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NATIONAL COUNCIL OF PROVINCES

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PROCEEDINGS OF THE NATIONAL COUNCIL OF PROVINCES

The Council met at 14:11.

The House Chairperson: Committees, Oversight and Intergovernmental Relations took the Chair and requested members to observe a moment of silence for prayers or meditation.

DEBATE ON HUMAN RIGHTS DAY: ACCELERATED SOCIOECONOMIC TRANSFORMATION

- THE KEY TO HUMAN RIGHTS AND A BETTER FUTURE FOR ALL

The HOUSE CHAIRPERSON (Mr A J Nyambi): Order members. I am reliably informed that the Whippery have agreed that there will not be motions. Hon members, let me start by apologising for the inconvenience of not starting at exactly 14:00 hours, it is because of the historic day in Parliament as we are aware of what was happening today. So, some members were rushing after that historic ceremony.

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According to my speaker's list the hon Ministers have agreed to change around. So, the Minister of Basic Education is the one that will be opening the debate and the hon Nkwiti will take the slot of the hon Minister of Basic Education. We now come to the subject for discussion as printed on the Order Paper. I invite the hon Minister of Basic Education, the hon Motshekga. The podium is this side hon Minister. [Applause.]

The subject for discussion is the Debate on Human Rights Day: Accelerated Socioeconomic Transformation – The Key to Human Rights and a Better Future for all. The hon Khawula. Hon Minister. [Applause.]

The MINISTER OF BASIC EDUCATION: Hon Chair, let me also acknowledge hon members and colleagues, distinguished guests, ladies and gentlemen. Our country is on the verge of commemorating a very important national day, aptly called the Human Rights Day. We will indeed honour those who perished in the cause of an honourable struggle for our freedom. So yes, we honour the heroes and heroines of the Sharpeville and Langa massacres. We honour them in full knowledge that their, blood did nourish the tree of freedom as the young revolutionary Solomon Mahlangu so poetically put it.

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Chairperson, because we are proud of our past and very confident of our collective future as South Africans, we will also celebrate our achievements, because indeed we have much to celebrate. Our country finally marks 25 years of a beautiful nascent democracy. Today's debate is celebrated under the theme, "Accelerated socioeconomic transformation - the key to human rights and better future for all."

So, Chair in the context of basic education which as we know that quality education is both a fundamental right for all and an essential enabler for the achievement of other rights such as a right to vote.

We must be cognisance of the fact that the greatest threat to modern democracies is not, the so-called, the axis of evil such as racist's right-wingers and religious zealots, but an uneducated populace. As Martin Luther King Jr said and I quote:

The function of education is to teach one to think intensively and think critically. Intelligence plus character - that is the goal of true education.

Chairperson, it therefore comes as no surprise that we are as a country, signatories to the Universal Declaration of Human Rights.

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The declaration proclaimed the inalienable rights which everyone is inherently entitled to as a human being regardless of race, religion, gender, language, political opinion, national or social origin, birth or other status.

Article 26 of the declarations is about the right to education which reads and I quote:

Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

Education shall be directed to the full development of human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendships among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

In terms of section 29 of the 1996 Constitution, it says and I quote:

Everyone has the right to a basic education, including adult basic education; and to further education, which the state, through reasonable measures, must make progressively available and accessible. These rights place a duty on the state to respect an individual's right to education. It also imposes a positive obligation on the state to promote and provide education by putting in place and maintaining an education system that is responsive to the needs of the country.

So, legal scholars and political pundits say the right to basic education, including adult basic education, unlike other socioeconomic rights in the Bill of Rights, is neither formulated as a right of access nor subject to internal qualifiers. The right to basic education is immediately realisable, as confirmed by the Constitutional Court in the *Juma Musjid* case.

This means unlike other socioeconomic rights where the state need only demonstrate that it has allocated resources rationally, the right to basic education must be prioritised regardless of the state's other budgetary commitments.

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Chairperson, as a sector we can proudly say that we have delivered in this regard. Some 80% of our learners attend no-fee schools. Over nine million of our learners receive nutritious meals every single school day. We have over 700 000 children accessing early childhood education in the last financial year. Hence we are very convinced that we have established a firm foundation for a comprehensive Early Childhood Development, ECD, programme that is an integral part of the education system as it migrates to basic education. So, we are ready to provide now a two year compulsory early childhood education to all learners in our country.

Over the next six years, we will provide every school child in South Africa with a digital workbook and textbook on a tablet device. We will start with those schools that have been historically most disadvantaged and are located in the poorest communities, including multigrade and multiphase, farm and rural schools. Already, 90% of textbooks in high enrolment subjects across all grades and all workbooks have already been digitised. [Applause.]

In line with our Framework for Skills for a Changing World, we are expanding the training of both educators and learners to respond to emerging technologies including the Internet of things, robotics and artificial intelligence. Several new technology subjects and

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specialisations will be introduced, including technical maths, technical science, which has already been written in 2018, maritime sciences, aviation studies, mining sciences, and aquaponics amongst others. To expand participation in the technical streams, several ordinary public schools will be transformed into technical high schools.

Another critical priority is to substantially improve reading comprehension in the first years of school. This is essential in equipping children to succeed in education, in work and in life - and it is possibly the single most important factor in overcoming poverty, unemployment and inequality. In this regard, we can announce and have already launched what we call the National Reading Coalition under the auspice of the National Education Collaboration Trust.

Chairperson, as the ANC, since the beginning of our struggle for freedom; it was always about fundamental human rights for all, including the oppressor. We have never separated the yearning for equal education outside the idea of a legitimate state founded on the will of the people.

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History tells us that the ANC's President uBaba uLangalibalele Dube gave a public lecture in 1892 titled, "Upon My Native Land". In the lecture, he foretold that Africa in general, but South Africa in particular will be a free, spiritual and caring continent.

Two decades later, six lawyers who were all members of the ANC such as Henry Sylvester Williams, Alfred Mangena, Richard Msimang, Pixley ka Isaka Seme, Ngcubu Poswayo and George Montsioa argued severally and collectively for a constitutionalism at the birth of the ANC in 1912. I am sure ...

IsiZulu:

... izigogwana ke ezifana nabanye kwi-DA nabangani babo ...

English:

... can look this up in that beautifully narrated book which has been written by Adv Tembeka Ngcukaitobi in the name of *The Land is Ours*.

Chairperson, the book, *The Land is Ours*, shows that these lawyers developed the concept of a Bill of Rights. So, is not anything that is fashionable, it is something that is steeped in the cultures and

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the values of the ANC. The publisher, Penguin Random House SA says in the blurb and I quote:

This book is particularly relevant in light of current calls to scrap the Constitution and its protections of individual rights.

The book clearly demonstrates that, from the beginning, the struggle for freedom was based on the idea of the rule of law.

Chairperson, it is therefore should not come as a surprise when we say, we are indeed as the ANC midwives of this beautiful Constitution. Our leaders and our forebears risked life and limb in the pursuance of the rule of law. And we shall not tire in the face of peace time revolutionaries whose only mission is to steal our freedom and the only thing they know is to insult and insult and "vloek" [Swear.] at the ANC until the cows come home. At the heart of this constitutionalism, was the idea of human rights. At the pedestal of those rights is the right to education.

So Chairperson, it must be noted that the idea of creating a constitution state based on universal human rights including a one man, one vote is not a product of a compromise of the multiparty

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negotiations in Convention for a Democratic SA, Codesa. We taught everybody including the Nationalist Party the value and purpose of a constitutional democracy.

As early as 1917, Comrade Sefako Mapogo Makgatho was elected the second President of the ANC, and he called for the creation of nonracial society in South Africa. He, together with his comrades promulgated the first Constitution which defined the ANC as a Pan-African Organisation.

As early as before the 1920s, the ANC stalwart and Isithwalandwe Charlotte née Manye Maxeke was already at the forefront fighting for women's rights. Later in 1919, Comrade Maxeke helped that finest revolutionary Clements Kadalie to form the Industrial and Commercial Workers Union, to fight for workers' rights. By 1930, it was established that in fact women's rights are indeed human rights.

In 1921 Rev Mahabane lamented in his speech and I quote:

We are not political children, that African people had been rendered landless, voteless, homeless and hopeless, degraded and dehumanised. ... not fully restore human dignity and its inherent basic human rights.

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He foretold that the recovery of the African humanity Ubuntu and its inherent values of freedom, equality and justice for all will be the only basis for peace and development. He will be happy to know that we shall indeed reclaim our land and the land is ours.

By 1943 the ANC issued the African Claims, a Bill of Rights which amplified its 1923 original draft and reinforced the idea of self-determination and socioeconomic rights that is a second generation of human rights. So, we taught the FF Plus, AfriForum "en almal van julle" [And all of you.] the idea of self-determination. [Applause.]

In 1949, a new generation of revolutionaries took centre stage as the ANC Youth League adopted the programme of action which included demands such as inalienable rights to the land, right of self-determination and human rights. In 1954 women from the broad spectrum including the ANC adopted the Women's Charter. This was a precursor to the historic 1956 march.

Chairperson, it was only in 1955 at the Congress of the People that the struggle entered an irreversible gear as all people of this country; both black and white adopted the Freedom Charter. The Freedom Charter is notable for its demand for and commitment to a nonracial South Africa and this remains a platform of the ANC.

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IsiZulu:

Yi ANC kuphela enosomqulu wenkululeko.

English:

The Charter also calls for democracy and human rights, land reform, free education, labour rights and nationalisation.

The 1996 Constitution is predicated on the text of the Freedom Charter. Our forebears will be happy to know that we will nationalise the Reserve Bank, but keep its mandate unchanged as demanded by the Constitution.

In the years, between 1990 and 1992, the ANC's constitutional committee under the late Dr Zola Skweyiya studied bills of human rights in Africa and abroad and the ANC produced a blueprint, Ready to Govern. As they say the rest is history.

In conclusion, Chair, I want to reinforce the historical truth that we are indeed as the ANC, midwives of this beautiful Constitution. Our forebears and our leaders risked life and limb in pursuance of the rule of law. And again I want to say, we shall not tire in the face again of your peace revolutionaries. I know they are going to come here and "vloek" [Swear.] from left to right, whose only

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mission is to steal and insult the ANC. At the heart of the constitutionalism was the idea of human rights. At the pedestal of those rights is the right to education. Thank you very much, Chair. [Applause.]

Ms C LABUSCHAGNE: Hon Chairperson, hon members and fellow South Africans, this Thursday, 21 March 2019, will mark 59 years since one of the darkest days in our nation's history when 69 people lost their lives at the Sharpeville police station. They were only there to offer up themselves for arrest for refusing to carry their passbooks.

A protest that started out as peaceful soon escalated into a massacre, when police officers opened fire on the crowd, embodying the depths of horror that was perpetuated by the apartheid regime.

In this post apartheid South Africa, we honour those South Africans and many others in their fight for fair basic human rights on a day we call Human Rights Day. We cannot disregard the governing ANC's role in having achieved the human rights we enjoy today. The ANC, as a freedom movement, won those rights for all of us. The ANC, as a freedom movement, championed a noble cause for which we are all grateful. If we compare the conditions of the majority of South

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Africans prior to and after 1994, we can recognise that there was indeed an improvement and empowerment of our people.

The South African Bill of Rights is one of the few across the world that include economic, social and cultural rights coupled with traditional, civil and political rights as legally enforceable rights. It is also included as one of the initial chapters in our Constitution.

It is, however, unfortunate and in many ways an infringement on the hard-fought human rights that the efficient ANC freedom movement could not prove themselves as an effective and respected government of our vulnerable newfound democracy. It is indeed not a celebration of human rights and democracy as envisioned by Nelson Mandela but rather a serious debate on how the ANC-led government failed to protect human rights in South Africa.

We need to look no further than section 25 of the Constitution that concerns the right to property. The efforts by the ANC and EFF coalition of corruption and their populist mission to demolish this important right – the right to own property, is an indictment of their disregard for human rights. This is one of the most important

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rights to ensure accessibility to economic opportunities and economic freedom.

We have not forgotten the lives taken at Marikana, as well as the lives lost by Life Esidimeni. So sad to realise they suffered a similar fate to that of the Sharpeville 69 - a clear violation of section 10 - the right to human dignity and Section 11 - the right to life. The ANC-led government killed the people of Marikana and Life Esidimeni. We will never forget. The ANC are now robbing South Africans of human rights, just like how they robbed our state-owned enterprises.

It is troubling that the ANC has disregarded the Bill of Rights. But then again, it seems the ANC has also so easily turned a blind eye to China and their human rights atrocities when they accepted a loan to bailout Eskom - the conditions of such a loan South Africans are still not aware of.

Just recently, the President, in a radio interview said it is our "collective responsibility" to resolve the load shedding crisis of Eskom. As the official opposition, the DA did our job and provided the failing ANC with solutions for years. We have even submitted the Independent System and Market Operation, ISMO, Bill, but these were

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simply disregarded and thus all South Africans rights are trampled on.

Hon Chairperson, we cannot ignore the pandemic of crime and how it is compromising all human rights. With an effective and professional police force under a DA national government, South Africans will enjoy the right to safety and freedom of movement. This will enable all South Africans to unlock our own potential economic freedom.

Hon Chairperson, just last week, more explosive details emerged of the corrupt state of the Zuma administration's handling of the State Security Agency, SSA. Reports now confirm that the South African Airways, SSA, was used by Zuma to conduct covert operations to address ANC factional battles - a clear contradiction of the agency's mission to remain politically impartial. There was evidently no separation of party and state - a typical symptom of populist nationalism.

The SSA also spied on South Africans and their communications, a clear violation of another right in section 14, the right to privacy. Human rights are essential for any functioning progressive democracy. Without them - even if you taught them to the rest of South Africa - if we forget them we lack guidance, dignity and

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equality. As South Africans, the time has come for us to choose change that respects human rights by voting in a DA-led government on 8 May. I thank you. [Applause.]

Ms B TUNYISWA (Eastern Cape): Hon Chairperson, hon members of the House, distinguished guests, ladies and gentlemen, you must listen carefully. The theme for our discussion is: Accelerated socioeconomic transformation - the key to human rights and better future for all. Cut to the chase, in terms of our historical struggle for liberation, social emancipation and democratic transformation under colonisation and subsequently under successive colonial and apartheid regime, the overwhelming majority of our society, black people in general and Africans in particular were deprived of human rights. In terms of social and economic development, they were systematically underdeveloped on all fronts.

The term underdevelopment as here used is different from development. To explain the difference, please allow me to cite Andre Frank, the academic economic historian and sociologist, who in his journal article entitled "*The Development of Underdevelopment*" reprinted in full from Monthly Review, September 1966 and based on the situation at that time, correctly opened and I quote: "... over and above racial oppression and merciless class exploitation of the

oppressed". It employed patriarchy to suppress and imaginalised the development of women. Racial oppressed women were the worst affected. These are the historical realities we have to recognise when we talk about accelerated socioeconomic transformation as the key to human rights and the better future for all. One of the ironies face in South Africa is that those who have both supported and benefited from the oppression and merciless exploitation of the previously oppressed are all out involved propaganda campaigning protecting themselves as the political professors of democracy.

IsiXhosa:

Hayi, yibani neentloni maan, iintloni ziyamakha umntu.

[Kwaqhwywa.]

English:

By the way, a significance section of them opposed the inclusion of socioeconomic right in our Constitution and demanded qualified franchise.

IsiXhosa:

Le nto ifana nqwa nohloniphekileyo ogqiba ukuthetha.

English:

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By reaffirming and affecting the constitutional imperative of socioeconomic transformation and firmly incurring it in human rights, we are therefore moving South Africa forward and thereby, also growing South Africa.

IsiXhosa:

Phaya elalini yenkosi yam uKama kukho umlambo ekuthiwa nguQhukru apho sasisikha khona amanzi. Kulapho ndafumana khona esi siva kuba ndandifunda ukungcekelela. Abanye benu ngelo xesha babefundiswa ezinye ezinto. Kule lali ikhona nendawo elihlathana apho oomakoti batheza khona. Emva kowe-1994 xa kuphatha i-ANC sababona oomakoti belali yethu befana nabezinye iindawo. Oomakoti bangoku abanazo iinyawo ezicandekileyo ngenxa yokusebenza nzima, betheza bekwathutha namanzi imini yonke. Yiyo le nto sisithi ziyazingca nge-ANC kuba iwakhulule amakhosikazi. [Kwaqhwatywa.]

English:

As part of the national socioeconomic transformation imperative, the achievement that the ANC-led government implemented since our first general election held in April 1994 should further be expanded deepened and defended.

IsiXhosa:

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Siza kuyikhusela le nkululeko.

English:

There is no other political party capable of leading all of these and other social achievements experienced by the millions of our people under the ANC-led government.

IsiXhosa:

Zibalulekile ke ezi zinto xa sithetha ngamalungelo abantu ...

English:

...and better life for all, in particular economic transformation will contribute to the sustenance and expansion of social delivery. In this regard, it is crucial to read the South African economy of the internal and external features of colonialism of a special type. Under President Cyril Ramaphosa, the ANC-led government has produced important economic turnaround outcomes in particular, increasing investment confidence.

IsiXhosa:

Bamthembe kakhulu lo khapteyini wethu.

English:

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This will go a long way in growing South Africa. Chairperson, 22 years ago, our country launched the Human Rights Commission on an important day, the Human Rights Day. The decision was taken by the leadership of our country and then was further embraced by the fact that United Nations resolved that in commemoration of Sharpeville massacre, 21 March, be designated as the international day for the elimination of racism and racial discrimination. This is an indication of how countries of the world were perterped in the way in which our people were subjected to atrocities by one of the most cruel regimes the world has ever seen, hence the decision by the United Nations. The decision not have been take by the United Nations if they were not aware of this injustices in South Africa, it is because of the tireless work by great leaders of the ANC led by Oliver Reginald Tambo, especially during the times of international solidarity, vigorous campaign under very difficult times in South Africa. At that time, most of our leaders were jailed, including the Rivonia trials.

I think it will be proper for us just to remind them about what we have benefited. I just want to add on what the hon Minister said that ...

IsiXhosa:

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...thina bantu asikwazi ukungavuyi kuba...

English:

... we are at a stage where doors of learning and culture have been opened to all. Today, almost 90% of schools in South Africa are no fees schools. Our children do not go to school hungry. They do not walk more than five kilometres distance. The ANC government provides transport for them. Enrolment of learners improved from 51% to 81%. University students enrolment improved from 347 000 students to over a million. Today, more than 90% of mud schools have been discarded. Bucket systems in our towns and townships have been eradicated. Women used to circumvent domestic violence because they could not divorce themselves and their respective children because their husbands were sole providers. But today, women are independent, have equal opportunities and capabilities as men, or even more than men. People with disabilities, who used to be treated as parasitic welfare in the past, enjoy equal rights like any other South African citizen today. In actual fact ...

IsiXhosa:

... siza kube sibhiyozela ubomi bukamama uSonanti phaya eMpuma Koloni, imboni eyabona ukuba uphi utata uJongumsobomvu Maqoma

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eRobben Island. Siza kube sibhiyozela amalungelo abantu abunkawu eMzantsi Afrika. [Kwaphela ixesha.] [Kwaqhwytywa.]

English:

Thank you very much, Chairperson. [Applause.] [Time expired.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Thank you. Let me indicate something to those who will be coming to the podium for the first time. The unfortunate situation is that you don't have a clock next to you. So, there will be a sound. That will be an indication of the clock. Once you hear the sound, it will indicate that your time is up. It is an unfortunate situation, at this podium, but this is not our Chamber, and we are here because of the renovations.

IsiXhosa:

Nksk P C SAMKA: Sihlalo weNdlu, ndivumele ndikhahlele namhlanje ndithi, Malibongwe! Igama lamakhosikazi! Ndiza kuthi ndigxininise kakhulu kwindima ethe yadlalwa ngamakhosikazi kuphuhliso lwamaphandle, uqoqosho nezolimo, xa sikhumbula umhla wama-21 kweyoKwindla wamalungelo oluntu. Ndithi mandikhahlele, ndibulise ngaloo ndlela namhlanje xa ndiza kugqabaza ndenze amabala engwe ngomgama osele uhanjwe ngurhulumente kaKhongolose ukususela

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ngomnyaka we-1994. Phila ngonaphakade mama uCharlotte Maxeke, phila ngonaphakade!

Ndikhumbula oomama abangamaqhawe abathe basilwela ukuqinisekisa ukuba isidima sethu singomama sibuyela kuthi. Mandityondyothe ndithi kurhulumente olawula ngentando yesininzi ngenene nangenyaniso ulithemba elithembekileyo nelithumekayo. Kaloku namhlanje amakhosikazi onke eli lizwe ayangqina ukuba urhulumente kaKhongolose uyifezekisile iminqweno yethu. Namhlanje isidima samakhosikazi asinyevulelwa sinyathelelwa phantsi. Loo nto uza kuyibona phaya kuXwebhu lwamaLungelo kwikhasi le-2 elikuMgaqo-siseko. Isidima somzi ontsundu ngumhlaba, uphuhliso lwamaphandle nezolimo.

Xa urhulumente wethu ebejongene ngqo nophuhliso lwamaphandle nezolimo, uye wathatha amakhosikazi wawabeka phambili. Kakade intetho yesiNtu ithi okuphathwe zizandla zoomama kuyanda kuchume. Lomaba womhlaba undicingisa ingoma eyayivunywa kudala isithi:

Bavuma bonke bengakholwa ukuba babulala imfuyo;

imfuyo lena bayixabisile;

zonke zokutshiswa iinkomo zamadoda;

bahlale bebambe ongezantsi;

kanti yimini kaNongqawuse intombi kaMhlakaza;

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yona yazalwa ngowe-1841.

Ngethuba kusenzeka loo qulukubhode le ntombi yayineminyaka e-15. Ayisothusi ke thina namhlanje singuKhongolose ukubona abantwana bephithizela phakathi kwethu. Kaloku bazeka mzekweni mnye kwinto eyenziwa ngabantu abambala umweka xa babesiza kuthatha eli lizwe. Beza ngokuthi basebenzise abantwana kuba bengazinto bona. Yiyo ke loo nto nanamhlanje xa ubabona bephithizela benganambeko ingathi kukhonto abaza kuza nayo. Ingaba balibele kusini na ukuba ngurhulumente we-ANC okwazileyo ukutshintsha iimpilo zabantu ingakumbi abantu abangoomama?

Yiyo ke loo nto uza kubona kwi-Ofisi yobuMongameli ingqongwe ngabantu abangoomama. Mna ndithetha ngomama uNkosazana Dlamini-Zuma, Lindiwe Zulu namagqiyazana phaya kwi-Arhente yoPhuhliso yeSizwe, NDA. Aba ngoomama abaqinisekisa ukuba oomama ezilalini bayaqeqeshwa ukuze ekugqibeleni bafumane izakhono khona ukuze baphucule umhlaba wookhokho bethu kuquka nakwezolimo.

Ndikhumbula ngelo xesha ndandifunda iBhayibhile kwiiNdumiso zikaDavide xa isithi:

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Lilelani isizwe esintsundu sambethe ingubo yelishwa, sihlafuna isonka selishwa, sisela amanzi engqalekiso.

Ufike urhulumente kaKhongolose wathi umhlaba mawubuyele ebantwini beli lizwe kwaye ndiyavumelana naye. Namhlanje okwaNkwinti, ngethuba ebenguMphathiswa weli sebe uye waqinisekisa ukuba xa kubuyiswa lo mhlaba, abantu bokuqala ukuba bawuxhamle ibe ngabantu abangoomama. [Kwaqhwytywa.] Lo mcimbi ufuna ukuba somelele, udinga oomama abanomqolo kwaye ufuna ukuba simanyane njengabantwana beli lizwe ukuze kubuye isidima seli lizwe lethu. Umhlaba lo asiyiyo into yokudlala. Isidima somzi ontsundu, ndiyaphinda nditsho, ngumhlaba, uphuhliso lwamaphandle nezolimo.

Ngeli xesha lenkululeko simbonile umama uXingwana eququzela kula maphondo esithi amakhosikazi mawangene kwezolimo. Siyibonile inkqubo karhulumente ekuthiwa ngu-Siyazondla kuMasipala wesiThili uMphashe nakuMasipala wesiThili i-O R Tambo xa urhulumente ebenikezela ngamatanki, iikiriva, amabhakethi okunkceceshela nemihlakulo eqinisekisa ukuba oomama bayalima kwaye bayaxhamla abantwana kuyo yonke le nkquleqhu.

Sinayo enye inkqubo karhulumente ebizwa nge-Female Farmer of the Year. Ukuba ungaya phaya eLimpopo, eThohoyandou uya kufika oomama

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bephithizela beqinisekisa ukuba bayalima ukuze abantwana nootata baxhamle. Oomama badale amathuba engqesho, bakhulisa uphuhliso lweli lizwe, bondla isizwe soMzantsi Afrika namazwe obumelwane. Xa kunamhlanje urhulumente ubeke bucala inkuntyula yezigidi zemali ngenjongo yokuphuhlisa la maphandle. Bonke oomama beli lizwe balisabele ikhwelo likaMongameli Ramaphosa xa ebesithi, "Thuma Mina". Nathi singoomama sithi thuma thina mongameli siye kubuyisa isidima samakhosikazi eli lizwe ngokuphuhlisa amaphandle, ukulima nokukhulisa uqoqosho.

Masiphakameni boomama boMzantsi Afrika siye kudlala eyethu indima yokuphuhlisa amaphandle, ukulima nokukhulisa uqoqosho lweli lizwe. Hambani ke maqhawekazi eli lizwe niye kugqibezela loo msebenzi owaqalwa ngoomama uCharlotte Maxeke. Kubalulekile ukuba xa siwenzalo msebenzi singadumisi ngobuyatha, singabanganisani ngale nkululeko esayifumana ngokuphalala kwegazi lama-Afrika. Ithi intetho yesiNtu, ihashe liyayiqhela isali elumayo eliqatyelwa ngayo. Thina masiwuthwale lo mzabalazo usilingene.

Nangona ezi zinto sizibona zisenzeka kwezi ndawo, kusekhona kodwa ukuqhwalala pha naphaya. Kaloku uya phawula ukuba xa kubalele, abamama ndithetha ngabo abakwazi ukuqhubeleka ngomsebenzi wabo. Loo nto iye ifune ukuba la maphulo ethu siwaqhubayo siwalandelelele ukuze

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sibone indima esiyihambileyo. Ndisuka kumhlaba wase-O R Tambo apho uMongameli Ramaphosa akhe idama eliza kuthi lincede oomama ukuqinisekisa ukuba ukulima kuyimpumelelo kweli lizwe. Enkosi.
[Kwaphela ixesha.] [Kwaqhwatywa.]

Mr M KHAWULA: Hon Chairperson and the hon Chairperson of the Council, Mme Modise, hon Minister, Mama Motshekga, hon Deputy Minister, colleagues, the IFP will always remain indebted to and applaud the efforts of our democracy founding fathers and mothers for their maturity in dealing with issues that led to our democracy. The special focus here is on Convention for a Democratic South Africa, Codesa 1 and Codesa 2 in the early 1990s.

We will also never forget the dedication of Prof Okumu from Kenya, who ensured that an eleventh hour settlement took place between Mr FW de Klerk, Dr Nelson Mandela and Prince Mangosuthu Buthelezi to facilitate the participation of the IFP in the 1994 elections, thus averting what could have been a disaster for South Africa. As the IFP, we also applaud the marathon meetings, engagements and give-and-take of the first democratic Parliament between 1994 and 1996 which came up with our Constitution. Indeed, the IFP was there and we are proud of it. We are proud of Chapter 2 of our country's Constitution which is largely the IFP contribution to the

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constitution-making process of South Africa. Today, the IFP wants to focus on the right to vote. Amongst the top priorities of the struggle, the right to vote ranked the highest in the agenda. This is because, when you have achieved your right to vote, it then becomes your voice. The right to vote gives you access to economic freedom. It gives you access to quality education. It gives you access to land, quality health care. It ensures your right to life, to shelter and so on. In respect of South Africans; have their right to vote given them access to all these aspects?

As we move to 8 May 2019, our country's national and provincial Election Day, the IFP is cautioning South Africans to exercise their right to vote with care. Do not vote today and toyi-toyi tomorrow about corruption. Do not vote today and toyi-toyi next week about crime. Do not vote today and toyi-toyi next week for free education. For a solid 25 years ...

IsiZulu:

... kungani abantu baseNingizimu Afrika befuna ukuqhuzulwa yisigodo esisodwa njalo ngokhetho endaweni eyodwa?

English:

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The IFP says, so that you do not stumble in the same hole after every election, change course this time around; change direction. Vote out of power those who sell the soul of your country to the likes of Bosasa and the Guptas. Vote out of power those who have failed to give you quality health care, quality roads, quality education. Vote out of power those who fail to manage your electricity properly. Vote load shedding out of power. Vote corruption out of power. Vote joblessness out of power. Take the road less travelled. It leads to glory, integrity and respect for humanity. The road less travelled leads to Ubuntu. The road less travelled leads to service delivery for you and not only for friends and comrades. And that is the IFP road.

The IFP appeals to all fellow South Africans to say let us jealously guard that which belongs to us, and that is our country. Let us secure our freedom and our resources by putting into power service over self. If we do not do it this year, it might be too late in another five years. Wherever you are South Africa, think about your future, think about the future of your children, and think about the economy of your country. And say, 25 years has been too long a chance for you to still be struggling like this. Vote arrogance out, and put respect, morality and values into power. So says the IFP. I thank you Chair.

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Ms S FERNANDEZ (Western Cape): Hon Chairperson, hon members, fellow South Africans, since the dawn of our democracy, South Africa has been guided by chapter two of the Constitution also known as the Bill of Rights, which is the cornerstone of our democracy.

Sadly, over the last few years, we have seen these rights under threats and I would like to caution all hon members present here today to reflect on the fact that the state must respect, protect, promote and fulfil the right as stated in the Bill of Rights.

The full realisation of human rights should be a vital goal of the developmental state. March 21st annually, marks human rights day on the South African calendar, which is historically linked with the 21st March 1960 and the events of Sharpeville.

While I was preparing my speech for this debate, rolling blackouts occurred. Let me just touch on the issue of rolling blackouts. The ANC's mismanagement of Electricity Supply Commission, Eskom, has led to a solid five days of stage four rolling blackouts, which had a devastating effect on the country at large.

Failure to maintain the power plant and rampant looting has now led us to the point of near collapse of South Africa's electricity grid

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to the extent that we will now experience stage five and six to stay in national blackout.

It is against this backdrop, that I ask how we could develop our country's economy in the mist of this national power crisis. Inclusive economic growth should be redistributed of all national resources and should benefit all the citizens as an imperative of human rights. When I say this, I mean that inclusive economic growth in this instance of untangling the enclave economy and deconcentrated economic growth that happened in special areas where poor people live, in places where poor people work, where they participate in the generation of economic activities and in poor communities where the means of production owned by the poor are used in the production of goods and services for the development of poorer areas.

The lack of competence in managing and maintaining our national resources means that there is a dire lack of opportunities for the fulfilment of citizen's human rights to add meaningful standards of living.

During a lecture delivered by the leader of the DA, Mmusi Maimane, at the Wits University School of Governance in August 2017, he

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indicated that the DA believes that economic transformation is most effectively achieved by multiplying poor black people access to income generating activities that can provide roots out of poverty and into the middle class. He further stated that the party believes that the economy must play a critical role in uniting and shouldn't divide South Africans despite the race. It is this principle that informs that DA's perspective on economic transformation.

Any wealth redistribution model that is not accompanied by interventions to grow the economy is bound to fail. What the poor and vulnerable need most are jobs backed by good education and sustainable economic growth which will bring increasing prosperity to all.

We are 25 years into our democracy and we need to realise that our previously disadvantaged citizens no longer exclusively fall under the term poor. Under the leadership of the ANC government, we saw Black Economic Empowerment, BEE, introduced in the year 2000. This racially selective programme was aimed at rightfully redressing the inequalities of apartheid by giving previously black disadvantaged South Africans citizens economic privileges not available to white South Africans.

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However, in 2010, former Finance Minister, Pravin Gordhan said that BEE policies have not worked and had not made South Africa a fairer or more prosperous country. To support this statement, the former President of the National African Federated Chamber of Commerce and Industry, Laurance Mavundla said that BEE and preferential procurement had marginalised small business instead of helping them.

In 2017, the National Treasury did a study on the effectiveness of BEE. The Treasury Report suggested that more emphasis should be given to the management control and employment equity elements in BEE, however the target cited were found to be equally impractical.

Hundreds of thousands of jobs are being creating in the Western Cape under the leadership of the DA, premier candidate Minister, Alan Winde in his previous portfolio as Member of Executive Council, MEC, for economic opportunities, which is a reflection of promoting and deepening a human rights culture.

According to an article by Dr N P Jeffrey of the Institute for Race Relations reflecting of the Treasury study and I quote:

"The two comprehensive opinion polls commissioned by the ILR show that only 15% of Africans benefit from BEE, while 85% don't. In

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addition, the people left out in this way are simply over looked. Worse though, they are harmed by BEE's unrealistic and ever shifting requirements which have served to deter investment, reduced growth, limit jobs and encourage corruption and crony capitalism".

If South Africa is about to bring about positive transformation, it needs to shift away from BEE to a far more effective empowerment policy. All of us are here to speak out and take a stand for human rights.

We need to speak out against the atrocities of Marikana, Life Esidimeni, pit latrines, state capture, Bosasa and corruption, because ultimately this efforts and interventions steal from the poor and deprive them of their basic human rights.

As we approach elections, let us be mindful of human rights of everyone in our respective roles and especially the Independent Electoral Commission in ensuring that they fulfil their duties with honour and dignity, without fear or favour to ensure that individual's political aspirations are realised irrespective of their political affiliation.

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In conclusion, I will raise my voice. I will take actions. I will use my rights to stand up for your rights to make South Africa a better place for all who live in it. I thank you.

Mr D L XIMBI: House Chair, hon Chairperson of the NCOP, Deputy Chairperson of the NCOP, Ministers and Deputy Minister, present in the House, the human rights debate today provides an occasion to take stock of where the country is and our quest to deepen a human rights culture and advance especially socio-economic rights to reverse the devastating effects of poverty, inequality and economic deprivation which are the direct consequence of colonialism and apartheid which constitutes the primary focus of my contribution to this important debate.

The Constitution has its roots mainly in four documents or processes - the 1923 Bill of Rights, as mentioned by the Minister here, the African Claims of 1943, the Women's Charter in 1954, the Freedom Charter in 1955 and the ANC's 1988 Constitutional Principles for a Democratic South Africa.

In May 1923, at its conference in Bloemfontein, the ruling party which is the ANC, adopted a resolution on a Bill of Rights. It called for equal citizenship, access to resources including land ...

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IsiXhosa:

... ebaluleke kakhulu hayi le nto yenziwa yiDA ithi xa inika abantu iziqinisekisi mnini zamatyotyombe, ime ngaloo nto. Sifuna umhlaba, hayi iziqinisekisi mnini zamatyotyombe. [Kwaqhwatywa.]

English:

...as well as fair representation in government. This tradition was further consolidated through the African Claims document adopted in 1943, as a response to the 1941 Atlantic Charter of the European Allied forces after the Second World War.

Fighting crime has always been one of the priority areas in terms of the ANC's 2014 election manifesto, to which extensive resources have been placed and viewed the safety and security of the community in South Africa as a priority.

The Constitution of our country guarantees every person the right to life and the right to security and freedom of a person which includes among other things, the right to freedom from all other forms of violence. The Constitution further guarantees that adequate protection of such rights as fundamental to the well-being, social and economic development of every person. The ANC-led government has

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committed itself to fighting crime in whatever form it manifests itself in our society.

The human rights are the birth rights and inherent to every single one of us. The post-World War Two periods have pre-occupied itself with the issue of human rights, recognizing the atrocities that had pertained then. Therefore, we can appreciate why even the Vienna Declaration impressed upon the United Nations to uphold human rights as an essential part of democracy and development and to ensure that it makes concerted efforts to ensure they prevail.

It is in this regard that we cannot divorce a nation's democracy and development from its human rights and the exercise thereof. While democracy, on the one hand, is the expression of a people's choice for a political system of their own, human rights are a means by which that society interfaces with their political, social, cultural and economic environment. It can therefore, be argued that human rights are a necessary ingredient of democracy and development.

In the last two decades since the transition to democracy and the establishment of a democratic SA Police Service, SAPS, South Africa continues to experience alarmingly high rate of crime, particularly violent crime. This is evident for instance by successive increases

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in contact crime especially murder, robbery and other violent crimes. Violence against vulnerable and marginalized groups remains stubbornly high, compromising the ability of these individuals to play an active role in their communities and society at large.

The SA Police Service continue to ensure that barriers to reporting cases of rape, sexual abuse and domestic violence are sufficiently addressed to reporting and minimize secondary victimization.

Seemingly, intractable challenges such as gangsterism, drugs and alcohol abuse underpinned by increasingly sophisticated and violent organized criminal enterprises have resulted in our communities being mired in a cycle of violence and trauma. Despite these challenges, SAPS has made significant strides in dealing with serious and violent crime particularly in the Western Cape.

IsiXhosa:

Bekukho abantu abangakwazi ukulungqina olu suku lwamaLungelo oLuntu. Aboo bantu bakhona apha eNtshona Koloni ingakumbi kwisibhedlele ekuthiwa yiKhayelitsha District Hospital. Izigulana ezilaliswa phaya azikwazi ukuba zizithethelele. Kufa izigulana imihla nezolo ngenxa yokuqeshwa kwabongikazi abangagqibelelanga. Aba bantu babulawa ngabom ngesitofu ingakumbi kula ndawo babelekela kuyo.

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Apha eNtshona Koloni sithe xa sibiza uMEC ukuba akhe aze kuphendula kunye nabanye abalawuli benza ola rhwaphilizo bebelunqanda. Bathe basebenzisa iimali zikarhulumente ukukhusela uNomafrench nabalawuli ukuba bangezi ukuza kuphendula. Ngelo xesha abantu abayekanga ukufa eKhayelitsha. Kungcono kwa Esidimeni kunala ndawo iyiKhayelitsha.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Ximbi. Let me take hon Labuschagne.

Ms C LABUSCHAGNE: Hon Chairperson, I don't think that there is a rule that says you can bring your summons or whatever from a committee into the Council's podium.

IsiXhosa:

Mnu D L XIMBI: Kungcono Esidimeni kunaseKhayelitsha. Into abayenzayo baqesha oogqirha abangagqibelelanga.

English:

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon hold on! Hon Labuschagne.

Ms C LABUSCHAGNE: I would like to know if the hon Ximbi will take a question on his personal relationship with... [Interjections.]

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The HOUSE CHAIRPERSON (Mr A J Nyambi): No, hon members, she is in order. Hon Ximbi, are you ready to take a question?

Mr D L XIMBI: No.

The HOUSE CHAIRPERSON (Mr A J Nyambi): He is not ready.

Ms B A ENGELBRECHT: Chairperson, I rise on a point of order. Hon Ximbi is shouting I cannot hear a single word. Maybe if he can just relax, calm down and take a bit of a deep breath and smile.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Engelbrecht that is not a point of order. Continue hon Ximbi.

IsiXhosa:

Mnu D L XIMBI: Bangaphi abantu abaphethwe ngulo ggirha bathe abaphila kakuhle ngoku kukho nabafileyo?

English:

On Sunday a patient...

IsiXhosa:

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... size apha kwisibhedlele saseGroote Schuur sizele uqhaqho. Ukuvuka kwaso kwelo gumbi loqhaqho kuthiwe masihambe nangona besilijaja ligazi. Eso siguli kuye kwafuneka ngosuku lwesithathu sibuyele esibhedlele. Uze undixelele ukuba ndiyaxoka. Asithungwanga eso siguli emva kokuba senziwe uqhaqho.

English:

I am telling you. I-Esidimeni...

IsiXhosa:

... singcono kakhulu kunorhulumente waseNtshona Koloni. Babeke umntu ongazinto.

English:

How can a person try to use the state resources to defend individuals?

IsiXhosa:

Sibiza amagosa apha ukuba aze kuphendula kodwa abezi kuba bonqena la mahlazo. Ababaniki abantu amalungelo abo. Bayaxhatshazwa abantu eNtshona Koloni.

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The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh, no! you can't be doing that. Let me recognise hon Hattingh.

Mr C HATTINGH: Hon Chairperson, my name is Chris Hattingh. Pleased to meet you. Hon Chair, I am really concerned about the health status of this hon member. Something is seriously wrong here, we cannot continue like this. I think we should get some emergency medical people.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Hattingh, you know very well that, that is not a point of order, take your seat. Let's allow the debate to go on. Can you continue hon Ximbi and conclude.

IsiXhosa:

Mnu D L Ximbi: Wena owakhe wayifunda...

Mr T C MOTLASHUPING: Chairperson!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hold on hon Ximbi. No you can't be talking without being recognised.

Mr T C MOTLASHUPING: I have long been standing before...

[Interjections.]

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The HOUSE CHAIRPERSON (Mr A J Nyambi): I will recognise you after dealing with the hon member. Hon Michalakis!

Mr G MICHALAKIS: Hon Chairperson, thank you very much for recognising me. Just a help of somehow - but just on a matter of concern of a member that hon Hattingh raised. If something was to happen to him, he will be in fantastic hands in the health department of the Western Cape, NomaFrench Mbombo will look after you.

The HOUSE CHAIRPERSON (Mr A J Nyambi): That is not a point of order. Hon Motlashuping, you are recognised.

Mr T C MOTLASHUPING: ... exactly my point Chair that, we need to protect the speaker at podium and not subject him to unnecessary attacks like these ones. These are statements that are undermining the speaker on the podium and he needs to be protected, please.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Motlashuping, I have consistently been doing that. That's why I ruled that, that is not a point of order. Hon Ximbi, can you conclude.

IsiXhosa:

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Mnu D L XIMBI: Mandigqibezele ngelithi wena wakhe wayifunda iBhayibhile kukho indawo phaya ethi uYesu ubona umzi waseJerusalem. Uthi akuwubona awulilele kuba umzi waseJerusalem wawumhle ngaphandle kodwa ngaphakathi yayibubugoxo bamathambo. Kunjalo kanye phaya eKhayelitsha kuba isakhiwo esasakhiwe yi-ANC sihle ngaphandle kodwa siyindawo yokufela abantu. Abantu bayafa phaya. Ndiyathemba ukuba urhulumente angakhe ayijonge le nto yenzekayo kuba kukho le mbongi uMaimane ehamba ibonga isithi kungcono eNtshona Koloni. Akukho kwanto engcono, akazinto loo Maimane lowo. Singaphuma siye kuzibonela ngoku. Kungenjalo makwenziwe ikomishoni eza kukhangela le meko ngomso oku!

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Ximbi, I am afraid your time has expired. As I earlier indicated that hon Nkwinti was presenting a report in the NA. Hon Nkwinti, it is now your opportunity.

The HOUSE CHAIRPERSON (Mr A J Nyambi): I indicated earlier on that the hon Minister Nkwinti was presenting a report in the NA. Hon Minister of Water and Sanitation, it is your opportunity now.

[Applause.] Hon Essack, what is your interest, while the hon Minister makes his way to the podium?

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Mr F ESSACK: Chairperson, I just wanted to comment - and you can check with the hon De Beer - in the Select Committee of Finance, I can promise you, there is no budget to replace the sound system in this Chamber, right now. [Laughter.] So, please tell the member to calm down!

The HOUSE CHAIRPERSON (Mr A J Nyambi): That is not a point of order. Take your seat.

The MINISTER OF WATER AND SANITATION: Hon Chair, let me formally apologise. I have come directly from the portfolio committee meeting. Thank you very much for understanding.

Our country and people are reaping the bitter-sweet fruits of the success of our national democratic revolution through a South Africa transformed from the social and economic consequences of the brutal apartheid, colonial, racially discriminatory laws and practices to create a united, nonracial, nonsexist democracy.

South Africa's critical infrastructure for water and sanitation, particularly its waste-water treatment works, was constructed some 75 years ago with a carrying capacity that was meant to service only 13% of the total population of the country, or 5 million people. The

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rest of the population was deliberately left to use contaminated water and other forms of undignified and unhygienic sanitation facilities.

With the advent of democracy, which opened up the opportunity for all to have access to quality water and decent sanitation, this apartheid, colonial, water-infrastructure legacy is collapsing because of its age and also because it must now serve the current 58 million people of South Africa. However, the different population groups, without formalised race-based restraints, continue to enjoy different levels of access to quality water and decent sanitation. This is thanks to the historical spatial inequality which perpetuates the legacy of the colonial, apartheid, racist past.

I have just come from a big debate in the portfolio committee about the pollution of the Vaal River system. That is a direct consequence of this.

And HON MEMBER: Lack of maintenance!

The MINISTER OF WATER AND SANITATION: Chairperson, it is not the lack of maintenance. It is because our people, during this period, the last 25 years, have been free to move from wherever they had

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been confined to by apartheid to where they hope to find a better life, and they are flocking to the cities. [Applause.]

Infrastructure in the cities is not sufficient to accommodate all of them. The result is what we are seeing now - a lot of informal settlements, particularly around the Vaal River. So, all five rivers that constitute the Vaal River system are polluted. It is not because our people do not want to ... it is not deliberate. Let me put it like that. It is because our people do not have the necessary facilities. It is an historical fact. It is an historical fact because apartheid was not a decent system. It was a system intended to service the interests of only a few against the majority of the people of South Africa.

The ANC has freed South Africa. It has put in place a system which treats all people as human beings, whether they are part of the past which was privileged, or whether they are part of the past that was humiliated by apartheid and its architects. So, when we talk about and deal with human rights today, we are talking about a fundamental change in the manner in which the country has been structured; in the manner in which the people of this country have been exposed and have had privileges which were very, very different. Today, thanks

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to the ANC taking over power in the country, our people have access to all the services in this country.

We must thank the NCOP, today, for allowing us to participate in this kind of important debate.

Ms C LABUSCHAGNE: Hon Chair, I would like to know if the hon Minister would take a question.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Minister, are you ready to take a question?

The MINISTER OF WATER AND SANITATION: Yes, I am. I am, hon Chair.

Ms C LABUSCHAGNE: Thank you very much, hon Chair. I would like to know if the hon Minister can give us an indication as to what the ANC would have been able to do with the billions of rand that, through state capture and mismanagement, was stolen and mismanaged, and how far it would have come in addressing ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon members! I apologise, hon Labuschagne. Hon members, let's allow the hon Minister to get the question. Hon Labuschagne, you are protected. [Interjections.]

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Ms C LABUSCHAGNE: ... the pollution and the circumstances ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): You are asking a question - not questions.

Ms C LABUSCHAGNE: That is the question ... and addressing the circumstances ... [Inaudible.]

The MINISTER OF WATER AND SANITATION: Hon Chair, I was once locked up in a single cell by the security police in a place called Alicedale. Do you know what they said to me? They said I had stolen money. Do you know what I said to them? The one who stole money is Rhodie - do you remember the Information Scandal? That is what I said.

Ms C LABUSCHAGNE: That was in America, hon Minister, not here.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Labuschagne, you can't be doing that.

The MINISTER OF WATER AND SANITATION: That is what I said to the security police in the cell. I was alone. There were two of them. I was not afraid to tell them that, in fact, their own government

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stole money. Now, that was the National Party government, where you come from, unfortunately, hon member. That's what they did. They stole money! [Applause.]

Ms C LABUSCHAGNE: Hon Chairperson, on a point of order ...

The MINISTER OF WATER AND SANITATION: They never understood anything about human rights. Human rights, for them, was only for their own people.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Minister, let me take the point of order.

Ms C LABUSCHAGNE: Hon Chair, I asked the Minister a question. It's not a debate about whether the apartheid government stole money, or not. I asked a question. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Labuschagne! Hon members! Order, members! Hon Labuschagne, can you take your seat so that I may make a ruling? Hon members, if you avail yourself of the opportunity to ask a question, you can't prescribe to the person, irrespective of whether it is a Minister, or not, on how he or she must respond to your question. You must be ready to listen to the

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response. The Minister hasn't even finished his response and you are rising on a point of order. Plus, it's a frivolous point of order. Let's allow the Minister to respond to your question. Continue, hon Minister.

The MINISTER OF WATER AND SANITATION: Thank you, hon Chair. What the ANC has done is simple. The Constitution of the country, today, which allows all South Africans ...

Ms C LABUSCHAGNE: Hon Chairperson, on a point of order ...

[Interjections.]

The MINISTER OF WATER AND SANITATION: The truth is painful, Chair.

Ms C LABUSCHAGNE: Hon Chairperson, the hon Ximbi made this gesture at me. Can he please withdraw, or ask ... [Interjections.] You have to withdraw! You are not allowed ... hon Chairperson ...

[Inaudible.] ... hon members are not allowed to do this. There was a ruling on that, previously. [Interjections.]

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Ximbi, can you refrain from what you are doing? The engagement with the hon member ...

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Ms C LABUSCHAGNE: Hon Chairperson ...

The HOUSE CHAIRPERSON (Mr A J Nyambi): Can you withdraw what you have done if you have done anything that is against our Rules?

[Interjections.] Can you withdraw what you have done? Yes. Let's allow the Minister to continue. Hon Minister?

The MINISTER OF WATER AND SANITATION: Hon Chair, the hon member is talking about monies - blah, blah, blah. Do you know what the ANC has done? It has established the Zondo Commission and several other commissions, including the PIC, the Mokgoro Commission, and it has made public a report of the High-Level Panel, chaired by former Minister Sydney Mufamadi.

The ANC is open because the ANC has brought into South Africa a human rights culture ... [Applause.] ... a culture which does not discriminate against people because of colour, because of class, because of race or gender. The ANC is open. South Africans, we are open. That is what President Ramaphosa has said and done. He has led South Africa by example. What did we get in the past? Nothing. It would never have happened.

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I have just said to you the National Party stole money but was never open about it. We are here now, in this Chamber, which was the Chamber of the National Party. This is where they took decisions. Let's get back to the matter at hand.

In conclusion ...

IsiXhosa:

... abantu base Mzantsi Afrika namhlanje bahlala bonke, ndawonye. Abantwana babo bafunda kwizikolo ezinye kwaye urhulumente woMzantsi Afrika uya bhatala kuba ngurhulumente wabantu bonke. uMongameli uthi ngoku ebantwini, njengoko ebesitsho izolo ukuba, eli lizwe lilizwe lethu sonke, inkululeko yeza ne-ANC iyizisela abantu boMzantsi Afrika bonke. Amalungelo abantu ngoku ayafana nokuba ungumntu omhlophe na okanye ontsundu. Amalungelo oMzantsi Afrika ayafana namalungelo athiwe thaca zizizwe eziManyeneyo.

English:

The HOUSE CHAIRPERSON (Mr A J Nyambi): Hon Minister, I beg your pardon - no, no, you still have time left. Hon Smit, why are you standing?

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Mr C F B SMIT: Hon House Chair, I would like to know if the hon Minister would take a question on the water and sanitation issue in Mogalakwena.

The HOUSE CHAIRPERSON (Mr A J Nyambi): Alright. Hon Minister, are you prepared to take another question?

The MINISTER OF WATER AND SANITATION: I will take it, hon Chair.

Mr C F B SMIT: Thank you, hon House Chair. Hon Minister, for the past six years, sewage has been flowing into the Dorps River, the Groot Sandsloot River in Mogalakwena, and the Nels Pan. We opened criminal cases against the municipal manager. I have the case number. However, to date, nothing has happened. What is your department doing about that situation where the people's water is polluted, where animals are dying downstream on the Mogalakwena because of black individuals that are farming that area? All those villagers are getting drinking water from those rivers.

The MINISTER OF WATER AND SANITATION: Chair, is the hon member proud of what he's asking? It's unbelievable! It's unbelievable that he actually tells the country the history I've just related. He is telling the country the consequences of the past. This hon member

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proudly stands there and says all of that. [Interjections.] You know, it's just painful to the hon member because he is black and he has decided to join those people who created that history in our country. This hon member is proudly asking me this question as if he, himself, comes from a beautiful past. You have crossed the floor! You have crossed the floor and joined the forces of evil of the past. That's what you have done, hon member. The fact that you are able to ask that question ...

Ms C LABUSCHAGNE: No!

The MINISTER OF WATER AND SANITATION: ... the fact that you are able to ask that question in a Chamber is because the ANC created a human rights culture in South Africa.

Ms C LABUSCHAGNE: Hon Chair, on a point of order: He wasn't even born! He couldn't have crossed the floor!

The MINISTER OF WATER AND SANITATION: That is why you are able to say that. Say thanks to us! [Interjections.] Thank you, hon Chair. [Applause.]

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The DEPUTY MINISTER OF CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS: Hon House Chairperson, as I was walking to the podium, I thought they will say malibongwe [praise the name] but there was nothing ... [Interjections.] ... hon Minister Gugile Nkwinti and hon Minister Angie Motshekga, hon members, fellow South Africans, distinguished guests and ladies and gentlemen, I greet you.

It is an honour for me to stand before you today and take part in this important debate on Human Rights Day, accelerating socioeconomic transformation - the key to human rights and a better future for all.

Our Constitution lays the foundation for an open society based on democratic values, social justice and fundamental human rights and is hailed worldwide as very progressive. This means that as the supreme law in our country, everybody's actions should always be consistent to its provisions and principles.

Democracy and freedom have rules and responsibilities that have to be respected and guarded by all. The rights we enjoy today have limitations as the Constitution dictates.

As a country and the people within the constitutional state, all laws, policies or codes of conduct must pass the test of

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constitutionality by keeping with the latter and the spirit of the Constitution. At the dawn of a new life, our practical actions must ensure that none can challenge us when we say; we are a nation at work to build a better life.

The government of the ANC is committed to a coherent and effective approach to economic development by all South Africans, working together in partnership to free our people of poverty and unemployment. March 21 in South Africa is Human Rights Day. It is a day in which more than many others capture the essence of the struggle of the South African people and the soul of our nonracial democracy.

March 21st is the day on which we remember and sing praises to those who perished in the name of democracy and human dignity. It is also a day on which we reflect and assess the progress we are making in enshrining basic human rights and values.

We seek to build an economy in which the state, private capital, co-operatives and other forms of social ownership complement each other. Economic growth and transformation require an effective, democratic and developmental state that is able to mobilise society to take part in the implementation of a common national agenda.

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Our drive for human dignity and basic rights is premised on the development of our country and the improvement of the living conditions of our people. These freedoms whose virtue we are extolling will be meaningless in the face of grinding poverty and underdevelopment unless we grow and ensure that the economy embraces all and indeed our people participate in the economic rights and activities.

The Bill of Rights in our Constitution clearly prohibits barbaric acts and humiliation that our people thus far are being subjected to. Some of the rights enshrined in the Bill of Rights are the right to life, equality, human dignity, freedom of expression, freedom of religion, freedom of association, political rights and the right to peaceful assembly and demonstration. These are normal rights that are guaranteed in most democratic countries because they ensure democracy and freedom.

The government is making real progress in accelerating the programmes for the improvement of the people's quality of life. Together, in the spirit of growing South Africa, we can make South Africa a winning nation.

There are major infrastructure gaps however, with regard to the access of distribution and levels of services. We need to almost double the scale of the current infrastructure.

The country needs to double its capacity to generate electricity, hence the building of Medupi and Kusile, so that the suffering of our people can be mitigated. The pride of every municipality also is to provide reliable services. They must supply electricity, water and sanitation.

The grass must be cut on the verges of the roads, refuse must be removed, potholes must be covered, municipal clinics must be functional and all other services must be provided continuously. That is giving dignity to our people and respecting their human rights.

A functional municipality must manage its finances prudently and efficiently. It must collect revenue and also pay its bills. Vacancies must be filled by competent, experienced and knowledgeable managers because this will be about giving dignity to our people and respecting their human rights.

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Given the challenges we face in many of our municipalities, we have decided to put more effort on fixing our municipalities, and currently implementing an extensive Municipal Recovery Programme in all provinces, based on the Back to Basics programme because it is a right thing to do and also that our people deserve the dignity to enjoy their human rights.

It is estimated that 58% of South African roads are gravel. We are doing more to invest as an ANC government on the roads to deal with the backlog, in particular, in the rural areas and encouraging investors to come in and invest. Seventy percent of existing roads require urgent repair. Almost half of South Africa's rail network has low capacity due to slow growth of the economy. However, this was a result of the impact of the global economic meltdown of 2008 because our economy is linked to the global economy itself. If global economy slows down, ours will do the same.

South African rain patterns are also scarce; we are a water scarce country. We are investing on the infrastructure so as to preserve as much water as we can. This is a very important investment that we ought to do as the government of the ANC.

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In the past 25 years, as we celebrate on some of the improvements on quality of life, we are encouraged and proud that the ANC-led government has built 3,5 million houses to give dignity to our people. With houses, comes access to water, electricity and roads that are also being constructed. Siyaqhuba [we moving forward] and we say that is giving dignity to our people on this Human Rights Day.

The target is moving one. In 1994, the population was just 38 million and now in 2019 it is 57,7 million, hence the ANC is now saying that, come this year's general elections, if it voted to into power, it will build more one million houses in the next five years because we can do, we have been doing and we will continue doing to deliver the houses.

The government of the ANC remains committed to building a better world that is also human, just, credible and democratic.

Our economic vision rests on the Freedom Charter's clarion call that the people shall share in the country's wealth. Through economic transformation, we intend to build an equitable society in which there is decent work for all. This means taking decisive and resolute actions to overcome the triple challenges of poverty,

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inequality and unemployment, which is at the heart of South Africa's challenges.

We reiterate the conclusion of the 52nd national conference that our most effective weapon in the campaign against poverty is the creation of decent work and creating work requires faster and in more inclusive growth.

If we can work in this infrastructure aspect, we will contribute to socioeconomic aspect. We welcome the President's Investments Summit as a mitigating factor to address the backlogs on the infrastructure and growing our economy. Government's contribution to the Infrastructure Fund will be in excess of R400 billion over the next three years, with additional sources being sought from the private sector. The plan also includes investment in municipal social infrastructure improvement which includes basic services such as water, electricity and sanitation. We will be able to deal with the spillages into the rivers because we know and are aware of those challenges and are indeed doing something to improve the lives of the people.

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The National Development Plan, NDP, stipulates that South Africa's energy sector will promote economic growth and development, social equity and sustainability.

Allow me to conclude the human rights debate by making a Cogta Thuma Mina pledge. I want to be there when our people turn municipalities around. Send me, when they triumph over poverty, unemployment and inequality, I want to be there, send me! [Applause.]

I want to be there for the indigent, the unemployed and those in the informal settlements. I want to lend a hand when our people fight against rigging of tenders, fraud and corruption; send me, so that we can get rid of those in society.

I want to be there when our people eliminate crime, violence and the abuse of women and children. I want to be there in the fight against HIV and AIDS, tuberculosis and cancer; I want to be there, send me there! I want to be there to ensure food security and healthy lifestyles; send me!

I want to be there when our people fight for land and get involved in the agrarian revolution. I want to be there when our people clean the streets of our towns and cities to reclaim our dignity and

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pride. I want to be there when our people fix the potholes, broken lights and cut the grass on the verge of the roads.

I want to be there when we save our people from natural and man-made disasters such as floods, drought, fires or vehicle accidents; send me! I want to be there when our people share in the country's wealth to be included in a growing and vibrant economy.

I want to lend a hand in the struggle to improve the lives of all South Africans. I want to be there when we build a caring, compassionate and tolerant society.

I want to be there for the nation-building, social cohesion and the protection of all human rights. The ANC can be trusted. The ANC carries the aspirations of all South Africans. Put it back into power; we are tried and tested. We assure you that whatever were the challenges, we will be able to deal with them. We are an experienced organisation. The ANC is there for you. Vote for ANC come May 8 elections. Thank you very much. [Applause.]

Mr G MICHALAKIS: Hon House Chairperson, Human Rights Day is not a celebration. It is a debate. It is a debate on why, in the year 2019, individuals around us still have to struggle to see their most

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basic rights realised. It is a debate on the inability to recognise and acknowledge these atrocities and address them. It is a debate to call the ANC out on your hypocrisy.

For 25 years under this ANC government, we have seen President after President cosy up to the likes of Gaddafi, Mugabe and Assad.

At the United Nations, our track record is not much better. On the Syria resolutions in 2014, 2015 and 2016, South Africa abstained. This means that this ANC government did not know if it really is against the murder of defenceless children for political gain. On Iran, the ANC government's ambassador voted no, along with China, Cuba, Pakistan, Russia and Venezuela. Botswana had the principle to vote yes.

Again in 2017, on the Human Rights Council, South Africa abstained from condemning human rights violations in Syria and again in Belarus. In June 2016, South Africa abstained from the resolution to appoint a special rapporteur on violence against the lesbian, gay, bisexual, transgender, intersex, LGBTI, community.

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And both in March 2016 and March 2017, South Africa abstained from two Iran resolutions, extending the mandate for a special rapporteur. Again, Botswana had the principle to vote in favour.

This all happened while you all sitting here, were members of the ANC and we didn't hear you speak out once. And what did President Ramaphosa do? He must have been in Cabinet, picking his nose because like Eskom, this would come as a shock to him.

He was there! He was there when your government protected Omar al-Bashir. This is a man who stands accused of genocide and the attempt to destroy whole tribes of people, murder, extermination, forcible transfer, rape and torture of his own people, our fellow Africans. The ANC government - this government - protected him.

This is the same government that cries Palestine, for votes, but denies acknowledging the independence of Tibet, for Chinese money.

[Interjections.]

In fact, your Deputy Minister waffled during oral questions two years ago when I called him out on our track record at the UN and asked when the ambassador to the UN would be fired for being a national disgrace.

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I was wrong. He isn't the disgrace. He's an extension of the ANC. The ANC is the real disgrace that preaches human rights but practices silent diplomacy and makes friends with the very same dictators, human rights abusers and scum that commit these acts.

However, it doesn't take much to know why. At home, your track record is not much better. MEC, can you see that you did not make mention of the five-year old who died in 2015 by falling into a pit toilet? You also did not mention the five-year old who died three years later, also falling into a pit toilet because your department did nothing about it. Life Esidimeni, 49 murders per day, corrective rape, violence against women and no one from the governing party seems to care enough to make sure something gets done...

Ms B TUNYISWA (Eastern Cape): Will the hon member take a question. I just want to check if he knows what the pit toilets are and how they came about?

Mr G MICHALAKIS: I don't have the luxury of time, so, I cannot take it. I helped one of my constituents in Brandfort recently to push a wheelbarrow with 60 litres of water to her house over 3 km away. It nearly broke my back. She has to do it six times a day, with a baby

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on her back. The ANC has known about this problem for 10 years and even took the DA to court for trying to help.

I dare you, Minister, and the Free State Premier, Sisi Ntombela, to do the same. But you won't, will you? Struggle credentials do not give you the right to steal from the poor. We observe - not celebrate - Human Rights Day on the same day as the Sharpsville Massacre, where 69 South African citizens were shot in the back by the apartheid state police in 1960. Yet, not a single one of you mentioned 2012, Marikana, where 45 South Africans were shot by the ANC state police.

Afrikaans:

Voorsitter, menseregte verg nie 'n ingewikkelde beleid nie. Dit is, inderdaad nie 'n beleidsdebat nie. Dit verg wel waardes, respek vir mense, hul lewens en hul menswaardigheid, hul taal en kulturele identiteit, as die basis vir beskaafdheid. As daardie basiese respek nie by 'n organisasie bestaan nie, draai ek dadelik na sy leier. Hy kan hoe welgesproke wees, maar so onbewus van wat om hom aangaan, is selfs die President van die ANC nie.

Agb Ximbi het reeds geloop en hy is nie hier vir die debat nie. 'n Leier van my, Dr Frederik van Zyl Slabbert, het op 'n stadium op die

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stoel gesit waarop agb Ximbi sit, waar hy in hierdie vertrek teen apartheid baklei het. Hy het eenkeer vir 'n Nasionale Party Minister gesê: "As jou brein dinamiet was het hy nie genoeg krag gehad om jou bril van jou neus af te blaas nie."

English:

Helen Suzman, who sat in these very benches, fighting against apartheid, on behalf of my party said: "I stand for simple justice, equal opportunity and human rights - the indispensable elements in a democratic society and well worth fighting for." The fight continues.

Mr E MAKUE: Chairperson, the speaker at the podium is misleading himself and now thinks he can mislead everybody else. Neither Helen Suzman, nor the other person he mentioned was a member of the DA. The DA was only established after 1994 because of the freedom that the ANC broad to this country.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Makua, that was not a point of order but a point of clarification.

Mr G MICHALAKIS: Hon Deputy Minister, I can promise you that you will be there. You will be there when the DA turns this country

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around. We, as a country, have a lot to do to regain the respect of the international community that we have lost under the ANC. As a government, there is even more work to do to regain the respect of the people for our democratic institutions. That work starts on 8 May with a new, caring, respectful and above all decent government led by the DA. Thank you.

Dr H E MATEME: Chairperson, in the interest of time ... your indulgence. Allow me talk from where I am.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay! Continue hon member.

Dr H E MATEME: Chairperson of Council, Deputy Chair, Chief Whip, Ministers present with us here, hon House Chairpersons, Whips, chairpersons of committees, special delegates, We have reached the pinnacle of the fifth term of our Parliament and our 25th year of majority rule. When we started on this journey exactly five years ago on 23 May 2014, we took an oath of office to solemnly affirm that we will be faithful to the Republic of South Africa and will obey, respect and uphold the Constitution and all other laws of the Republic. We also undertook to perform our functions as delegates to the National Council of Provinces to the best of our abilities and capabilities. I was sworn in as the Chief Whip of this Council. I

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would like to take this opportunity - first and foremost - to express my heartfelt appreciation for your support in the three years and three days I was the Chief Whip of the Council. I am truly grateful to have worked with men and women of integrity and purpose who are driven by our solemn commitment. I would like to thank the Chairperson of Council, the Deputy Chair, our two House Chairpersons, provincial Whips, Whips of parties and chairpersons of committees for your support. Also Chief Whip Mohai for his logistical support and the support that he gave once I left the office. If there is anybody that I offended during that time I would like to apologise most profusely. I did everything with the purest of intentions and a good heart.

Coming to human rights ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon Dr Mateme! Hon Dr Mateme, please take your seat. The hon member ... you are standing?

Ms T G MPAMBO-SIBHUKWANA: Yes hon Chair.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Why hon member?

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Ms T G MPAMBO-SIBHUKWANA: Chair, on a pint of order: I just want to remind the hon speaker, Dr Mateme that it is not farewell speeches yet. [Laughter.] Okay! Bye!

The HOUSE CHAIRPERSON (Ms M C Dikgale): That is not a point of order. Continue hon Mateme.

Dr H E MATEME: With regard to human rights I would like to premise my speech on two expressions, one is in Zulu the other is in Tswana. In Zulu ...

IsiZulu:

... indlela ibuzwa kwabaphambili. [Ubuwelewele.] [Ihlombe.]

English:

The Tswana expression says ...

Setswana:

... e kgotswa e le maoto mane

English:

I would like to indicate to those who dream of the day they maybe become the ruling party of this country, they are going to be having

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"angels" to implement their programmes. For the "angel" experiment they must ask the people of Engcobo. They failed dismally with only Seven Angels. If they are going to be implementing their programmes through human beings they must remember that ...

IsiZulu:

... indlela ibuzwa kwabaphambili.

English:

It does not give us joy to listen to hon Michalakis here preaching and pontificating about pit toilets. During the apartheid, can we be told how many proper toilets were built for African children in African schools? Can we be told? [Interjections.] The ministers in this House remind us that, "to err is human and to forgive divine". As the ANC we do not claim to be faultless. We do not claim to be angels and we have nothing to hide. Hence we have the Zondo commission and other commissions. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order members! Order!

Continue hon member.

Dr H E MATEME: We have nothing to hide hence we have these commissions and the commissions are indicating to us where we have

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gone wrong. It is a known fact that the ruling party is also putting in place corrective mechanisms. [Interjections.] The National Prosecuting Authority, NPA, has just brought in a new energetic lady, Ms Batohi and this ruling party has also ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order! Hon Mateme, the hon member Oliphant and the hon member Mpambo-Sibhukwana ... please, don't drown the speaker. The speaker is debating on the floor. Please, let's allow her to ... [Interjections.] the hon Oliphant ... hon Oliphant please; let's have order in the House. Continue hon member.

Dr H E MATEME: The ANC as a champion of human rights and a leader of society ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Continue hon member.

Dr H E MATEME: ... has put in place mechanisms that are going to correct all the ills that members of the opposition are complaining about. And I would like to reassure them that the people of this country know which organisation liberated them from the bondage of the past. The people of this country know which government - led by the ... is feeding their children in schools everyday. The people of

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this country know about free education at tertiary level. The list can go on and on.

I would like to dispel the myth. There is a myth which says, where the official opposition governs is a land of milk and honey. It is a myth. And they also like comparing apples with oranges. Life Esidimeni was thoroughly investigated and the facts were brought to the fore ... [Interjections.] and solutions are being put in place. I put it to the official opposition ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon member Oliphant, I am sure you do not want to go out. Please, let's have order in the House. Continue hon Mateme. [Interjections.]

Dr H E MATEME: ... that the day is still to come where we will have a forensic investigation about the hospital in Khayelitsha.

[Applause.] We need a forensic investigation ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon member Mateme, please take your seat. Hon Smit, you are on your feet?

Mr C F B SMIT: Hon House Chair, I have a point of order.

[Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Order!

Mr C F B SMIT: Just in terms of the Rules of this House, if you can just remind the hon member here in front of me that it's not allowed to walk in front of another member while they are speaking within the House.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you for the reminder. The order is really in order. Continue hon Mateme.

Dr H E MATEME: It is only on the basis of the outcome of the forensic audit about the hospital in Khayelitsha that we can then begin to compare the Khayelitsha situation ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon Mateme, the debate is very hot, the hon Essack is on his feet. Please take your seat. [Interjections.] Hon Essack! Why are you standing?

Mr F ESSACK: Hon Chair, on a point of order: Through you ... [Interjections.]

AN HON MEMBER: I'm from there!

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Order hon Oliphant!

Mr F ESSACK: ... if I can find out if the esteemed member will just take a simple question? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay! Hon Mateme, are you ready to take the hon Essack's question?

Dr H E MATEME: No! No Chairperson.

The HOUSE CHAIRPERSON (Ms M C Dikgale): She is not ready. Please take your seat. Continue hon Mateme.

Dr H E MATEME: ... after that forensic investigation then we can compare issues. On the myth of jobs that more jobs were the official opposition ... [Interjections.] yes, it is human rights. Jobs are human rights.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Don't talk to them hon Mateme, continue with your debate.

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Dr H E MATEME: Yes. Statistics SA ... [Interjections.] the EFF governs with the DA in Tshwane and unemployment there ... [Interjections.]

AN HON MEMBER: And there is nothing you can do about it.

Dr H E MATEME: ... has gone by 46 000 people and according to Statistics SA ... [Time expired.] [Interjections.] [Applause.] Thank you very much.

IsiZulu:

Ibuzwa kwabaphambili.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you very much, House Chair. Hon members, according to the ANC's Strategy and Tactics document as adopted at the Morogoro conference in 1969, we make the following point that: "In real life ... radical changes are brought about not by imaginary forces but by those whose outlook and readiness to act is very much influenced by historically determined factors".

The ANC, as a disciplined force of the left, has always understood the world as it really is, which is broadly speaking, a material

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approach – an approach which treats the world as a material force in its own right, that of course, exists independently of what we may think it is like to be.

South Africa's human rights development must be understood from the historical background of colonialism and apartheid. As Mike Nicol, a novelist reminds us, "Cape Town was founded on slavery. In the middle of Cape Town's, Spin Street – just here next to Dr Abrahams' surgery where we normally go to – is a low, round cement memorial. An inscription in English and Afrikaans reads, 'On this spot stood the old slave tree'. In front on the right is the Groote Kerk. Opposite it – just here outside Parliament – is the SA Cultural History Museum. Round the corner is Parliament" ... which tells us of the history and evolution of slavery here in Cape Town. That is a spot where human beings like Africans, the Khoi, the San, were sold like cattle from a master to a master. [Interjections.]

I invite you to go and read that plaque ... [Interjections.] ... because it will teach you how a Mr, unfortunately and very fortunately in this House ... because that is where some of our forebears participated in those human rights abuses ... and it is a slave master like the name of Smit. The name is spelt Smit ... [Interjections.] ... exactly the same way that hon Smit's surname is

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written. There is a Mr Smit, a slave owner who sold our forebears to his forebears. [Interjections.] It is the same. If you go to that particular spot ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order members!

The DEPUTY CHAIRPERSON OF THE NCOP: Through you Chair, it is a shame because I would've reminded hon Julius, hon Mpambo-Sibhukwana ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member Tau, please take your seat. Take your seat, hon Tau. Hon Tau? Can we have order? Hon Tau, the hon member is standing. Can you please take your seat? Thank you very much. There is the seat behind you. Hon Labuschagne?

Ms C LABUSCHAGNE: Thank you very much, hon Chair. I would like to know if hon Tau will take a question. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member, are you ready to take a question?

The DEPUTY CHAIRPERSON OF THE NCOP: Let me take the question.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, he's ready.

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Ms C LABUSCHAGNE: Thank you, hon Chair. I would like to know if hon 'Chau' is saying ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Tau, not 'Chau'.

Ms C LABUSCHAGNE: ... Hon Tau ... if he is saying that hon Smit is a slave-trader. Is that what he is implying? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member Labuschagne, you did not listen well but as long as he said you can continue with the question we will allow him to repeat himself. However, that's not what he said. [Interjections.]

Ms C LABUSCHAGNE: Hon Chair, on a point of order: I really object to the fact that you are interpreting my question from the Chair. You gave me a point of order and I asked the question. He must answer the question.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Tau?

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Chairperson, it is a matter of fact. It is hon Smit's forebears. It is a farmer Smit that is written there. It is his responsibility to go and check his own

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history ... family tree ... whether his great grand, grand, grand, grandfather did not participate there. It is not for me. I don't know. [Interjections.] He must go and check. [Applause.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much. That was the hon member Tau's response to Labuschagne's question. Hon Smit, you are standing on your feet.

Mr C F B SMIT: Hon House Chair, point of order: The hon Tau is misleading South Africa. There's not only one Smit who came to South Africa. I come from Schmidt, from Schleswig-Holstein in Germany. That's where my family comes from.

The HOUSE CHAIRPERSON (Ms M C Dikgale: Hon Smit, you know very well that what you are doing is not correct. You cannot debate from the chair. Your time will come, if ever, and then you will be able to debate. Continue hon Tau. Hon members! Hon members, let's allow the hon Tau to continue the debate.

The DEPUTY CHAIRPERSON OF THE NCOP: Thank you, Chairperson. It's even worse that there's a German history as well, knowing very well what Germans did to nonGermans. So it's even worse. [Laughter.] Now ...

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member Labuschagne ... [Interjections.] ... I'm not going to allow you to debate, mama. We are done with that question, unless you are standing on another question.

Ms C LABUSCHAGNE: I'm standing on a point of order Chair.

The HOUSE CHAIRPERSON (Ms M C Dikgale): What is the point of order?

Ms C LABUSCHAGNE: The point of order is that this debate is on human rights and, I do agree that it is a political debate. However, we must be very careful in this debate about going to a point where we use hate speech in a speech in this Parliament.

An HON MEMBER: No.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon member Labuschagne, you are totally out of order and I'm not going to allow you to debate from where you are. Allow the hon member to continue with the debate. Continue hon Tau.

Mr G MICHALAKIS: House Chairperson, on a point of order.

[Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon MEC, let me allow you to ... I'll come back to you, hon Michalakis.

Ms B TUNYISWA: EASTERN CAPE: MEC - SPORT, RECREATION, ARTS AND CULTURE: I just want to check if hon Tau can take a question. ... If it's maybe possible to allow the hon member to just talk a little bit about historical and dialectical ... [Inaudible.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon MEC, you cannot ask the question before the hon member says he is ready. Are you ready to take a question, hon Tau?

The DEPUTY CHAIRPERSON OF THE NCOP: In anticipation, can I continue?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay. ... another point of order, sir. Hon Michalakis?

Mr G MICHALAKIS: Thank you for the opportunity, hon House Chairperson. I would like to ask you that ... If I heard correctly, the last statement made by the hon Tau was blatantly racist towards South Africans of German descent. I would like to request that you refer to the Hansard and ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Order members! Order! Order! Can I please listen to what the hon member is saying? Allow him to say whatever he wants to say please.

Mr G MICHALAKIS: Thank you, hon House Chairperson. We cannot allow blatant racism in this House. So, I would like to request you – if you didn't hear it yourself – to go to the Hansard, to check the words of the hon Tau and to come back to the House with a ruling as to whether his last statement was indeed racist towards South Africans of German descent. Thank you. [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Point of order taken, hon Michalakis. Continue hon Tau. [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Hon Chairperson, I will continue to emphasise the fact that South Africa's human rights history, or the historical context of it, cannot be seen outside of the abuses that the African people were subjected to right from colonialism and apartheid ... [Interjections.] ... and I'm very firm and unapologetic about that one. [Applause.] We were subjected to bad conditions.

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The ideology of white supremacy also enforced the deliberate disenfranchisement of Africans and intentionally excluded them from enjoying ...

The HOUSE CHAIRPERSON (Ms M C Dikgale): Order, order hon members! If ever the hon member Labuschagne continues to do what she is doing I will request the Table staff to shift the members, starting from that corner, because you know, she is totally drowning out the speaker and we cannot allow that.

Ms C LABUSCHAGNE: [Inaudible.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Labuschagne, huh uh! [Interjections.] Continue hon Tau. [Interjections.] Hon Oliphant! [Interjections.]

The DEPUTY CHAIRPERSON OF THE NCOP: Chairperson, I will say it's fine. I will never be drowned out in any case.

The apartheid system should not only be equated with the violation of the civil and political rights of black South Africans. The systemic violation of the economic, social and cultural rights of black South Africans was an integral part of the apartheid project.

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The state collective, under the leadership of the ANC, is grappling with the remaining effects of white privilege, and such an issue that we could speak to ... as that came ... ever since our democratic breakthrough in 1994, is the question of understanding the laws that were put together by one of the greatest philosophers of the 19th century, Karl Marx, where he spoke to the laws of dialectics. That breakthrough ... we have always understood it to be a unity of opposites, and many cannot understand the reason why some of us would still subscribe to dialectical materialism. [Applause.]

Black people suffered gross inequality to access ...

[Interjections.] No, no, no, let me just give you an example to show and to illustrate this point of the unity of opposites. This crisis still persists precisely because of the fact that the old is not prepared to die. Go and read Gramsci, one of those philosophers advancing historical materialism. He will tell you why the old is not prepared to die. [Interjections.]

A typical and empirical example of those who refuse to die is Vicki Momberg, who was convicted – of course now she has appealed – of crimen injuria in 2018 ... [Interjections.] ... for using the kaffir word 48 times towards a black officer who was there to assist her after she experienced a ... What do you call it? A smash and grab

incident. It's a typical example of those who refuse to die ...
[Interjections.] ... who refuse to accept the ... [Inaudible.]
Unfortunately, I've not heard the DA making a statement about that.

Black people suffered gross inequalities to access social services resources and economic opportunities. Our communities were deliberately underdeveloped and lacked adequate sanitation, water, and refuse removal services, as well as decent housing, schools and clinics.

Several restrictions were placed on the rights of black workers. Job reservation, a product of both statute and convention, reserved many of the skilled and well-paid jobs only for whites. We would understand – not only now – the mining revolt in the 20s. You would understand why that was such a revolt in the gold mines and so forth. [Interjections.]

In the Western Cape, the government applied, of course unapologetically, a coloured labour preference policy which severely limited the employment opportunities for African workseekers in the region, and created racial friction between African and coloured workers. This racial friction is still being implemented by the government of the DA in the Western Cape.

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Cultural rights were violated through manipulating the system of African customary law and codifying it into a rigid system which could not adapt appropriately to social and economic changes. Rural women were particularly disadvantaged. These conditions reproduced and perpetuated inequality. They broke a fundamental nucleus of society as espoused by Karl Marx, which is the family, because once the family is destroyed, society is severely affected. That's why we are dealing with some of these problems that we are faced with today.

Under the leadership of the ANC, eight out of 10 South Africans, including those in rural areas, have had their homes electrified since 1994. Six out of 10 South Africans have access to clean drinking water, which was not there before. Today the figure has even increased to nearly nine out of 10 South Africans, from what we inherited in 1994.

The DEPUTY CHAIRPERSON OF THE NCOP (cont): We have achieved near universal access to basic education for young children of 14-17 years of age. Even in the state of the nation address, the President spoke about a further focus on early childhood development, ensuring that our children not only come across real and formalised education at the point when they go to primary school. [Interjections.]

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Despite the highlights and gains of a democratic state...

[Interjections.] Of course, the support for the TVET college students from poor and working class background has increased tremendously. Although, amidst serious challenges that the Department of Higher Education is looking at and is addressing.

Despite the highlights and gains of a democratic state, the challenges still facing South Africa are immense with poverty, inequality and unemployment still affecting vast majority of our people. However, we did not stand still. We said we are going to deal with issues of transforming the economy of South Africa radically. That became our role here in parliament, in doing exactly what is expected as people's representatives.

We dealt with the National Minimum Wage Bill which seeks to address radical economic transformation. We dealt with the Public Audit Amendment Bill which seeks to give the Auditor-General more teeth to be able to deal with matters related to accountability. [Applause.] We dealt with the Bill that is related to Infrastructure Development Act of 2014, which will accommodate and ensure that artisans - African artisans in particular - young women and young people have access to infrastructure development and therefore also participate in the mainstream of the economy. [Applause.] [Interjections.]

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We have also dealt with the Competition Amendment Bill, as the ANC-led activist and developmental Parliament, to ensure that competition is open to all in South Africa. We deal cartels. We deal with people who fix prices. We deal with things that would ordinarily disadvantage Africans in particular, which the DA opposed in so far as those Bills are concerned.

We stand here to urge South Africans to always be analytically aware that the revolutionary-sounding phrases do not always reflect revolutionary policy; and revolutionary-sounding policy is not always the springboard for revolutionary advance. Indeed, hon Oliphant, what appears to be 'militant and revolutionary' can often be counter-revolutionary. It is surely a question of whether, in the given concrete situation, the course or policy advocated will aid or impede the prospects of the conquest of power.

Let us always remember that it is naive to believe that oppressed and beleaguered people cannot temporarily, even in large numbers, be won over by fear, terror, lies, indoctrination and provocation to treat liberators as enemies. This is exactly the position of the opposition now, wanting to brand the current democratic progressive government as the enemy of the people. We should not be blind to the

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fact that our people might be trapped into that indoctrination and populism due to the level of their poverty. [Interjections.]

After indoctrinating our people and making them believe that the current democratic state is an enemy to them, the opposition want to occupy a posture that says they are the real liberators.

[Interjections.] This is without really looking at the role they played in entrenching, protecting and advancing apartheid colonial laws and contracts.

We need to go down to be analytic, advocate and tell our people that laissez-faire liberalism as espoused by the DA will not progressively take South Africa forward. Theirs is about deregulation of the market. They propagate for free trade and diminish state influence on the economy through privatisation and fiscal austerity. This is where the poor people shall be disregarded and be called names because being poor would be seen as their fault, not the system.

They are against National Health Insurance, Broad Based Black Economic Empowerment, land expropriation without compensation and any form of destroying any remnant of apartheid colonialism.

Instead, they will do anything to defend that. In 2018 the Public

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Protector found the tweet about Colonialism by the Western Cape Premier, Helen Zille, in violation of the Constitution and Executive Ethics Code. But until today, what did the DA do to Zille?

[Interjections.] Nothing! She is still in office. [Interjections.]

The DA is an organisation that is committed to defending white privilege and to preserve the status quo. Hence, they could not intervene in the situation of Ms Stuurman's situation. We came to hear about Ms Stuurman's situation when we took Parliament to the people in the Western Cape. She is a person living with disability, on a wheel chair.

She has been appealing to the Western Cape administration and to the local municipality without any assistance until it was brought to our attention as the National Council of Provinces. Together with the Department of Human Settlement we dragged the provincial and local spheres into our programme in ensuring that Ms Stuurman gets what she deserves, as a human drive. [Applause.] Today, as we speak, a house was delivered to Ms Stuurman.

We are a caring, activist and a developmental-driven people. As we sit here as Members of Parliament, that is our attitude to the kind of Parliament that we always endeavour. We want to build South

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Africa together with our people. While doing that, we will not be surprised that today we are accused of plagiarism. For what?

We have always been an inclusive organisation and an inclusive government. We have always said, "Together with our people, we will change South Africa for the better." At no stage have we seen South Africa as a country separated and polarised according to racial, ethnic and other forms of discrimination. That is why the fundamental principle of the National Democratic Revolution is the, "Creation of a nonsexist, nonracial and united South Africa".

It is only now that the DA is beginning to realise that we need one South Africa. For all this time, they have been seeing the Western Cape as not part of South Africa. However, today they are telling those that believed them that, yes it is true, it is time to build one South Africa, when in actual fact, the ANC ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): The hon member, Hattingh is up! Hon Tau, please take you seat. The hon Hattingh, you are on your feet?

Mr C HATTINGH: Hon Chair, I would like to know whether the hon Tau will take a question about what he has now ... [Interjections.]

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The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Tau, are you ready to take the hon member Hattingh's question?

The DEPUTY CHAIRPERSON OF THE NCOP: How many minutes do I have? I have prepared ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): You are left with two ... or one minute!

The DEPUTY CHAIRPERSON OF THE NCOP: Okay. No, I am not prepared.

Mr C HATTINGH: I wanted to ask you ... [Interjections.] I wanted to ask you about ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): No, he is not prepared! You can't do ... [Interjections.] Hon Hattingh!

The DEPUTY CHAIRPERSON OF THE NCOP : I am not! [Interjections.] No, no, no, I want my minute. [Interjections.] I want to use my minute.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Hattingh, take your seat! [Interjections.]

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Mr C HATTINGH: I want to ask you about looting of the SOEs!

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Hattingh, take your seat! Continue to conclude, hon Tau!

The DEPUTY CHAIRPERSON OF THE NCOP: House Chairperson ...

[Interjections.] Ours is about the creation of a united South Africa, where women and young people, the poor and the rich people, where people of all different races shall live together! We cannot wake up today and realise that we need one South Africa; we knew that way long before until South Africa was divided as a result of the introduction of white supremacy legislation and so forth. That divided South Africa!

Yet, today in these elections campaigns, we are being told that we need one South Africa. It has always been the position of the ANC. Before I sit, hon House Chair, may I take the opportunity to reprimand hon members who are very hypocritical when they ascend the podium? Hon Michalakis speaks about the international role that we play and what we have not done, as well as what we have done with China.

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However, what he is not telling us is that we don't want to be like Greece. Greece committed to a point wherein it collapsed its own economy, and he is an economist. He wants to be smart with us but he knows what happened in Greece! He knows as a result of what Britain is grappling with today, and what the problems are! He is not telling us what the US is trying to do through the UN in Venezuela is wrong!

He is not telling us that what Israel is doing against the ... Palestine is wrong! [Interjections.] [Applause.] He is not telling us! He is not supporting that, but here he wants to come and grandstand as if he is a human rights activist. No, he is not! How many human right abuses has the United States for instance committed, undermining the United Nations Declarations and Resolutions? [Time expired.] Thank you very much. [Applause.]

Debate concluded.

**CONSIDERATION OF NATIONAL QUALIFICATION FRAMEWORK AMENDMENT BILL,
B20, B218, NATIONAL ASSEMBLY, SECTION 75 AND REPORT OF SELECT
COMMITTEE ON EDUCATION AND CREATION THEREON**

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Ms L L ZWANE: House Chairperson and hon members, on behalf of the Select Committee for Education and Recreation. May I take this opportunity to present before the House the National Qualification Framework, NQF Amendment Bill B20 of 2018.

The processing of the Bill at the level of the Select Committee was as follows on the 30th of January, the Select Committee received a briefing by the Department of Higher Education and Training. The inputs were invited from the members of the public to make comments on the intended amendments and only 5 submissions were received at the level of the Select Committee as they were processed by the Department of Higher Education and Training, and members were briefed as to how those inputs were crafted into the intended amendments of the Bill

The crux of the Bill if I may just explain briefly Chairperson is that powers are being conferred on to the South African Qualification Authority to be the official custodian of all database of all qualifications in the country. In other words, there could be other bodies that are actually dealing with the database on qualifications but South African Qualification Authority, SAQA is the official body that this Bill seeks to appoint as the authority to take care of all the database of qualifications.

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This is also a body that can be used to verify the qualifications or part of the qualification of any individual in the country. Not to say that other bodies can not do the same but this is an official. Bodies that submitted inputs were USAF, University South Africa, Manage Integrity Evaluation (Pty) Ltd, Umalusi, Chartered Accountants and Independent Institute for Education.

On the 20th of February, the committee came together to relook at the inputs as they were crafted by the Department of Higher Education and Training which led to another meeting on the 6th March 2019, where members that were present at the committee actually agreed to vote on the Bill.

Members that were present are as follows hon Zwane, hon Ngwenya, hon TK Mampuru, hon Mpambosi-Bhukwane, Hon Hattingh, and hon Stock. The voting process took place and of the 7 members that were present, the DA decided to vote against the Bill.

I therefore present the Bill before the House for consideration.

Thank you Chairperson.

Debate concluded.

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Question put: That the Bill be agreed to.

The HOUSE CHAIRPERSON (Ms M C DIKGALE): Can I ask request hon Mapuru to assist us with counting. Hon Mampuru please assist us. There is no one who is abstaining, how many voted in favour? 30 members voted in favour..

Mr C HATTINGH: Hon Chair, I don't know whether this is the ANC's manner of voting, but you never asked who is opposing. You only asked who is in favour or abstaining, what type of voting is this? This is not the ANC, it's the NCOP.

The HOUSE CHAIRPERSON (Ms M C Dikgale): oh okay hon Hattingh, thank you very much that. We are representing the provinces in this House; we are not in National Assembly. Is there anybody who is against the Bill?

The HOUSE CHAIRPERSON (Ms M C Dikgale): There are four, are they not 4? Confirmed they are four. Thank you very, they did raise their hands. Hon members please don't confuse us. Can I for the last time check those members who are against? There are four hon members. The majority of members have voted in favour, I therefore declare the Bill agreed to in terms of Section 75 of the Constitution

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Division Demanded (Mr C HATTINGH): May I ask for ask for a division, please.

The HOUSE CHAIRPERSON (Ms M C Dikgale) the hon members is asking for a division, actually hon member, you are very late because we have already voted Hon members, we are done now. We are going to request the secretary to read another order for the day. I have been advised that I should allow for a division, hon members. Can we divide the House? The bells will ring for three minutes.

The HOUSE CHAIRPERSON (Ms M C Dikgale): We were waiting for our time to lapse, now it has lapsed

Bill agreed to in accordance with section 75 of the Constiotution.

The HOUSE SUSPENDED AT 16:39 AND RESUMED 16:42.

DEFENCE AMENDMENT BILL

(Consideration of Bill and of Report thereon)

Dr H E MATEME: Chairperson, the Select Committee on Security and Justice, having deliberated on and considered the subject of the

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Defence Amendment Bill, B18 of 2017, a National Assembly section 75 Bill, referred to it and classified by the Joint Tagging Mechanism, JTM, ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay, what is the point of order? Hon Mateme, please take your seat.

Mr L P M NZIMANDE: Chair, we are here to record the Division, isn't it?

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay!

Mr L P M NZIMANDE: Procedurally, we can't go to another order. Let's conclude the Division on the last order, so that the status of that Division is recorded.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much, hon Nzimande. Rule 66 guides us about the procedure for Division:

A division takes place in accordance with the following procedure:

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(a) The officer presiding must order the bells to be rung and, after the bells have rung for three minutes, order the doors to the floor of the Chamber to be locked.

(b) When the doors have been locked, no member is allowed to enter or leave the Chamber until the result of the division has been declared.

So what happened now is that those people who called for a Division did not come back to the Council; hence we are proceeding with the work of the day. It is only one member who returned, which did not even call the Division. So, can we please continue, hon members? The hon Zwane!

Ms L L ZWANE: Chairperson, I seek further clarity: What is the status of the voting process that we engaged in? [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Okay! The status remains; we are not going to change anything: Thirty members voted for the Bill to be adopted; and then four members voted against. So, we continue! The hon member, Mateme!

Dr H E MATEME: The Select Committee on Security and Justice, having deliberated on and considered the subject of the Defence Amendment

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Bill, B18 of 2017, a National Assembly section 75 Bill, referred to it and classified by the Joint Tagging Mechanism, JTM, as a section 75 Bill, reports that it has agreed to the Bill with proposed amendments. The rest of this report has appeared on the Announcements, Tablings and Committee reports annexure, ATC; allow me to go to the recommendations and conclusion.

The committee considers that the Bill, with the amendment as proposed by the Department of Defence, is important in ensuring the effective functioning of the department and that the Bill will go a long way in aligning the Defence Act of 2002 with current organisational requirements that will enhance the efficiency of the Department of Defence. The Select Committee on Security and Justice, having considered the Bill, recommends that the Council approves the Bill with the amendment. We so present! [Applause.]

Debate concluded.

Question put: That the Bill be agreed to.

There were no declarations from political parties.

Voting:

Manual counting of votes was held.

The HOUSE CHAIRPERSON (Ms M C Dikgale): Thank you very much. Do we have those who voted against? We don't even have those who abstained. Thank you very much. Thirty members voted in favour. So, the Bill is ... [Interjections.]

Mr E MAKUE: Chairperson, can you help me understand: Does that mean the Council is unanimous? [Laughter.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Yes, hon chairperson! So, the Bill is agreed to.

Bill, subject to proposed amendment, agreed to in accordance with section 75 of the Constitution

**CONSIDERATION OF THE LEGACY REPORT OF THE AD HOC COMMITTEE TO
INQUIRE INTO THE NORTH WEST SECTION 100 INTERVENTION - 2019**

Mr C J DE BEER: Hon House Chairperson, hon members, the ad hoc committee to inquire into the North West intervention was established by the National Council of Provinces to facilitate inquiries and also to conduct oversight in terms of section 100 of

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the Constitution of the Republic of South Africa, 1996, in order to pronounce on whether the intervention in the North West provincial government is warranted or not.

The adopted committee report dated 30 October 2018, resolved that the intervention was indeed warranted and contains recommendations proffered by the committee in order to give meaningful effect to its purpose and mandate, as well as the implementation, monitoring and evaluation of the intervention.

This report provides a summary of the progress made in implementing the executive directives and committee recommendations sets out key achievements since the inception of the intervention and highlights critical issues to be followed up by the Sixth Parliament. This will further ensure continuous engagement between Parliament, Interministerial Task Team and the North West government until the intervention addresses most of the challenges set out in the diagnostic reports and until that stage that the national executive terminates the intervention.

Section 100, referring to sections 100(a) and 100(b) gives a legislative framework that guides the intervention in the North West

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province. I am not going to repeat that since it is stated in the Constitution.

The departments under section 100(1)(a) is the North West Department of Social Development; the Local Government and Human Settlements; the Department of Finance, Economy and Enterprise Development; the Department of Tourism; and the Department of Rural Economy and Agricultural Development.

The departments under Section 100(1)(b) is the North West Office of the Premier; the Department of Health; the Department of Education and Sport Development; the Department of Transport and Community Safety and the Department of Public Works and Roads.

The report also gives a dashboard sequence of events and milestones of the North West Intervention in terms of section 100(1)(a) and 100(1)(b) and this is in our committee report that was tabled in October.

There cross cutting issues to be followed up in the Sixth Parliament. The Department of Public Service and Administration, the Co-operative Governance and Traditional Affairs, the National Treasury and the Department of Planning, Monitoring and Evaluation

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should develop legislation to guide the implementation of the intervention, in terms of Section 100(3) of the Constitution.

The Interministerial Task Team, IMTT, should ensure the sustainability of the intervention post the intervention referring to the following: sound financial management systems; internal controls, governance and accountability systems; that supply chain management processes are improved; improved service delivery because that has collapsed; the prevention of irregular expenditure, unauthorised, fruitless and wasteful expenditure; audit findings to be addressed on a continuous basis; and that the NCOP should monitor all the disciplinary actions taken, as well as criminal investigations.

The IMTT should table a financial report for all the 10 departments under the intervention during the Sixth Parliament since it was unable to do so in the Fifth Parliament. This will assist Parliament to have a complete picture for both performance and the fiscal position of the North West province.

The intervention is now in its implementation phase of the action plan to be followed by the recovery phase. The exit phase and strategy has to be done in such a way that it ensures sustainability

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of the intervention post the intervention and that the set objectives are met.

In conclusion, great strides have been made since the NCOP approved the intervention in the North West provincial government on 31 October 2018. The various sector departments have engaged in the process of implementing both the executive directives and committee recommendations by rebuilding the supply chain management systems and internal controls management processes which had collapsed before the intervention.

Steps have been taken to terminate irregular contracts and the Hawks are investigating 46 cases, while the SIU is investigating 44 more cases. Some officials who were implicated in the wrong doing have resigned and some have been suspended and disciplinary actions are underway.

The list of the service providers who were overpaid has been compiled and the consequence management process is underway. This incident should serve as a case study and a lesson for other provinces and other spheres of government, where they need to ensure that financial management systems, supply chain management and internal controls are sound and solid. It should also serve as a

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lesson that there is a need to further strengthen, monitoring and evaluation function across government as well as the internal audit units and ensure the appointment of the independent audit committees.

The provincial legislatures should implement closer monitoring and evaluation and ensure robust oversight over provincial government departments and provincial entities, including proper political oversight. These calls for collaborative and synergic efforts from all the relevant bodies whether internal or external oversight bodies to join hands and work together to push back the frontiers of poverty and ensure a better life for all North West citizens because the people come first.

Hon House Chair, I appreciate and appreciation goes to all the members of the ad hoc committee for the value they added in the committee work and the expertise they brought to the table. Also appreciates our professional committee staff for the excellent work they did to support the committee. I hereby table this report for consideration. Thank you, House Chair.

Debate concluded.

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Question put.

[TAKE IN FROM MINUTES.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon members, we cannot really allow the hon member ... even if she wishes to support and she does not have a mandate. We do have two members from Western Cape but they don't have the mandate. So, I am very sorry, hon Prins.

Report accordingly adopted in accordance with section 65 of the Constitution.

**OVERSIGHT VISIT TO THE GAUTENG PROVINCE TO CONDUCT OVERSIGHT OF THE
VANDERBIJLPARK POLICE STATION, AND TO OVERSEE THE WORKING
RELATIONSHIP BETWEEN THE SAPS, THE NATIONAL PROSECUTING AUTHORITY
AND THE DEPARTMENT OF CORRECTIONAL SERVICES IN EMFULENI TO REDUCE
CRIME IN THE AREA, HELD ON 17 OCTOBER 2018**

(Consideration of Report of Select Committee on Security and
Justice)

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Dr H E MATEME: Chairperson, thank you very much for this opportunity. Report of the Select Committee on Security and Justice on an oversight visit to the Gauteng Province to conduct oversight of the Vanderbijlpark Police Station, and to oversee the working relationship between the South African Police Service, SAPS, the National Prosecuting Authority, NPA, and the Department of Correctional Services in Emfuleni to reduce crime in the area, held on 17 October 2018; report dated 6 March 2019.

Chairperson, the rest of the report appears on the Announcements, Tablings and Committee Reports, ATC; allow me to go to the recommendations. The committee recommendations are as follows:

Proposal for Department of Labour to continue to provide skills for incarcerated offenders. The Services Seta should be involved in offering offender rehabilitation programmes.

The Committee proposed that the Department of Correctional Services should meet with the Department of Home Affairs to process foreign prisoners at the correctional facility.

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The Select Committee on Security and Justice recommends that the National Council of Provinces approves the report. We so submit, Chairperson.

Debate concluded.

Question put.

VOTING

Report accordingly adopted in accordance with section 65 of the Constitution.

CONSIDERATION OF REPORT OF NCOP LOCAL GOVERNMENT WEEK:

8 - 10 MAY 2018

Mr A J NYAMBI: House Chair, Chairperson of the NCOP, Deputy Chair, colleagues and friends.

The local Government week was convened over three days under the theme, *Land Use: Towards Integrated Spatial Planning*. Mayors and executive mayors from local and district municipalities respectively, as well as the leadership of South African Local

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Government Association, SALGA, and the NCOP converged to share experiences in an atmosphere which was characterized by a spirit of openness and great camaraderie. This openness is evident in the report, as Announcements, Tablings and Committee Reports, ATC, which we wish to table before this House today.

Whereas there is a sense that municipalities are making strides in ensuring that service delivery finds its way to the people that most deserve it, there is also an acknowledgement that more still needs to be done to eradicate poverty, inequality and unemployment.

As we shared experiences during the local government week on how we have fared as a country in the past few years, it became clear that the legacy of apartheid still looms very large. It is a monkey that we need to get off our backs.

Since time immemorial, apartheid's model of spatial planning prevented our communities from working, playing and praying where they live and this picture needs to change. We recognise that for this to happen we need to take note of and respond to all the distress signs, which characterize some of our municipalities as they battle eroded revenue and skills basis.

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We also examined and affirmed the critical role which all three spheres of government need to play in ensuring that, going forward, we work together in revitalizing rural areas and make them attractive to investors. This, we surmised, we can achieve when all three spheres of government subscribe to an integrated model of spatial planning.

The report also notes that SALGA's participation in the NCOP is not funded, thus calling for an urgent intervention in this area as we view SALGA as an important agent in repositioning local government to drive social change.

As I indicated, the detailed report has been ATC so allow me, House Chair, to so table the report. Thank you. [Applause.]

Debate concluded.

VOTING

Report accordingly adopted in accordance with section 65 of the Constitution.

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CONSIDERATION OF SECTORAL PARLIAMENTS - REPORT ON THE ROUND TABLE
DISCUSSIONS ON YOUTH DEVELOPMENT

CONSIDERATION OF REPORT OF THE WOMEN'S ROUND TABLE DISCUSSION, 1 - 2
SEPTEMBER 2015

CONSIDERATION OF NATIONAL WOMEN'S PARLIAMENT REPORT 2016

CONSIDERATION OF INTERNATIONAL CONFERENCE ON WOMEN AND CHANGING THE
WORLD OF WORK - GIVING EFFECT TO THE 61ST SESSION OF THE COMMISSION
ON THE STATUS OF WOMEN CONFERENCE REPORT: 29-30 AUGUST 2017

CONSIDERATION OF WOMEN'S CHARTER REVIEW CONFERENCE: 12 SEPTEMBER
2018

CONSIDERATION OF YOUTH PARLIAMENT REPORT 2016: FOLLOWING UP ON OUR
COMMITMENTS TO THE YOUTH - PARTNERING WITH THE YOUTH TO STRENGTHEN
LOCAL GOVERNANCE

CONSIDERATION OF CONSOLIDATED NATIONAL MEN'S PARLIAMENT REPORT: 19
NOVEMBER 2018 - CONSULTATION PROCESS FROM PROVINCES TO PARLIAMENT:
MEN TAKING ACTION AS CHAMPIONS OF CHANGE

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Mr R J TAU: House Chairperson, Chairperson of the NCOP, hon members, it gives me great pleasure to present the fifth Parliament sectoral engagements, covering the work we did in all these important public participation gatherings.

It was indeed another chapter in ensuring that our people are publicly involved on matters that impact on their lives. This was also further in line with the constitutional conjuncture, to ensure that Parliament provides a platform for the consideration of issues of national importance that affect all sectors within our society.

Let me just to remind members, if we had forgotten that in 2014-15, there were no sectoral activities precisely, because of that transitional period from one Parliament to the other and that affected the work of Parliament in so far as sectoral activities are concerned.

However, we find it to be quite of interest to have convened a round table on Youth Roundtable on the National Development Plan, NDP, in 2015. I will try my best, because of the nature of the report to speak to the objectives and resolutions of these issues, instead of really getting to the macro issues that informed the organisation of such.

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At the round table, we sought to provide an opportunity for young parliamentarians from all legislatures and young leaders from civil society organisations to debate the implementation of the NDP with a specific focus on matters relating to young people.

To enable Parliament and provincial legislatures to ensure that the appropriate policies are developed to realise the objectives of the NDP, in relation to the youth and where policies have been developed, that these are implemented accordingly

To create an opportunity for Parliament to demonstrate a deeper level of seriousness in dealing with the challenges of young people and find creative ways within the policy framework of finding solutions to problems facing the young people.

The resolutions emanating from the round table are as follows: that there is a need for stringent oversight on the implementation of the Youth Accord; the value of procurement of services and how youth can benefit from opportunities afforded in this regard needs to be examined and overseen by parliamentary committees whether it is a select committees in the NCOP or portfolio committees; to conduct a study on the potential of the Brazil, Russia, India and China, BRICS, youth forum in relation to advancing youth development and

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the promotion of sharing of facilities in order to create access to schools without facilities

The roundtable concluded with a declaration along with a unanimous agreement that the establishment of a Young Parliamentarians Multiparty Forum, focusing on youth development is a necessary structure to be established.

The establishment of a Young Parliamentarians Multiparty Forum would therefore enable the processing of youth related matters and enable strategic oversight to advance the youth empowerment agenda, which we put to be considered as a matter for the sixth Parliament.

We further went on to host the Women's Parliament in September, under the theme Accelerating Women's Empowerment and Development, through engendering the NDP and facilitating for Gender Equality.

We brought together a broad spectrum of women activists from Parliament, provincial legislature and civil society organisations. The proceedings emphasised the success made by the ANC government with regard to accelerating women's empowerment, including the launch of key reports on the status of women in the South African economy.

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South Africa's good ranking in international gender indexes and the increase in women's representation in Parliament. In addition, during the event a manual for Members of Parliament on mainstreaming the rights of women, children and people with disabilities was launched.

A key focus area during the deliberations was gender-responsive planning and budgeting and the positive impact this can have on the ability of programmes to accelerate women's empowerment. I am reading it out without further elaboration on that matter, because I know that members felt very strong on that particular issue.

In addition to gender-based violence, delegates also noted barriers to women's empowerment and development such as intimate femicide. The feminisation of poverty and health challenges such as cervical cancer.

The resolutions are as follows: that we need to improve our oversight and coordination in relation to gender-based issues and of course they must be prioritised and a national plan must be developed to deal with the scourge of gender-based violence; gender-responsive budgeting should be undertaken by all government departments; all provinces to establish Multiparty Women's Caucus, because we

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established that and in most of the provinces we didn't have such a caucus; there should be review of legislation to address the needs and challenges faced by sex workers; the Ministry of Women in the presidency should be adequately resourced and there be a strong mechanism to monitor and evaluate the programmes related to women's issues.

Linked to that, was the National Women's Parliament in 2016 that was held in partnership with the provincial legislatures paying tribute to and celebrating the resilience, resolve and fortitude of women in South Africa's struggle for liberation. The event was held at the Saint George Hotel in Irene Pretoria in 2016.

The theme was Women United in moving South Africa Forward. Delegates at the National Women's Parliament felt that women's participation in the economy remains largely undervalued if not completely ignored.

Women's mass entry into the workforce has produced significant attitudinal changes and South African government has taken legislative measures to combat inequality. While it is a progressive move that has the positive, there were gaps identified and the strong feeling came out of that say we need to do more.

The conference therefore resolved the following: that the feminisation of poverty is a significant challenge in women's economic empowerment; that gender inequalities in labour markets persist and that the pace and scale of transformation towards realising women's economic empowerment has been unacceptably slow; that access and effective usage of technology is key to unlocking women's economic potential; that Parliament needs to engage in oversight to ensure that the cost of access to broadband is not exorbitant, thereby excluding the poor from using it for their development, especially women in the rural areas; changing women's lives is not possible without the states ensuring that expenditure is planned and monitored from a gender perspective and that the gendered implications of all government programmes are clear unlike an earlier view of a lone participation of the role of the state.

The next event after the 2016 one was the Women's Charter Review Conference that was held in September 2018. The conference was centred on reviewing the Women's Charter for effective equality. The primary objective was to start a conversation on the progress made since the adoption of the charters. We reflected on 1954 Charter and also we looked at how the charter was then further developed in 1994.

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The Women's Charter was at the focal point of the Women's Charter Review Conference. The overarching themes and breakaway discussions were formulated from the articles contained in the Women's Charter.

Based on an amalgamation of the articles, the review conference was structured around five broad themes. These became the subject areas for the breakaway discussions and so forth. We looked at equality, law and administration of justice; health and social services; advancing inclusive economic growth, development and infrastructure; violence against women; education, training and the impact of the Fourth Industrial Revolution in the economy on how then women can access and play a role.

We resolved as follows: that issue of the lesbian, gay, bisexual, and transgender, LGBTI, community are often ignored in legislation and policy and this could be and not that only limited to that but should be addressed as a matter of urgency; that conference further resolved to integrate a gender perspective into the design, implementation and evaluation of development policies, plans and programmes, including budget policies and ensure coordination between line ministries, gender policymakers, gender machineries and other relevant government organisations and institutions with gender expertise.

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We further resolved that Africans in particular and black in general women must be prioritised in so far as the questions of the land redistribution plans are concerned; security of tenure for women, especially women in the farm areas and farm workers; a concerted efforts should be made to encourage and support girls in the Science, Technology, Engineering and Mathematics fields of study; that Parliament must ensure that it follows up on the review conference by ensuring that women across provinces are able to participate and give effect to the discussion on the review of the Women's Charter for Gender Equality. This review process will culminate in the adoption of Women's Charter that speaks to the prevailing challenges faced by South African Women today.

This process of further engagement in the sixth dispensation must be led by Parliament, as the nerve centre of people's power and people's participation.

On the matter related to young people, we had sought at all times to seek and to ensure and to strengthen partnership with young people, especially at the level of local government.

The legislative sector acknowledged that youth as the future are an important stakeholder in the determination of the policies and laws

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of South Africa and must therefore participate actively in seeking solutions to the challenges facing the country in general and the youth in particular.

We then resolved as follows: all spheres of government should consider establishing youth directorates to ensure implementation of government undertakings on youth matters; industrialisation should be prioritised in order to create youth employment and this is also informed in the main by what we had picked up from our flagship programme Taking Parliament to the People. You would remember there was a strong view especially in the Eastern Cape during the public hearings where young people were calling for identified areas where they think there are key and strategic for industrialisation which will result in job creation skills development and growing their local economy; youth multipurpose centres must be created throughout the country, which should include skill development and business development.

We also then hosted in 2018 a National Men's Parliament under the theme Consultation process from Provinces, Men Taking Action as Champions of Change.

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The inaugural Men's Parliament was hosted in collaboration with the Department of Social Development and the Takuwani Riime Men's Sector. This strategic collaboration has enabled Parliament to create a platform where the voices of men, in the struggle for gender equality and the eradication of gender based violence can be heard.

Parliament must continue to enter into strategic partnerships with organisations from all sectors of our society, in order to eradicate femicide and the feminisation of poverty in our country.

We had at that time resolved that for us to enter into these strategic partnerships, we need to remember people like Karabo Mokoena who was killed by her boyfriend and many others who had to bear the brunt of femicide and who are the perpetrators are men. So, therefore that became a point for men then to begin to speak to themselves around these kinds of urgencies.

Out of that, there was strong call by that Men's Parliament to call upon our law enforcement agencies to speedily addresses the alleged allegations also of sexual harassment raised by a beautiful young lady, Ms Gugu.

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As part of our resolutions, the provincial legislatures resolved to rollout public education on gender based violence and also scale it down to the level of municipalities and wards in our areas; call for strengthening of Community Policing Forums and Community Safety Forums; charter of values must be included in the curriculum of life orientation in schools.

As we conclude the business of our sectoral work, I must report a very important programme that we had here in Parliament, referred to as Children's Parliament that we hosted in collaboration with Nelson Mandela Children's Fund. It was quite an interesting session. We know that these are non-voters because they don't have identity documents and all those sort of things, but they were vocal on their rights as children.

We had resolved coming out of that exercise to also find within our committees as Members of Parliament to ensure that the gender of abuse of our kids is placed and it occupies a centre stage. In all our debates as Members of Parliament, there was a specific request that speak about us after having consulted and being with us and having heard what we are saying as the children of South Africa. But then who can speak on that? It is us who represent them here in Parliament.

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Our social transformation agenda has been very clear over the years that we are in fact in the process of building a new society through strengthening sectoral engagement. We are not rebuilding as this almost gives impression that there was a time in our history where universal equality, respect for human rights and dignity existed for all. We are not rebuilding anymore.

Colonial oppression, discrimination and violence including violence associated with systematic social and economic exclusion is what we have inherited and we need to build a new society that is peaceful, equal and just as envisaged in our NDP.

We make the case that inequality at the social and economic levels over centuries need to be addressed, if we are to reduce social ills in our society, we need to put more emphasis in addressing those social ills.

Patriarchy divides society and must be combated in all its forms and stealing from the Men's Parliament, it starts with us as men.

Gender-based stereotype socialisation of girls and boys must be addressed as a matter of urgency to build social cohesion by ensuring that within the curriculum of our schools, there is an example. During our time, we used to have a session referred as

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guidance. Then a special proposal was made that it must then be reintroduced but focus on that social reorientation.

Patriarchy is an ideological construct of a system encompassing ideological beliefs, values and practice underpinning the organisation and structure of society, resulting in unequal power relations between women and men.

The subjugation and subordination of women in ... [Interjections.]

The HOUSE CHAIRPERSON (Ms M C Dikgale): Hon Tau, I am allowing to continue because these orders were so many.

Mr R J TAU: Chairperson, as I conclude and appreciate your patience with me, let me just say that this government will make and continue to emphasise the aspect of radical economic transformation that focuses and serve the interest of the key sectors of our society. Thank you very much.

Debate concluded.

Question put: That the Report as amended be adopted.

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In favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

Report accordingly adopted in accordance with section 65 of the Constitution.

CONSIDERATION OF REPORT OF THE WOMEN'S ROUND TABLE DISCUSSION, 1 - 2

SEPTEMBER 2015

Debate concluded.

Question put: That the Report as amended be adopted.

In Favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal, Limpopo, Mpumalanga, Northern Cape, North West.

Report accordingly adopted in accordance with section 65 of the Constitution.

CONSIDERATION OF NATIONAL WOMEN'S PARLIAMENT REPORT 2016

Debate concluded.

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Question put: That the Report be adopted.

In Favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,
Limpopo, Mpumalanga, Northern Cape, North West.

Report accordingly adopted in accordance with section 65 of the
Constitution.

**CONSIDERATION OF INTERNATIONAL CONFERENCE ON WOMEN AND CHANGING THE
WORLD OF WORK - GIVING EFFECT TO THE 61ST SESSION OF THE COMMISSION
ON THE STATUS OF WOMEN CONFERENCE REPORT: 29-30 AUGUST 2017**

Debate concluded.

Question put: That the Report be adopted.

In Favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,
Limpopo, Mpumalanga, Northern Cape, North West.

Report accordingly adopted in accordance with section 65 of the
Constitution.

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**CONSIDERATION OF WOMEN'S CHARTER REVIEW CONFERENCE: 12 SEPTEMBER
2018**

Debate concluded.

Question put: That the Report be adopted.

In Favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,
Limpopo, Mpumalanga, Northern Cape, North West.

Report accordingly adopted in accordance with section 65 of the
Constitution.

**CONSIDERATION OF YOUTH PARLIAMENT REPORT 2016: FOLLOWING UP ON OUR
COMMITMENTS TO THE YOUTH - PARTNERING WITH THE YOUTH TO STRENGTHEN
LOCAL GOVERNANCE**

Debate concluded.

Question put: That the Report be adopted.

In Favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,
Limpopo, Mpumalanga, Northern Cape, North West.

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Report accordingly adopted in accordance with section 65 of the Constitution.

**CONSIDERATION OF CONSOLIDATED NATIONAL MEN'S PARLIAMENT REPORT: 19
NOVEMBER 2018 – CONSULTATION PROCESS FROM PROVINCES TO PARLIAMENT:
MEN TAKING ACTION AS CHAMPIONS OF CHANGE**

Debate concluded.

Question put: That the Report be adopted.

In Favour: Eastern Cape, Free State, Gauteng, KwaZulu-Natal,
Limpopo, Mpumalanga, Northern Cape, North West.

Report accordingly adopted in accordance with section 65 of the Constitution.

The Council adjourned at 17:43.