



SOUTH AFRICAN HUMAN RIGHTS COMMISSION

18 Kellner Street
Bloemfontein

PO Box 4245
9300

Tel.: 051 447 1130
Fax: 086 620 8096

DEMOCRATIC ALLIANCE

7 BARNES STREET

ABORETEUM

BLOEMFONTEIN

9301

12 MAY 2023

**Attention : Concillor Rossouw Botes
: Councillor Selme Pretorius**

Per email: rossouwb@lantic.net

Our Ref: FS/2223/0173TM

(Please quote our reference number in all correspondences)

Dear Sir / Madam

RE: YOUR COMPLAINT

1. The above matter bears reference and we acknowledge your complaint dated 23rd March 2023.
2. The South African Human Rights Commission ('Commission') is a state institution established in terms of Section 184(2) of the Constitution Act 108 of 1994 (Constitution) to support constitutional democracy. The Constitution empowers the Commission to investigate and to take steps to secure appropriate redress where human rights have been violated.

Transforming society. Securing rights. Restoring dignity.

Chairperson: B C Majola; **Deputy Chairperson:** F Chohan; **Commissioners (Full-Time):** A H Gaum; A M Makwetla; B Malatji; P Ntuli
Commissioners (Part-Time): A C Nissen, J B Sibanyoni; **Chief Executive Officer:** V Mkhize

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

18 Kellner Street
Bloemfontein

PO Box 4245
9300

Tel.: 051 447 1130
Fax: 086 620 8096

3. Complaints of alleged violations and investigations are handled in terms of the Complaints Handling Procedures of the Commission and the Provisions of South African Human Rights Commission Act 40 of 2013
4. The Commission has taken careful note of your Complaint. In this regard we deem it appropriate to advise you that the Commission is in receipt of other complaints of a similar nature against the Mangaung Metro Municipality (herein referred to as the 'Metro' or Respondent).
5. Some of the complaints already received by the Commission alleging violations by the Respondent relates amongst others to service delivery challenges involving sewerage spillages and refuse removal. With regard to some of the complaints, the Commission has engaged with the Respondent regarding individual sewerage spillage complaints in households and was pleased that Respondent had taken corrective actions to address those specific spillages of sewerage. However, it has become apparent from complaints, including from yourself that the actions taken by the Respondent have not prevented a recurrence of the spilling of sewerages across the Metro.
6. As a result of the ongoing violations the Commission has consolidated complaints with the same cause of action against the Respondent. These complainants bear the complaint reference number FS/1718/0430.
7. After a careful assessment of the complaint and in terms of the Complaints Handling Procedures of the Commission, a determination has been made to consolidate your complaint with other consolidated complaints of similar nature against the Respondents as referred to above. This approach is intended to facilitate a more cohesive response and handling of the complaints against the particular Respondent.

Transforming society. Securing rights. Restoring dignity.

Chairperson: B C Majola; **Deputy Chairperson:** F Chohan; **Commissioners (Full-Time):** A H Gaum; A M Makwetla; B Malatji; P Ntuli
Commissioners (Part-Time): A C Nissen, J B Sibanyoni; **Chief Executive Officer:** V Mkhize

SOUTH AFRICAN HUMAN RIGHTS COMMISSION

18 Kellner Street
Bloemfontein

PO Box 4245
9300

Tel.: 051 447 1130
Fax: 086 620 8096

8. Given the nature of the complaints and the Commission's concerns about service delivery challenges in Mangaung, the Commission is applying its mind to the best possible response appropriate redress.
9. To this end, the commission is contemplating the convening of an inquiry into service delivery in the province. Noting the urgency of the matter, the Commission would seek to convene such an enquiry at a point between July and August 2023.
10. You will be provided with further updates regarding your complaint, including in respect of the wider approach the Commission is contemplating taking regarding an inquiry to probe service delivery by local government in the province more widely.

The commission takes this opportunity to again thank you for bringing this complaint to our attention and we will keep you informed on progress with this complaint.

Yours faithfully



Mr Thonko Jacob Modise
(Senior Legal Officer)

Free State Province: South African Human Rights Commission