



EASTERN CAPE PROVINCIAL LEGISLATURE

Member of the Provincial Legislature

Heinrich Müller, MPL
(Democratic Alliance Spokesperson on DRDAR)



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03 June 2025

To: Dr Eileen Carter
Eastern Cape Provincial Manager
South African Human Rights Commission
Per email: ECComplaints@sahrc.org.za

Dear Dr Eileen Carter

RE: FORMAL COMPLAINT AGAINST INXUBA YETHEMBA LOCAL MUNICIPALITY AND CHRIS HANI DISTRICT MUNICIPALITY FOR VIOLATION OF ENVIRONMENTAL AND HUMAN RIGHTS IN NXUBA (FORMERLY CRADOCK)

The above matter refers.

On behalf of the Democratic Alliance (DA), I hereby lodge a formal complaint against the Inxuba Yethemba Local Municipality (IYLM) and the Chris Hani District Municipality (CHDM) for their ongoing failure to address a severe sewage crisis in Nxuba (formerly Cradock), resulting in untreated raw sewage being discharged directly into the Great Fish River.

This failure constitutes a clear violation of the Constitution, specifically:

1. Section 24(a) and (b) of the Constitution, which guarantees every South African the right to an environment that is not harmful to their health or well-being, and to have that environment protected from pollution and degradation through reasonable legislative and other measures.
2. Section 27(1)(b): The right of access to sufficient water;
3. Section 10: The right to dignity; and
4. Section 11: The right to life.

Despite numerous warnings and submissions by DA councillors and concerned residents, both municipalities have failed to implement effective interim measures or final repairs at the

Nxuba Wastewater Treatment Works. The ongoing contamination of a critical water source not only endangers human health but is causing irreparable damage to the surrounding ecosystem.

This is not a new or isolated failure. The ongoing sewage pollution in Nxuba has been documented for nearly a decade, with formal complaints, criminal charges, and public warnings issued as far back as 2015. In 2015, residents were hospitalised with gastroenteritis linked to suspected water contamination. In 2019, the DA laid criminal charges against municipal officials and called on the Green Scorpions to intervene. Despite these efforts, no sustained remediation or accountability has followed. This pattern of long-term neglect reflects not just incompetence, but systemic administrative failure, and has allowed a critical health and environmental crisis to become entrenched.

The municipalities' persistent inaction amounts to gross administrative negligence and undermines the constitutional and environmental rights of Nxuba residents. Further, the failure to provide timely communication, monitoring, or emergency water provisions to affected households exacerbates the harm being inflicted on the community.

We therefore request the South African Human Rights Commission to:

1. Launch an urgent investigation into the sewage contamination of the Great Fish River and the municipalities' failure to act;
2. Assess the public health risks and the ecological impact caused by the ongoing discharge of raw sewage;
3. Identify and hold accountable municipal officials whose inaction or mismanagement contributed to this crisis;
4. Recommend immediate remedial action, including interim infrastructure measures and emergency support for affected residents;
5. Ensure transparent and ongoing communication with the public regarding water safety, health risks, and remedial timelines;
6. Recognise this as a violation of environmental and human rights as enshrined in the Constitution.

The people of Cradock have been left without clean water, without answers, and without protection. Their rights, health, and dignity are being ignored. We trust that the Commission will treat this matter with the urgency and seriousness it warrants.

I am available to provide further documentation, including photographic evidence and prior correspondence, and remain at your disposal to assist with any investigation.

Yours sincerely,



HEINRICH MÜLLER, MPL

Shadow MEC of Agriculture

Constituency Head: Eastern Cape Midlands



EASTERN CAPE PROVINCIAL LEGISLATURE
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 The Hon. Retief Odendaal MPL



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DATE: 05 July 2019

TO: Minister of Department of Water and Sanitation

Dear Hon. Lindiwe Sisulu

RE: STOPPAGE OF WORK AT THE CRADOCK WASTE WATER TREATMENT WORKS

The abovementioned matter has reference.

I trust that by now you are fully aware of my efforts in endeavouring to get the Chris Hani District Municipality to fix the aforesaid plant in order to prevent the further contamination of our natural water resources with raw untreated sewage.

Whilst visiting the plant last week, I was somewhat excited to see that a contractor had moved onto site in order to commence with the much-needed work at the plant. Unfortunately, it now seems as if my excitement is to be short lived as I have been informed that the contractor has downed tools and vacated the site earlier this week.

I have no idea what caused the impasse between the contractor and the municipality, but the municipality's continued disregard of the law in respect of the contamination of our natural water resources shall no longer be tolerated.

I herewith wish to notify you that, should the municipality fail to commence with work at the dysfunctional Cradock Waste Water Treatment Works by 8am on Monday, 8 July 2019 - in order to prevent further flow of raw, untreated sewage into the Fish River - I shall have no choice but to proceed to lay criminal charges against the CHDM municipal manager, the municipality and to refer the matter to the Human Rights Commission.

YOURS SINCERELY

HON. RETIEF ODENDAAL MPL
DEMOCRATIC ALLIANCE MEMBER OF THE EC PROVINCIAL LEGISLATURE



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ANC must act to save Cradock from water-shedding

July 27, 2015

Residents of Cradock have been experiencing various water related problems for the past year including outages, leaks, poor quality, dirty drinking water and continuous raw sewage spills into the Great Fish River, venue of the famous annual Fish River Canoe Marathon. Dirty, unhealthy water continues to threaten this community and events such as the past weekend's annual Cradock Writer's Festival.

I have made an appointment with the MEC of Cooperative Governance and Traditional Affairs, Fikile Xasa, regarding the lack of a remedial action plan from officials of the Chris Hani District Municipality (CHDM), the lack of managerial skills and whether there is a budget to provide this critical service to the people of Inxuba Yethemba.

The DA has visited the area and has documented and photographed water leaks and sewage spills. We have informed the media and social media, we have run various outreach campaigns and initiated a petition with 600 signatures that was submitted to the Bhisho Legislature and the National Parliament for attention.

Unless the ANC acts quickly and decisively, the people of Inxuba Yethemba could soon face the prospect of planned water cuts. Poor maintenance and ageing water infrastructure will lead to water-shedding which could make load-shedding look comparatively tame.

Having access to clean water is a basic human right and the DA believes that a fair society which is free from dirty water will be a reality under a DA government.

Post tags: [kobus botha](#); [cradock](#); [water](#) (<https://www.dabhisho.org.za/tag/kobus-botha-cradock-water/>)

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Thirteen treated for gastro due to suspected water contamination in Cradock

November 2, 2015

Thirteen people, including two four-year-olds, were treated at Cradock hospital on Sunday (subs: 1 Nov) for gastroenteritis due to suspected water contamination.

Chris Hani District Municipality (CHDM) as the responsible water service authority has struggled for years to deliver quality, safe water. Local residents have been complaining for months of the unpalatable water that smells bad and contains green algae.

In a caring society, grounded in the principles of freedom, fairness and opportunities, communities should be free from the threat of water-contamination. Access to clean water is a basic human right.

The breakdown of the ageing water infrastructure and sewage treatment works is the direct result of the ANC government's failure to attract appropriately qualified personnel to operate and maintain our purification and water reticulation systems.

The Cradock waste water treatment plant is operating at less than 50% of its full capacity, with frequent raw sewage spills into the Great Fish River.

Amid this growing crisis, the DA has been on the forefront of driving this issue on behalf of residents. Thanks to our efforts the on-going water quality problems in Cradock will receive attention in parliament this week.

The DA, in conjunction with civil society organisations such as the Cradock Business Forum and Ratepayers Association, collected over 600 signatures from residents recently. The petition was handed to the Speaker of CHDM, George Xoseni, Provincial Legislature Speaker Noxolo Kiviet and the Speaker of the National Parliament, Baleka Mbete.

Our determination has forced the ANC on all four levels of government to respond to the people of Inxuba Yethemba at the highest level. Hon. Mbete has agreed to refer our petition to the National Portfolio Committee on Water and Sanitation in Parliament for action.

I have been informed by my colleague, DA Shadow Deputy Minister of Water and Sanitation, Leon Basson MP, that the National Committee has indeed summoned Cooperative Governance MEC Fikile Xasa, and the municipal managers of Inxuba Yethemba (Mopo Mene) and Chris Hani District (Mzwandile Tantsi) to appear before the Portfolio Committee on 4 November 2015 in Cape Town to account for their actions and to explain how the water crisis in Cradock and Middelburg will be addressed.

The DA's response to this crisis is yet another example that we are a caring government in waiting. We will continue to hold the current government to account on behalf of the people. —
Kobus Botha MPL, EC Midlands constituency leader

Post tags: kobus botha; cradock; middelburg; water; infrastructure (<https://www.dabhishe.org.za/tag/kobus-botha-cradock-middelburg-water-infrastructure/>)

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DA calls on Green Scorpions to intervene in Fish River sewage debacle

June 13, 2019

Note to Editors: Please find attached soundbites in **English** (https://press-admin.voteda.org/wp-content/uploads/2019/06/Retief_English.mp3) and **Afrikaans** (https://press-admin.voteda.org/wp-content/uploads/2019/06/Retief_Afrikaans.mp3) by Retief Odendaal MPL.

Raw untreated sewage is flowing directly into the Great Fish River near Cradock, placing the livelihoods of hundreds of thousands of people at risk.

This is an environmental and economic catastrophe that poses a significant health risk to individuals.

Tuesday, 11 June 2019, I conducted an oversight inspection at the Inxuba Yethemba Local Municipality's wastewater treatment plant in Cradock and was shocked to find it completely shut down.

Sewage continues to flow into the non-functional plant and then gets channeled, untreated, into the Great Fish River. See photos attached here (<https://press-admin.voteda.org/wp-content/uploads/2019/06/WhatsApp-Image-2019-06-12-at-10.53.15-AM.jpeg>) and here (<https://press-admin.voteda.org/wp-content/uploads/2019/06/WhatsApp-Image-2019-06-12-at-10.53.12-AM.jpeg>).



Facebook Watch

The discharge of raw sewage into a natural water resource is illegal in terms of the Constitution, the National Environmental Management Act No. 107 of 1998 and the National Water Act No. 36 of 1998.

Most of the pumps and all the brush aerators are dysfunctional and the Chris Hani District Municipality, who is responsible for the treatment of wastewater in the Inxuba Yethemba Municipality, seems to not have the finances and capacity to remedy the situation. This is highlighted by the fact that problems at the plant have been ongoing for years.

The ongoing discharge of raw sewage into the river could result in the water becoming so contaminated that it will no longer be fit for use as an irrigation source for farmers, not to mention the massive health and environmental risk it could pose to local communities.

I have written to the Green Scorpions to immediately intervene and find a solution to this problem. See letter attached here (<https://press-admin.voteda.org/wp-content/uploads/2019/06/Green-Scorpions1.pdf>).

This uncaring and irresponsible district municipality must be brought to book for endangering the livelihood and health of its residents.

I have also brought this to the attention of the Shadow MEC for Cooperative Governance and Traditional Affairs (COGTA), Vicky Knoetze MPL, and she will be requesting an intervention by the MEC for COGTA, Xolile Nqata.

A DA-led government is committed to building One South Africa for All through improving service delivery to the people of the Eastern Cape and has a plan that will turn service delivery around.



