



## **KwaZulu-Natal Provincial Office**

**Leader:** Francois Rodgers, MPL

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**Suite 125, Island Office Park, 35 - 37 Island Circle**

## **SAHRC**

### **Memorandum**

#### **Failure to step up over KZN Human Rights crises**

The Democratic Alliance has, on several occasions in recent months, attempted to engage the SAHRC on matters we believe to be significant Human Rights violations involving citizens of eThekweni.

The ongoing suffering of KZN's flood victims, and the severe water and sanitation crisis facing the province, are a grave injustice for people who are left to fend for themselves without adequate government support and in extraordinarily trying circumstances.

The DA believes the Commission has failed to intervene on behalf of KZN's flood victims, thousands of whom are living under inhumane conditions in community halls some six months later. To make matters worse, they appear to have been completely forgotten by both the national and provincial governments.

This issue has now become a human rights crisis yet the SAHRC is nowhere to be found. To make matters worse, the Commission has also disregarded the DA's numerous attempts to engage directly on the issue;

- On 27 July, Francois Rodgers Provincial Leader and member of the legislature lodged a formal complaint with the SAHRC, with a request to urgently investigate conditions at halls where thousands of flood victims were living
- On 1 August we received a reply from the SAHRC acknowledging our email
- Two months later, after failing to hear anything more, the DA requested an update. Two days later we received an email from the SAHRC with a request for information, which not only had we already provided but was already widely-publicized in the media
- On 4 October the DA sent a follow-up request for an in-person meeting with KZN SAHRC officials. After failing to receive a reply, on 11 October the DA sent a follow-up request for a meeting
- On 12 October the SAHRC responded indicating that they were not available to meet on 17 October as requested. No alternative date was offered and the SAHRC demanded to know the purpose and agenda for any meeting. The SAHRC then requested that the DA again register their complaint submitted in July and;
- Once again, on 14 October the DA again requested to meet with the SAHRC. To date we have had no reply.

The questions that demand answers are: Why is the SAHRC repeatedly snubbing the DA? And why is it not doing its job of holding this government to account?

The very purpose of the Commission is to protect the human rights of the people. Indeed, it has a Constitutional mandate to do so.

**FREEDOM. FAIRNESS. OPPORTUNITY. DIVERSITY.**



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The DA was also part of the SAHRC public hearings held in the Durban on 18 August 2022 on the issue of the Water and Sanitation crisis facing eThekweni. The same issue was raised with National Parliaments Ad Hoc committee on 12 September 2022. The Commissioner assured the DA that the issue was receiving their attention Yet, to date there has been no feedback on the matter.

The fact that the SAHRC is doing everything in its power not to work with and engage with the DA on two such serious humanitarian issues points to the capture of this organisation.

The Democratic Alliance hereby demands responses from the Human Rights Commission on the following matters:

1. An Action Plan regarding steps they are taking to investigate and protect flood victims living in halls and uncertain or temporary shelters;
2. Measures being taken to engage with local, provincial and national government regarding infrastructure collapse and citizens' rights to access S27 of the Human Rights Bill in terms of health care, food, water and social security;
3. What the SAHRC intends to do to mitigate these violations;
4. Make a public announcement to KZN citizens outlining resolutions going forward.

The DA, demands that the SAHRC provide feedback to the above demands by **Friday, 18 November 2022**, failing which we will approach the Public Protector.

KZN's people can no longer be left to suffer. As a result of the lack of urgency that exists, the DA has no option but to take its grievances to the SAHRC. As the province's only real opposition, we will ensure that KZN's people are heard.

**SIGNED AT** \_\_\_\_\_ **ON** \_\_\_\_\_

**SIGNATURE:** \_\_\_\_\_

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