



SAHRC SATISFIED WITH PROGRESS MADE IN ADDRESSING THE PROBLEM OF UNENCLOSED TOILETS IN RAMMULOTSI

The South African Human Rights Commission is satisfied with the progress made by the Moqhaka Local Municipality in abiding by our finding and recommendations following our investigation into a complaint regarding the unenclosed toilets in the township.

In September 2010, the residents of Rammulotsi Township near Viljoenskroon lodged a complaint with the Commission after the Moqhaka Local Municipality installed unenclosed toilets in the township.

The complaint was in light of our investigation and findings on the same situation in Makhaza in the City of Cape Town.

The complaint before the Commission was an alleged violation of a number of rights in the Constitution based on the unenclosed toilets in the Township. The rights alleged to have been violated were:

- * Section 10 (Human Dignity)
- * Section 14 (Privacy)
- * Section 24 (Environment)
- * Section 26 (Housing)
- * Section 27 (1)(b)(water)

Investigations undertaken by the Commission revealed that there were indeed unenclosed toilets in the area of Rammulotsi. The provision of unenclosed toilets was not only contrary to the guidelines of the National Housing Code but a violation of the residents' right to dignity.

The Commission subsequently made a finding against the municipality in May 2011 and upheld the complaint of violations to the aforesaid rights.

The Commission accordingly recommended that:

- * The Respondent (Moqhaka Local Municipality) must proceed with urgency to enclose all toilets;
- * To furnish the Commission with a progress report at least every 6 months in respect of the progressive realisation of the right to water and sanitation services in the township;
- * The Ministry in the Presidency in charge of Performance, Monitoring and Evaluation to provide a report to the Commission within at least three months on the quality of sanitation services delivered by local government across the country.

The Moqhaka Local Municipality has been complying with the recommendations. This year, the SAHRC received two progress reports in March and July 2012.



Significant progress has been made to enclose all toilets that were without top structures.

As of July 2012, 1831 structures in Rammulotsi have been completed.

The Municipality, however, indicated that during the same period, they experienced challenges, including funding, communities demolishing existing structures, Non-payment of service providers and National strike in the engineering sector.

A laudable audit was also undertaken by the municipality to establish the extent of the toilets without enclosures and sub-standard structures in all areas under its jurisdiction.

The following were the findings of this audit:

Rammulotsi: 2293 required complete structures (1244 brick build structures, 459 zinc covers, 165 pre-cast and 205 in informal settlement, 220 households without proper sanitation facilities and services)

Koekoe Village: 547 required complete structure rebuilding

The cost of reconstruction is estimated at R17 Million Rands.

The next progress report is due to the Commission in January 2013.

The municipality hierarchy have cooperated with the Commission and demonstrated admirable leadership in redressing sanitation challenges in Rammulotsi and surrounding areas.

The Moqhaka Municipal Manager also formed part of the panel during the Water and Sanitation Hearings in Thaba Nchu, Selosecha Civic Centre on Thursday, the 18th October 2012.

These hearings are located within the Commission's poverty and inequality strategy which is led by the SAHRC Commissioners. And they are as a result of the large number of complaints the Commission receives and the Commission's recent investigations and findings in respect of widespread complaints on the right to sanitation by the poor.

Other Chapter Nine institutions such as Commission on Gender and Equality, the Public Protector, the Public Service Commission and relevant State and Non-State organs that can be held to account by the communities during the proceedings, also attended and made presentations at the hearings.

Statement issued by Isaac Mangena, Head: Communications, South African Human Rights Commission, October 18 2012