Draft Public Participation and Progress Report

On the grave relocation process of graves located in the servitude of Eros-Vuyani-Neptune 400 Kv Eskom transmission power line

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Executive Summary

This report serves to provide information on the proceedings and as a record of meetings held with affected families regarding the exhumation and relocation of graves in the servitude of the Eros-Vuyani-Neptune 400Kv Eskom Transmission Power Line.

From the 13th of June to the 22nd of June 2016 the study area was visited by an Eskom representative (Ms Khululwa Gaongalelwe) as well as members of the social team (Mr. Moses Mahlangu and Mr. Chris Le Roux) and the archaeologist for the project (Mr. Jaco van der Walt). The aims of this site visit were as follows:

- To meet with the chiefs of the area to obtain permission to conduct the necessary work in their area;
- To meet with the affected families to explain the relocation process with them and to obtain their permission and consent letters;
- To kick off the mandatory 60 day consultation period (i.e. putting up of site notices, distribution of flyers etc.);
- Conducting a high level archaeological reconnaissance survey of the alignment.

The site visits were successful and the meetings well attended. The chiefs are also very helpful in assisting to get the affected families in their villages. Attendance registers were signed and they will be used to confirm the exact number of affected family members who attended.

All the meetings held agreed that families must be given time to agree on the needs and requirements for the exhumation and relocation process. It was agreed that the PPP Team will return to the area to collect the consent forms. Examples of the consent forms both for Tribal Authorities and the Next of Kin are included as Annexure F. Proposed dates to revist the affected fmilies are 10 to 12 August 2016 and 22 to 25 August 2016. The team will also meet the four chiefs (with their council members) of the Flagstaff Administrative Area on 22nd August 2016.

The following report outlines the approach followed, the results of the initial meetings with the families and the way forward.

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1: Introduction

This report serves to provide information on the proceedings and as a record of minutes of meetings held with affected families regarding the exhumation and relocation of graves in the servitude of the Eros-Vuyani-Neptune 400Kv Eskom Transmission Power Line.

From the 13th of June to the 22nd of June the study area was visited by an Eskom representative (Ms Khululwa Gaongalelwe) as well as members of the social team (Mr. Moses Mahlangu and Mr. Chris Le Roux) and the archaeologist for the project (Mr. Jaco van der Walt). Meetings with the chiefs and affected families were held in following locations: Harding, Bizane, Lusikisiki, Flagstaff areas, Libode, Ngqeleni, Nohlutha/ Ntsilekane, Butterworth (2 meetings) and Idutywa.

2. Methodology

All meetings were held to discuss the relocation of graves for families that were relocated from the servitude of Eros-Vuyani-Neptune 400Kv Eskom Transmission power line. Oral presentations were given in the language of the local communities (either Zulu or Zhosa). Khululwa Gaongalelwe explained the purpose of the meetings and introduced the PPP Team. Moses Mahlangu gave presentation on the process to be followed leading up the final exhumation and re-burial. Chiefs were allowed to facilitate the meetings and the study team gave presentations on the process to be followed for the exhumation and relocation of graves. The Eskom representative supported the team by way of responding to questions and concerns raised by the attendees. Photographs were taken at the meetings and are included as Annexure A.

The first round of consultation was successful as only about three families are still to be found. One family is in Johannesburg and it has since been agreed with Eskom that maybe this family could be met in Thembisa/Kempton Park. The chiefs are also very helpful in assisting to get the affected families in their villages. It is therefore our belief that during the next round of site visits we are likely to find the outstanding families. Attendance registers were signed and they will be used to confirm the exact number of outstanding families, these are included as Annexure B.

The meetings were conducted in the same format and the agenda and presentations for all the meetings consisted of the following:

Opening and welcome

In each area visited the chief welcomed all in attendance and indicated that the meeting was about the grave relocations.

Introductions and Registers

The Induna/Usibonda introduced the Traditional leadership of the area and Ms Khululwa Gaongalelwe introduced the study team and explained the purpose of the meeting at each meeting. Attendance registers were signed at every meeting (Annexure B). All chiefs were asked to complete a document to indicate that they were consulted in this process and this is included as Annexure C.



Presentation

Mr Mahlangu gave a presentation on the exhumation process to be followed and the following information was conveyed at each meeting:

Eskom, appointed an independent consultant to ensure compliance to the legislation.

The team of independent consultants consists of:

- Public Participation Personnel to handle the public consultation process (Chris le Roux and Moses Mahlangu)
- Archaeology specialists who will apply for all the necessary permits and ensure proper procedures are followed during the exhumation (Jaco van der Walt).
- Undertakers who will apply for the relevant permits from the department of health and to ensure proper procedures are followed during the exhumation (Nanti Croucamp).

The Process of acquiring permits requires permission letters from:

- o The local police commissioner
- The area's Traditional Authority (chief)
- The Department of Cooperative Governance and Traditional Affairs
- The premier of the province
- Next of kin for each grave

Two permits will be issued by:

- South African Heritage Resource Agency
- Department of Health

Exhumation of graves will be done by AVBOB

- o Families are advised that sometimes no remains are found in the grave
- Photos will be taken during the exhumation process
- 1m standard plywood coffin will be used

Information required from affected families include:

- Contact details of family representative (telephone number; email and ID)
- Family representative to complete and sign the consent form

Legislative Requirements

- Section 35 and 36 (5) of the National Heritage Resources Act (Act 25 of 1999);
- Section 2 (1) of the Removal of Graves and dead bodies Ordinance (Ordinance no. 7 of 1925);
- The Exhumations Ordinance (Ordinance no. 12 of 1980);



3. Discussions and Questions Raised

During the meetings community members were given an opportunity to raise their concerns and comment on the process and the information presented to them. The meetings were held in local languages and an outline of the feedback, questions asked and responses is translated below.

Discussions and Question	
Questions/Comments	Responses
Harding (Chief Machi)	14 June 2016: 13H00
In the area of Harding there are graves that are without owners and are lying in the servitude. The Chief and the people in Harding will assist in identifying the families of such graves.	The study team accepted the proposal, but for families who do not want to relocate Eskom will not be responsible or accountable if there are any challenges or intentions to relocate in future.
There is also a grave of the forefather of chief Machi, Chief Machi indicated that the process of relocating the grave of the chief must first be	The affected families are requested to indicate the rituals that must be performed. Eskom will consider the cost relating to the rituals of relocating the graves
discussed by the royal family and later by the tribe. It was then resolved that the study team will return on 12 August 2016 to get feedback on	It was agreed that no compensation will be paid but Eskom will only look at supporting the rituals of relocating the graves. No benefit will be derived from the relocation process.
what is decided. Other affected families were also requested to go and decide if they want their graves relocated or only fenced	
Eskom is commended for the way in which it handled the issue of relocation and the community is appreciative of the approach adopted by Eskom for the process of grave relocation. The community members are however concerned about the consent form that must be signed. This seems to be binding the community to the decision to be taken today. Since the process of exhuming and relocating graves is a painful exercise to family members some will not want to exhume but would prefer to perform some rituals of informing the ancestors that the homestead had been relocated and their spirit be taken to the new homestead.	It has been agreed that the affected parties will be given a chance to consider the issue of grave relocation versus fencing the graves and only perform the ritual of moving the spirit. The agreed timeframe is until the 12 th of August 2016. Each affected family is given the opportunity of choosing the person who will represent them and to specify their needs.
The following question was raised: "If it is agreed that we do not relocate the graves and only fencing is done, some of us spent lots of money	It was explained that Eskom is not paying compensation in this process; instead families can be supported financially in performing the cultural rituals of relocating



during the funeral of the deceased person. How graves or removing the ancestral spirit. This is considered to be a culture that does not result in financial benefit. much are we going to get out of this process?" Hence Eskom support the respect and fulfilment of cultural activity. The community members enquired whether Eskom is not going to just give money instead each family Eskom is going to assist families to buy the must explain what is needed and this must be reasonable and meaningful. Eskom will then consider the request and required beast to slaughter or Eskom is going to bring the beast itself? decide on the extent to which it is going to give support. What will happen if one family has more than one The chief and his council are expected to help to ensure grave, what is the maximum amount Eskom is fairness in the whole exercise. It is hoped that families will prepared to pay? submit fair requests to perform necessary cultural rituals. Eskom will receive all the requests and assist the families financially to perform their rituals. The Chief advised that families should not to Comment noted and it is believed that affected families make ridiculous requests that are not in line with should take this advice into consideration when compiling cultural practices. Families are advised to practice the list of requirements for this function. the culture of the relocation of graves or ancestors/spirits correctly because unheard of ways of performing rituals can result in curses. Eskom would carry the cost of grave relocation that is why If families agree not to relocate the graves are they allowed to continue burying their family Eskom employed an independent consultant to ensure members in same area where their relatives that that the work is done according to the country's are already lying there? legislations, however if the families cultures are against the exhumation of graves and the families want to fence and perform rituals. Eskom will consider that but will not be responsible or accountable if there would be any challenges in future. Eskom will fence the graves but will not do maintenance and going into the future. Eskom relocated the families and the servitude belongs to Eskom. Eskom will work and do maintenance on the line anytime and therefore no graves should be built under the line. Families were relocated, paid and chiefs allocated them with new sites. Why would they want to use the same areas? Eskom will not be involved in this the chiefs will assist in this. The Chiefs headman also said that they will discuss this with specific families because the land in the villages is controlled by them.



Bizana (Chief Faku)	15 June 2016: 10H00
The new power line is traversing cultivated land and sometimes it goes over the yards of homesteads. No compensation has been paid for this. Payments made relate to relocation. When is Eskom going to pay for the fields and reduced yards?	It true that Eskom promised to pay for the land taken for the power line servitude. This payment can only be done once the resolution is made and bank account opened in a community trust name. According to Eskom records the community resolution and trust have not been established and the Chief should liaise with Smith Tabatha and provide them with outstanding documents.
Is Eskom removing the graves because there is something that is going to be built under the power line where there are graves or they must be removed because they are not wanted in the servitude?	When Eskom relocated the families that were within the servitude, it was agreed that Eskom will also relocate the families' graves as well. The Eskom power line is already existing and live.
The size of the grave is normally 2m long and 2.5m deep. It is said that the coffin that is going to be used is 1m long. As families we are not going to accept graves that not of the same size as what we originally made.	The size of the will be the standard grave or the same size as the original size. The only difference is in the coffin size.
It has been three years since we buried our mother. We want to know if the reburial is also going to involve small coffin.	If during the exhumation it is found that the coffin is still in good manageable condition then the reburial can be done in the same coffin. The situation will be assessed on site. Tombstones will be removed to the new grave site.
How long does it take the body to disintegrate? My mother was buried eight years ago. Do you think that now we will find bones only or there will still be flesh?	This will be communicated at the next meeting.
Travelling cost is a burden when attending meetings. Some travelled from Durban with public transport and had to sleep over at families. Eskom must consider helping us with transport when attending these meetings	Eskom representative, Khululwa, will address the issue at Eskom and provide feedback on the next meeting.



Lusikisiki - Emakhwaleni (Chief Jiba)	16 June 2016: 11H00
We are dealing with different families, is this activity/function of grave relocation going to be done on the same day or over a number of days?	On average five graves can be relocated per day but this is affected by the distance between the old and the new burial places.
Who will inform the premier about the proposed exhumation process?	The archaeology specialist will inform the COGTA, Police and Premier. He will also apply for the necessary permits.
The relocation of a grave is like a funeral. Does this mean the process will be run like we normally conduct funerals?	Families will be expected to decide on how they want the process in terms of culture or religion done. The specialist and the undertaker only get involved in the actual process of exhuming and re-burying the body
A community member enquired whether Eskom will install tombstones also on those graves that did not have one?	The Eskom representative indicated that Eskom will provide tombstones and that families will be asked to provide the epitaph
It was indicated that there are other families that were relocated but are not present in the meeting	The team of consultants is leaving consent form and different public notification notices. There is still sixty days' notice period during which affected families could come forward. Such families should be encouraged to contact the Public Participation Team and be included in the database for consideration. The Chief is also requested to assist with such families.
A closing comment for the meeting emphasized those families must understand and accept that this project is not going to financially benefit families. The chief indicated that the letter of consent to the relocation of graves on his area will be issued.	The consultation team will collect the forms on 11 August 2016.
The chief said that there should be a sheep slaughtered at the chief's palace in regards to the relocation of the graves in his areas.	Eskom will be informed and feedback made on the 11 August 2016.



Flagstaff (Four Chiefs – Nonkonyana; Ndabankulu; Mdutshane & Njisane)	17 June 2016: 10H00
The headman from Bala administration made an opening comment by way of concurring with the presentation given that families must understand that it is possible that no remains of the body might be found and that reburial of bones only will be done using a smaller, 1 m coffin that is uniform for all families.	It was mentioned that the chiefs of the affected villages (Chief Nonkonyane; Chief Ndabankulu; Chief Mdutshane and Chief Njisane – Who arrived later during the meeting) were aware of the meeting. The chiefs even assisted in getting some of the affected families to attend the meeting. The meeting agreed that the PPP Team and Eskom will return on the 22 nd August 2016 when all chiefs
The chiefs could not attend because they are attending to cultural activities in the villages. The headman suggested that the PPP Team and Eskom return on the day when chiefs around Flagstaff come to town for the council meeting and for their salaries. It is important that such important activity in the area is understood by all traditional leaders of the area around Flagstaff	will be in town.
One affected family member expressed unhappiness that his money for the relocation of the family had not been paid in full and now Eskom is talking about something totally different, that is, payment for the relocation of graves. He wanted to know when the graves are going to be relocated.	It is estimated that the actual relocation process will occur around January/ February 2016. The issue of payment for the relocation of the family was discussed outside the meeting as it was not included in the agenda for this meeting
If the body is found to have some flesh or even intact what is the procedure? Is the body going to be squeezed into the 1m coffin or is the body going to be dismembered and packed into the small coffin?	This will also be communicated at the next meeting.
"I thought the meeting is about getting information on how much are families going to get out of this process?" The explanation given is that Eskom actually give financial support for the cultural activity related to the relocation of the grave. I ask that you give me the notice so that my children can read and explain to the whole family at home.	Eskom is will be responsible for the cost for the relocation of graves. Attendees were given consent forms and flyers in Xhosa which contained the necessary information regarding this grave relocation project.
If the coffin is found to be in good condition what is going to be done?	It will be removed as it is.
Is the normal funeral service allowed or conducted on the day of reburial?	The process of exhuming and reburial must be done on the same day. The body is not going to be taken to the mortuary again. If the family want to conduct a funeral service they must arrange it themselves. Eskom and the



	specialists do not get involved.
When my husband died I was already a traditional healer and there were special cleansing procedures that were performed for me as a healer. There is also a grave that is outside the servitude but in the yard of the homestead that was relocated	The new grave may be added on the list of the number of graves to be removed. The family must specify what is required for all the rituals and cleansing that must be performed. Eskom will consider the requested needs.
In villages funerals are conducted on weekends, especially of Saturdays. Are you going to allow the body to sleepover for burial over the weekend?	Exhumation and reburial must be done on the same day.
If the deceased was buried in a casket, since for reburial it is said a 1m standard coffin is going to used, is Eskom going to refund families for the casket	Eskom give financial support for the process of grave relocation and the associated cultural practices. It is about the respect of cultural practices. No refund or compensation will be paid.
Who will organize the villagers to come and dig and if necessary who is going to pay people to dig?	AVBOB staff will dig and exhume the body with the supervision of an archaeologist.



Libode - eMbobeleni (Chief Ndamase)	18 June 2016: 10H00
We have already relocated the two graves of our family members. The whole process of arranging for the relocation and the actual cost were carried by the family. Unfortunately some of the slips/receipts have been lost. How are we going to be assisted to recover all our cost because it is Eskom who delayed in contacting us regarding the relocation of graves?	The family is requested to indicate the estimated cost incurred. The chief will be requested to confirm if the cost was realistic and Eskom will consider the submitted cost estimate. To be in line with the cultural practices Mrs Lugomo Nowam was advised to involve one male person from her in-laws.
Is this process of grave relocation only focusing on one village, that is, eMbobeni?	The relocation of graves is for those families that were relocated for the purposes of constructing Eros-Vuyani-Neptune power line. This line is about 360 km long and all affected families from different villages along the line are considered.
What happens to people whose yards or cultivated lands were traversed by part of this power line	Compensation for relocation has been concluded. The outstanding payments are those that must go to communal trust. These payments are delayed by tribal resolutions that must be facilitated by the chiefs.



Umtata- Chief Dumolwakhe Ndamase	19 June 2016: 07:30
The Chief could not attend the meeting at Mbobheleni Area at Libode and requested to meet the team for relocation of graves at Umtata at Mikes Kitchen. After the presentation about the process that will be followed, the Chief said he will support the families. He is more concerned about the tribal resolutions saying they are not getting support from Smith Tabatha and Eskom should help.	Eskom said the outstanding documents should be submitted and Eskom will also engage with Smith Tabatha to speed up the process.
Engqeleni - KwaChunu (Chief Vava)	19 June 2016: 12H00
In our culture the funeral will be conducted following certain processes. In this case the funeral has been done but we are not sure if Eskom is going to allow second funeral services?	Eskom focuses on the exhumation and reburial activity. Financial support given is for cultural practices that must be performed. The chiefs are expected to help in guiding the affected families to ask for those needs that are required for the cultural activities.
The Chief also said that in regards with the opening of the Trust, the documents have been ready and Smith Tabatha is no longer helpful, the documents were ready but in the meantime some of the people passed away, so they need to start again.	Eskom will liaise with Smith Tabatha
The two graves are for twins who died at eight months old in 1999.	Comment noted. And it is hoped that the archaeology specialist and the undertaker contracted to do the job will take note of this comment
Since we have two graves does it mean they are going to be relocated on the same day?	It is estimated that five graves will be relocated per day



Nohlutha - Ntsilakane (Chief Mtirara)	20 June 2016: 10H00
In his opening remark, Chief Thanduxolo Mtirara wanted to know if all affected families had been invited and if they were present at the meeting	It was reported that two families were not present but the Eskom representative mentioned that these families were telephonically informed about the meeting and one of them indicated that he would not attend a meeting that is organized at the venue of the group he does not like and he did not relocate the house as only one house within the yard was demolished. One family said she will send a representative who is at the meeting.
Mrs Shumayela mentioned that the family agreed that their graves should not be removed instead Eskom must fence them and place head stones	The comment is noted but it was also stressed that since the family has been allocated a new site, the stand on which they have been removed now under the control of chief and the servitude/right of way land belongs to Eskom. Eskom will do maintenance on the line and families were relocated and paid and should not come back to the line. If they want to continue burying their families in that area, they should burry them in the new allocated side.
The affected families were warned by other community members that the chief gave the piece of land (servitude) to Eskom who paid the families for relocation and these families should not use the old yards for plantation as the chief gave then new sites.	Comment noted. According to Eskom, people were relocated and should not be using the areas; Eskom will be doing maintenance on the line at any given time as the servitude belongs to Eskom. It was indicated that it is not safe that people are still using these areas whereas they were relocated; it is no longer their areas now.
The families who are still using the land for planting /gardening where they have been moved said that Mlulami (who was an Eskom contractor) said that they can still use the land for planting purposes.	
The other community members are not pleased with this and Eskom should resolve it	
Some attendees complained that they have now been given smaller sites and they were told that they can use their previous gardens for vegetable cultivation. They expressed dissatisfaction with the smaller sites. The families who are still planting on their previous sites said Eskom must resolve this issue and that they are not happy at all.	Eskom said that this issue should not affect the issue of the grave relocation process. It is not right to re- use the land and this should be discussed separately.
A representative for the Nosingile family indicated that they have agreed as a family that their graves should not be removed since only one	Comment noted.



house was demolished and built on the other side on the same site for her father's family who is very old. But for her house the graves should be relocated	
Eskom must build proper foundations for the graves before installing the headstones	Communities are encouraged to write all their needs and Eskom will consider them with the help of chief.
Mrs Mpini still wants Eskom to compensate for rituals they performed without being paid.	Eskom should respond to this at the next meeting



Idutwa Village [Butterworth] (Chief Bonkolo)	21 June 2016: 10H00
The Mcondobi family was represented by a young man because Mrs Mcondobi was not feeling well and could not attend. There are two graves of children that must be removed.	
Mr Xhalabile was represented by a grandchild (Umzukulu).	
Mr Sikeyi, the headman, attended to support the two villagers.	
Attendees wanted to know if graves are going to be affected by construction of something if they are not removed. They are fenced, but the fence is damaged.	If the families do not want to relocate, families are advised that once the process of relocation of graves is completed and closed Eskom will not accept any responsibility for whatever happens on the graves. Eskom is willing to fence the graves in-situ but will not maintain the site.
The chief agreed that the family will meet to decide if the graves should be relocated or be left in the same place. A concern was raised that since Eskom will provide the headstone and in the current state the graves have solid concrete grave dressings all around, if Eskom only pays for the headstone, who will carry the extra cost? Grave dressings above the ground were made of bricks and cement.	Eskom will only provide the headstone. Families are requested to write a full list of what they want and how they want their graves to be reconstructed. It is not the intention of Eskom to disadvantage the affected families.
During the discussion it emerged that four families were involved, namely the Mcondobi; Xhalabile, and two Bonkolo families	



Qora Village [Butterworth] Chief Poswa)	21 June 2016: 13H30
Chief Poswa wanted to know if all affected families had attended and she wanted to know	It was confirmed that attendees were members of the Feni families (Genani Feni) who had two children's graves.
who each attendee represented	Feni Family requested a re-imbursement of R200 for asking the elders from other villages to attend. They were given the money and the chief stamped a document as proof.
Affected family members wanted to know if bones of elderly people would fit in the one meter coffin. They were concerned that bones of the two children were going to be mixed in one box	It was explained that separate bodies are put in different boxes. The archaeology specialist will supervise the packing of bones inside the box hence it was confirmed that the relocation process is not just a haphazard process in which bones are just thrown into the coffin.
Mrs Radebe could not attend on 21 June 2016 and the consultation team went to see her the following day. She represented the Jam-Jam family and the Sodladla family. She was happy with the consultation and indicated that she will consult the two families so that they can compile the list of their needs for the relocation process	Mrs Radebe's attendance is noted.
Kobodi Village (Chief Lunga Ntsimango)	22 June 2016: 10H00
Does Eskom give support for transport to make arrangements for the functions that relate to the relocation of graves? Families need to get groceries and some elders of the family might have to travel from far and groceries will be purchased shopping centres outside the villages.	All expences relating to the relocation of graves must be specified on the issued consent form.
The Mshweswhe family might not have the death certificate of the deceased person, only the identity document is available	The family is advised to get an affidavit and maybe the chief can confirm that the grave belongs to the Mshweshwe family



4. Key Points Coordinates

Coordinates of the areas in which the meetings were held were taken and it must also be noted that the site notices were placed in these areas and will remain there for the required 60 days. Site notices were translated into the local languages and flyers were also handed out. Site notices and flyers are included as Annexure D and photographs of the placed notices are included as Annexure E.

Point/Village	Chief	Coordinates
Harding	Machu	30°38'21.3S 29.53081E
Bizane	Faku	30°47'00.8S 29.45301E
Lusikisiki-eMakhwale	Jiba	31°16'35.2S 29.18115E
Flagstaff	Four chiefs (see above)	31°04'50.7S 29.30314E
Libode - eMbobeleni	Ndamase	31°45'39.8S 29.11'29.7E
Engqeleni - KwaChunu	Vava	31°62'52.9S 28.95'00.8E
Nohlutha - Ntsilakane	Mtirara	31°91'51.6S 28.56'04.4E
Idutwa Village [Butterworth]	Bonkolo	32°02'05.7S 28.41'56.9E
Qora Village [Butterworth]	Poswa	32°24'67.5S 28.24'71.7E
Kobodi Village	Lunga Ntsimango	32°45,23.4S 27.99'94.2E

5. Risks:

At this stage minor risks have been identified including:

- Families not agreeing on the exhumation and relocation process e.g. the two wives that were married to one man (Chief Faku).
- The issue of graves that are not in the servitude but that belong to families that were relocated.

6. The way forward

In correspondence with AMAFA and SAHRA it was indicated that it would be preferable to include radio advertisements of the intended relocation of the graves.

It was agreed that the PPP Team will return to the area to collect the consent forms. Proposed dates are 10 to 12 August 2016 and 22 to 25 August 2016. The team will also meet with the four chiefs (with their council members) of the Flagstaff Administrative Area on 22nd August 2016. After the proposed site visits it will be possible to identify gaps and recommendations will be made to address any concerns and ensure that the grave relocation process is run successfully and within the required time frame.

