GOOD DAY LADIES AND GENTLEMEN, I BRING YOU WARM GREETINGS FROM FELLOW FIRST INDIGENOUS KHOISAN CITIZEN OF AFRICA, MORE ESPECIALLY SOUTH AFRICA AND IN PARTICULAR GENADENDAL (VALLEY OF GRACE) THE OLDEST KHOISAN MISSIONARY IN SOUTH AFRICA.

OUR HISTORY DATES BACK CENTURIES BEFORE ANY EUROPEANS ARRIVED IN OUR CONTRY IN 1652 (JAN VAN RIEBEECK) FROM THE NETHERLANDS. FOR THIS VERY REASON IT NEEDS TO BE NOTED THROUGH THE CHARISMATIC LEADERSHIP OF PRESIDENT JOHN JANSEN OF MOVEMENT AGAINST DOMINATION OF AFRICAN MINORITIES (MADAM) THAT I AM HERE TO PLEA OUR CASE OF A FIRST INDIGENOUS NATION IN SOUTH AFRICA (GENADENDAL, WESTERN CAPE). OUR ANCESTROL LAND IS UNDER THREAT. OUR ANCESTORS WHERE PROUD LIVESTOCKFARMERS. SINCE OUR LAND ISSUE IS SO IMPORTANT THIS POOR DISADVANTAGED KHOISAN COMMUNITY SOLD SOME OF THEIR CATTLE TO PAY FOR MY AIRTICKET AND EXPENSES. WE ARE THE OLDEST KHOISAN MISSIONARY (1737) IN SOUTH AFRICA.

WE NEED TO MAKE TRIP ALONG MEMORY LANE TO FIRMALIARIZE US WITH THE PAST, PRESENT AND FUTURE TO GET AN IDEA WHERE ARE WE HEADING TO. FOR THIS REASON I AM GIVING A BRIEF HISTORICAL OVERVIEW. WITH THE ARRIVAL OF THE FIRST EUROPEANS IN SOUTH AFRICA IN PARTICULAR THE CAPE THEY DID NOT MAKE US (FIRST INDIGENOUS KHOISAN) EXSTINCT, HOWEVER THEY REDUCED US TO DEPENDENCY. OUR TRADITIONAL LAND WAS SUBDIVIDED INTO FARMS FOR THE DUTCH AND BRITISH COLONIST. BY THE LATE 1700’S THE NUMBER OF WHITE SETTLERS INCREASED FROM 53 TO 135 IN 1809. OUR ANCESTORS CONSISTED OUT OF THE FOLLOWING KHOISAN TRIBES, namely CHAINOQUA AND HESSEQUA.

THE FIRST MISSIONARY WAS GEORGE SCHMIDT (MORAVIAN) 1737. ON HIS ARRIVAL OUR ANCESTORS CULTURE WAS ALREADY DISRUPTED. THE MISSIONARIES ASSISTED THIS PROCESS BY ENCOURAGING OUR KHOISAN ANCESTORS TO ACCEPT THEIR WESTERN CULTURE AND FORSAKE OUR FIRST INDIGENOUS KHOISAN CULTURE.

THE COLONIAL GOVERNMENTS (DUTCH AND BRITISH 1652-1910) DESIRED A NUMBER OF SMALL SETTLEMENTS, WHERE REMNANTS OF THE KHOISAN COULD FIND REFUGE, LEARN INDUSTRIOUS HABITS, INCREASE THEIR VALUE AS A SOURCE OF LABOUR AND DO MILITARY
SERVICE IN CASE OF NEED OUT OF LOYALTY TOWARDS THEIR PROTECTORS. THE SETTELEMENTS HAVE BEEN CRITICIZED FOR REPLACING THE INDEGENOUS (KHOISAN) MODE OF LIVING BY MISSIONARY CUSTOMS. IT WAS ARGUED THAT THE MISSIONARIES SHOULD HAVE PRESERVED THE NATIONAL HERITAGE OF YOUR ANCESTORS.

THE EUROPEAN INVATION INTO KHOISAN TERRITORY CONSISTED OF THREE PHASES:

a) COMMERCIAL BORDER
b) AGRICULTURAL BORDER
c) TREKBOER BORDER.

WITH THE REARRIVAL OF THE MORAVIAN MISSIONARIES (GEORGE SCHMIDT WAS ASKED TO LEAVE DURING 1744, AFTER PRESSURE FROM THE DUTCH REFORMED CHURCH ABOUT ITS WORK AMONGST OUR KHOISAN ANCESTORS) 1792 THE GOVERNMENT OF THE DAY ALLOCATED CERTAIN AREAS TO OUR KHOISAN ANCESTORS. IRONICALLY THEIR OWN LAND

THE KHOISAN WAS SEEN AS A FREE AND INDEPENDANT NATION AND LIKE WISE ABLE TO MANAGE THEMSELVES. LEGISLATION BY THE BRITISH (1809) AIMED TO ANUL THE KHOISAN TRIBAL SYSTEM. OUR ANCESTORS WAS DEVIDED INTO THREE GROUPS:

a) SERVICE TO FARMS.
b) REGISTERED RESERVES.
c) MISSIONARIES

THIS PROCLAMATION MADE NO PROVISION FOR KHOISAN TO BUY LAND. (WHY WOULD YOU BUY YOUR OWN LAND?)

GENADENDAL'S LAND WAS FORMULISED INTO FORMAL TITLE BY VIRTUE OF A GRANT IN 1858 DONATED BY QUEEN VICTORIA FROM BRITAIN TO US 4 797 HA. THIS LAND WAS HELD IN PERPETUAL TRUST FOR THE BENEFIT OF OUR COMMUNITY.

FROM 1870 OUR LAND WAS REGULATED BY SEVERAL ACTS UNTILL 1924. MISSIONARIES WHERE GRANTED MORE AND MORE POWERS UNTILL THE MISSIONARY ACT OF 1909. ACT 29 OF 1929 SHIFTED POWERS FROM MISSIONARIES TO MAGISTRATES.

WHEN THE APARTHEID NATIONAL GOVERNMENT CAME TO POWER IN 1948 IT ATTACKED OUR KHOISAN EXISTENCE WITH ITS COLOUR CODED LEGISLATION. ACT 12 OF 1949 REFERRED TO OUR LAND AS COLOURED MISSIONARIES. THIS WAS A STEP TO REMOVE OUR KHOISAN IDENTITY. THROUGH LEGISLATION THEY (THE NATIONALIST GOVERNMENT TRIED TO TAKE OUR KHOISAN ROOTS AWAY),OUR
ANCESTORS WAS AGAINST THESE DISCRIMINATORY ACTS. THEY RESORTED TO PASSIVE RESISTANCE BY FORMING THE LOFT-MOVEMENT. THE LATTER WERE MEETINGPLACES THAT PLANNED ACTION PROGRAMMES AGAINST SEPERATE DEVELOPMENT.


WITH THE ARRIVAL OF OUR DEMOCRATIC DISPENSATION, GREAT WAS OUR EXPECTATION THAT WE WOULD GET BACK OUR LAND THAT WAS HELD IN TRUST BY THE MINISTER OF LAND AFFAIRS. THE DEMOCRATICAL ELECTED GOVERNMENT PROMISED TO GIVE OUR LAND BACK. THEY EVEN PAST LEGISLATION (ACT 94 OF 1998), IT IS CALLED THE TRANSFORMATION ACT ON CERTAIN RURAL AREAS ACT. GOVERNMENT ADOPTED POLICY OF PUBLIC PARTICIPATION.

THIS LANDREFORM PROCESS COMMENCED IN 2002 ON OUR LAND OF 4797 HA. (GENADENDAL, WESTERN CAPE, SOUTH AFRICA.) THE GOVERNMENT BY VIRTUE OF THE DEPARTMENT OF LAND AFFAIRS FUNDED THIS PROJECT AND APPOINTED THE THIRD LEVEL OF GOVERNMENT (MUNICIPALITY-THEEWATERSKLOOF) TO ACT AS ITS IMPLEMENTATION AGENT. THE LATTER IN TURN APPOINTED A CONSULTANT. BEAR IN MIND THIS IS SUPPOSE TO BE AN PROCESS OF PUBLIC PARTICIPATION. FROM THE ONSET THIS NEVER HAPPENED AND LED TO NUMEROUS LEVELS OF FRICTION. DURING MAY 2002 THE SPATIAL DEVELOPMENT CONSULTANT (URBAN DYNAMICS) OFFERED A WORKSHOP TO THE THEEWATERSKLOOF COUNCIL ON OUR LANDREFORM PROCESS. THE DEPARTMENT OF LAND AFFAIRS WAS PART OF THIS PROCESS AND AS SUCH THE AMOUNT AVAILABLE FOR THIS PROCESS IS MENTIONED. (COMPLETELY AGAINST GOVERNMENT TENDER PROCESS FOR ANY WORK DONE BY OUTSIDE ORGANISATIONS MUST ADVERTISED AND THEN ONE AWAIT THE OUTCOME FROM DIFFERENT INTERESTED PARTIES. DURING SEPTEMBER 2002 AN ADVERTISMENT WAS PLACED IN TWO LOCAL NEWSPAPERS, ONLY ONE APPLICANT (URBAN DYNAMICS) RESPONDED. WAS IT COINCIDENTAL OR WHAT? WHY WHEN ONLY ONE PARTY SHOWED INTEREST WAS IT NOT READVERTISED AS IS THE NORMAL PROCEDURE? THIS APPLICATION WAS ENTERED WITHOUT A TENDER AMOUNT, ON WHAT GROUNDS WAS THE TENDER AWARDED? EVEN MORE STRANGER THE APPLICANT WAS ASKED BY THE THEEWATERSKLOOF MUNICIPALITY TO LIASISE WITH
DEPARTMENT OF LAND AFFAIRS ABOUT THE MONEY. IF THE MUNICIPALITY WAS THE IMPLEMENTATION AGENT WHY WOULD IT ASK THE CONSULTANT TO GET THE MONEY ALLOTTED FOR THE PROCESS FROM LAND AFFAIRS? WAS IT THEN ALREADY SAYING IT HAD NO CAPACITY TO DO ANYTHING ABOUT THIS IMPORTANT MATTER. IT WAS ALSO COMMON KNOWLEDGE THAT OUR LAND THAT IS AND WAS HELD IN TRUST NEEDED SPECIAL ARRANGEMENT. WHY DID THE INVOLVED PARTIES, LAND AFFAIRS, THEEWATERSKLOOF MUNICIPALITY AND THE CONSULTANT, URBAN DYNAMICS IGNORE THIS?

WORK COMMENCED DURING APRIL 2003. THIS TRANSFORMATION IS VERY SPECIFIC WITH ITS TIME FRAMES. 18 MONTHS IS REQUIRED AND AN ADDITIONAL 6 MONTHS CAN BE ADDED. THE CONSULTANT PROGRAMME INDICATES 36 MONTHS NEITHER DEPARTMENT OF LAND AFFAIRS OR THEEWATERSKLOOF MUNICIPALITY ASKED QUESTIONS ABOUT IT. WHY NOT? THIS ACT HAS **6 PHASES OF IMPLEMENTATION** NAMELY:

- **PREPARATION**
- LANDRIGHTS INVESTIGATION,
- **LANDUSE PLAN**
- TENURE SECURITY PLAN,
- FORMATION OF A LEGAL ENTITY,
- TRANSFER OF LAND.

THE CONSULTANT, URBAN DYNAMICS INDICATED 4 MONTHS WILL BE SPENT ON THE FIRST PHASE OF PREPARATION. ONLY ONE HOUR SESSION WAS CONCLUDED. AGAIN THE QUESTION WE ASKED WHY DID DEPARTMENT OF LAND AFFAIRS AND THEEWATERSKLOOF MUNICIPALITY NOT MONITOR OR EVALUATE THE CONSULTANT'S WORK?

2005 SAW A LAND REFORM PROCESS THAT DEVELOPED VERY SLOWLY DUE TO MANY UNANSWERED QUESTIONS FROM THE TRANSFORMATION COMMITTEE. IS THIS THE KIND OF TREATMENT THAT A FIRST WORLD INDIGENOUS NATION OUGHT TO GET? IT IS THEREFORE NOT SURPRISING THAT A STALLMENT SITUATION OCCURRED TO THE LATTER PART OF THAT YEAR. THE GENADENDAL TRANSFORMATION COMMITTEE APPOINTED AN INDEPENDANT ATTORNEY (MR REGAN BROWN) TO ASSIST OUR COMMUNITY TO PROTECT OUR LANDRIGHTS. MR BROWN WROTE A LETTER TO THE DEPARTMENT LAND AFFAIRS TO ENQUIRE ABOUT IT'S REPORTS AND MONEY SPENT ON THIS PROGRAMME.

AT THE END OF JANUARY 2006 A RESPONSE WAS RECEIVED FROM OUR ATTORNEY THAT +- 50 % OF ALLOCATED MONEY WAS SPENT. VERY DISTURBING NEWS FOR OUR COMMUNITY. MUNICIPAL ELECTIONS TOOK PLACE DURING MARCH 2006 AND NEW POLITICAL NAMELY THE DEMOCRATIC ALLIANCE (DA) TOOK CONTROL OF THE THEEWATERSKLOOF MUNICIPALITY. THE GENADENDAL TRANSFORMATION COMMITTEE DECIDED TO HAVE MEETINGS (3 AND 11 MAY 2006) WITH THE NEWLY ELECTED COUNCIL TO RESOLVE OUR LAND DISPUTE. ACCESS WERE GRANTED TO INFORMATION WE REQUESTED I.E. PROGRESS REPORT AND MONEY SPENT. TO OUR DISMAY WE UNRAVELLED INFORMATION THAT R 860 000 OF A BUDGET OF R 1,4 MILLION WAS SPENT. ONLY ONE INCOMPLETE PROGRESS REPORT WAS ATTACHED TO SIX INVOICES. THE GENADENDAL TRANSFORMATION COMMITTEE COMPILED A DOCUMENT OF APPROXIMATELY 500 PAGES OUT OF RESOURCES FROM THEEWATERSKLOOF MUNICIPALITIES DOCUMENTATION. THIS DOCUMENT WAS MADE AVAILABLE TO THE DEPARTMENT OF LAND AFFAIRS, THEEWATERSKLOOF MUNICIPALITY, THE PREMIER'S OFFICE OF THE WESTERN CAPE (SECOND TIER GOVERNMENT) WITH NO REPLY UP TO DATE. FROM JUNE UNTILL DECEMBER 2006 THE GENADENDAL TRANSFORMATION COMMITTEE TRIED TO RESOLVE DIFFERENCE WITH DLA AND TWK, HOWEVER TO NO AVAIL.

WITH THE ARRIVAL OF 2007 WE HAD NO CHOICE BUT TO GO TO COURT. A IRREVOCABLE BRAKE DOWN IN TRUST OCCURRED BETWEEN GENADENDAL TRANSFORMATION COMMITTEE AND THEEWATERSKLOOF MUNICIPALITY. THE LATTER'S TREATMENT ABOUT OUR LANDRIGHTS LEFT AS A FIRST INDIGENOUS NATION ASTOOND. OUR LEGAL TEAM'S ACCOUNT IS CURRENTLY PAID THROUGH FUNDRAISING IN THE FOR OF CAKE SALES, FOOD, DANCES THE THEEWATERSKLOOF MUNICIPALITY DUMP A NEIGHBOURING VILLAGE (GREYTON'S) CARBAGE ON OUR LAND. DUMP NEIGHBOURING FARMERS TOSIC WAST ON OUR LAND. THEY SELL OUR VALUEABLE TOPSOIL AND SAND TO OUR RICH
EUROPEAN NEIGHBOURS WHO LIVE IN GREYTON. THEY ENCOURAGE OUR PEOPLE TO SELL OUR LAND TO RICH EUROPEAN. THEY SHOW NO RESPECT FOR OUR ANCESTRAL FIRST INDEGINOUS NATION'S RIGHTS. THEIR DIRECTOR COOPERATIVE SERVICES REFER IN CORRESPONDENCE TO OUR TRANSFORMATION COMMITTEE AS A SO CALLED COMMITTEE, EVEN THOUGH A LEGITIMATE PROCESS CALLED FOR ITS EXISTENCE. WHEN OUR ATTORNEY WROTE TO THE THEEWATERSKLOOF MANAGER ABOUT ILLEGAL DUMPING AND SERWERAGE THAT RUNS INTO OUR MAIN RIVER. HIS REPLY WAS TAKE ME TO COURT. OUR CONSTITUTION FORBIDS RACIAL DISCRIMINATION. THE FORSAID ATTITUDE OF A WHITE MUNICIPAL MANAGER LEAVES US UNDER NO ILLUSION THAT APARTHEID IS VERY MUCH ALIVE AND THAT AS A FIRST INDEGINOUS NATION WE ARE NOT RESPECTED.

WE AS THE RIGHTFULL OWNERS OF FARM 39 TODAY CALLED GENADENDAL (MEASURING 4797 HA) WANTS OUR LAND THAT WAS HELD IN TRUST SINCE 1858 AND IN ANY EVENT BELONGED TO US LONG BEFORE ANY EUROPEANS ARRIVED IN SOUTH AFRICA. OUR LAND IS IN TRUST BY THE MINISTER OF LAND AFFAIRS (FIRST LEVEL OF GOVERNMENT) AND NATIONAL POLICY DICTATE THAT OUR LAND MUST COME BACK TO US. THE THIRD LEVEL OF GOVERNMENT THE THEEWATERSKLOOF MUNICIPALITY WANTS TO TAKE HALF OF OUR LAND CLAIM IT BELONGS TO THEM. THE REMAINDER WILL COME TO US, HOW ON EARTH CAN ONE DISECT SOME THAT IS A UNIT IN HALF. FURTHER MORE ITS NEEDS TO BE NOTED THAT THEY (TWK) WILL BE IN CONTROL OF OUR VILLAGE, BUT OUR AGRICULTURAL LAND WHERE OUR SAND, STONE AND TOPSOIL IS AS WELL AS ABLOTION FACILITIES IS WILL BELONG TO US. THIS SITUATION WILL UNDOUDTLY LEAD TO NUMEROUS LAND DISPUTES. I WOULD LIKE TO KNOW DO IT MAKE SENCE IF GOVERNMENT SAID GIVE THE INDIGENOUS FIRST NATION PEOPLES LAND BACK, BUT YOU AS GOVERNMENT KEEP IT IN ANOTHER SPHERE OF GOVERNMENT. WE AS FIRST INDIGENOUS KHOISAN FEEL UNHAPPY ABOUT THESE EVENTS. AS A LAST RESORT WE URGE THE UNITED NATIONS TO INTERVENE. SOUTH AFRICA EXCEPTED AT A CABINET MEETING ON THE 3 NOVEMBER 2004 OUR STATUS AS KHOISAN A FIRST INDIGENOUS NATION. IT IS Futher A SIGNATURE TO THIS EFFECT AT THE UNITED NATIONS. OUR PRESIDENT IS POSSESSION OF THE RECOMMENDATIONS BY SPECIAL RAPPORTEUR RODOLFO STRAVENTHAGEN (U.N.O) ON THE SITUATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS OF INDIGENOUS PEOPLE (15 DECEMBER 2005).

IN OUR NEIGHBOURING VILLAGE, GREYTON OUR KHOISAN BROTHERS AND SISTERS WHERE EVICTED THROUGH RACE BASED LEGISLATION IN 1976, AS WELL AS CURRENTLEY BY SUPER RICH EUROPEAN FROM CAPE
TOWN AND ABROAD. IT IS CURRENTLY TO EXPENSIVE FOR OUR PEOPLE TO RETURN TO THIS VILLAGE SIMPLY BY THE COSTLY NATURE OF LAND. YOU HAVE TO BE A MULTIMILLIONAIRE TO AFFORD GREYTON. OUR CONCERN IN GENADENDAL THAT WE ARE ABOUT TO SUFFER THE SAME FAITH.

OUR ANCESTORS PRIOR TO COLONIALISM, APARTHEID AND EVEN DEMOCRACY HAD A LONG HISTORY OF SELFGOVERNANCE.

WE CAMPAIGNED AGAINST THE AUTHORITAIN MANAGEMENT SYSTEM OF THEEWFATERSKLOOF MUNICIPALITY. WE LAID CHARGES AGAINST THEM OF ILLEGALLY COLLECTING LAND TAX FROM (2000 TILL TO DATE) OUR KHOISAN COMMUNITY DUE TO THE FACT THAT THE MINISTER OF LAND AFFAIRS HELD OUR LAND IN TRUST. WE FURTHER MORE MADE A CRIMINAL CHARGE FOR ILLEGALLY TAKING AWAY TOPSOIL AND BUILDINGSAND FROM OUR LAND AND ALLOW IT TO BE USED IN A NEIGHBOURING VILLAGE, GREYTON. THIS WAS STRUCK FROM THE THE DEPARTMENT OF JUSTICE'S ROLE FOR PROSECUTION. HOWEVER WHEN WE THE TRANSFORMATION COMMITTEE ON LAND STOPPED PAYMENT OF LANDTAX TO THE MUNICIPALITY THEY CHARGED US WITH THEFT. WHAT CAN OF JUSTICE SYSTEM IS THIS? IS IT BECAUSE THE MAGISTRATE, PUBLIC PROSECUTER, MUNICIPAL MANAGER AND MAYOR ARE STILL WHITE AND CONSERVATIVE?

LADIES AND GENTLEMEN WE SEEK THE INTERVENTION OF THE UNITED NATIONS TO SUPPORT AS IN OUR CLAIM AS KHOISAN AN INDIGENOUS FIRST NATION PEOPLE WHO SEEKS THE LAND OF 4 797 HA THAT WAS HELD IN TRUST FROM 1858 UNTILL TO DATE. COLONIALISM, APARTHEID AND EVEN OUR NEW FOUND DEMOCRACY FAILED TO TAKE OUR LAND AWAY. OUR LAND IS CURRENTLY UNDER SEVERE TREAT DUE TO AN OVER ZEALOUS THIRD TIER GOVERNMENT (THEEWFATERSKLOOF) WHO ENCOURAGE THE SALE OF OUR ANCESTORAL LAND.

OVER CENTURIES OUR AS A FIRST NATION KHOISAN COMMUNITY WE WHERE EMPOWERISHED DUE TO COLONIALISM, APARTHEID AND EVEN DEMOCRACY WE ARE STILL USED AS A LABOURFARM. WE NEED ASSISTANCE TO BE COME MORE SELFDEFCIENT AND THEREFORE NOT TO DEPEND ON OTHER PEOPLE( GENERATE PASSIVE INCOME).
OUR RECOMMENDATIONS ARE AS FOLLOWS:

1) THE SOUTH AFRICAN GOVERNMENT NEEDS TO ACCEPT THE RESOLUTION ON INDIGENOUS PEOPLE AS IS.
2) ENSURE THE SOUTH AFRICAN GOVERNMENT IMPLEMENTS THE STRAVENTHAGEN REPORT.
3) REMIND THE SOUTH AFRICAN GOVERNMENT ABOUT ITS ACKNOWLEDGEMENT OF INDIGENOUS RIGHTS AND HERITAGE.

PLEASE HELP US. I THANK YOU

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