

Recommendations made to the Moerane Commission by those who gave evidence

Organisations

KwaZulu-Natal Christian Council (KCC)

814. The KCC provided the following recommendations to the Commission to prevent future incidents of political killings:

- (a) that there be ongoing theological reflections about our democracy;
- (b) permanent violence monitoring throughout the Province that will go hand in hand with voter education and democracy deepening;
- (c) that traditional leaders have a pivotal role to play by being vigilant in their respective communities and holding political leaders in their communities liable for their actions;
- (d) educating political leaders on what it means to be a public servant serving community. The majority of politicians especially at local level serve their pockets instead of their communities;
- (e) there has to be continuous engagement with political parties and stakeholders in the form of *izimbizo*, talks and dialogue in an endeavour to establish peace and stability in KZN;
- (f) there has been a major decline in morality in the Province which is evidenced by the ease in which people are willing to kill for. A moral revival has to be undertaken.

KZN House of Traditional Leaders

KZN chair, Inkosi Chiliza

818. The proposed recommendations by the House of Traditional Leaders are as follows:

- a) that a meeting should be held between the Traditional Leaders, Premier with his cabinet, and all politicians in the cabinet because the Traditional Leaders believe that the violence and these killings are politically connected and are as a result of the loss of values and self-respect of people.
- b) that *Izinduna* and *amakhosi* should be recognised as having an integral part to play in their communities and local government.
- c) that there should be a cleansing ceremony performed and carried out throughout the Province in consultation with the King accompanied by prayers asking for forgiveness and peace. That the King would on consultation provide guidance on how the cleansing ceremony should be conducted.

Ubunye bama Hostela, an independent organisation representing hostels in the Durban area

830. Ubunye provided the following recommendations to the Commission:

- (a) permanent violence monitoring throughout the Province that will go hand in hand with voter education and democracy deepening;
- (b) the King should be allowed to visit hostels and he should facilitate a cleansing ceremony at the hostels that experienced violence. Most importantly, the King or his delegation should lead the ceremony of cleansing the hostels of the souls that lost their lives in the hostels.
- (c) that since politicians have failed to intervene in the

situations faced by hostel dwellers, the King should be permitted and given an opportunity to intervene and solve the problems plaguing hostels because he is not begging for any votes but he is a neutral person.

(d) that the two issues of bed selling and leadership power struggles should be resolved in Glebelands, as those in power control what happens within the hostel and benefit financially.

Abahlali baseMjondolo

President Sibusiso Zikode

Non-aligned organisation, promotes the interests and dignity of shack dwellers and the impoverished

846. Recommendations of Abahlali baseMjondolo

- (1) Abahlali as an organisation, support the idea of having investigating officers from outside the Province thoroughly investigating the causes of these political killings. Mr Zikode is of the opinion that the SAPS members from the Province are compromised and pressured by the '*paymasters*'.
- (2) That corruption must be reported on and rooted out especially when it comes to the allocation of RDP houses to the beneficiaries.
- (3) The language used by politicians must be one that fosters unity and *ubuntu*.
- (4) That SAPS members, Metro Police and other municipal units must be adequately trained on crowd management and the Municipality should stop purchasing Casspirs and military vehicles with the sole intention of abusing the informal settlement dwellers.

(5) **NB:** It is unfortunate that the SAPS despite having being given a memorandum that included the list of Abahlali members that were allegedly brutalised by the police, they could not respond to the few cases that led to death of the Abahlali members because there were no CAS numbers provided. The representative of the SAPS delegation stated as follows:

“from my side I cannot assist the Chairperson. We don’t have, due to lack of reference. There is nothing from my side.”

South African Local Government Association (Salga)

Recommendations

1069. SALGA acknowledged that a safety and security manual for councillors will have to be developed because currently there is no prescribed document when it comes to safety and security issues of councillors. SALGA conceded that there are numerous instances where deaths could have been prevented by providing security timeously. SALGA also made the following recommendations:

- (a) That KwaZulu-Natal have a collective executive system and that the system of not having executive mayors should be reviewed.
- (b) That a system should be devised to attract appropriately qualified candidates in the local government sphere, despite the challenges that would arise.
- (c) That there should be proper document management in local government to curb corruption and manipulation of tender processes.
- (d) That councillors be trained and equipped with basic skills.

Political party recommendations

National Freedom Party (NFP)

Provincial chair Vikizitha Mlotshwa

861. The NFP proffered recommendations and solutions to curb the violent killings witnessed in the Province as follows:

(1) The tender procurement policies and processes have to be revisited and that political heads should be removed from tendering processes and independent credible bodies should be appointed to handle tender procurement and appointments.

(2) The ANC and all political parties must take their members to political schools for political education. There needs to be a clear line between the government and party politics, so as not to influence government operations.

(3) There is an urgent need to revisit the cadre deployment within the ANC as basic essential services are being compromised by the quality of people being deployed within municipalities.

(4) The IEC and COGTA must play an effective role not only during elections but also after elections to continue with programs such as voter and political education so as to enhance political tolerance and advance the agenda of political stability within the Province.

(5) The government must speedily implement security measures and recommendations that come from experts on this point of political killings.

(6) There should be a clean-up and recovery of unlicensed firearms that are readily available in the

Province. It is believed that there are a number of unlicensed firearms throughout the Province.

(7) The police and soldiers should be deployed in all affected areas in the Province for the recovery and destruction of all these unlicensed firearms.

(8) One of the observations made by the NFP is that the political killings experienced seemed to have the same *modus operandi* in that a person is assassinated whilst entering or leaving their place of residence (which reflects precision and coordination).

(9) On the question of whether or not poverty has a role to play in these political killings, Mr Mlotshwa commented that *“indeed it is poverty because the economic gap that is prevailing in South Africa, those who have more and those who have nothing”*.¹⁷ He went further to explain that money has an influence in the procurement of contract killers. However, it could be argued that greed has a major role to play.

(10) When asked for comment on the effectiveness of the police in successfully and effectively investigating the political killings, the NFP was of the view that the police are failing to execute their jobs properly and effectively. The NFP was not the only political party that held the same view.

(11) Lastly, on violence between the NFP and the NFP, Mlotshwa was clear that there have been no killings within the NFP itself but there are tensions that are experienced within the party. However, the evidence set out in paragraphs 436 to 453, above, relating to the murders of Messrs Jimmy Jabulane Lembethe and Isaac Thulebona Nhlebel, seems to suggest otherwise.

Inkatha Freedom Party (IFP)

National chair, Blessing Gwala

876. The IFP provided the following recommendations to the Commission:

- (1) That the Commission should release the outcome of its investigations to the general public, as it is common for commissions be established but for the findings never to be made public.
- (2) That the police should be effective in investigating politically linked murders and that the notion of an outside police unit might be more effective is not necessarily true. The IFP is of the opinion that a unit comprising of people from outside the Province might not understand the political climate and situation faced by the existing police in the Province and that the police force in the Province need to be depoliticised.
- (3) That there should be political tolerance amongst political parties and that political acceptance should go beyond political formations.
- (4) In concluding, the IFP remarked that there are no clashes between itself and the ANC as the killings are mainly intra-party and on the contributory factor leading to killings in Glebelands, the eThekweni Municipality should be blamed for turning of a blind eye to the conditions festering in the hostel.
- (5) That the ANC must reveal where the arms caches are because the conclusion to be drawn is that the weapons are given to the assassins to kill their own people.

South African Communist Party (SACP)

890. The SACP had seven (7) recommendations for the Commission which can be summarised as follows:⁴⁰

- (1) That there should be a programme to combat the culture of violence that has overtaken the communities in KwaZulu-Natal;
- (2) That the tender procurement process has to be reviewed as the current system is open to manipulation;
- (3) That the criteria and selection method for councillors to local government should be reviewed to prevent manipulation of the system;
- (4) That there should be a programme to depoliticise security structures and mainly the police as the police are highly politicised;
- (5) That a special unit needs to be established but only for a limited period in the police force to deal with political killings (most witnesses have advocated a special unit comprised of members from outside the Province);
- (6) That there should be a Commission of Enquiry into the abuse of state intelligence in private factional battles; and
- (7) That the state budget needs to be biased in fighting poverty, inequality and unemployment.

Economic Freedom Fighters (EFF)

EFF delegation Hlengiwe Mkhali, Dr Mbuyiseni Ndlozi and Mr Vusi Khoza

903. In conclusion, the EFF appealed that all murders of politicians be treated as criminal and investigated as such and the police must do their jobs effectively and without favour.

African National Congress(ANC)

Delegation led by KZN chair Sihle Zikalala

924. The ANC provided the Commission with short, medium and long- term solutions in dealing with these political killings as follows:

(1) Short term solutions

(a) state security and crime intelligence should play a major role in identifying culprits and perpetrators of crime and violence to ensure that police work is informed by accurate inside intelligence to find perpetrators and collect evidence for successful prosecution.

(b) the government should identify all violent hotspots in the Province that require special attention.

(c) operations like operation Fiela should continue targeting hotspot areas and areas which are known for violence or harbouring hit-men.

(d) the ANC should hold regular oversight meetings with the MEC for Transport, Department of Community, Safety and Liaison to receive briefing on the progress on cases under investigation by SAPS and NPA.

(e) the ANC will encourage its members to be active participants in the community-based crime prevention structures to deal with threats and prevent killings as well as other social ills.

(f) the ANC will also call on its members to work closely with the SAPS to prevent crime and identify issues and challenges faced in various communities as well as activating peace and stability subcommittees across regions to address the killings in local level.

(2) Medium term solutions:

(a) it would ensure that its regions and branches are actively involved in tracking cases under investigation and will mobilise society to take an interest in the political killing cases within their communities.

(b) it will work actively to identify formal issues of discomfort and criminal activities that have a potential to cause violence or lead to killings.

(c) it would continue to encourage the government to intensify its social cohesion and social development programmes that address social ills, including substance abuse and crime.

(d) it would intensify the radical socio-economic transformation programme to unlock opportunities for jobs and in the long run assist government in its effort to reduce and ultimately eliminate poverty and inequality.

(e) it would institute reforms that effect the transformation of the State into a developmental responsive State that engages society at local level

through community-based structures and social enterprises as a strategy for nation building and peace building. That social cohesion programmes should include religious formations, academia, traditional leaders and the business community.

(3) **Long term solutions:** the ANC vowed to do as follows:

(a) continue with political education in all branches and structures with the aim of promoting tolerance, political consciousness and constructive political engagement.

(b) as a leader of society, it will embark on an aggressive societal educational programme to empower communities to utilise democratic processes and government channels in resolving differences.

(c) it will advance the socio-economic transformation programme in line with the policies of the country to ensure that training opportunities and skill building opportunities are created for young people, women, military veterans and people with disabilities to enable them to benefit from employment and business opportunities.

(d) it will canvass academics across tertiary institutions to assist in peace building efforts and scientific research towards eradicating the scourge of violence in the Province, as it is everyone's responsibility to ensure that historical culture of violence in the Province is eliminated.

(e) ultimately, the ANC hopes the work of the Commission will amplify the importance of socioeconomic

transformation programmes to improve the lives of people and for sustainable development of the country. Of critical importance, the ANC expects the Commission to contribute to the transformation of the criminal justice system and improvement of local government systems.

(f) lastly, it remains committed to working for peace and stability of the Province.

Individuals

Mandla Cornelius Ngcobo, former ANC councillor in KZN for 15 years.

206. (a) Every licensed gun must have a sensor that will monitor its movement and use.
- (b) The establishment of a political school to teach political and moral education for ANC members.
- (c) There should be consequence for wrongdoing, irrespective of the level.

Mary de Haas, violence monitor in KZN

585. (a) Politicians must set an example by competing peacefully and responsibly over positions.
- (b) The police must be reconstituted by identifying police officers who have clean track records and who have done good work.
- (c) Crime intelligence must cease being subverted for political ends and must be reconstituted and empowered.

(d) Experienced and credible people, including retired policemen, must be brought in to train detectives and IPID investigators.

(e) The guns and cache of weapons, still unaccounted for in this Province, must be found and accounted for.

Vanessa Burger, human rights activist in KZN

612. (a) The ANC must learn to listen to the community.

(b) Remove the Councillor.

(c) Disband the BEC as it has no legitimacy.

(d) All the police that have been implicated must be investigated, but must be suspended in the meantime and removed from the area.

(e) The police and the IPID from national level must take over the investigation of cases together with dedicated prosecutors.

(f) The cases should be removed from Umlazi Magistrate's Court and transferred to Durban Magistrate's Court.

(g) As per the Public Protector's recommendations, the evicted people must be provided with alternative accommodation.

(h) Visible policing must be deployed on the ground to do patrols between the blocks.

(i) There must be public engagement and participation in resolving issues.

(j) The security company, Secureco, that was contracted by eThekweni municipality must be removed from the hostel as two of its employees have been involved in murders.

(k) Employees of contracted security companies must be vetted at both local and provincial levels.

Former KZN Premier Senzo Mchunu

(1) (a) The ANC must accept responsibility for the violence directly or indirectly and then act accordingly.

(b) A regular and organised dialogue must be held to intensify and consolidate peace involving political parties, churches, non-governmental organisations and prominent individuals.

(c) There is a need for strong resolute leadership that does not depend on factionalism for survival.

(d) Uncompromised, consistent and coherent integrity in leaders.

(e) Unity of purpose in leadership.

(f) Communities need to be mobilised on a continuous basis so that they can assist the police in fighting and solving crime.

Siyanda Richard Mhlongo

Former councillor and mayor of KwaDukuza, former ANC member, now non-aligned. Social activist. Former university lecturer.

809. (a) The ANC must do self introspection.

(b) Explicitly detail what political parties and the State must do to inculcate robust, but civil debate.

(c) Recommend public education on ethics and governance.

(d) Not to reduce these killings as a KZN problem, but a national catastrophe which was left unattended in Mpumalanga Province.

(e) All political parties must agree that the correct avenue for any politician who is charged with corruption is for them to face the charges in court.

- (f) Restoration of moral and ethical values that underpinned the teachings of great leaders.
- (g) Election and restoration of ethical leaders across all political parties.
- (h) The SABC must have lessons on moral renewal and ethics in governance as part of public education.
- (i) Public representatives and candidates must undergo security clearance by an independent body.
- (j) Introduction of minimum educational qualifications from President to Councillors.
- (k) Public Representatives caught lying must be subjected to discipline by an independent body.
- (l) More powers must be given to the Inspector-General of Intelligence to probe breach of the code of conduct to avoid politicians from abusing power.
- (m) Insulting and demonisation of judiciary, NPA, SAPS and Public Protector must be criminalised.
- (n) Glorification of arms through songs and displaying of arms must be criminalised.
- (o) Depoliticise the State.
- (p) Fight the politicisation of the security cluster and ensure that it is not used for ANC factions.

Lukhona Mnguni, academic and political analyst

935. Mr Mnguni, concluded by recommending solutions to the Commission that might assist in reducing or curbing future incidents as follows:⁷²

- (a) creation of mechanisms that would deal with political intolerance. Political tolerance can be made part of the KZN school curriculum to educate and foster political tolerance whilst children are still young so that they grow up

being aware and able to deal with political differences.

(b) urgent demilitarisation of the Province is required through initiatives spearheaded by the government to recover the caches of arms. There has to be a plan to recover and to destroy the arms once recovered.

(c) the commitment of political education by various political parties of their members. A culture of practising politics of virtue needs to be embedded in political education. Each party must demonstrate as part of their political induction, political education and political tolerance education.

(d) there needs to be a dedicated police unit that will deal with the political killings coordinated at provincial level.

(e) Lastly, the government must make a concerted effort to root out corruption within its ranks as currently the manipulation of state resources has no consequences.