



Adv. Tseliso Thipanyane
Human Rights Commission

15th May 2020

Dear Advocate Thipanyane

I hereby request an investigation into instructions that have been issued by the National Department of Social Development and its subsidiary offices that have had the effect of shutting down private charitable feeding schemes. In a number of locations community service organisations have been told to stop operating, leaving potentially thousands of people countrywide without food. Any official assurances that government will step into the gap are demonstrably false, as many areas of the country have thousands of people who have not yet received any government grant or food aid.

I believe DSD instructions violate several sections of the South African Constitution. These include but are not limited to:
Section 10 – on human dignity.
Section 11 – the right to life.
Section 27 – the right to sufficient food and water and appropriate social assistance.

My complaint involves two series of restrictions:

- 1) That soup kitchens and other prepared hot meal schemes be stopped. This is the most effective method to distribute food to the hungry. It caters for people too poor to buy fuel to cook dry goods that are distributed in a food parcel. They can be scaled up or down very quickly. If properly managed under sanitary conditions and with organised social distancing amongst the recipients, these schemes should be allowed to continue. This is particularly so as even under the most favourable circumstances, daily meals that are stopped are not replaced by food parcels by the next day, meaning recipients go hungry.
- 2) That food parcel distribution by NGOs is severely restricted. Although the official position is that independent schemes may still operate, the rules under which such operations may take place are so difficult to comply with, they have had the effect of making operations impossible. These rules include stipulations charities have to apply for a licence renewable for every day they want to do food distribution. There are numerous other bureaucratic and licensing procedures that have the effect of making distribution almost impossible. I know of at least one case where application was made four days in

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advance and no response was forthcoming by the time the day of distribution began, thus rendering the planned assistance unlawful. Every day that any person spends without food threatens life and health and because of this I do hope this complaint will be attended to with due dispatch.

Yours faithfully

