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**MSUKALIGWA LOCAL MUNICIPALITY**

## COMMUNITY SERVICES DEPARTMENT

Enquiries: Mr Thulasizwe Thomo

03/09/2018

Dear Ms Khanyisa Makhawula

**RE: SWAZILAND RAIL LINK GRAVE RELOCATION, EXHUMATION AND REBURIAL PROJECT:  
CUSTODIAL RESPONSIBILITY OF UNCLAIMED GRAVES (18)**

Msukaligwa Local Municipality notes your request which has been made on the letter dated the 31st of July 2018 for it to take custodial responsibility of 18 unclaimed graves from the Bloemkrans Portion 12 (12) and Portion 1 (6) which falls on the outskirts of Lothair.

Nothing the state of urgency of the work which supposed to be done and the number of attempts which were made in reaching the various families to claim affiliation with the deceased or graves. The Municipality therefore takes full custodial responsibility of all the unclaimed 18 graves; however Transnet SOC Ltd should remain responsible for all the necessary costs which will be required in the reburial process.

Hoping you find the above in order.

Regards

T.S. Thomo  
Acting Director Community Services Department  
Msukaligwa Municipality

31 July 2018

Mr. T. Thomo

Muskaligwa Local Municipality

Ermelo

Dear Mr Thulasizwe Thomo

**RE: Swaziland Rail Link Grave Relocation, Exhumation and Reburial Project: Custodial Responsibility of unclaimed Graves (18 graves)**

As you are aware, Transnet SOC Ltd in collaboration with Swaziland Railway is planning the construction and upgrade of the railway line between Davei and Richards Bay connecting via the Swaziland rail network. The project activities will consist of various works, including the upgrading of existing railway sections, and construction of an entirely new rail link from Lothair in South Africa to Sidvokodvo in Swaziland. These proposed works trigger the relocation of c. 88 graves from three Burial Grounds in the vicinity of Lothair. In order to ensure that the process of exhuming and relocating the graves is carried out as per the relevant legislation, Transnet has appointed a service provider (Mbotho Consulting) to facilitate the exhumation and relocation process of these graves.

The initial task has been to locate and consult with the next-of-kin of those interred in the three burial grounds (Bloemkrans Portion 1 & 12, and Newstead). We have convened several consultation sessions at Sillindie Township assisted by local government office based there. Further to that we mounted public notices at the burial grounds, local Municipal office in Sillindie, and at the Main Offices in Ermelo as well.

Much progress has been achieved in the identification of the next-of-kin to verify affiliation with those interred at the three burial grounds and to seek their consent for the relocation of the graves. However, to date 18 graves at Bloemkrans Portion 12, and 6 graves at Bloemkrans Portion 1 on the outskirts of Lothair) have not been claimed, no family has come forward to claim affiliation with the deceased.

Three months since the consultation process started, we believe, we have come to a dead end; hence the need to discuss this matter with the Local Municipality going forward. In such circumstances, and where there are no recognizable Traditional authority, the Local Municipality in whose jurisdiction the graves are located assumes ownership and custodial responsibility for the graves. We need to underline that Transnet (as the developer) remains responsible for all costs and services attendant with the exhumation and relocation project.

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