



**MINISTRY OF DEFENCE AND MILITARY VETERANS
REPUBLIC OF SOUTH AFRICA**

Private Bag X427, Pretoria, 0001. Tel: (012) 355 6103, Fax: (012) 347 0118
P O Box 47, Cape Town, 8000. Tel: (021) 787 6114, Fax: (021) 465 5870

**SPEECH OF THE DEPUTY MINISTER OF DEFENCE AND
MILITARY VETERANS, THABANG MAKWETLA ON THE
OCCASION OF THE OPENING OF THE MILITARY OMBUDS
OFFICES, ON 14 MAY 2013, AT HIGHVELD, CENTURION,
PRETORIA**

14 MAY 2013

Programme Director

Lt General (rtd) Matanzima, Military Ombud

Members of the Plenary Defence Staff Council

Ladies and Gentlemen:

Today marks a remarkable moment in the history of our Defence Force, with the opening of the home of the Military Ombud. In our efforts to improve the conditions of service of our soldiers and to streamline processes regarding grievance procedures within the South African National Defence Force, we came to a conclusion that the office of the Military Ombud would meet our objectives. The absence of a Military Ombud in our Military has invariable disadvantaged our soldiers.

I rise this morning to stand in for our Minister of Defence and Military Veterans Hon Min Mapisa-Nqakula who is abroad as part of the President's State visit to Russia. Allow me therefore to convey the Minister's excitement and enthusiasm about this long overdue development in the endeavour to improving the overall professional and

efficient managing of our Defence function as a government. Through the existence of the office of the Military Ombud, we hope to harmonise the confluence between Military discipline and recourse avenues for complaints and grievances in a manner that is consistent with our democratic establishment.

The Military Ombud is a soldiers' appeal office to internal military grievance management processes. It is therefore an essential ingredient in the pursuit of a systematic approach to a democratic rights-based military culture. I wish to emphasise that it is a carefully considered extension of well-established conventional frontiers of military culture in a democracy, consistent with contemporary demands for due process.

The idea of a Military Ombud was first contemplated in the first White Paper on Defence post 1994 as an independent external mechanism to deal with soldier's complaints and grievances as well as a place for the public to lodge complaints about actions of our members, where the standing procedure and mechanisms of dealing with grievances fail. I wish to acknowledge all those who participated in an effort necessary for us to accomplish this work today.

In May 2005, a Bill titled "South African Military Ombud" was produced by the Portfolio Committee on Defence but never tabled in Parliament. Amongst others this Bill sought to address:

- Fears of victimisation of juniors by seniors;
- The grievance procedures being unknown to the majority of members and not being taken seriously by some members;
- Addressing important concerns associated with increasing international involvement of the South African National Defence Force;
- Enforcing compliance of the command-chain with grievance procedures.

As part of our objective to supplement existing Individual Grievance Regulations- which were promulgated in 2011, the office of the Military Ombud will investigate and ensure that complaints are resolved in a fair, economic and expeditious manner.

It is our belief that this office will add a lot of value as a last recourse for complaints and grievance management within the military establishment. This will serve as a mechanism which enjoys independence from the Military Command structures. Furthermore it will exercise oversight over the defence establishment and help to ensure that our military observes principles and practices of good governance-thereby enhancing spirit decorp and high moral among our troops.

The Military Ombud will independently expeditiously investigate complaints lodged appropriately without fear, favour or prejudice by members and the public, and cause the department to comply with the recommended alternative solutions. Success will to a great deal depend on the unity of the Military Command with the Ombud, and the coordinated action of all parties towards a common objective.

The patriotic inclination to head the call to participate in the defence of one's country- to defend our democratic values- is a courageous act. It is therefore our moral obligation as a nation to treat with dignity all those citizens who give their lives to the lofty cause of defending our democracy.

The rigorous discipline involved in training and in armed combat, including the will to die for gains that are not for individual benefit, compels us to feel indebted to those who serve in our military. The office of the Military Ombud serves to recognise this fact.

Today, our soldiers have greater awareness of their right to recourse than they were years ago.

Our Defence establishment has changed substantially in the contemporary period. Women now have combat- related roles and we are also engaged in humanitarian and peace keeping responsibilities.

Program Director, the office of the Military Ombud underscores our commitment to values of fairness through natural justice. Pressing labour relations complaints pertaining to suspensions, dismissals, racism and promotion- residual matters of integration of non-statutory forces members, and demobilisation gratuities are strictly military matters that require dedicated focus.

The Office of the Military Ombud will act as a neutral and objective sounding board, mediator, investigator and reporter. It will also ensure good record-keeping, provide natural justice and decision-making in a timely manner and monitor adherence to democratic civil-military relations.

It is equally important to emphasise that the office of the Military Ombud will not attend to matters that are strictly under the purview of the Military Command- these are matters of principle such as leadership in the military.

The Office of the Military Ombud will compliment, rather than compete with existing internal redress procedures with the South African National Defence Force. It shall seek not to replace them, but shall in the course of its duties ensure that they are healthy and function optimally. For effective management, officers will first hear and have first opportunity to remedy complaints and grievances of those under their command.

As a nation, we owe our military personnel a recognition that goes beyond acknowledging their personal sacrifices- one that also acknowledges associated deprivations of liberties that inevitably emanate from their patriotic sacrifices.

In conclusion, on behalf of the Ministry, I wish to thank and congratulate General Matanzima and his staff for a task well accomplished, believing that through this office our soldiers are guaranteed human treatment and quality life which all our citizens deserve as an inalienable right bequeathed to them by our constitution.

I thank you