



transport

Department:
Transport
Province of KwaZulu-Natal

STATEMENT BY THE MEC FOR TRANSPORT, COMMUNITY SAFETY AND LIAISON, MR. MXOLISI KAUNDA, DURING THE ANNOUNCEMENT OF THE SUSPENSION OF SIZWE AND KLIPRIVER TAXI ASSOCIATIONS OPERATIONS IN LADYSMITH WEDNESDAY, 6 DECEMBER 2017

Good Afternoon.

Thank you for your presence in this media briefing, which I have called to provide an update on new developments in the taxi operations in Emnambithi. Specifically, these relate to the decision I have taken to invoke Section 91 of the National Land Transport Act (NLTA), 2009; Act No. 5 of 2009, which gives me powers to apply extraordinary measures to restore calm, peace and stability in a conflict-ridden area such as Ladysmith taxi operations.

To this end, following incidents of violence related to the taxi industry in this area, which has led to killings of scores of taxi operators, their family members and relatives as well as innocent citizens; I have decided to call off operations by both Sizwe Transport and Klipriver taxi associations.

This decision has been taken in consultation with the Provincial Executive Council, which has supported it. It is informed by several meetings and interventions I have made in this region, with all stakeholders and role-players, without desired results. Instead, the government's interventions have been met with more violence that increasingly threatens the stability of the industry and safety of citizens.

BACKGROUND

Violence in this region has a long history. Since 2014, there have been high-levels of unrest and violence, which has claimed the lives of 61 people, particularly in the routes operated by Sizwe Transport and Klipriver taxi associations.

The government, through the Department of Transport as well as Community Safety and Liaison, has made a number of interventions to bring peace and stability in the area of Emnambithi.

Since 2011, my predecessor, who is now the Premier of KwaZulu-Natal, Honourable Willies Mchunu, worked tirelessly to bring together the feuding parties.

Our approach has always been based on finding peaceful solutions through discussions and negotiations. At all material times, our interventions were guided by strict adherence to the law.

Last year we had a string of marathon meetings with three affected families, who are at the centre of this conflict, which has claimed lives in eZakheni and eSidakeni areas. Our interventions resulted in the formation of a three-aside committee, which was facilitating dialogue between the families involved in this long-drawn out, bitter and bloody conflict. This culminated in a cleansing ceremony which was held between the Mvelase, Mabaso and Gamede families in Esidakeni area in February this year.

After that cleansing event, the incidents of violence subsided and the area of Ladysmith began to

experience stability. This was a major, progressive step, even though there were still pockets of violence. At this point, we must commend the investigating team, which worked on the case involving the killing of 15 people in October 2014. This investigation led to the arrest, prosecution and conviction of a hitman (*inkabi*), who was found guilty and *sentenced to 176 years in prison*. There have been breakthroughs in many other cases, including one that saw the arrest of a then police officer Lungisani Mgaga, who was involved in the taxi conflict.

KILLING OF 11 PEOPLE AND INTERVENTIONS

Despite all these interventions, killings continued. In October this year, I was alerted to the fact that about six people had been killed in the conflict involving Sizwe and Klipriver taxi associations.

I then proactively assigned officials from my Department (Transport) to engage with the two associations. Unfortunately, only one association attended.

Furthermore, I personally convened a meeting with the two associations in a bid to prevent more killings, owing to each association claiming to be the rightful owners of the routes at the centre of the conflict.

Ladies and gentlemen; it is worth noting that Klipriver took the matter to court. Accordingly, the court has issued an interim order declaring Klipriver as the legitimate operator. As one of the respondents in the court papers, I fully complied with the court's decision and have ensured that all of the court's directives are adhered to. These include convening a meeting to ensure that we all respect and comply with the order.

While in the middle of the talks, we were then alerted to the brutal killing of the Deputy Chairperson of the Klipriver Taxi Association, Mr. Mzikayifani Ngobese, two members of his family, his two protectors or bodyguards; and five school teachers and one male passenger.

This unfortunate incidence occurred three days after I had convened a meeting with the two associations, again in an attempt to find a lasting solution to the conflict. To us, this incidence demonstrated the extent to which members of these two associations undermine the authority of the State, and thereby act as if they are not governed by the laws of this country.

Immediately after this horrific incident, I convened another meeting with the leadership of the taxi industry.

At this meeting, I made it clear that I was now left with limited options, except to invoke Section 91 of the NLTA. The Act empowers me to implement extraordinary measures to normalise transport services in the area if there is unrest, violence, conflict or instability.

During the meeting, we also agreed on the following:

- The SAPS shall fully investigate all the cases, and for that reason all should be led by the investigations and not untested allegations that fuel the conflict.
- Rank Security Management System to be introduced in Ladysmith, which entails installing of CCTV cameras and the appointment of a security company by the Alfred Duma Local Municipality, to protect everybody within the rank facility.
- Section 91 of the NLTA to be declared in the area should more acts of violence continue in the area. *This is what we are officially announcing to the public today.*
- Operators found to be involved in the violence shall lose their operating licences. The second step after the suspension of the operations, will be to identify elements who ferment violence within the taxi industry in the area.
- Everyone must obey the court order, and operate according to its directives. The Klipriver Taxi Association successfully obtained an interim court interdict against Sizwe Transport, which prevents them from operating long distance routes that are legally

registered to Klipriver, but were controlled by Sizwe owing to some historical agreements, which are now in dispute between the two associations.

It is unfortunate that even after this latter meeting, people continued to die. Last month (on 24 November 2017), I convened yet another meeting with both associations to urge them to resolve their dispute through constructive engagement.

The fact that two people were killed after this meeting, was also a clear indication that the taxi operators were not prepared to sit down and resolve their differences amicably.

As government, we are duty-bound to protect all citizens as mandated by the Constitution of the Republic of South Africa, and its integral Bill of Rights, which among others, guarantees all of rights to life.

As a caring government, we cannot fold our arms when people are being killed. We have thus taken the decision to suspend all taxi operations of Klipriver and Sizwe taxi associations in Ladysmith for six (6) months.

This means that both Sizwe and Klipriver taxi associations will not operate during the said period, effective from tomorrow-Thursday 07 December 2017.

This was not an easy decision, because we know it will negatively affect the mostly innocent, working class commuters, who rely on taxis for their daily travel to school, to clinics, to work, and to town. However, because we value the lives of our people, we would rather spare them from the daily hazards of using minibuses in Emnambithi.

No child deserves to bid goodbye to their mother or father in the morning, and go through the day uncertain if their parents will return home in the afternoon. Surely, neither of the parents should live to fear for the safety of their spouses owing to the conflict between operators, who should be valuing the lives of their customers in the first instance, because it is from them (commuters) that they as operators owe their livelihoods.

I am optimistic that during this period, both associations would have been able to find a lasting solution to the ongoing conflict. My doors will remain open to them, and I will stand ready to assist them find one another before the end of the six-month suspension period.

We can only review this decision only on the basis that there will be tangible, workable mechanisms between the two associations, which will assure us that this conflict will come to an end, ascertaining the safety of commuters.

ALTERNATIVE TRANSPORT

We would like to assure members of the public that as the Department of Transport, we are doing everything we can to ensure that they are not severely affected by the decision.

We have already engaged bus operators in the area to assist with the transportation of people. Bus routes and times have been developed and will be made available to the public.

This afternoon, I will be engaging members of the community to inform them about these decisions and the arrangements we have put in place to ensure that public transport services are not disrupted.

On Sunday, 3 December 2017, we convened a high-level meeting with the command structure of the South African Police Service (SAPS), the Department's Road Traffic Inspectorate (RTI) and Public Transport Enforcement Services (PTES), as well as the Alfred Duma Traffic Police teams.

We have developed a plan to secure the buses and private vehicles in the area. We wish to

emphasise that other taxi associations, which have agreements with Klipriver, will continue to operate as per the normal agreements.

PASSENGER SAFETY

The safety of passengers who will be commuting by buses during this period is critical. The SAPS and our traffic officers will maintain high visibility in affected communities to ensure that no taxis are operating illegally, and outside this decision, and that bus operations run smoothly.

I will also be personally monitoring the situation on the ground and make necessary interventions as and when the need arises.

We would like to appeal to all parties involved in this conflict to immediately embark on a constructive engagement process. Violence is in no one's interest. As government, we value the taxi industry, because it is a mass mover, but one that is largely owned by Africans. However, we get very worried that from time to time, we have to intervene in conflicts arising from the strife for control of routes, and other causes of conflict. We want to see this industry growing in leaps and bound, and playing an instrumental role in the socio-economic development of our country.

Yesterday marked the 4th anniversary of the passing of our struggle icon, President Mandela. As we reflect on his life and the immense contribution he made in building peace and unity in our country, we must all find a 'Mandela' in ourselves, and work towards eradicating all forms of social ills in the country, including the senseless killings that we continue to observe here in Emnambithi and a few other areas.

I thank you.

Ends.

Media contacts:

Mluleki Mtungwa: 0609741140 mluleki.mtungwa@kzntransport.gov.za

Kwanele Ncalane: 0728031462/ 0796995755/ Kwanele.Ncalane@kzntransport.gov.za

Nathi Sukazi: 0810180518/ Nathi.Sukazi@kzntransport.gov.za

Website: www.kzntransport.gov.za

Twitter: @KZNTransport

Facebook: www.facebook.com/kzntransport