our councillor Ncumisa Mekani was sabotaged by ANC factions in all her efforts to serve the community. The ANC is now treated by the factions as an ATM. Naledi Pandor came to our communities and told us that we must accept the imposed councillor. The imposed councillor is a crook. We are prepared to die. We urge you to correct the situation. We cannot subject ourselves to Nokulunga Matiwane in Ward 13. We are unwavering in our decision. Councillors must be exemplary and be the people's choice. The surest sign that our voice is heard will be that the Buffalo City Municipality Councillors must not be sworn in tomorrow. Let us not cry for wasting our time over these two days by attending these hearings. Let us see the results. Otherwise the protest action will continue.

Mkhokeli Ngqinambi, SANCO Buffalo City (3:16:45): What I had in mind and what I had hoped for when I came here was to see someone carrying keys to open the closed industries in this municipality so that the large number of unemployed people can get decent jobs. We already have in these documents circulated here statistics of unemployed people and information about where they live and their ages. When building a nation, we must create employment and prioritise education, and then also train people on artisan skills. It may appear as though we are fighting with foreign nationals, and yet they have an advantage of being equipped with artisan skills and also they work because they are willing to accept low pay. We say there is a lot that has

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

been done over the years by the governing party and there is a lot that must still be done to improve the lives of the people. We must be comprehensive in assessing the impact of policy and legislation over the past twenty years. We must also mention positive achievements. The ANC government has done a lot to transform the society. The government has built houses, but there is still a problem with the delays in moving beneficiaries to the houses built for them. The municipal government must speed up service delivery to the people because we do not want any conflict, we do not want ant clashes on service delivery issues because as SANCO we have no business on who gets elected or how they got elected by whom. [*Crowd shouted down the speaker and sang struggle songs. MC struggled to bring order.*]

Nothemba Maphasa, Ward 7, Duncan Village (3:24:15): I want to bring to your attention concerns about Ebenezer High School, where prominent leaders used to study. That school is in bad state, it is dirty, it is in bad state of disrepair, students are learning under very bad conditions. Also, gangsters have free access to the school premises. I have a child who goes to that school who was stabbed inside the classroom in the presence of teachers by gangsters robbing students in the classroom of cell phones and money. Instead of calling for the police, the teachers told the robbed students to go on their own to the police station. We find that unacceptable for a teacher to tell a traumatised and wounded student to leave the school premises and go to the police station to report an incident of assault and robbery, and risk coming across the same gangsters outside the school premises.

Also, we have a problem with the Jabavu Clinic lead by Clara Yekiso, the councillor, who involves herself in matters that do not concern her because there is a staff member in the clinic who was fired from Makinana Clinic for not doing her job and then came to the Jabavu Clinic only to continue with the same behaviour.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

Concerning crime, we have a lot of unemployed youth in the community also because of Clara Yekiso, the councillor, because people employed to clean community toilets are few and chosen by the councillor who does not want to employ full staff complement.

Concerning the election, we were abused in 2011 because we had chosen our candidate of choice but we ended up with a councillor who was imposed on us who boasts that she will be a councillor until Jesus comes back. That is unacceptable behaviour from a leader in a democracy. What I like is that the Panel is led by you Chairperson. You were the Deputy President of the Republic of South Africa for five years, and you stepped down. What made it possible for you to step down and yet the councillors are refusing to step down? That is my question. What I am saying is that the ANC is under siege by crooks and criminals we elected into positions thinking that they were going to serve the people and only to find that they are serving their stomachs. They are agents sent to destabilise and destroy the glorious movement of the people. Now people are sick and tired of being exploited, of being taken for granted. People have no interest in participating in elections or in voting for the ANC because of imposed candidates. Another question is that in 2011, Nkosazana Zuma came to our area on 23 January 2011 after our ANC branch general meeting was hijacked in what resulted in a fight and death of ANC members in our area and in which cars and other property was damaged in what was the opposition to an imposed councillor. We wrote letters to all the ANC structures, and none of the issues we raised were attended to. When Nkosazana Zuma arrived, she asked us to send three delegates to the ANC Provincial Office. In that meeting the ANC Provincial Secretary Oscar Mabuyane asked what we wanted because he removed Councillor Mazobha Matana to be on the Proportional Representation list. And yet we did not want that candidate to be on the PR list, we wanted that candidate to be a ward councillor. Thereafter we are suffering. Whenever we raise our concerns about the poor performance of the councillor we are arrested by the police in the middle of the night. I am a victim of those unlawful arrests for speaking against corrupt ANC councillors.

HIGH LEVEL PANEL ON ASSESSMENT OF KEY LEGISLATION AND ACCELERATION OF FUNDAMENTAL CHANGE

(3:30:45): I am glad to see you Chairperson of the Panel. I believe that after seeing you with my eyes something new will come out of these hearings. I have often said in our community meetings to discuss problems in the ANC that we should visit the grave of President Nelson Mandela before the 2016 local government elections. A lot has gone wrong. The ANC is dead. I am deeply saddened by the destruction of the ANC because I have lived life under hardship of the apartheid government. I have hope that the situation in the ANC will improve. We have written letters to all the structures of the ANC to raise our concerns, but we were never given attention. That is why we decided to use the power in the ANC branches to determine the outcome of the elections in 2016. I have spoilt my vote like many other ANC members. We are abused by the ANC as ordinary citizens. Gwede Mantashe has destroyed the ANC. They sent you here to listen to us, maybe they sent you so that you could be abused verbally at these hearings. It was us the ordinary members of the ANC who revived the organisations even after the formation of COPE. We stand ready to do the same again if only we can first get rid of corrupt leaders and corrupt elements in the ANC. Thank you.

(3:35:45): lunch break

17 August 2017: Afternoon Session

(4:46:15): Chairperson of the Panel [*no audio, then inaudible sound from 5:02:22*]