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To: South African Heritage Resource Agency (Graves and Burial grounds Office)

APPLICATION FOR A RESCUE EXHUMATION OF EXPOSED HUMAN REMAINS ON ROAD D4212 AND D4213 FROM MPHANAMA VILLAGE TO PITSENG, FETAKGOMO, SEKHUKHUNE DISTRICT, LIMPOPO PROVINCE

This letter serve to inform and apply for a rescue exhumation permit of human remains uncovered on the road reserve at Mphanama village. Human remains (part of cranium) was noted at the following global system co-ordinates (GPS) South 24°35'.617", and East 29°51'.837") on gravel bypass road leading to Mphanama village, the site is situated 1,2 kilometers south west of Lepallane river Bridge, The village is situated approximately 120 kilometers south- west of Lebowakgomo Central Business District (CBD).

Information at our disposal, shows that the development activities was not a listed activity in terms of the National Environmental Management Act (Act 107 of 1998) NEMA as amended and the Environmental Impact Assessments (EIA) regulation of 2010. But this does not justify that other related impact assessment should not be conducted. Clearing of the southern road shoulder of the proposed road and the access gravel road by pass exposed, human and animal bone remains, in association with broken potsherds fragments. Currently the only noted human remains are a section of cranium, and animal bones. The area was identified by community members who indicated the area by placing several stones, construction activities were cordon off.

According to ward chancellors, previously the community have collected several human remains consistently found throughout an exposed nearby borrow pit, and were buried nearby the road side. Assumptions are that some of these remains identified on the road by pass might have been transported from the borrow pit with gravel materials. After consultation with the tribal council and the local headman it transpired that the next of kin could not be located, however it became the responsibility of the local headman. In addition to the human remains several Late Iron Age potsherds, in association with bottom grinding stones were noted on the road vicinity.

Graves are more than any other aspects of Cultural Resources Management, human remains are prone to be the focus of emotional, ethical and cultural controversy, and exhumation approach seldom compromise emotional, ethical, and cultural consideration and are regarded as sensitive. The sentimental value attached to the graves and its contents, by the relatives of the buried individual is very high. Dealing with human remains demand the highest ethical standards, respect for the human remains material involved should not be a token gesture but must be real and heartfelt.

The remains fall within an ambit of older than 60 years and should be protected in terms of Section 36 of Act 25 of 1999 (National Heritage Resources Act) as well as the Human Tissues Act (Act 65 of 1983) and are the jurisdiction of the South African Heritage Resource Agency (SAHRA). The procedure for Consultation Regarding Burial Grounds and Graves (Section 36(5) of Act 25 of 1999) is applicable to graves older than 60 years that are situated outside a formal cemetery administered by a local authority. The National Heritage Resources Act 25 of 1999, **Section 36 (3) maintains that**, No person may, without a permit issued by SAHRA or a provincial heritage resources authority:

- (i) destroy, damage, alter, exhume, remove from its original position or otherwise disturb any grave or burial ground older than 60 years which is situated outside a formal cemetery administered by a local authority; or
- (ii) bring onto or use at a burial ground or grave any excavation equipment, or any equipment which assists in detection or recovery of metals.

Graves in the category located inside a formal cemetery administered by a Local authority will also require the same authorization as set out for graves younger than 60 years over and above SAHRA authorization.

The remains have been affected by access road by pass construction activities and therefore there is a need to rescue them and reinterred the remains into a safe local cemetery.

Kind regards,

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TOPOGRAPHICAL MAP OF THE STUDY AREA, WHERE HUMAN REMAINS WERE UNCOVERED ON THE ROAD BY PASS AT MPHANAMA VILLAGE, SEKHUKHUNE DISTRICT, LIMPOPO PROVINCE

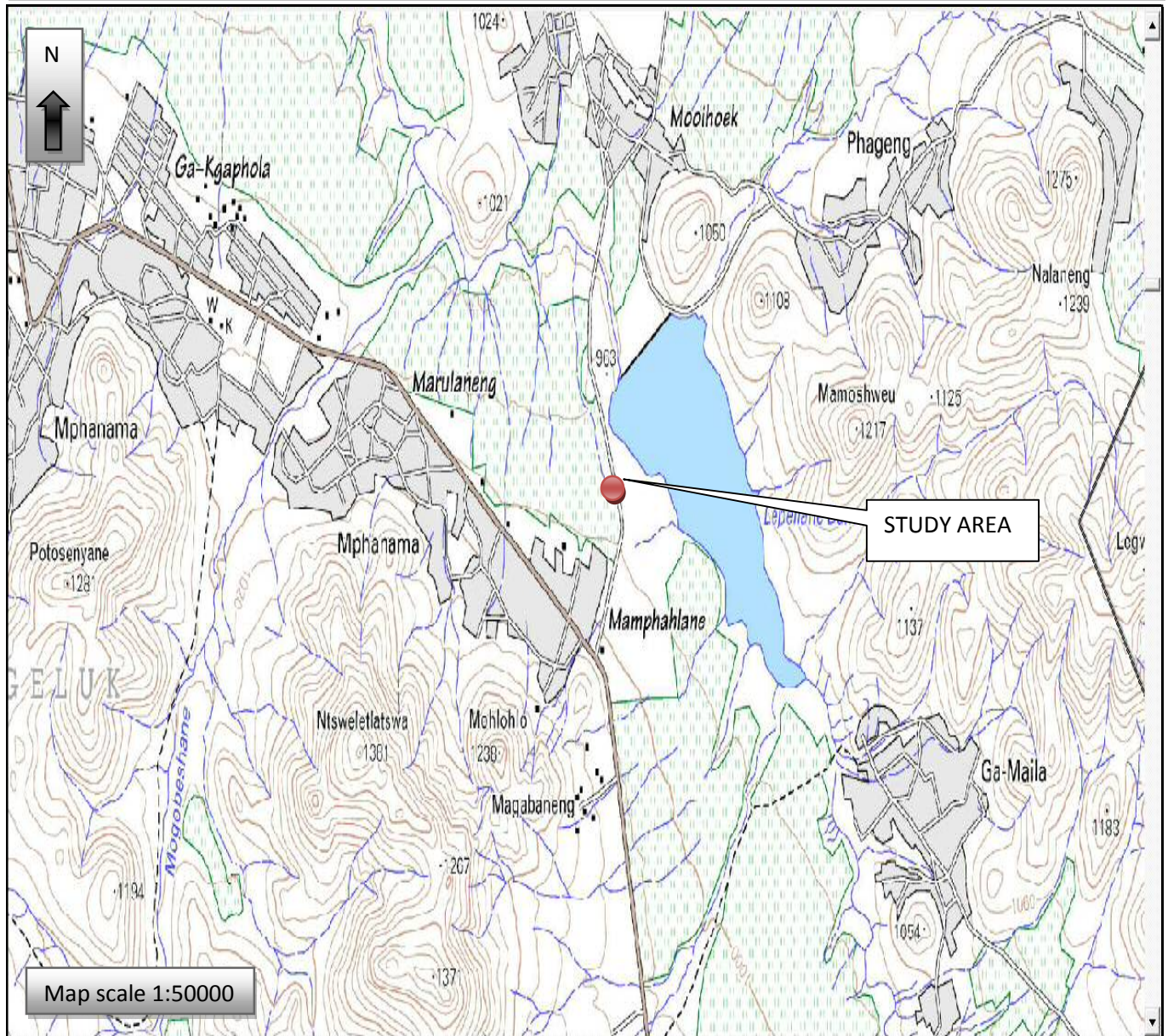




Figure 1: View of the study area indicated by an arrow from a distance in the middle of the tarred road and gravel by pass.



Figure 2: Section of the disturbed area where community members placed some stones to mark where human remains were noticed or geo-referenced.



Figure 3: Section of Human cranium bone noticed on the surface exposed by heavy rain runoff.



Figure 4: Some of the exposed late Iron Age pottery fragments and associated bottom grinding stone on the gravel road by pass.