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Services welcome plan for handling disasters

BDAY 22/1/99

White paper launched by Valli Moosa aims to see confusing legislation replaced to streamline procedures, writes **Deborah Fine**

RESCUE organisations have welcomed government's white paper on disaster management as a "step in the right direction" to increase SA's capacity to deal with disasters more effectively.

The paper was launched earlier this week by Constitutional Development Minister Valli Moosa.

Red Cross director-general Keith Gower said yesterday his organisation supported in particular proposals for the promulgation of a new national Disaster Management Act to replace existing legislation and streamline disaster management procedures.

The white paper describes current disaster management legislation as confusing because it does not spell out clear delineations of authority and responsibility for disasters, nor does it establish uniform processes or criteria for disaster declarations.

Commending the principles contained in the paper as "good", Gower said, however, that his organisation would have likedmore detail about how government planned to implement new disaster management strategies to ensure they did not become "pie in the sky".

The paper has been described by government as a fundamental shift from previous policy in that it is underscored by the philosophy that prevention is better than cure.

Unlike previous policies which focused mainly on relief and recovery efforts after catastrophes had occurred, government's new thinking focuses on the adoption of "proactive" measures to prevent disasters, or to mitigate their severity by reducing the risk of human, economic and property losses.

Moosa said at the launch that an increase in catastrophes caused by weather phenomena over the past few years was a warning that SA could not continue with old "wait-and-see" policies.

Last month alone, floods and tornadoes in the Western and Eastern Cape and KwaZulu-Natal killed 20 people, caused property damage of R52m and left close to 2 000 people homeless.

Welfare Minister Geraldine Fraser-Moleketi said at the launch that her department had spent R40m on disaster relief between 1994 and last year. This did not include relief despatched to Umtata, in the Eastern Cape, following a tornado late last year.

Apart from outlining principles for a disaster management framework, the white paper also proposes tangible strategies. These are the establishment of a national disaster management centre, new funding arrangements for disaster management, new legislation and a framework for the development of disaster management training and community awareness programmes.

The paper says there are shortcomings that hamper effective disaster management.

Among these shortcomings are the absence of a comprehensive disaster management strategy, unclear areas of responsibility and the fragmented co-ordination of government departments involved in disaster control.

The creation of a national disaster management centre would serve to establish effective, uniform strategies and co-ordinate disaster management at various government levels. The centre already existed in an embryonic form under the Constitutional Development Ministry.

The paper says financial responsibility for disaster management is officially borne by local authorities. Depending on the magnitude of the catastrophe, provincial and national government can also allocate additional funding.

National funding includes relief to individuals through the Disaster Relief Fund, the Social Relief Fund and the State President's Fund, all of which are administered by the Welfare Department.

The Exchequer Act allows for the provision of funding for expenditure arising out of unforeseen circumstances, though with cumbersome procedures.

There are, however, difficulties associated with current funding arrangements.

Because the costs of disaster are often covered by national government, there is little incentive for provincial and local agencies to budget for risk reduction activities.

In addition, the funds administered by national government are often slow in reaching their intended destinations.

Future funding arrangements should encourage provincial and local departments to budget for disaster management programmes. National government should be approached for funding only when capacity and resources at local levels have been exhausted or are absent.

The paper also recommends the replacement of the Exchequer Act with the proposed Treasury Control Bill to allow government to release emergency funds more rapidly, and the merging of the three relief funds into a single disaster and emergency fund.

There is also an urgent need to examine additional sources of funding for local emergency services.

DP slams pre-primary closures

citizen 2/2/99

By Jameson Maluleke

THE Democratic Party (DP) said yesterday that the closure of some state-run nursery schools by the Gauteng government would widen the gap in the standard of education between children in underprivileged areas and wealthier children.

DP spokesman on education, Mr Mike Ellis, said pre-primary education was crucial for laying the foundation of skills on which school education was based, especially for children who did not have access to books and other forms of stimulation at home.

It was DP policy that at least one year of pre-primary education should be compulsory.

Children who lacked the foundation would fight a continuous battle to keep up when they reached primary school, he said.

"Disadvantaged children will be much less adequately prepared for school, and ultimately this will be reflected in a further decline in South Africa's already shocking Matric pass rate," he said.

Meanwhile, the Gauteng Department of Education denied yesterday that it intended closing pre-primary schools contradicting its earlier statements in which it confirmed that it would do so by 2000.

Gauteng education spokesman, Mr Aubrey Matshiqi, said his department would not be closing the Early Childhood Development schools, but would consult with teachers unions and other parent rassociations to gradually withdraw financial support of teachers.

Denel Aerospace is to be recast as stand-alone entity

Linda Ensor BDay 22/1/99

CAPE TOWN — A cabinet committee has approved the corporatisation of Denel Aerospace as a stand-alone company and the sale of an undisclosed stake to an international equity partner.

Sources surmise that an initial 30% stake of Denel Aviation Transport Aircraft Maintenance (Datam), a product of Denel's recent restructuring, could be sold, probably to British Aerospace.

The interministerial co-ordinating committee decided yesterday that corporatisation and the introduction of a foreign partner would make management more robust but would help to market the company's products globally. A ministerial committee, comprising Public Enterprises Minister Stella Sigcau, Defence Minister Joe Modise and Trade and Industry Minister Alec Erwin, would steer the process of acquiring a partner.

Regarding Safcol, the committee noted that a low key, national and international marketing campaign had shown a strong interest in the Safcol privatisation offer. It also considered a technical report on the three shortlisted bidders for the state-owned diamond mine Alexkor, namely Namaqualand Diamond Mining, Namco and Nabera. A preferred bidder would be recommended on an urgent basis at a special meeting soon.

The restructuring of the Post Office was considered but no decision was taken on one of the shortlisted bidders: Canada Post, Deutsche Post and New Zealand Post/Royal Main. The meeting endorsed the initiative to consolidate the information technology divisions of Eskom, Datavia and Aerial Technologies into a single company and to consolidate the telecommunications infrastructure of Eskom and Transtel.

…ommunity service'

PRISCILLA SINGH
EDUCATION WRITER

Times 4/2/99

UNIVERSITY of Cape Town vice-chancellor and chairperson of the South African Universities Vice-Chancellors' Association, Mamphela Ramphele, proposed yesterday that students repay state financial assistance by doing community service — "as Dr (Nkosasana) Zuma's medical interns are doing".

Ramphele said in an interview that government financial aid to universities should be doubled, so that they would not have to live from crisis to crisis every year.

"The government has a (financial) scheme, but it is inadequate, and a doubling of what is currently available is what is needed," she said.

Government aid for universities this year is R390 million.

"We as a society must find a way for young people to gain access to higher education. The government has got to create a national student financial aid system," Ramphele said.

"This can be linked to other policy initiatives, such as students repaying the government by doing community service, like Dr Zuma's medical interns are doing."

Ramphele said she worked very hard to secure and raise additional resources for UCT so that it could be a "world-class African university".

The university assisted students with aid and bursaries amounting to R64m a year, and this was a "deliberate policy decision".

She added that while universities needed to manage themselves better, students also had a responsibility to preserve higher education structures.

On the crippling financial debt that most historically black universities face, Ramphele said that what was required was a "debt forgiveness process, because the money is never going to be recovered from students".

Ramphele said that at its meeting in Pretoria last week the vice-chancellors' association had confronted divisions "with a real sense of being honest and open and also acknowledging limitations that universities are faced with".

The association's Redress Committee had been renamed the Equity Committee because all members agreed that the emphasis should be on equity rather than redress.

"Equity includes redress, but also encompasses a focus on goals of enabling all higher education institutions to deliver excellence for each student.

"Given the limitations of our (universities') resource base, we must make sure that the institutional landscape meets the needs of South Africa.

"For the past year or so, we have had meetings to look at how we could transform the association into a credible, united voice that could speak with authority.

"We have succeeded enormously in making important inroads and came out of those meetings with decisions to take action," Ramphele said.

Little left to fund repairs to schools

BDay 22/1/99

The merger of five departments saw personnel costs rising

Pule Molebeledi

DURBAN — Rising personnel costs accounted for 94% of the KwaZulu-Natal education department budget, leaving only R80m for capital projects, repairs and maintenance, a report by the provincial auditor-general released yesterday revealed.

The report said this was despite the fact that R960m was needed for capital projects, repairs and maintenance work for the 1997/98 financial year. This situation has resulted in numerous schools being run down.

The report said the need for repairs and maintenance could not be addressed because the allocated funds for the 1997/98 financial year were depleted by July 1997. Only emergency repair work was undertaken by the public works departments. It warned that at various schools, structural damage was evident and learners were physically at risk if the buildings were to collapse.

The performance audit report was conducted on the management of special and ordinary schools under the KwaZulu-Natal provincial administration.

It showed that staff expenditure has been rising steadily when compared to 1996/97 financial year where it accounted for 82% of the department's budget and 1995/96 where it stood at 73% of the budget.

Provincial education spokesman, Mandla Msibi said most of the information contained in the report was old and the department had since instituted corrective measures to address most of the identified shortcomings in the budget.

He said the personnel costs had increased after the department merged five education departments into one. The department had identified ghost teachers and taken them out of the system; frozen 1 900 posts for administrative staff and would only after the redeployment process was completed, identify excess staff, he said.

The report said adequate measures were not always in place to ensure that schools were provided with sufficient textbooks for the effective rendering of educational services. About 45% of schools were inadequately provided with textbooks. Although the department requested R160m for the acquisition of textbooks, the actual amount eventually made available after three months into the academic year amounted to R8m. Furthermore, the majority of schools visited during July 1997 still experienced a shortage of textbooks.

The report found that adequate measures were not always instituted to alleviate the shortage of classrooms and this has resulted in pupils being taught in other venues, with the pupil to teacher ratio being in excess of the national 40 to 1 norm.

Although the results of the 1997 schools register of needs survey revealed that 25% of schools did not have water within walking distance and that 64 out of 66 census districts experienced a shortage of toilets, no funds to alleviate the situation were provided for the 1997/98 financial year. This contributed to pupils collecting water from rivers during schools hours and being exposed to unhealthy and unhygienic conditions.

The report said procedures and control measures to ensure that contracts approved under the reconstruction and development programme were completed successfully, were inadequate.

This contributed to claims by contractors against the education department.

Schools to decide on religious education

Primarashni Pillay BDay 21/1/99

SCHOOL governing bodies in future may decide on the type of religious education pupils should receive, says the education department.

The department announced yesterday moves towards a coherent religious education policy based on four options which offer choices for religious teaching within or outside the school curriculum.

Government schools in SA do not have a policy on religious education and the subject has been taught piecemeal in different schools. The department appointed a religious education committee last year to investigate the inclusion of religion in the curriculum.

Committee chairman Paul Faller said yesterday the committee faced two debates on how to teach religion.

One belief was that religious education was about "educating learners to be religious". The other was that it meant educating learners about religions.

He said the inclusion of religion in the curriculum would "enrich" the ideals and principles of tolerance and social values already contained in Curriculum 2005.

The first option for schools is to implement Curriculum 2005 as it has inherent aspects of religion: in grades one to three, for example, pupils are taught to respect people's rights to hold personal beliefs and values.

The second option is that the school offers the curriculum in a way that reveals the contributions that religious education can make, for example, towards understanding how SA society has changed and developed.

An example in the life orientation programme is that pupils are encouraged to accept themselves as unique and worthwhile beings.

These two options could not be offered from any single faith perspective, Faller said.

The third option is that schools can offer the basic curriculum as well as separate religious education programmes without making them compulsory.

These programmes can be offered from a single or multi-religious perspective.

The last option is a combination of the second option and a separate noncompulsory programme from a single or multi-religious perspective.

Faller said if a school had, for example, 99% Muslim children in grades one to nine, it could choose option three.

"In schools where the children are predominantly Muslim, and if you have a percentage of Christian pupils, they could rotate the assembly. Or if you have 10% of children belonging to another faith they have the right of withdrawal," he said.

The committee stressed the three options were not compulsory: pupils could take part in alternative programmes.

Proposals included the testing of pupils by schools but not for certification purposes.

Separate programmes should be funded by parents or by the community.

The committee proposes that teacher-training institutions offer in-service training in this area and that they draw on the services of non-government organisations, and religious institutions for their expertise.

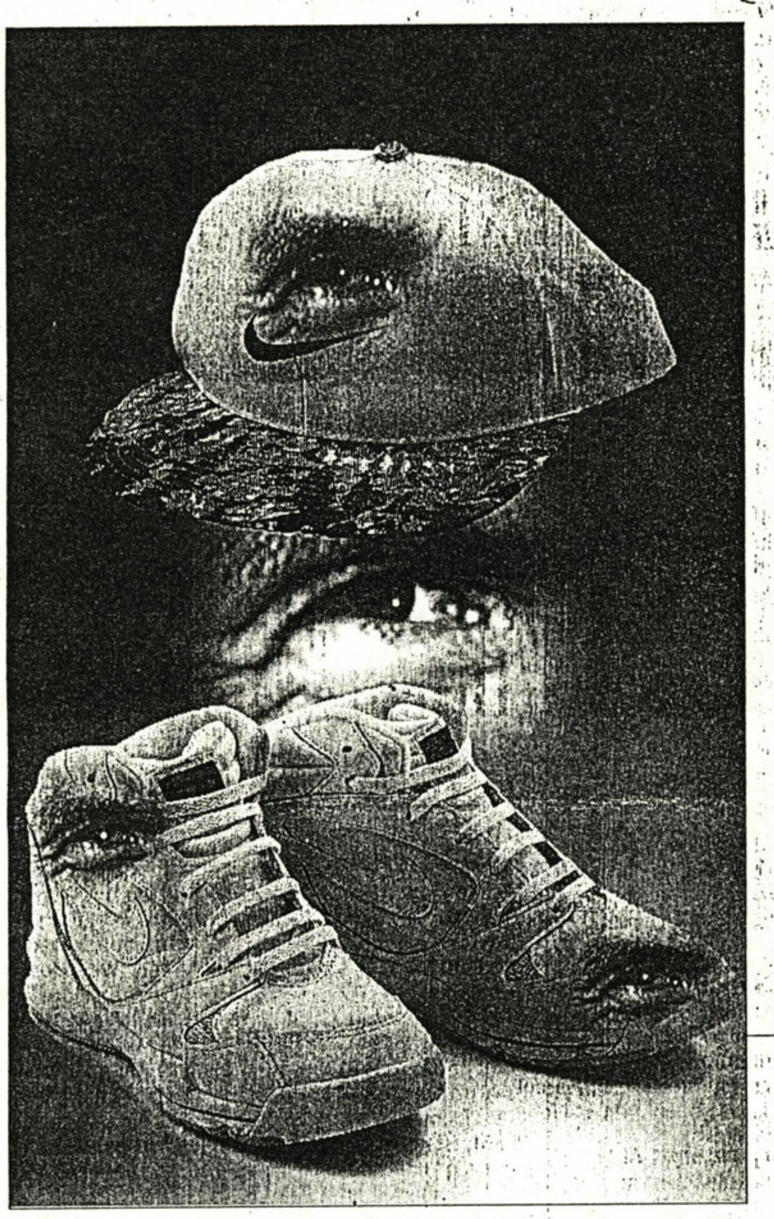
The committee has requested public comment on its proposals.

COUNTERFEITING

C Times 22/1/99

SA gets a grip on intellectual crime

THABO LESHILO



Considering the harm counterfeiting and abuse of intellectual property rights can do to a country's global image, there is surprisingly scant concern about the issue in South Africa.

This is despite warnings from the US that Africa's failure to respect intellectual property rights may well block the entry of foreign investment, especially in the hi-tech sector.

William Daley, the US commerce secretary, addressed this issue during a visit to South Africa last month. He cited rampant intellectual property theft and corruption as serious deterrents to foreign investment.

In fact, South Africa has the dubious honour of being on the US's Special 301 Watch List of countries that "warrant special attention because they maintain intellectual practices or barriers to market access that are of particular concern to the US".

Counterfeiting and theft of intellectual property are big business in South Africa. In fact, the Intellectual Property Owners' Association (Ipoa) estimates that brand owners lose as much as R240 million a year to counterfeiters.

Several US companies — including McDonald's, the fast-food franchise — have had to spend millions of rands in court battles to stop local companies from abusing their brand names, trademarks, patents and copyright.

Derek Botha, the chairman of Ipoa, says fighting the scourge is "an uphill battle". Surprisingly, though, South Africa has a plethora of laws aimed at combating the problem.

These include the Copyright Act, the Trademarks Act, the Patents Act, the Design Act, the Merchandise Marks Act and, most recently passed, the Counterfeit Goods Act.

These laws notwithstanding, hundreds of fake designer products are openly displayed and sold with impunity by hawkers on pavements that are swarming with police.

Even more tragically, musicians struggle to make ends meet while pirates thrive by selling their illegally copied music.

Although the police frequently do seize thousands of fake goods — cigarettes, footwear, clothing, toys or other goods — their efforts often come to nought because of the absence of depots where the goods can be stored until they can be used as evidence.

Industry players see this as the biggest weakness in the fight against counterfeiters. They blame the department of trade and industry (DTI) for failing to establish the depots or to appoint inspectors as it is mandated to do under the year-old Counterfeit Goods Act.

"The new law is good," says Botha. "It is quite punitive, but even if the police can seize the goods, there are not enough warehouses to keep them."

The law imposes a fine of up to R5 000 an item or up to three years in jail for first-time offenders, and R10 000 an item or five years in jail for repeat offenders.

Botha says although awareness of counterfeiting has increased recently, there is still a lot of naivete about intellectual property issues in South Africa.

"Intellectual property abuse is far greater than counterfeiting," he says.

Marylin Krige, a lawyer who specialises in intellectual property, says safety is a serious yet often ignored aspect of counterfeiting.

For instance, she says the toxic paints used on counterfeit toys are dangerous if swallowed by children.

Macdonald Netshitenzhe, the DTI's registrar of patents and trademarks, says the department is not sitting idly by but is committed to fighting the abuse of intellectual property.

"Intellectual property is the backbone of economic relations," Netshitenzhe says.

"Eighty percent of trade relations centre on intellectual property. If we do not fight counterfeiting, if we let people steal other people's designs, foreigners will disinvest from the country."

Last month the department turned to the private sector for help in the fight against intellectual property theft. A conference it hosted on the subject adopted numerous recommendations aimed at combating counterfeiting.

The private sector agreed to fund some storage warehouses and to provide personnel to be designated inspectors, with powers to search for and seize counterfeit goods.

Netshitenzhe says these steps are being taken. The DTI is also liaising with other government departments to help. For example, the DTI wants the military to provide empty aircraft hangars for use as storage depots.

Christo Henning, the spokesman for the South African Revenue Service, says the Counterfeit Goods Act is being used to good effect by customs and excise officials, who are empowered by the act to seize and destroy counterfeit goods.

"The commissioner of inland revenue has permission in terms of the act to get rid of the goods as he deems fit," says Henning.

"We enforce that very strictly, especially now that we can monitor the movement of goods into South Africa."

He says the appointment of customs officials at the 17 designated ports of entry into South Africa since November 16 last year has also helped.

"We will definitely step up the fight against counterfeit imports, which are doing incredible harm to the country's economy," Henning said.

Ross Smith, the financial director of Nike South Africa, the sports goods company, is optimistic that a serious impact will be made against counterfeiting from this year.

"1998 was a year of limbo," he says. "(But) the DTI seminar shows (the government) has had a change of attitude. There is a genuine desire to change the situation."

Smith is also the chairman of the Anti-Counterfeit Coalition. "It's difficult for Nike on its own to make any impact (against counterfeiting)," he says. "But as a group, we can keep employing investigators to assist police".

JJ van Rensburg, who co-ordinates the anti-commercial crime activities of Business Against Crime (BAC), says the organisation wants to boost the capacity of the justice system to properly handle commercial crime, including counterfeiting.

Van Rensburg says BAC has been training the police and prosecutors to specialise in commercial crime investigation and prosecution for more than a year now.

He expects the effort to start bearing fruit this year. It's about time.

Wesbank to financ[e] R750m in state car[s]

Argus 24/1/99

LUKANYO MNYANDA

The government had concluded one of the largest single wheels financing deals to be clinched in South Africa with an award of a two-year, R750 million contract to Wesbank to provide vehicle finance to more than 12 000 state employees, Mac Maharaj, the minister of transport, said on Friday.

It was another coup for Wesbank and comes barely a year after First Auto, its fleet management division, secured a contract for the fuel and fleet management of about 80 000 government-owned vehicles throughout the country. Maharaj said the privatisations were part of the restructuring of the government's motor vehicle system to improve efficiency and eradicate abuse.

The department had also named Imperial Holdings as a preferred bidder for a contract to provide transport services to five national departments and this process was expected to reach closure by the end of the current quarter. It was also evaluating tenders for vehicle identification technology which would allow for electrical identification and authorisation of fuel purchases to stamp out corruption.

Maharaj said the latest deal, which commences next month, would improve efficiency by transferring the administrative burden to Wesbank while shifting the risk for the fina[nc]ing of motor vehicles to indi[vid]ual government employees f[rom] the public to the private se[ctor]. "This means that the capital [ex]penditure in the purchas[e of] new vehicles will no longe[r be] carried on the government [bal]ance sheet, which should ef[fect] savings in the cost of capita[l to] government and ultimately [the] tax payer."

Under the previous dispe[nsa]tion, government subsidi[sed] cars were financed through [the] capital expenditure budget[s of] departments or provinces wh[ich] then recovered the amount f[rom] employees over three to six y[ears] depending on individual veh[icle] contracts.

Maharaj said the governm[ent] now financed 11 458 vehicles [and] entered into 3 000 new ag[ree]ments annually.

In terms of the agreem[ent] employees would enter into i[ndi]vidual contracts with Wesb[ank]. This would cover capital re[pay]ments and the maintenanc[e of] vehicles.

Mike MacMillan, the gen[eral] manager of WesBank Corpor[ate] said the company wo[uld] outsource the provision of m[ain]tenance contracts to Avis F[leet] Services whose staff would [be] placed on site at the transp[ort] department and have acces[s to] the Auto Fleet Services fl[eet] management system. "Wesb[ank] will be providing a very com[pre]hensive turnkey service," [he] said. — *Johannesburg*

Anti-fraud law is raising hackles

B Day 29/1/99

Govt accused of imposing paper solution on what is a law and order problem, writes **Tim Cohen**

CAPE TOWN — A debate is raging between government and freight companies about the efficacy of recently enacted legislation aimed at combating VAT fraud, estimated to cost SA R1bn a year.

The new legislation makes it necessary for exporters from Botswana, Lesotho, Swaziland and Namibia, the BLSN countries, to pay and reclaim VAT on transit traffic through SA. It forces importers from these countries also to use SA-registered freight companies.

In introducing the legislation, government argued strongly that it was necessary to curb VAT fraud, which was reaching epidemic proportions. It was estimated that goods worth R100bn a year were involved. While initially understanding about the need for the legislation, freight companies are now becoming concerned about how it may affect their business and SA's entire trade regime, with some arguing it would ultimately be ineffective.

The legislation introduced a provision allowing zero-rating for export goods originating in SA as long as the consignee took responsibility for the delivery of the goods to the foreign destination. This was intended to prevent the zero-rating of goods which would never in fact leave SA by ensuring an SA-registered organisation, subject to SA law, was involved in transporting the goods.

BLSN freight companies can register, but this provision has had the effect of making it impossible for importers to contract with a single freight company to pick up and transport goods from a variety of different suppliers.

The second leg of the legislation designated certain border crossings for commercial use and required payment of VAT at the border post for goods being transported through SA which the exporter would then reclaim on exit.

This provision was targeted at fraudulent exporters who would purport to be transporting goods through SA but who would in fact offload the goods within SA.

SA Revenue Services spokesman Christo Henning said the service had sympathy for exporters whose cash flow might be hit by this measure, but he pointed out that the legislation was simply placing the BLSN countries on the same footing as all other countries.

Henning said the service had undertaken that no hold-ups at border posts would last longer than three hours.

The legislation included a window period during which regulations would not be strictly applied to allow importers and exporters to get used to the new system. This period technically ended at the beginning of last week and business organisations said no major hold-ups had been reported so far.

However, Ed Little, CE of the SA Association of Freight Forwarders, said one incident where 70 trucks were stuck at the Martinsdrift border post near Gaborone had been reported, although this problem was dealt with swiftly.

One unintended aspect of the legislation was that exporters from Zambia and further north were now able to use border posts other than Beit Bridge, which was often congested. However, problems had occurred because clearing agents were not available at some newly designated entrance points.

Although SA freight companies said they understood government's concern at the extent of VAT fraud, they expressed concern about the implications for the industry as a whole, especially during the transitional period.

Freight companies from BLSN countries have been particularly upset because although they can still pick up goods in SA once they have registered, they must now be contracted by a local company for each parcel of goods.

Freight companies and organised business are worried that the legislation might encourage exporters from the BLSN countries to seek new export points, like Beira. Alternatives to the new legislation, though, are difficult when differing tax regimes in neighbouring countries make what is effectively the round-tripping of goods a tempting prospect.

Director of VAT policy Peter Frank said the measures did not interfere with legitimate trade but were necessary to prevent tax evasion.

According to Gavin Cooper, the head of the Cape Town branch of the SA Association of Freight Forwarders, government is seeking to impose a "paper solution" on what was essentially a law and order problem. The problem of VAT fraud would be solved only once those committing fraud were caught and punished. Changing the legal environment might make fraud difficult, but those intending to defraud the tax office would ultimately find ways round the new legislation.

SA resolution on arms control

By Thalif Deen

UNITED NATIONS – South Africa, the only significant arms producer in a war-ravaged continent, wants to curb the flow of small arms to civil wars and ethnic conflicts worldwide.

In a letter to secretary-general Kofi Annan, the South African Government says it has adopted a policy of destroying all its obsolete and redundant surplus small arms so they do not find their way into battle zones.

"South Africa is further committed to stopping the flow of illegal small arms across its borders," the letter adds.

Last year the South African Police Service destroyed or melted down 70 tons of small arms and ammunition, including 4 504 pistols, revolvers, rifles, shotguns and home-made firearms.

Additionally, South Africa and Mozambique have jointly destroyed more than 100 tons of small arms and ammunition on site in Mozambique.

South Africa says it has already entered into agreements with several other Southern African states, with a view to curbing the trafficking of illegal small arms and ammunition.

In an address to the United Nations Advisory Board on Disarmament Matters, Annan said on Tuesday that "the scourge of small arms continues to devastate civilian populations, creating humanitarian crises the world over".

"These weapons of personal destruction impair economic and social progress and impede our best development efforts," he said.

Annan said the UN, for its part, will help governments and civil society make disarmament and arms control central aspects of future peace initiatives.

In West Africa, he said, the UN is helping to implement a moratorium on the import, export and manufacture of light weapons.

"If successful, this ban could lead to a renaissance of peace in the region and serve as an example to a continent whose economic and social development has been all too often hindered by internal strife and conflict."

In its letter to Annan, South Africa points out that it "is committed to a policy of responsibility and accountability in the trade and transfer of all arms".

The Government has established an arms control system which makes provision for a ministerial body to set criteria, principles and guidelines "to ensure the responsible transfer and trade in, among others, small arms and light weapons".

South Africa has also introduced legislation which requires the licensing of all civilian small arms, including a requirement for the safe storage of such weapons.

Under the previous government, replaced by a democratic government in 1994, South Africa was the world's 10th largest arms manufacturer.

The new government of President Nelson Mandela, which took office in May 1994, inherited a sprawling armaments industry which at one time produced jet trainers, combat helicopters, warships, remotely piloted vehicles, missiles, armoured personnel carriers and small arms.

The industry, which is now under rigid government control, exported about R1 600 million worth of military equipment to 63 countries in 1997. This was a 34 percent increase over the previous year.

According to South Africa's Directorate of Conventional Arms Control, the list of arms buyers included India, Switzerland, Chile, Pakistan, Ecuador, Thailand, Uganda, Singapore and Rwanda.

But the Government also turned down requests for arms from several countries – including Afghanistan, Burma, Burundi, Nigeria, Sri Lanka, Sudan and Turkey – either because of human rights abuses or because they were in conflict zones.

South Africa was one of the co-sponsors of a UN General Assembly resolution, adopted in early December, which calls for an international conference on the illicit arms trade.

Switzerland has offered to host the proposed conference, which is expected to take place no later than 2001.

In its letter to Annan, South Africa says that conference should formulate an action plan to combat the proliferation of small arms on the basis of the experiences of individual countries.

The resolution also calls upon the secretary-general to initiate a study, as soon as possible, on the feasibility of restricting the manufacture of, and the trade in, small arms.

Sowetan 22/1/99

A Roolvalk attack helicopter goes through its paces during a test flight at Atlas Aircraft Corp outside Johannesburg. The helicopter is the flagship of a rigidly controlled arms industry that supplies weapons to more than 60 countries. PIC: PICTURENET

Additionally, the resolution proposes a study in establishing, within the UN system, a single database of authorised manufacturers and dealers in small arms. – *Sapa-IPS*.

● United States president Bill Clinton yesterday called on the UN disarmament body to relaunch negotiations aimed at halting future production of nuclear bomb-making material.

A message from Clinton, read out by John Holum, director of the US Arms Control and Disarmament Agency, also urged the 61-member body to start negotiations to reach a global ban on transferring anti-personnel landmines.

The US, like other major producers of landmines including China, is not among the 130 countries to have signed the 1997 Ottawa landmines treaty banning the pernicious weapons. The pact comes into force in March.

Clinton's message said: "As the Conference on Disarmament begins its work in the new year, I want to underline the strong commitment of the United States to prompt resumption of negotiations on the next key multilateral step in the nuclear disarmament process: a treaty to ban the production of material for nuclear weapons or other nuclear explosive devices."

But Holum said that the US was not prepared to negotiate reductions in its current stocks of fissile material (plutonium and highly enriched uranium).

"The US position is well-known – we will not agree to any restrictions on existing stocks in a (fissile) 'cut-off' treaty," he told delegates.

Several major non-aligned powers, including South Africa, India and Pakistan, have called for the fissile stocks of the five official nuclear powers – Britain, China, France, Russia and the US – to be on the negotiating table in Geneva. – *Reuters*.

Two clans claim part of the Kruger Park

M Guardian 29/1/99

Sechaba ka'Nkosi

The government's land reform programme may be challenged in the Constitutional Court by two Northern Province clans.

The Mhinga Traditional Authority, acting on behalf of the Maluleke and Vanwanati clans, cannot reclaim lost land under the Restitution of Land Rights Act because they were dispossesed before 1913. The Act confines claims to individuals and groups who lost their land between 1913 and December 1998.

The clans were forcibly removed from land allocated to the Kruger National Park in 1905. Their attempts to persuade the Department of Land Affairs to accept their claim have so far failed.

The Mhinga campaign is led by Chief Shilungwa Mhinga, an attorney who gave up his flourishing legal practice to focus his energies on leading the clan.

To argue its case, the Mhingas have compiled a comprehensive dossier detailing the dispossession of their land from 1905.

It includes an official interview in July 1906 between its then chief, Sundhuza Mhinga, and the Native Location Commission, which drafted the 1913 Land Act. At that stage the clan owned more than four million hectares of land stretching from the current northern borders of the Kruger National Park from the Shingwedzi River in the south to the Limpopo in the north.

"The Mhinga tribe has lost not only its land, but also its kingdom and has suffered prejudice as a direct result of the discriminatory legislation and practices of both the British and the National Party reigns," says Mhinga.

They plan to use the sections of the Kruger Park they want returned to them to build empowerment ventures that will employ most of its 300 000-strong members.

Mhinga says fierce lobbying has failed to sway the government, leaving the clans with very little option but the courts. He says that while the clans do not want to take a government they voted for to court, their patience is wearing thin.

'The Constitutional Court has to accept that dispossession and forced removals started in the 19th century'

"Our hopes are now on the Constitutional Court, which has to accept the fact that dispossession and forced removals in South Africa started early in the 19th century. To be precise, they started just after the Anglo-Boer War," says Mhinga.

The tribe has written petitions to political parties and the British consulate to highlight their plight. Next week Mhinga plans to launch a final attempt to lobby parliamentarians in Cape Town.

He is specifically planning to seek sympathy from the Pan Africanist Congress and the Inkatha Freedom Party. He says he will lobby the African National Congress to a lesser extent.

Mhinga says the clans have already drafted business plans that would be controlled by a registered tribal trust consisting of 15 members representing the clans' villages and organisations.

The Ministry of Defence has allocated a former South African National Defence Force landing strip to the tribe to kick-start its ventures.

"This province is the most depressed in the country. We have unemployment running at something like 90%," explains Mhinga. "We have identified ecotourism as a potential money-spinner in line with the resolutions of the Presidential Jobs Summit.

"We have already identified the southern portions for hotels and other parts for ventures such as lodges."

Land affairs Director General Geoff Budlender argues that the Constitution recognises 1913 as the cut-off point for land claims to avoid a situation where different groups claim the same land for different reasons.

"We are puzzled because we don't think the Constitutional Court can rule the Constitution unconstitutional," he says.