

Executive Statement by KwaZulu-Natal Premier Senzo Mchunu

Reports have ushered in a new era of “KZN Renaissance”

6 April 2016

I am encouraged by a positive response from the people of this province to the reports released by Reference Group on Migration and Community Integration and a Study Group investigate the causes of xenophobic attacks and threats to Social Cohesion.

“The release of the reports coincides with the commemoration of several events that shaped the history of our country and these include these includes the 22nd anniversary of the first democratic elections and 20th anniversary of South Africa’s Constitution.

It is not possible to talk about South Africa’s revolution that shook the world without remembering the contribution of African giants such as Kwame Nkrumah of Ghana, Muwalimu Julius Nyerere of Tanzania, Agostino Neto of Angola, Kenneth Kaunda of Zambia, Ahmed Ben Bella of Algeria, Abdel Nasser of Egypt, Amilcar Cabral of the island of Principe, Guinea-Bissau, and Cabo Verde, Patrice Lumumba of Congo-Kinshasa – today the Democratic Republic of Congo, and other African leaders too many to mention.

Our former presidents Tata Nelson Mandela, Rev John Langalibalele Dube, Walter Sisulu Oliver Tambo and many more others remain the bond that connects the people of this country with many of our brothers and sisters in the whole continent and the Diaspora.

We therefore want to take this opportunity to express our gratitude to all the people of this continent for the support over the years. We pay tribute to your governments that stood in solidarity with us as we waged a struggle for justice and equality.

Many of you put your personal lives at risk by harbouring members of the ANC, its leaders and members of Umkhonto Wesizwe, the military wing of the ANC.

Today we are proud to say through your efforts, a prosperous environment has been created for South African children to grow up and make their presence felt across the world.

In the footsteps of the colossus Madiba, the leaders of our country led by His Excellency President Jacob Zuma we have focused their attention on creating a developmental state which will ensure that all state resources are mobilised to deal with all the challenges that we face, such as poverty, illiteracy and underdevelopment.

I would like to state upfront and unequivocally that we reject xenophobic attacks that took place in the province last year. These unfortunate incidents will be addressed with frankness and decisiveness.

While doing so, our thoughts are with those who were affected especially those who suffered injuries, hardship and indignity. We express our heartfelt condolences to the families of the seven victims that died.

We also apologize unreservedly to all of those who suffered injuries, some of whom had to be hospitalized. About 5000 foreign nationals fled their homes.

I am sure that you will also agree with me that the public, via you, the media, deserve to be informed properly about what happened and our response thereto. That is what responsible, accountable governance is all about.

Report of the Special Reference Group on Migration and Community Integration

The reference group comprised of seven members and these include:-

1. Judge Navi Pillay (Chairperson)
2. Mr Comfort Ngidi (Deputy Chairperson)
3. Mr Vasu Gounden,
4. Ms Stephanie Miller,
5. Mr Panny Kearney,
6. Ms Karen Lotter
7. Mr Muzi Ntombela

The Reference Group appointed the African Centre for the Constructive Resolution of Disputes as its official Secretariat.

The mandate of the reference group was to assess reported causes and socio economic impacts of attacks against foreign nationals. The focus was on attacks that took place between March and May in 2015. The reference group was asked to consider the successes and shortcomings of past-and-ongoing initiatives for reducing tensions between communities and outline immediate and long-term solutions in response to the violent attacks.

The reference group adopted a multi-pronged methodology to conduct its inquiry. This comprised site visits to affected areas, the convening of consultations, focus groups and interviews.

The reference group identified the following consequences of the violent attacks against foreign nationals:-

1. **Structural** – legacy of apartheid has left South Africa with deep structural disparities including high levels of unemployment, poverty and increasing inequality. These difficult socio-economic conditions, prevalent in KZN, are not in and of themselves causes of violence but they create tensions that may lead to violence.
2. **Institutional** – A lack of accurate data on the number of foreign nationals living in the province contributes to the negative and common believe that foreign nationals are flooding the country. The reference group believes that deficiencies in policy implementation contributed to the dynamics underpinning the violent attacks.

South Africa's Immigration and Refugees Acts, although comprehensive on paper, have not been implemented fully. Immigration Act does not account for the unique circumstance of many undocumented foreign nationals already in SA. The Refugee Act although progressive but is not supported by necessary administrative capacity to regulate, monitor and protect all who seek refuge.

3. **Societal** - Locals are unaware of the histories, cultures and personal experiences of foreign nationals currently residing in the province. This is compounded by many locals unaware that South Africa's Bill of Rights and the constitution protects all persons in the country and that there are distinctions between the different categories of migrant permits.

Consequences of Xenophobia and related attacks

The violent episodes that erupted contributed to economic losses for the province and the country as whole. Some formal and informal businesses throughout eThekweni Municipality were forced to close their doors in April 2015 leading to major revenue losses.

KZN Ethiopian community reported over R5 million in losses following extensive damages to their Spaza shops. KwaZulu-Natal Provincial Government and Thekwini Municipality had to channel R30 million to manage the crisis.

International economic losses were incurred by South African corporations such as SASOL, operating in Mozambique.

Findings of the Reference Group

The provincial executive council has accepted unconditionally the following findings of the Reference Group.

1. The outbreak of violence against foreign nationals in KZN was the result of the deliberate efforts of select individuals, some of whom had interests in the informal trading sector, to drive away competition by foreign national-owned business. These attacks sparked the outbreak of widespread incidents of criminality, violence and looting of properties owned by foreign nationals.
2. Perception of what happened at Kwa Jeena's Supermarket in Isipingo at the end of March 2015 served as a trigger for the violent attacks. Stakeholders across a wide range of sectors of society overwhelmingly identified this labour dispute as the catalyst for the violence. Government institutions responsible for investigating the reported dispute highlighted that, contrary to the common belief, Kwa Jeena neither hired foreign nationals nor employed them as temporary labour during the dispute. Perceptions that KwaJeena's Supermarket hired foreign national labour nonetheless

dominated public consciousness and sparked criminality in Isipingo on the 29th March.

3. The longer-term causes underpinning the outbreak of violence are multifaceted and complex. The triple challenges of poverty, socio-economic inequality and unemployment contributed to an environment of heightened tensions within and between many communities. The resulting tensions have been exploited by individuals or groups with narrow self-interests and this contributed to violence.
4. Many communities throughout KZN were unaffected by the outbreak of violence. The reference group found that in KwaDukuza local communities and foreign nationals promoted ongoing dialogue and lived side-by-side in harmony. This should be duplicated throughout the province.
5. The violence and criminality that defined these attacks were concentrated in relatively few areas in Durban and KZN while individuals who sought refuge travelled from as far as Escourt and Eshowe. The reality that such pervasive fears could compel so many individuals to flee for safety points to a situation where foreign nationals did not feel safe in their homes or communities.
6. The majority of allegations against foreign national traders, in respect of business practices, have been found to be perceptions not based on facts. For example, far from receiving preferential treatment on religious grounds, the reference group found that a number of foreign national traders participate in a cooperative pricing scheme open to everyone. Another example is the allegation that foreign nationals do not register their businesses, whereas consultations with the relevant government institutions highlighted that foreign national businesses are more likely to be compliant.
7. Unfounded rumours, misinformation, fake videos and images, and exaggerated headlines spread through social media and some mainstream media heightened anxieties throughout the province.
8. It is important to acknowledge that the media played an important positive role in facilitating communication and information sharing amongst different communities, providing public support for the people displaced in the shelters and ultimately reducing the tensions.

Recommendations of the Reference Group

The provincial executive council reiterates its commitment to ensure the implementation of the recommendations of the reference group. An implementation rollout plan has been presented before the executive council and has been adopted. Some of the recommendations include the following:-

1. **Innovative solutions to reduce tensions in the small and informal trading sectors:** The provincial government through the Department of Economic Development, Tourism and Environmental Affairs should support and encourage the creation of a number of co-operative and mutually beneficial platforms that can reduce tensions between local and foreign national communities operating in the small and informal trading sectors.
2. **Developing and Enhancing National Policies on Migration:** All persons inside the country must be respected as human beings and treated with the rights afforded to them by the constitution. Existing policies on migration do not speak sufficiently to the realities and current projections of migration trends in the region in three ways. Firstly, there is still no national migration policy. The Immigration Act which intends to prevent individuals from entering South Africa as undocumented individuals does little to protect foreign nationals already in the country without the necessary documents, and Refugees Act does not explicitly detail South Africa's approach to integration for asylum seekers and refugees. Given that it is unlikely that South Africa can completely stop the flow of people into the country, it is important that future policy promotes greater regularized and documented movement of all persons. This approach would protect the interests of South African citizens and support undocumented persons who have already integrated successfully into South Africa.
3. **Strengthen re-integration through more collaborative approach:** The Department of Social Development, and Department of Community Safety and Liaison should explore and solicit support from stakeholders to strengthen the reintegration dialogues. A number of religious groups and civil society organizations have expressed willingness to support these dialogues and have undertaken their own processes to bring together communities of locals and foreign nationals.
4. **Educating civil servants on the rights and documentation of foreign nationals:** The KZN Government should develop and implement a mandatory province-wide education campaign for all civil servants on the categories of foreign nationals and their rights. This programme should prioritize all law enforcement agencies as well as social security and public health officials.
5. **Documenting lessons learned from government responses and disaster management processes:** KZN Government and eThekweni Municipality should

ensure that all government responses to the March-May 2015 outbreak of violence are well documented, analyzed and incorporated as appropriate steps into the future policy. There is also a need for disaster management officials to receive training on conflict management practices as offered by the UNHRC. Disaster management officials should develop a pool of community-based volunteer for training and development to be used during heightened tension.

6. **Upgrading of physical infrastructure of KZN's border areas:** It is important that the KZN government advocates for the speedy adoption of the Border Management Agency Bill in order to strengthen the country's capacity to monitor its borders.
7. **Provincial Audit on Intelligence Structures and Early Alert Systems:** The KZN Provincial Joint Operations Intelligence Structures should conduct an inter-departmental audit of all existing intelligence structures and early warning alert systems in order to promote collaboration and information sharing.
8. **Pro-active information sharing on foreign nationals in the province and South Africa:** There is a clear need for all spheres of government to clarify any counteract inaccurate information and dangerous speculation about the number of foreign nationals in KZN and in South Africa. Through the Inter-Ministerial Committee on Migration and Department of Home Affairs government structures should create a free standing and easily accessible web platform that provides accurate information on legislation governing migration into the country, clear guidelines on the rights of all persons in the country. The responsibilities that foreign nationals assume upon entering South Africa, clear charts highlighting the processes for individuals to ensure compliance with the law. This website should be readily available in a number of South African languages as well as French, Portuguese, Shona, Somali, Amharic and Swahili amongst others.
9. **Ensuring leaders make responsible public statements:** The reference group recommends that leaders of society across the province and in various communities should exercise greater care with their public remarks.
10. **Education based campaigns to promote more cohesive and sustainable community relations:** There is a need for social cohesion campaigns focusing on schools, tertiary institutions, churches and other places. These should focus on the premise that cohesion, unity and common identifies can be forged and celebrated through recognizing and understanding differences in nationalities, religions, ethnicities and languages.
11. **Long-term investment on skills development from early childhood, primary, secondary, high school to tertiary level.** Education should be prioritized and used in

order to ensure that all South Africans are skilled to drive socio-economic development.

These Reports will usher in an era of KZN Renaissance

On behalf of the people of KwaZulu-Natal and the KZN Provincial government in general we reiterate our commitment to ushering a new era of KZN Renaissance

Few weeks ago we hosted the Governor of Mozambique and his delegation of provincial ministers. We have undertaken to host networking events that will enable us to discuss issues of mutual interests. We will do these with many other countries such as Angola, Zambia and Ethiopia to mention but a few. Ethiopian Airline has offered to train the young from this province as pilots and other careers in the aviation sector.

As KZN government we believe that as part of our search for solutions for Africa we will encourage twinning of cities, provinces and academic institutions and partnership amongst the business fraternity across the continent.

We will be encouraging our institutions to collaborate with academics across the continent and to host regular conferences to share ideas and exchange academic staff and students and help to create an African identity of academic excellence across the boundaries.

We will be promoting sports and cultural exchange programmes to strengthen the people-to-people relations.

We will promote the collaboration of public broadcasters – radio stations and television stations across the continent. We want to tell the African story.

As custodian of the country's identity, public broadcasters have an important role to play in terms of connecting our people through news, current affairs programmes and music.

I agree with the assertion that people connect effectively with each other across all borders through the media and music. Werra Son, Ladysmith Black Mambazo, Soul Brothers, Papa Wemba, Youssou Ndour, Alpha Blondie and Mariam Makeba's music carry no visas to cross our borders.

Report of Special Committee on Social Cohesion

At this stage I want to turn my focus to the Report of Special Committee on Social Cohesion.

This committee comprised of the following people:-

1. Professor Paulus Zulu – Chairperson
2. Prof Cheryl Potgieter
3. Mr Paddy Kearney
4. Mr Vasu Gounden

The investigation of the committee has shown that structural threats present urgent challenges to mutual acceptance in this province and this is one of the definitive goals of social cohesion.

The committee observed that many of the participants during its investigation placed emphasis on class standing and socio-economic issues as well as racial dynamics as important mediums of self and communal identification.

Without going into details, I wish to highlight some of the threats to social cohesion as articulated by participants during a investigation by this committee.

Unequal access to quality education: challenges in terms of individual access to institutions as well as quality education within the primary, secondary institutions remains central to perceptions of threats to social cohesion.

The urgency of reducing **socio-economic inequalities** emerged as central to the pursuing of greater social cohesion in KZN.

Infrastructure deficits: Participants noted that the spatial legacies of apartheid in KZN have yet to be resolved and continue to exacerbate tensions that threaten social cohesion.

Despite best efforts by government to increase the provision of houses, increase spending on infrastructure and commitment to ensuring reliable provision of basic services, participants perceived continued inequalities within KZN townships, peri-urban communities, shacks and transit camps as cause for concerns.

Racialized economy: The racialised and inequitable economic competition perceived by the people of this province was central to the discussion of social cohesion. Participants expressed serious concerns and reservations about existing structures and policies especially related to government procurement. Participants questioned the repeated awarding of tenders to select individuals and companies suggesting that what should be an equitable and fair process is instead characterised by pervasive and political patronage.

Many identified institution-oriented interventions to promote skills development amongst province's Black communities aimed at increasing their capacity to compete for large tender opportunities were perceived to be ineffective and requiring greater financial and political commitment.

There is a strong perception that Indians, in addition to structural advantage, are also favoured by existing policy provisions in the provincial business environment at the expense of Africans.

Recommendations of Social Committee on Social Cohesion

The committee recommends the following: -

1. **Revitalizing policy provisions to promote more equitable economic development** – central to this is the building of inclusive and equitable economy. This requires

appropriate skills base, the injection of financial capital into SMMEs and greater partnership between SMMEs and big corporate. Government must enforce public awareness campaigns to promote institutions and programmes that support skills development that those that provide funding and financial assistance in general.

2. **Developing a more transparent and equitable tender system:** Greater transparency regarding the awarding of tenders is required to undercut any suspicion of corruption or wrong doing in the area of government procurement. Transparency and merit should underpin the tender process right to the awarding of tender and reasons should be publicised for the failure and success of the bids.
3. Government should look specifically into circumstances surrounding the repeated awarding of tenders to one individual or firm. Corporate actors and government must make a firm commitment to the transfer of skills.
4. **Promoting peace, education, building a culture of mutual acceptance and encouraging trauma healing** – Government should provide resources for peace education programmes involving communities.
5. **Revamping the provinces social cohesion strategy** – KZN government should undertake a multi-stakeholder dialogue towards the development of a medium term provincial strategy for social cohesion. The strategy must take into account, cultural, social, political and economic dimensions. Critically, the provincial government should undertake a 20 year review highlighting key achievements.
6. **Strengthening communication and dialogue in KZN** – The KZN government should strengthen its communication with its citizens especially during period of policy formulations. There should be a greater focus on social media and mainstream media to bridge the gap between government and its citizens.
7. **Dialogue with societal institutions and stakeholders that can strengthen social cohesion** – these includes religious leaders, academic institutions, big business, community leaders, political parties and the media.

In conclusion I wish to state that the two reports will be handed over to His Majesty as soon as my office has secured an appointment with him through his office.

Importantly, we want to commend his majesty for initiating the Peace Building Process as he announced during the Opening of the Legislature on the 23rd February. We will work with his office to ensure that we intensify peace and stability in this province.

I want to emphasize that our energies as members of the executive council will be channelled towards ensuring an equitable distribution of economic opportunities in order to uplift our people who are leaving below the poverty line.

Government will lead all efforts aimed at mobilizing the private sector to invest across the corners of the province in a manner that serves the overall development imperatives.

Apart from creating much needed job opportunities, we will intensify all efforts focusing on stimulating industrial development, reviving townships, all the decaying rural towns and making them attractive for more investments.

I would like to thank the members of the two groups for the sterling and professional work.

Our gratitude also goes to the participants who attended hearings and those who made submissions.

Ends

Issued by the Office of the Premier

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