



environmental affairs

Department:
Environmental Affairs
REPUBLIC OF SOUTH AFRICA

Ref: 02/1/5/2

MINISTER (ACTING)

QUESTION NO. 272 FOR ORAL REPLY: NATIONAL COUNCIL OF PROVINCES

A draft reply to **Mr C F B Smit (Limpopo: DA)** to the above-mentioned question is enclosed for your consideration.

**MS NOSIPHO NGCABA
DIRECTOR-GENERAL**

DATE:

DRAFT REPLY APPROVED/AMENDED

**MR D A HANEKOM, MP
MINISTER OF ENVIRONMENTAL AFFAIRS (ACTING)**

DATE:

NATIONAL COUNCIL OF PROVINCES

(For oral reply)

QUESTION NO. 272 {CO605E}

INTERNAL QUESTION PAPER NO.40 of 2018

DATE OF PUBLICATION: 22 October 2018

Ms C Labuschagne (Western Cape: DA) to ask the Minister of Environmental Affairs:

- (a) How does the mandate of her department relate to the (i) maintenance of a safe, healthy and sustainable managed environmental and natural resource base and (ii) protection of our rich species, ecosystems and natural heritage, (b) how expansive is the mandate and (c) what are its limits? CO605E

272. THE MINISTER OF ENVIRONMENTAL AFFAIRS REPLIES:

- (a) The mandate of the Department of Environmental Affairs relates to:
- (i) maintenance of a safe, healthy and sustainable managed environmental and natural resource base through the development and implementation of a suite of policy and legislative tools as well as mechanisms that are aimed at ensuring the conservation, protection and sustainable utilisation of biodiversity and ecosystems in line with the provisions laid out in section 24 of the Constitution; and
 - (ii) protection of our rich species, ecosystems and natural heritage are addressed through specific legislation that has been developed under the framework National Environmental Management Act, namely the NEM: Protected Areas Act and the NEM: Biodiversity Act.

The National Environmental Management: Protected Areas Act (NEMPAA), is aimed at providing for the protection and conservation of ecologically viable areas that are representative of South Africa's biological diversity. This objective is accomplished through the declaration and management of protected areas in the form of national parks, nature reserves, special nature reserves, marine protected areas and protected environments. These identified areas are protected to ensure a fair representation of the diverse biomes of South Africa (vegetation types) in the form of Fynbos, Grasslands, Savanna, Forests, Succulent Karro, Albany Thicket, Nama Karoo and Indian Ocean Coastal Belt. This legislation also establishes

SanParks, a state owned entity responsible for the management of 21 national parks across the landscape of South Africa. The provincial portfolio of protected areas comprises about 1359 registered nature reserves that are managed through provincial conservation management authorities and agencies. A national system of registration, declaration and performance monitoring exists to ensure effective management. This is effected in the context of limited resources available for conservation and natural resource management.

The National Environmental Management: Biodiversity Act (NEMBA), provides the legal foundation to enforce international biodiversity related multilateral environmental agreements in South Africa, and to regulate the trade in threatened and protected species, alien and invasive species and bioprospecting access and benefit sharing. NEMBA strives to provide for the management and conservation of biological diversity within South Africa and of the components of such biological diversity; the use of indigenous biological resources in a sustainable manner; and the fair and equitable sharing among stakeholders of benefits arising from bio-prospecting involving indigenous biological resources. NEMBA provides for co-operative governance in biodiversity management and conservation, and establishes a Scientific Authority as well as the South African National Biodiversity Institute (SANBI) to assist in achieving the objectives of NEMBA.

The World Heritage Convention Act, 1999 (Act No. 49 of 1999) provides for the incorporation of the World Heritage Convention into South African law; the enforcement and implementation of the World Heritage Convention in South Africa; the recognition and establishment of World Heritage Sites; the establishment of Authorities and the granting of additional powers to existing organs of state; and the powers and duties of such Authorities especially those safeguarding the integrity of World Heritage Sites. South Africa is endowed with 10 world heritage sites most of which have high biodiversity and cultural values.

- (b) The Department of Environmental Affairs is mandated to give effect to the right of citizens an environment that is not harmful to their health or wellbeing, and to have the environment protected for the benefit of present and future generations. The extent of this mandate includes national protected areas (terrestrial and marine), world heritage sites, national botanical gardens and Ramsar Wetlands of international importance. This mandate extends to the management of ecosystems that are outside designated protected areas as well as the protection of species of plants and animals.

- (c) This mandate is managed within the context of the concurrent competency with provincial conservation authorities. The national department sets national norms and standards and provides a uniform approach to issues of national and international importance.

There are also a number of external considerations that affect the mandate of the department. These result from other economic sectors such as mining, water and agriculture, forestry and fisheries, where there are interfacing mandates for natural resource management. In addition, the biggest drivers of biodiversity loss, namely land use change, climate change, land degradation, poaching, wildlife trafficking, alien and invasive species also create limits to the effectiveness of policies and strategies developed and implemented by the department.

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