



**MINUTES OF PROCEEDINGS OF THE SELECT COMMITTEE ON PETITIONS
AND EXECUTIVE UNDERTAKINGS**

1. **Date:** Wednesday, 27 May 2015
2. **Time:** 08h30
3. **Venue:** Good Hope Chamber, Ground Floor, Good Hope Building
4. **Agenda:**
 - 4.1 Opening and Welcome
 - 4.2 Continuation of Hearing on Maluti-A-Phofung Petition
 - 4.3 Committee Resolutions on Hearing of Maluti-A-Phofung Petition
 - 4.4 Announcements and Correspondence
 - 4.5 Closure
5. **Attendance by Committee Members**

Name of Member	Status	Political Party	Province
Mr S G Thobejane (Chairperson)	Present	ANC	Limpopo
Ms T Wana	Present	ANC	Eastern Cape
Mr D L Ximbi	Present	ANC	Western Cape
Mr M J Mohapi	Present	ANC	Free State
Mr L P M Nzimande	Absent with Apology	ANC	KZN
Mr G M Manopole	Present	ANC	Northern Cape
Mr M T Mhlanga	Present	ANC	Mpumalanga
Mr G Michalakis	Present	DA	Free State
Mr J W W Julius	Present	DA	Gauteng
Mr M Chetty	Present	DA	KZN
Ms T J Mokwele	Present	EFF	North West

6. Parliamentary Support Officials

Parliamentary Officials	Designation
Dr M Gondwe	Committee Content Advisor
Mr N Mkhize	Committee Secretary
Ms A Zindlani	Committee Assistant
Adv T Sterris	Committee Researcher
Ms N Fakier	Executive Secretary

7. Attendance by Stakeholders

7.1 Mr Sello Gatebe, Petitioner;

7.2 Mr Mokoena Matjele, Petitioner;

7.3 Chief Tsholo Mopeli, Bochabela Village, Mabolela District;

7.4 Mr Mooketsi Mokoena, Manger in the Housing Section of Maluti-A-Phofung, Municipality; and

7.5 Mr Teboho Mkhwanzi, Ward Councillor for Planning and Development, Maluti-A-Phofung, Municipality.

8. Welcome and Opening

The Chairperson welcomed back the Members, petitioners and relevant stakeholders, to the second day of hearing on the the Maluthi-A-Phofung Municipality (Municipality) petition, submitted to Parliament by Mr Sello Gatebe and Mr Mokoena Matjele on behalf of former residents of Bakomoso Village.

The Chairperson then proceeded to call on Chief Tsholo Mopeli (Chief Mopeli) to continue with his submissions to the Committee.

9. Continuation of Hearing on Maluti-A-Phofung Petition

Chief Mopeli submitted they approached the South African Human Rights Commission (SAHRC) because they hoped it would confirm the land they were evicted from belonged to their forefathers. He further submitted that given the nature of relations he had with San Parks, the University of the Free State and the Municipality, prior to the eviction, he and his people had tangible reasons to believe the land they were evicted from was rightfully theirs.

Chief Mopeli also stated that because he understood the land in question to be communal rural land (located in the former homeland of Qwa Qwa) they required no title deed to prove their ownership in the land.

With regard to the relief sought, Chief Mopeli stated he hoped Parliament would be able to restore the dignity and hope of his people post the eviction. He further pleaded with Parliament to ensure the Municipality properly settled all those it had displaced.

After, Chief Mopeli had concluded his submissions to the Committee, the Chairperson then called upon Mr Mooketsi Mokoena (Mr Mokoena), to make submissions on behalf of the Municipality.

Mr Mokoena then proceeded to outline in ample detail how the Municipality planned and eventually executed the eviction after receiving a copy of the final eviction order, granted on 27 May 2014 by the Free State High Court. In this regard, he submitted, amongst others, that prior to the eviction the Municipality held a series of planning meetings with relevant departments (such as the Department of Human Settlements, Legal, Traffic and Public Safety), the local sheriff and South African Police Services aimed at ensuring the eviction was a peaceful one. These planning meetings were also attended by the the private security company engaged by Municipality to assist with aspects of the eviction.

After outlining the planning that went into the eviction of 11 June 2014 and the manner in which the eviction was carried out, Mr Mokeona then went onto make submissions around the events that took place post the eviction.

He confirmed that post the eviction, the community was indeed accommodated at Phutaditjaba Fire Station (fire station) and provisions were made for them to get food the evening of the eviction. He further emphasised, the Municipality had determined that only 55 individuals (making up 39 families) were left destitute after the eviction and would therefore the assistance of the Municipality in securing food and housing and this was communicated to the evicted community. As such a day after the eviction, 8 shacks were constructed by the Municipality and a day after that a further 13 shacks were constructed. Mr Mokoena further confirmed the MEC for Social Development offered to accommodate the community at Makwane Youth Centre on a temporary basis and an estimated 75 individuals were accommodated at the Youth Centre, until they were told to find their own accommodation.

10. Committee Resolutions

The Committee resolved that it would continue with the hearing on the petition in the Free State Province in an attempt to obtain a better understanding of what transpired pre and post the eviction.

The Committee further resolved that given the urgency of the situation in which the petitioners and other affected members find themselves in post the eviction, the Committee had to couple the hearing in the Free State with an inspection in loco.

Lastly, the Committee resolved the Municipality should ensure that at the next hearing on the petition, other relevant officials such as the Executive Mayor of the Municipality, are present at the hearing and are ready to give submissions on behalf of the Municipality.

Action items:

- Committee Secretary to ensure the Committee Third Term Programme for 2015 reflects the hearing on the petition, which hearing is to take place in the Free State Province.

11. Announcements and Correspondence

No announcements were made to the Committee and nor was there any correspondence brought to the attention of the Committee.

12. Closure

In closing the hearing, the Chairperson thanked the petitioners and invited stakeholders for acceding to the Committee's request to appear before it. He added that next hearing on the petition by the Committee, will be in the Free State during the Third Term of 2015.

The hearing was adjourned at 11h30.

Honourable S G Thobejane, MP

Date:

Chairperson: Select Committee on Petitions and Executive Undertakings

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