

RESPONSE TO QUESTIONS IN THE LIMPOPO HOUSE OF TRADITIONAL LEADERS, ADDRESS BY THE PREMIER OF LIMPOPO, MR CHUPU MATHABATHA.

19 August 2021

Chairperson of the House, Kgoshi Malesela Dikgale;
My Esteemed Traditional Leaders;
Our MEC for CoGHSTA, Ntate Biaskop Makamu;
Friends from the media;
Distinguished Guests;
Ladies and gentlemen:

Thank you very much for affording me an opportunity to interact with you, my leaders in the Limpopo House of Traditional Leaders.

It is always a humbling honor for me as the head of our Provincial Government to address this esteemed House, ntlo-kgolo ya maapara-nkwe.

Our interaction of today comes after my address to this House sometime in May this year. I said in May that in Limpopo, traditional leadership is a reliable ally of government. We appreciate the solidarity, the partnership and the guidance we continue to enjoy from the leadership of this House.

I am also particularly humbled by our constructive working relations. Indeed, as I said in May, traditional leadership is the closest and most trusted institution in most of our communities. I therefore come to this House with this understanding in mind. We always interact with this House with the full awareness of the strategic role traditional leaders occupy in our communities.

It is true that at times we do encounter challenges during the course of our unique yet very important partnership. What is important is that we always find ways to rise above whatever challenges that confront us.

We are able to achieve this because of our adopted spirit of cooperation and mutual support. I know as a matter of fact that this working relations between traditional leadership and government is not only limited to the provincial level.

Our municipalities continue to entrench solid working relations with the institution of traditional leadership.

Several of our traditional leaders play a visible role in our various municipal councils. We appreciate this ever-present support.

Indeed by working together we will build the Limpopo we want.

Chairperson and my leaders

When I last addressed this House, the coronavirus pandemic was ravaging our province, the country and the world.

Although there are visible improvements, the situations is far from being all-right.

In our Province hundreds are being infected daily and people are continuing to lose their lives to this virus.

The business of government has been severely impacted by the lockdown measures aimed at undermining the spread of this virus.

Businesses also continue to count their losses as a result of this virus.

Our world has never been the same since the first lockdown at the beginning of 2020.

However, we are thankful to the support from our traditional leaders from across the province in assisting to curb the spread of this virus.

I know that you too had to make certain painful sacrifices. You have made the important sacrifices that you have made because you value the lives of your people.

We also appreciate your leadership in supporting our vaccination campaign.

As traditional leaders in Limpopo you were amongst the very first to accept and receive your vaccination jabs.

We thank you very much for that.

You have indeed led from the front and led by example.

It is because of your leadership in this regard that so many people in our province have volunteered to get vaccinated.

It is for this reason that our province is ranked number one when it comes to vaccination statistics.

Once again, thank you very much for your leadership in this regard.

The only concern we have is the fewer numbers of men who are presenting themselves for vaccination.

We want your voice in this regard. Let's us invite men to come out in their numbers to get vaccinated.

Honourable Chairperson;

With regard to the question relating to the Memorandum which was sent to my office in 2019/2020, I am able to say that we continue to practically respond to the issues contained in that memorandum.

Our response include issues relating to the establishment of traditional councils, the question of tools of trade for traditional leaders, issues of dispute resolution, the issues of legislative imperatives, including SPLUMA, and the general support to traditional councils.

On the issue of the movement of the Legislature to Polokwane as the Provincial Capital, I am able to say that the Provincial Administration remain committed to this ideal.

However, the reality of our situation is that the government does not have sufficient financial muscles to breathe life to this ideal.

As you would know, the Covid-19 situation has impacted negatively on our resources as government.

Every level of government has experienced budget cuts and the reprioritisation of budgets as a result of the dire economic situation because of the covid-19 pandemic.

All departments have had to scale down on key programmes and projects due to the lack of resources.

On the issue of the working relations between traditional councils and municipal councils, I want to say that the working relations between elected leadership and traditional leadership is not a matter of favour.

It is a must in our law and in terms of the policies of the governing party that municipalities must work together with traditional councils. This must be done in the spirit of cooperative governance.

Let me take this opportunity to appreciate mayors and councillors who continue to work with and support traditional leaders.

We know for example, that district municipalities collaborate with Local Houses and provide the needed support.

We have seen the support as the country was responding to the Covid-19 pandemic, wherein some of municipalities helped to ensure that traditional council offices are compliant with the regulations.

The provincial government continues to encourage municipalities to work with institutions of traditional leadership, especially in the planning and delivery of service delivery programmes.

The integrated development planning process should be used for this purpose. It is also our submission that Local Houses of Traditional Leaders should facilitate such cooperation. Specific cases requiring intervention should be directed to the MEC for CoGHSTA by the Executive Committee of the House.

On the issue of vehicles to traditional leaders, I am the first to emphasize the point that our traditional leaders must be supported with necessary tools to do their work.

Our government is equally committed to ensuring that senior traditional leaders have the resources required to perform expected functions.

It should however be noted that there are still traditional leaders that have never received vehicles. These are mainly those that have replaced other senior traditional leaders and the senior traditional leaders that have been recognised following the work of the Kgatla Commission.

As I have said earlier, government is currently resource constraint and we are as a result not able to provide budget for replacement of vehicles. Once the budget becomes available, priority will be given to the senior traditional leaders that have never received vehicles.

On the question of the empowerment of traditional leaders, including the issue of bursaries, I am able to say that the Framework on Enabling Resources for Qualifying Traditional Leaders and Houses of Traditional Leaders indeed makes provision for the provision of bursaries for senior traditional leaders.

We are committed within the availability of resources to support our traditional leaders in this regard.

On the issue of internet connectivity for traditional leaders, particularly those in the rural areas, I want to say that the Provincial Government has established a dedicated entity in LEDA to facilitate the rollout of broadband network throughout the province.

We are also targeting our rural areas with regard to this broadband internet connectivity. In time, traditional leaders will also be able to hold their meetings in the comfort of their offices through internet connection.

On the maintenance of offices of traditional councils, the departments of Public Works, Roads and Infrastructure and COGHSTA are collaborating on the development of a policy for the maintenance of traditional council offices.

This is a new project, and the House will be consulted before the policy is concluded. On issues of inflated bills by Eskom, specific concerns should be submitted to COGHSTA to facilitate engagements with Eskom to resolve such queries.

On the issue of SPLUMA legislation,

We understand that there are challenges with the implementation of national SPLUMA. The Limpopo Spatial Planning and Land Use Management Bill (LSPLUMB) will amongst others, allow for more effective participation of traditional leaders in planning decisions.

The Bill is currently before the Legislature and we understand that public hearings have been conducted and you have formed part of those hearings. We are hopeful that the Bill will be processed in the current legislative year.

The issue of the status of senior traditional leaders with regard to authority, functions and powers is regulated by the law.

The Traditional and Khoisan Leadership Act recognises several traditional leadership positions namely King or Queen, principal traditional leader, senior traditional leader and headman or headwoman.

The Act maintains that “a traditional or Khoi-San leader performs the functions provided for in terms of customary law and customs of the traditional or Khoi- San community concerned”.

The legislation is not prescriptive on the functions and powers of traditional leaders as this will differ from one traditional community to the other based on customary practices and principles.

On the appointment of traditional leaders, which include headman or headwoman, the Act makes a distinction between hereditary and non-hereditary succession.

In the event of hereditary succession, the Act provides that in the case of a headman or headwoman, the royal family concerned must identify a person who qualifies in terms of customary law or customs.

Subsection 2(b) gives the responsibility for identification of a headman or headwoman to the community concerned, not senior traditional leader in the event of non-hereditary succession. There is no provision for the senior traditional leader to identify or appoint a headman/headwoman in the Act.

With regard to our readiness to implement the Reconstitution of Traditional Council, I am able to say that an induction programme has been concluded for all senior traditional leaders on the Act.

Significant progress has been registered to ensure readiness to have fully constituted traditional councils by 31 March 2023.

It is a requirement of the Act that the province defines the territorial area of each traditional community for reconstitution purposes.

To date, with the support of the Department of Agriculture, Rural Development and Land Reform, the department has completed verification of traditional boundaries and is at 95 % completed.

What is outstanding is physical verification which will be concluded by 30 August 2021. I have provided comments on the draft formula as requested by the Minister for COGTA on 06 August 2021.

Draft determination for the number of councillors per traditional council has been done but can only be concluded once the Minister has finalized and gazetted the applicable formula. The project will be implemented over two financial years. For the 2021/22 Financial Year, an amount of R1 million has been aside for the preparatory work. Once the detailed costing for the actual elections is concluded, budgetary processes will follow. Our commitment to welcome newly recognised or appointed Traditional Leaders with a gesture of new tractors, cows and bulls remains.

We will implement this within the limitation of availability of resources. Once ready for implementation, we will invite the House to give inputs as it relates to the modalities. On the issue of the Traditional Courts Bill the Provincial Government is not able to respond to this as the matter is the competency of the Department of Justice. We will however make follow-ups with the Department of Justice for an update on the process.

On the support to traditional leaders during court cases, I need to indicate that it is the responsibility of the traditional council to provide resources for any legal matter resulting from the administration of activities pertaining to the specific council.

For matters that are personal in nature, such as leadership disputes, unfortunately is the responsibility of the traditional leader or the individual concerned as the government should always remain impartial.

On the issue of the Traditional Affairs Branch being located at CoGHSTA and the desire to have the branch relocated to the Office of the Premier, I want to start by indicating that the reason for the transfer of the Branch to CoGHSTA was informed by the guidance from national government. As you know, the issues of traditional leadership falls under the Minister for Cogta and not the Presidency.

This is obviously because of the strategic nature of the issues of traditional leadership, particularly matters of service delivery and planning. Various legal provisions stipulates that traditional leaders should work with municipalities on matters of integrated planning and service delivery.

Traditional leadership play an important roles with regard to the adoption and implementation of IDPs.

I have since directed my special Advisor, Mr Mello, to make necessary interactions with CoGHSTA on the need to ensure proper financial and administrative support to the Branch. I will provide feedback to this House in our next meeting.

Indeed, as I have said in the beginning, the provincial government appreciates the visionary leadership of the Provincial House, which resulted in the suspension of initiation schools and other cultural activities. You did this in order to prevent the spread of the virus and preserve life.

The involvement of the provincial government in various government activities is always subject to compliance with the applicable Regulations.

Chairperson and esteemed majesties;

I want to conclude my address by reiterating our Covid-19 message. It is absolutely necessary that as leaders we must lead by example and help to save the lives of our people. Thank you very much for your attention.

Ndo livhuwa!
Na khensa!
Kea leboga!