



STATE CAPTURE AND BEYOND

UBULUNGISA BAMANZI



State Capture and Beyond (Ukubanjwa koRhulumente nokungaphaya): Ubulungisa bamanzi

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Imvelaphi

Iprojekthi ye-State Capture and Beyond (i-SCAB) yintsebenziswano phakathi kweBrot für die Welt ('Isonka seHlabathi' [BfdW]), iHuman Rights Media Trust (HRMT)], kunye neLegal Resources Centre (LRC) ngenkxaso-mali evela kwi-European Union (EU). I-SCAB ijonge ukujongana norhwaphilizo eMzantsi Afrika ngokuhambelana neengcebiso zeKhomishini yoPhando malunga nokuBanjwa koRhulumente (ebizwa ngokuba i-Commission of Inquiry into State Capture okanye i-CISC). Ke ngoko ibandakanya imibutho yoluntu (ii-CSO) kunye nemibutho yoluntu (ii-CBO). Isiphumo esinqwenelekayo kukudala intshukumo yesizwe yokulwa norhwaphilizo, enika abantu amandla okuqonda, ukufuna kunye nokulwela amalungelo abo. Ukujongana nenxeba elinzulu lorhwaphilizo kunceda ngokuthe ngqo ukuliphilisa.

I-Brot für die Welt yintlangano enkulu engekho phantsi korhulumente eJamani yeecawa zamaProtestanti egxile kuphuhliso namalungelo oluntu. Isebenza kumazwe aphantse abe ngama-90 kwaye inamava angaphezu kweminyaka engama-60, ijolise ekuqiniseni amandla amaqela ahlwempuzekileyo nalawo angathathi ntweni ukuphucula iimeko zawo zokuphila. Le ntlangano inembali ende yokusebenza ne-EU, ikhokela iiprojekthi ezininzi kweli lizwe. Kule projekthi ye-SCAB, i-BfdW izisa amava amaninzi kunxibelelwano lwamazwe ngamazwe kunye nentsebenziswano, oko kuthetha ukuba ifanelekile indima yokulawula nokubeka esweni.

I-Human Rights Media Trust (HRMT), umbutho ongenzi nzuzo owasekwa ngo-2004, usebenzisana namanyathelo obulungisa bentlalo kulo lonke elaseMzantsi Afrika. I-HRMT igxile kwimidiya, ukwenza iifilimu ezingenabundlobongela, kunye namaphulo empembelelo yoluntu ukuqinisa iimfuno zobulungisa, ngelixa ikhuthaza inkcubeko yentando yesininzi. I-HRMT isasaza ulwazi malunga nokusetyenziswa okungalindelekanga kweendaba kunye neminye imiba ukuxhobisa amazwi angathathi cala.

IZiko leMithombo yezoMthetho (i-LRC), elasekwa ngo-1979, liqumrhu elingelona elenza nzuzo lamalungelo oluntu elineeofisi eRhawutini, eKapa, eDurban naseMakhanda. I-LRC ihlala ikhusela uMgaqo-siseko kunye nolawulo lomthetho kweli lizwe, kwiindawo ezahlukeneyo zomthetho: umhlaba, izindlu, impilo, imfuno, ukulingana, kunye namalungelo ezentlalo nezopolitiko. Ngembali ende yokubonelela ngeenkonzo zomthetho, i-LRC inokuqonda okunzulu komthetho wamalungelo oluntu kwaye yakhe ubudlelwane obude nemibutho yoluntu.



Isishwankathelo

UMzantsi Afrika lilizwe elinqongopheleyo ngamanzi elinemvula encinci ngonyaka ngokwemigangatho yehlabathi. Njengoko inani labantu likhula, kubalulekile ukuba urhulumente alawule ngononophelo ukugcinwa, ukuhluzwa, kunye nokusasazwa kwamanzi ukuze kuthintelwe inkunkuma. Ngelishwa, ulawulo olungafanelekanga kunye nempembelelo yorhwaphilizo, njengoko ichongiwe yiKhomishini yoPhando malunga noRhwaphilizo lweLizwe (i-CISC), ishiye ilizwe linenkqubo yokubonelela ngamanzi eyonakeleyo. Iziseko zophuhliso ziyawohloka ngenxa yokunqongophala kokugcinwa, iindlela zokuhlawulisa ezingathandabuzekiyo, umgangatho ophantsi kunye nokuhanjiswa kwamanzi, kunye nonyango lwamanzi amdaka olunganelanga. Oku kushiya iindawo zelizwe, ingakumbi ezihlwempuzekileyo, zingenakufikelela ngokwaneleyo kumanzi acocekileyo aneleyo, akhuselekileyo, nafikelelekayo. UMzantsi Afrika, ngokoMgaqo-siseko wawo, ubonelela ngelungelo lamanzi; abantu ngoku kufuneka babambe urhulumente uxanduva lokubonelela elo lungelo.

Ukufakwa kwelungelo lokufumana amanzi kuMgaqo-siseko kwakubalulekile kwaye kwaqala njengoko kwakubandakanya izivumelwano nezigqibo zamazwe ngamazwe ezingabophiyo. Inqaku 27(1) loMgaqo-siseko lithi “Wonke umntu unelungelo— (b) lokutya namanzi okwaneleyo.” Ngaphezu koko, inqaku 27(2) lithi “uRhulumente uza kuthatha amanyathelo afanelekileyo omthetho kunye namanye amanyathelo, ngokwezixhobo zakhe ezikhoyo, ukuze afezekise ukufezekiswa okuqhubekayo kwelungelo ngalinye.” UMthetho weeNkonzo zaManzi 108 ka-1997 uchaza eli lungelo ngokuchaza iingcamango ezifana nokubonelela ngamanzi asisiseko kunye nococeko olusisiseko, kunye nokubonelela ngesikhokelo koorhulumente basekhaya malunga nokuba yintoni na ebangela ukubonelela ngamanzi afanelekileyo. ICandelo 3 loMgaqo-nkqubo GNR.509 we-8 Juni 2001 uchaza ngokuchanekileyo ukubonelela ngamanzi asisiseko njengokubandakanya, “ubungakanani obuncinci bamanzi acocekileyo angama-25 eelitha ngomntu ngosuku okanye iikhilolitha ezi-6 ngomzi ngenyanga.” Oku kubonisa ukuzibophelela kukarhulumente ekuboneleleni ngamanzi ubuncinane ukuxhasa impilo kunye nokuphila kakuhle.

Nangona ilungelo loMgaqo-siseko lamanzi liphantsi koMgaqo-siseko, uMzantsi Afrika ujongene nobulungisa bamanzi angajulile, apho imigaqo-nkqubo ibonakala ngathi inobulungisa kodwa ayitshintshi ngendlela enentsingiselo. Umzekelo omnye wobulungisa bamanzi angajulileyo ngumgaqo-nkqubo ovela kumgaqo-nkqubo we-GNR509 kaJuni 2001, obonelela ngesibonelelo samanzi esisiseko sasimahla seelitha ezingama-25 kumntu ngamnye ngosuku.



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Nangona izazinzulu zikholelwa ukuba ubuncinci bamanzi aneleyo ukuxhasa ubomi ziilitha ezingama-25 ngosuku, esi sixa siphantsi kakhulu koko abantu bakufunayo ukusebenzisa imihla ngemihla. Ukusetyenziswa kwamanzi okusisiseko nokuyimfuneko, njengokusela, ukupheka, ukuhlamba, ukuhlamba izandla, ukuhlamba izitya, ukucoca izindlu zangasese, kunye nokuhlamba iimpahla, kunokudlula iilitha ezingama-25 ngosuku. Oku kunokunyanzela abo bangenako ukuhlawulela amanzi ukuba bayeke iimfuno ezisisiseko, ezichaphazela impilo yabo kunye nokuphila kakuhle. Isibonelelo samanzi esisisiseko sivumela urhulumente ukuba athi ubonelela ngamanzi ngobulungisa, kodwa bubulungisa obunganzulu obungenzi nto ukuphucula iimeko.



Zininzi izizathu zendalo nezenziwe ngabantu ezibangela ukungaphumeleli kokuhambisa amanzi eMzantsi Afrika. Iingxaki ezine eziphantsi koxanduva lukarhulumente lokuhambisa amanzi aneleyo zibonwa njengezifuna amanyathelo akhawulezileyo:

- Iziseko Zophuhliso Ezingasebenziyo. Ukugcinwa kweziseko zophuhliso kuyimfuneko eqhubekayo. Ngelishwa, iindawo ezininzi azityali mali yaneleyo ekugcinweni kweziseko zophuhliso, nto leyo evumela ukuba iziseko zophuhliso zonakale.
- Izivumelwano zethenda. Izivumelwano zethenda ezilawulwa kakubi okanye ezisetyenziswa gwenxa zichitha izixhobo ezixabisekileyo ngelixa zingazisi iziphumo ezifunekayo.
- Umgangatho Wamanzi Ombi. Ukuhla komgangatho wamanzi anikezelwa ziinkqubo zikamasipala kushiya uluntu lusela amanzi angakhuselekanga, nto leyo echaphazela impilo.
- Unyango lwamanzi amdaka. Unyango olubi lwamanzi amdaka lukhokelela ekubuyeleni kwamanzi amdaka emijelweni yamanzi, oko konakalisa okusingqongileyo kwaye kubangele iingozi empilweni.

Ukuchonga iingxaki zobonelelo lwamanzi linyathelo elibalulekileyo ekubambeni urhulumente enoxanduva. Amanzi kufuneka acoceke kwaye akhuseleke ukuselwa, ngelixa efumaneka ngobuninzi obaneleyo ukufezekisa ilungelo lokufumana amanzi aneleyo. Oku kudala iindawo ezimbini ekufuneka kugxilwe kuzo kubonelelo lwamanzi:

(A) Ukufumaneka kwamanzi

- Ukufumaneka: ubuncinane ilitha ezingama-25 zamanzi acocekileyo kumntu ngamnye ngosuku okanye iikhilolitha ezi-6 kusapho ngalunye ngenyanga
- Izinga: ubuncinci besantya sokuhamba kwamanzi esingaphantsi kweelitha ezili-10 ngomzuzu
- Umgama: ngaphakathi kweemitha ezingama-200 ukusuka endlwini.



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(B) Umgangatho wamanzi

- Inkangeleko: Amanzi acociweyo nahluziweyo afanele angabi nambala phantse.
- Izinto Ezingcolisayo: Amanzi ahluziweyo kufuneka acoceke kwaye angabi nazinto zingcolisayo ezibonakalayo ezifana nongcoliso, kwaye akufuneki kubekho zizinto ezibonakalayo okanye izinto eziphilayo.
- Ivumba: Amanzi acocekileyo akufuneki abe nevumba elibonakalayo.
- Incasa: Amanzi akhuselekileyo kufuneka abe nencasa ecocekileyo.
- Iziphumo: Ukusela amanzi akufanele kubangele izifo.

Ukuba amanzi awaziswanga ngobuninzi obaneleyo okanye ngomgangatho ofanelekileyo, urhulumente akahlangabezani neembopheleleko zakhe zomthetho nezoMgaqo-siseko. Oku kubonelela ngesiseko sokucela ukuphuculwa kokunikezelwa kweenkonzo.

Ukuba urhulumente akanikeli ngamanzi asemgangathweni okanye ngobuninzi obufanelekileyo, iindlela zokunika ingxelo kunye nokusasazwa kolwazi zinceda ukuphucula uxanduva. Abathengi banokwenza oku kulandelayo:

- Qokelela Ulwazi. Iiwebhusayithi zikarhulumente, iingxelo, kunye nezicelo ze-PAIA zinokuphucula ukuqonda.
- Xela ngokuthe ngqo. Ukusebenzisa iinkqubo ezikwi-intanethi, ii-imeyile, kunye neenombolo zefowuni ukuxela ingxaki kurhulumente wengingqi okanye kwiSebe lezaManzi noCoceko kudala ulwazi.
- Phakamisa iinkxalabo zakho. Ukuba akukho mpendulo okanye akukho manyathelo avela kumagunya kamasipala, phakamisa le ngxaki ngokuqhagamshelana nooceba bewadi/bewadi kunye nabezopolitiko.
- Bamba iqhaza kuRhulumente weNgingqi. Oomasipala banyanzelekile ngokomthetho ukuba bakhuthaze ukuthatha inxaxheba koluntu, okuquka ukubamba iintlanganiselo ezivulelekileyo kuluntu.
- Sebenzisa imidiya yoluntu. Ukuthumela imiba yokunikezelwa kweenkonzo okanye yolawulo kwimidiya yoluntu kunokuba yindlela enamandla yokwandisa ulwazi kuluntu.
- Xela. Ukuvuthela impempe, uxele, kunokuba yingozi, kodwa kudla ngokuba yindlela abanye, njengabo banegunya lophando, abangayaziyo ingxaki.
- Ukukhuthaza. Ukujoyina okanye ukuqala umbutho kunceda ekuhlanganiseni izixhobo kunye nokufumana inkxaso yokukhuthaza utshintsho.



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- Bhala ingxelo. Ukubhalela iNdlu yoWiso-mthetho yeSizwe kunokwazisa urhulumente ngoomasipala abangaphumeleliyo kwimisebenzi yabo.
- Yenza Izicelo. Isicelo, esisayinwe ngabaxhasi size sivunywe lilungu lepalamente yesizwe, sinokuba sisixhobo esinamandla sokubonisa umdla omkhulu ekufumaneni isisombululo.
- Khuthaza ngeengxelo zeendaba. Ukubhala iingxelo zeendaba ukuze zipapashwe okanye ukuqhagamshelana neentatheli ukuze ubhale ngezihloko ezithile kunokudala ulwazi.
- Thatha inxaxheba kwimibhikisho. Uqhankqalazo lweqela, olukhuselwe nguMgaqo-siseko, lubonakalisa ubunye kunye nesilumkiso ebantwini malunga nombala othile.
- Qala iinkqubo zomthetho. Nangona zibiza kakhulu kwaye zifuna ubuchule kwezomthetho, iinkqubo zomthetho zinokuba sisixhobo esinamandla sokubanga amalungelo.
- Vota. Iivoti zinokuthumela umyalezo onamandla kwaye zikhokelele kutshintsho kurhulumente.

Ukusebenzisa enye okanye indibaniselwano yezi ndlela kunceda ekwandiseni uxanduva. Yonke indlela inexabiso, ngoko ke kunokwenzeka ukwenza umahluko nokuba ngesenzo esincinci.



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Intshayelelo

UMzantsi Afrika lilizwe elinqongopheleyo ngamanzi elinemvula yonyaka engaphantsi kwama-500 mm, engaphantsi kakhulu komndilili wehlabathi we-860 mm.¹ Ngenxa yemvula encinci kangaka, uMzantsi Afrika uphantsi koxinzelelo olukhulu lwamanzi. Olu nqongophalo lushiya indawo encinci yolawulo lobonelelo ukuqinisekisa ukuba bonke abantu baseMzantsi Afrika banokufikelela emanzini aneleyo. Olu nqongophalo lwamanzi kufuneka luqhubeke njengoko lubalulekile ekuxhaseni iintlobo ngeentlobo zezityalo nezilwanyana. Ulawulo lwamanzi olucokisekileyo nolusebenzayo ke ngoko lubalulekile eMzantsi Afrika. Nangona kunjalo, urhulumente uhlala esilela kumsebenzi wakhe wokusasaza amanzi ngendlela ezinzileyo njengoko urhwaphilizo kunye nolawulo olungafanelekanga kuye kwatshabalalisa imali kunye nezakhono ezifunekayo ukuze kusasazwe ngokufanelekileyo. Kukwakho nomkhwa wokulandela indlela yobulungisa emanzini angaphantsi apho urhulumente ebonakala ezalisekisa uxanduva lwakhe. Luxanduva lwabantu baseMzantsi Afrika ukubamba urhulumente ukuba aphendule kwaye axele naziphi na iingxaki malunga nokufikelela, umgangatho, kunye nobungakanani bamanzi.

iMzantsi Afrika, ngenxa yemvula yayo ephantsi, eguquguqukayo, yenza ukuba ukugcinwa kwamanzi, ulawulo, kunye nokusebenzisa kwawo ngabantu ezindaweni ngeendawo kube yingxaki ebalulekileyo. UMzantsi Afrika ungomnye wamazwe angama-25 aphezulu anengxaki yamanzi, esebenzisa "ngaphezulu kwe-80% yamanzi ahlaziyekayo ukunkcenkceshela, imfuyo, amashishini, kunye neemfuno zasekhaya."² uMzantsi Afrika uhluleka kathathu ngemimandla yemozulu (climate zones). Inxalenye esempumalanga, iindawo ezifana neGauteng, iKwaZulu-Natal, kunye neLimpopo, inemvula engaphezulu kwe-500mm ngonyaka. Oku kunokufikelela kumndilili we-1200mm ngonyaka kwezinye iindawo. Imimandla esesiphakathini nesemantla-ntshona yona yomile, iphakathi kwe-100mm kunye ne-500mm. Iintaba zeCape Fold zinemvula yonyaka ephakathi kwe-300mm kunye ne-900mm.³

Olu sasazo lungalinganiyo lwamanzi kulo lonke ilizwe lwenza ukuba ukugcinwa, ukuhluzwa, kunye nokuqokelelwa kwamanzi kube yinto ebalulekileyo. Ngenxa yamanzi angonelanga ukuqinisekisa ukunikezelwa okwaneleyo, abantu baseMzantsi Afrika kufuneka bathembele kwiziseko zophuhliso lwamanzi zikarhulumente.



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Iziseko zophuhliso lwamanzi ziquka iindawo ezakhiweyo, ezifana neendawo zokugcina amanzi, amadama, neimijelo yamanzi ; kunye nemiifula, amachibi, neendawo ezigcina amanzi phantsi komhlaba. Ulawulo lweziseko zophuhliso lwamanzi kufuneka luzame ukulinganisela ukuhamba kwamanzi kwiindawo ezinemvula encinci, kodwa kusaqinisekiswa ukuba kukho amanzi aneleyo kwiindawo ezihleli ziihamba amanzi ngendalo. Lonto iqiniseka indalo ihlale isempilweni. Kwanamanqanaba aphantsi ongcoliseko lwamanzi okanye ulawulo olubi lwamanzi, lunokushiya iindawo zingenamanzi aneleyo kwimpilo nococeko.

Enye yeengxaki ezinkulu ezijongene noMzantsi Afrika yimpembelelo ebanzi yorhwaphilizo kuwo onke amanqanaba oluntu. IKhomishini yoPhando lokuBanjwa koRhulumente (i-CISC), ekhokelwa yiJaji eyiNtloko uRaymond Zondo, iphanda urhwaphilizo kulo lonke urhulumente waseMzantsi Afrika. I-CISC ityhile urhwaphilizo kuwo onke amanqanaba karhulumente kwaye yenza iingcebiso ezininzi malunga nendlela yokujongana nokuthintela urhwaphilizo kwixesha elizayo. Ezi ngcebiso ziquka ukhuseleko oluqinileyo kwabo baxela izinto ezingalunganga, ukuqeshwa okusekelwe kwiziqinisekiso kumashishini karhulumente (ii-SOE), kunye nokuphuculwa kokungafihlisi. Ukuphumeza iingcebiso ze-CISC kubalulekile njengoko kuya kudala urhulumente onoxanduva nongenarhwaphilizo oza kunceda bonke abantu baseMzantsi Afrika. Inkohlakalo isusa izinsiza ezidingekayo ekuthuthukisweni komphakathi nakwezomnotho, futhi lokhu kunemiphumela emibi kakhulu ezinhlelweni zokulethwa kwamanzi. Ukusetshenziswa kabi kwezimali kusho ukuthi kuncane kakhulu okutholakalayo ekugcinweni nasekukhuliseni ingqalasizinda. Ngaphandle kokugcinwa okuqhubekayo nokusebenzayo, uhlelo luwohloka.⁴ Imibiko ye-Blue Drop kanye ne-Green Drop, ekhishwe uhulumeni, ilinganise u-52% wezinhlelo zethu zokuphakelwa kwamanzi njengengozi ephakathi nendawo kuya kwebucayi.⁵ Umbiko we-Green Drop mayelana nokuphathwa kwamanzi angcolile uthole ukuthi cishe u-39% wezinhlelo zamanzi angcolile zikamasipala zisesimweni esibucayi ngo-2021.⁶

Enye yezona ngxaki zinkulu ezijongene noMzantsi Afrika yimpembelelo ebanzi yorhwaphilizo kuwo onke amanqanaba oluntu. IKhomishini yoPhando lokuBanjwa koRhulumente (i-CISC), ekhokelwa yiJaji eyiNtloko uRaymond Zondo, iphanda urhwaphilizo kulo lonke urhulumente waseMzantsi Afrika.



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I-CISC ityhile urhwaphilizo kuwo onke amaqanaba karhulumente kwaye yenze iingcebiso ezininzi malunga nendlela yokujongana nokuthintela urhwaphilizo kwixesha elizayo. Ezi nqcebiso ziquka ukhuseleko oluqinileyo kwabo baxela urhwaphilizo, ukuqeshwa okusekelwe kwisiqinisekiso kumashishini karhulumente (ii-SOE), kunye nokuphuculwa kokungafihlisi. Ukuphumeza iingcebiso ze-CISC kubalulekile njengoko kudala urhulumente onoxanduva nongenarhwaphilizo oya kuba luncedo kubo bonke abemi baseMzantsi Afrika.

Njengoko amanzi esisixhobo esibalulekileyo nesinqabileyo, ulawulo olusebenzayo lwezixhobo luyimfuneko enkulu eMzantsi Afrika. Ukuqinisekisa ukuba kukho amanzi aneleyo kubonelela ngesiseko esibalulekileyo esinokunceda uluntu ukuba luphile kwaye luqale ukuchuma. Nangona kunjalo, oku kufuna ukoyisa iingxaki zorhwaphilizo kunye nobulungisa obungenamsebenzi obuthintela ukuhanjiswa kwamanzi okusebenzayo. Oku kuya kufuna ukuba bonke abantu baseMzantsi Afrika bagxile ngakumbi ekusebenzeni kunye ukuze baqinisekise ukuba urhulumente uphendula ngokwenza konke okusemandleni abo. Urhulumente, ingakumbi kummandla wakhe, kufuneka enze imizamo yokuqwalasela iimfuno kunye nokubonisana noluntu ukuqinisekisa ukuba abantu banokufikelela kumanzi aneleyo.



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ISAKHELO SOMTHETHO: ILUNGELO LOKUFUMANA AMANZI



Isakhelo somthetho: Ilungelo lokufumana lamanzi

Ilungelo labemi baseMzantsi Afrika lokufikelela emanzini liphuhliswa ngemigaqo-nkqubo eyahlukeneyo yezomthetho, kuquka umthetho wamazwe ngamazwe, uMgaqo-siseko, imithetho, imigaqo, kunye nomthetho wamatyala. Umthetho wamazwe ngamazwe ngamalungelo amanzi, owenziwe ngezivumelwano nezivumelwano, ubophelela amazwe angamalungu ukuba abandakanye la malungelo njengenxalenye yomthetho wesizwe sawo. UMzantsi Afrika, ngomthetho wawo, umisele ilungelo lamanzi ngokuhambelana nomthetho wamazwe ngamazwe. Eli lungelo lamanzi eMzantsi Afrika livela kuMgaqo-siseko njengegunya eliphezulu lezomthetho kweli lizwe. Umthetho uphuhlisa kwaye uchaza eli lungelo ngemigaqo echaza indlela eli lungelo elinokuphunyezwa ngayo.

Umthetho wamazwe ngamazwe

UMzantsi Afrika, njengelizwe elililungu leZizwe eziManyeneyo (i-UN) kunye ne-African Union (i-AU), kufuneka uzithathele ingqalelo izivumelwano zawo njengenxalenye yomthetho wamazwe ngamazwe.⁹ Umthetho wamazwe ngamazwe ubeka inani leembopheleleko kumazwe angamalungu awo ukuba anike ukufikelela kumanzi acocekileyo ngobuninzi obaneleyo bokusetyenziswa ngabantu kunye nococeko. Ngoko ke umthetho wamazwe ngamazwe unika isikhokelo sendlela yokusebenzisa ilungelo lokufumana amanzi. Imigaqo emininzi kumthetho wamazwe ngamazwe ibonisa indlela amazwe angamalungu afanele alisebenzise ngayo ilungelo lawo lokufumana amanzi.

Isibhengezo seHlabathi samaLungelo oLuntu se-UN sisivumelwano esingabophelelanga esibonelele ngesakhelo sezivumelwano zamalungelo oluntu ezizayo. Inqaku 25.1 lesi sibhengezo lichaza ilungelo lokufumana amanzi njengenxalenye yomgangatho ofanelekileyo wokuphila impilo-ntle:

Wonke umntu unelungelo lokuphila ubomi obusemgangathweni ofanelekileyo kwimpilo yakhe neyentsapho yakhe, kuquka ukutya, impahla, indawo yokuhlala kunye nonyango kunye neenkonzo zentlalo ezifunekayo, kunye nelungelo lokhuseleko xa engasebenzi, egula, ekhubazekile, engumhlolokazi, ekwaluphaleni okanye eswele indlela yokuphila kwiimeko ezingaphaya kwamandla akhe.



STATE CAPTURE AND BEYOND

Ilungelo lokuphila ubomi obufanelekileyo kwimpilo nokuphila kakuhle, kuquka nokutya, lithetha imfuneko yelungelo lokufumana amanzi. Amanzi aneleyo yimfuneko esisiseko kwimpilo entle nokulungiselela ukutya. Izigqibo zakutshanje ze-UN, iiNkqubo zeNtshukumo ze-UN, kunye neMvumelwano zase-Afrika zicacile kakhulu ekubizeni ilungelo lokufumana amanzi.



STATE CAPTURE AND BEYOND

Isihloko	Ubonelelo ngamanzi	Isishwankathelo
Isigqibo seNdibano Jikelele 64/292. Ilungelo loluntu lamanzi nococeko.	1. Iyaliqonda ilungelo lokufumana amanzi okusela akhuselekileyo kunye nococeko, njengelungelo elisiseko lomntu lokonwabela impilo epheleleyo kunye nawo onke amalungelo oluntu;	Iyaliqonda ilungelo lomntu lokufumana amanzi nococeko. Ikhuthaza amazwe angamalungu ukuba anike inkxaso-mali kunye noncedo lobuchwephesha ukuze la malungelo afezekiswe kwihlabathi liphela.
Isigqibo seNdibano Jikelele 64/292. Amalungelo oluntu kunye nokufikelela kumanzi okusela akhuselekileyo kunye nococeko	2. Uyaqonda ilungelo lokufikelela kumanzi okusela acocekileyo nakhuselekileyo kunye nococeko njengelungelo elisiseko lomntu lokonwabela impilo epheleleyo kunye nawo onke amalungelo oluntu;	Iyakuqonda ukubaluleka kwamanzi kwaye iqesha umntu oyingcali yamanzi. Le ngcali yenzelwe ukuphanda, ukunxibelelana namazwe, ukubonelela ngeengcebiso, soqgiba ikhupe ingxelo.
Isigqibo seBhunga lamaLungelo oLuntu 12/8. Amalungelo oluntu kunye nokufikelela kumanzi okusela akhuselekileyo kunye nococeko	4(a) : Ukudala imeko-bume evumela ukujongana nengxaki yococeko kuzo zonke iinqanaba...	Uqinisekisa ukuba ufumene ingxelo yengcali yokuqala, malunga namanzi, aze agqibe kwelokuba amazwe kufuneka akhe indlela yosebenza eqinisekisa ukuhanjiswa kwamanzi kunye nokuphucula ucoceko.
Inkqubo yomsebenzi yaseMar Del Plata	Isigqibo II(a) : Bonke abantu, nokuba bakwinqanaba lophuhliso olunjani na kunye neemeko zabo zentlalo-qoqosho, banelungelo lokufikelela emanzini okusela ngobuninzi obaneleyo nangomgangatho owaneleyo kwiimfuno zabo ezisisiseko.	Le ngqungquthela yokuqala yamanzi ye-UN ichonge yaza yachaza ukubaluleka kwamanzi njengelungelo lomntu. Ithuma amazwe ukuba asebenzisane ukubonelela ngamanzi njengesidingo sabo bonke abantu.
UMgaqo-siseko waseAfrika ngamalungelo oLuntu nabantu (1981)	Inqaku 24: Bonke abantu banelungelo lokuba nendawo efanelekileyo yophuhliso lwabo.	Nangona umgaqo-siseko ungakhankanyi ilungelo lamanzi, iKhomishini yase-Afrika yamaLungelo oLuntu (African Commission on Human and People's Rights) itolikwa isithi ikhona imiqathango elungelo lamanzi.
UMgaqo-siseko wase-Afrika omalunga namalungelo kunye nentlalo-ntle yomntwana (1990)	Inqaku 14(2)(c) : olukuqinisekisa ukubonelelwa ngokutya okwaneleyo namanzi okusela akhuselekileyo	Esi sivumelwano sifuna amazwe athatha inxaxheba okuba enze imithetho yokuqinisekisa ukuba amanzi okusela akhuselekile. Nangona kunjalo, asithethi nto malunga nobungakanani bamanzi



Ekubeni uninzi lwezi zivumelwano zamazwe ngamazwe zingabophi, zibeka uxanduva lokuziphatha kumazwe angamalungu endaweni yemfuneko engqongqo yomthetho. UMzantsi Afrika, ngokuhambelana necandelo 233 loMgaqo-siseko, ubeka uxanduva kwiinkundla ukuba zitolike imithetho yasekhaya ukuba ihambelane nomthetho wamazwe ngamazwe. Izivumelwano zamazwe ngamazwe, kuquka ilungelo lokufumana amanzi, zibanzi ngokwaneleyo ukuvumela amazwe angamalungu ukuba agqibengokweenkcukacha indlela yokusebenzisa amalungelo ngaphakathi kweemeko zawo ezithile kunye neendlela zawo. Nangona kunjalo, ezi zivumelwano zamazwe ngamazwe zithi ilungelo elifanelekileyo lokufumana amanzi kufuneka liquke amanzi akhuselekileyo okusela kwaye anele iimfuno ezisisiseko.

Umgaqo-siseko

UMzantsi Afrika yayilizwe lokuqala ukugxininisa ngokucacileyo ilungelo lokufumana amanzi njengenxalenye yomgaqo-siseko wawo. Oku kwenza uMzantsi Afrika ube lelinye lamazwe okuqala ukubonelela ngokhuseleko nokusetyenziswa kwamalungelo amanzi ngokomgaqo-siseko. Icandelo lama-27, kwiSahluko sesiBini soMgaqo-siseko, lichaza eli lungelo:

27. (1) Wonke umntu unelungelo lokufikelela —

(a) iinkonzo zokhathalelo lwempilo, kuquka nokhathalelo lwempilo yokuzala;

(b) ukutya namanzi aneleyo; kunye

(c) kunye nokhuseleko loluntu, kuquka, ukuba abakwazi ukuzixhasa bona kunye nabantu abaxhomekeke kubo, uncedo loluntu olufanelekileyo.

(2) URhulumente kufuneka athathe amanyathelo afanelekileyo omthetho kunye namanye amanyathelo, ngokwezixhobo zakhe ezikhoyo, ukuze afezekise ukufezekiswa kwala malungelo ngokuthe ngcembe.

(3) Akukho mntu unokwalelwa unyango olungxamisekileyo.

Eli candelo loMgaqo-siseko lidala ilungelo elithile lokufikelela emanzini eMzantsi Afrika. Likwabeka uxanduva kurhulumente lokuphucula ukufikelela emanzini ngeemfuno ezintathu zokuba la manyathelo kufuneka abe afanelekileyo, agxile ekuphunyezweni okuzinzileyo, kwaye angene kwizixhobo ezikhoyo. Ke ngoko, amaziko karhulumente kufuneka azame ukusebenzisa izixhobo ezikhoyo ukuqinisekisa ukuba bonke abantu baseMzantsi Afrika bayafikelela kweli lungelo. Nangona kunjalo, uMgaqo-siseko awuchazi ukuba eli lungelo lithetha ukuthini okanye amaziko karhulumente anokuliphumeza njani eli lungelo.



STATE CAPTURE AND BEYOND

Imithetho

Okwangoku kukho imithetho emibini elawula ilungelo lokufikelela emanzini. Le mithetho iphuhlisa ilungelo njengoko lichazwe kuMgaqo-siseko kwaye ichaza ulawulo kunye nokusasazwa kwamanzi. Ngokubanzi ithi ukufikelela emanzini kufuneka kuquke ukubonelelwa ngamanzi okusela acocekileyo ngobuninzi obaneleyo.

UMthetho weSizwe waManzi 36 ka-1998 (i-NWA) ugxile kulawulo nokukhuselwa kwemithombo yamanzi yaseMzantsi Afrika. Lo Mthetho unegunya lesizwe eligxile kwiinkalo ezifana nokwakhiwa kwamadama, ulawulo lwemilambo, ukusetyenziswa kwamanzi angaphantsi komhlaba, kunye namalungelo amanzi angaphandle kolwandle. Nangona i-NWA ibalulekile kulawulo lwamanzi lwesizwe, ayithethi ngendlela yokuqinisekisa ukuba abantu banokufikelela kwilungelo labo lokufumana amanzi.

Kwelinye icala, uMthetho weeNkonzo zaManzi 108 ka-1997 (i-WSA) ugxile kwilungelo lomntu ngamnye lokufikelela emanzini. Lo Mthetho uqala ngokuchaza iingcamango, kuquka iingcamango eziphambili zobonelelo lwamanzi olusisiseko kunye nococeko olusisiseko kwiCandelo 1:

“ucoceko olusisiseko” luthetha umgangatho ophantsi weenkonzo ezifunekayo ekuqokeleleni, ekususeni, ekulahleni okanye ekunyangweni kwendle yabantu, amanzi amdaka asekhaya kunye nelindle kumakhaya, kuquka neendawo zokuhlala ezingamiselekanga.

“ubonelelo lwamanzi olusisiseko” luthetha umgangatho ophantsi weenkonzo zobonelelo lwamanzi ezifunekayo ukubonelela ngamanzi aneleyo kunye nomgangatho owaneleyo kwiintsapho, kuquka iintsapho ezingamiselekanga, ukuxhasa impilo kunye nococeko lomntu.

Ezi nkcazo zibonelela ngesikhokelo sendlela oorhulumente abanokufezekisa/babonelele ngamalungelo asisiseko amanzi. Inkcazo "yokubonelela ngamanzi asisiseko" ibaluleke kakhulu kuba ivuma ukuba ubungakanani bamanzi asisiseko kufuneka buxhase impilo kunye nococeko lomntu. Nangona kunjalo, i-WSA ayithethi nto malunga nokuba angakanani amanzi aneleyo kwimpilo kunye nococeko lomntu, ishiya oko kumiselwe yimithetho kunye noorhulumente basekhaya.



Kukho amacandelo aliqela abalulekileyo oMthetho anxulumene nokubonelela abantu baseMzantsi Afrika ngelungelo lokufumana amanzi. Icandelo lesi-2 loMthetho lichaza imiqathango yalo ephambili.

2. Iinjongo eziphambili zalo Mthetho kukubonelela—

- (a) ilungelo lokufikelela kumanzi asisiseko kunye nelungelo lococeko olusisiseko olufunekayo ukuqinisekisa amanzi aneleyo kunye nokusingqongileyo okungenabungozi kwimpilo okanye kwimpilo-ntle yoluntu;
- (b) ukubekwa kwemigangatho nemigangatho yesizwe kunye nemigangatho yerhafu yeenkonzo zamanzi
- (c) ukulungiswa nokwamkelwa kwezicwangciso zophuhliso lweenkonzo zamanzi ngabasemagunyeni beenkonzo zamanzi;
- (d) isakhelo solawulo samaziko eenkonzo zamanzi kunye nabaququzeleli beenkonzo zamanzi;
- (e) ukusekwa nokuchithwa kweebhodi zamanzi kunye neekomiti zeenkonzo zamanzi kunye nemisebenzi kunye namandla azo;
- (f) ukubeka esweni iinkonzo zamanzi kunye nokungenelela koMphathiswa okanye iPhondo elichaphazelekayo;
- (g) uncedo lwemali kwizibonelelo zeenkonzo zamanzi;
- (h) ukuqokelelwa kolwazi kwinkqubo yolwazi yesizwe kunye nokusasazwa kolo lwazi;
- (i) ukuzibophelela kwababoneleli ngeenkonzo zamanzi: kunye
- (j) kunye nokukhuthaza ulawulo nokulondolozwa kwemithombo yamanzi ngokufanelekileyo.

Icandelo lesi-3 loMthetho, “Ilungelo lokufikelela kubonelelo lwamanzi olusisiseko kunye nococeko olusisiseko,” lichaza amanqaku amane achaza ilungelo lokufumana amanzi:

- (1) Wonke umntu unelungelo lokufikelela kumanzi asisiseko kunye nococeko olusisiseko.
- (2) Onke amaziko eenkonzo zamanzi kufuneka athathe amanyathelo afanelekileyo ukuze azalisekise la malungelo.
- (3) Onke amagunya eenkonzo zamanzi, kwisicwangciso sawo sophuhliso lweenkonzo zamanzi, kufuneka anike amanyathelo okuzalisekisa la malungelo.
- (4) Amalungelo akhankanyiweyo kweli candelo axhomekeke kwimida equlethwe kulo Mthetho.



I-WSA iqinisekisa ngokupheleleyo ilungelo lokufumana amanzi njengoko kuchazwe kuMgaqo-siseko. Nangona kunjalo, i-WSA ayiboneleli ngezikhokelo ezingqongqo malunga namaxabiso, nto leyo eshiya oorhulumente basekuhlaleni ukuba bagqibe ngendlela yokufezekisa la malungelo ngemigaqo nemithetho kamasipala.

Imigaqo

Imigaqo yimigaqo yendlela ama-arhente karhulumente wengingqi afanele aqinisekise ngayo imithetho. Malunga namanzi, i-GNR.509 yomhla wesi-8 kweyeSilimela 2001: Imigaqo yemigangatho kazwelonke enyanzelekileyo kunye namanyathelo okulondolozwa kwamanzi ibonelela ngokubonelelwa okusisiseko kwamanzi:

3. Ubonelelo lwamanzi olusisiseko – Umgangatho ophantsi weenkonzo zamanzi ezisisiseko ngu –

(a) ukubonelela ngemfundo efanelekileyo malunga nokusetyenziswa kwamanzi ngokufanelekileyo; kunye

(b) ubuncinane umlinganiselo wamanzi acocekileyo angama-25 eelitha ngomntu ngosuku okanye iikhilolitha ezi-6 ngosapho ngenyanga –

(i) ngesantya sokuhamba kwamanzi esimalunga ne-10 yeelitha ngomzuzu;

(ii) ngaphakathi kweemitha ezingama-200 ukusuka kusapho; kwaye

(iii) ngendlela yokuba akukho mthengi ongenaye umthengisi iintsuku ezingaphezu kwesixhenxe ezipheleleyo kunyaka ngamnye.

Olu nikezelo lwamanzi lusisiseko yinto urhulumente ayibeka njengemfuneko esezantsi enokufikelelwa ukuqinisekisa ukuba bonke abantu bayalinandipha ilungelo labo lokufikelela emanzini. Amanzi okusela ngamanzi acociweyo kwaye ahluziwe, elandela imigangatho engqongqo, ukuqinisekisa ukuba akhuselekile ekuseleni nasekuphekeni ngaphandle kwesidingo sokucocwa ngakumbi. Ngoko ke, unikezelo lwamanzi olusisiseko sisithembiso sikarhulumente waseMzantsi Afrika soko aza kukubonelela bonke abemi njengelungelo elikhawulezileyo. Nangona kunjalo, umthetho wamazwe ngamazwe ucebisa ubuncinci ilitha ezingama-50 ngomntu ngosuku njengemfuneko esezantsi, nto leyo ebonisa ukuba unikezelo lwamanzi olusisiseko alwanelanga.



STATE CAPTURE AND BEYOND

IMigangatho neMimiselo yeSizwe eNcedisayo yamanzi noCoceko, engekapapashwa okwangoku, ijolise ekutshintsheni unikezelo lwamanzi olusisiseko. Ummiselo ocetywayo, owapapashwa ukuze uluntu luphawule, ubandakanya utshintsho oluninzi kunikezelo lwamanzi olusisiseko. KwiGazethi kaRhulumente kaJanuwari 2024 (inombolo 49979), kukho imigangatho emibini esisiseko yonikezelo lwamanzi olusisiseko: icandelo 2, iMigangatho yeNkonzo yeXeshana kunye necandelo 3, iMigangatho yaManzi eSisiseko. Oku kwenza umahluko ocacileyo phakathi kweendawo zokuhlala ezingamiselekanga ezinemigangatho yexeshana kunye neendawo zokuhlala ezisesikweni ezinemigangatho yamanzi asisiseko.

Imigangatho yamanzi esisiseko yindlela yokuphucula, kuquka amanzi asimahla kumakhaya ahlwempuzekileyo (3(2)(a)(iii)) kwaye afuna ukuba amanzi ahanjise ekupheleni komda (3(2)(b)). Nangona kunjalo, imigangatho yamanzi yexeshana inokuba mbi kunomthombo wamanzi osisiseko wangoku njengoko kukho utshintsho ukusuka “ngaphakathi kweemitha ezingama-200 ukusuka kumakhaya” ukuya “kwindawo yokufikelela okanye yokuhambisa ekufuneka ibe yipayipi esisigxina, ngaphakathi komgama ofanelekileyo wokuhamba ongekho ngaphezulu kweemitha ezingama-200 ukusuka kumakhaya akude kakhulu.” Ibinzana elithi “iimitha ezingama-200 ukusuka kumakhaya akude kakhulu” alicaci ngokwaneleyo ukuvumela ezinye iindlela zokuchazwa. Kuthetha ukuba akukho khaya kuya kufuneka lihambe ngaphezu kweemitha ezingama-200 ukuze lifumane amanzi. Kungenjalo, umbhobho osisigxina unokuba ngaphakathi kweemitha ezingama-200 ukusuka kulo naliphi na ikhaya kwindawo yokuhlala engacwangciswanga, nto leyo enyanzela amanye amakhaya ukuba ahambe umgama ongaphezu kweemitha ezingama-200. Ukuphinda eli candelo ukuze aqonde ngcono imigangatho yamanzi kuya kunceda.

Umthetho woLwaphulo-mthetho

Ingongoma ephambili yengxoxo yayikukuba ingaba unikezelo lwamanzi olusisiseko lweelitha ezingama-25 lwanele na. Ubungakanani bamanzi obubonelelwa phantsi kwesibonelelo samanzi esisiseko sasimahla buchaswe kuluhlu lwamatyala agqibela kwityala lika *Mazibuko and Others v City of Johannesburg and Others*.¹⁰ INkundla yoMgaqo-siseko ixhase umgaqo-nkqubo weSixeko wokubonelela ngeekhilolitha ezi-6 zamanzi asimahla kwikhaya ngalinye ngenyanga.



STATE CAPTURE AND BEYOND

I. INkundla igqibe kwelokuba kucacile ngokuqatshelwa okuqhubekayo kweli lungelo ukuba kuya kuthatha ixesha ukuba urhulumente aphucule unikezelo ukuze wonke umntu abe nokufikelela emanzini aneleyo. Esi sigqibo siqinisekile ukwabiwa kwamanzi asimahla okusisiseko kweelitha ezingama-25 kumntu ngamnye ngosuku ngokwemigaqo ye-WSA. INkundla yoMgaqo-siseko yayithandabuza ukungenelela kwaye ibeke umgangatho ophantsi kweli lungelo, njengoko oku kuya kwaphula ukwahlukana kwamandla. Kuxhomekeke kurhulumente wesizwe, wephondo nowengingqi ukulungisa izibonelelo zamanzi ngokuhambelana noko bakuchaza ngokufanelekileyo njengamanzi aneleyo obomi kunye nococeko.

Amatyala aliqela achaze uxanduva lukarhulumente lokuzalisekisa amalungelo achazwe kuMqulu wamaLungelo kuMgaqo-siseko. Ityala lango-2000 Government of the Republic of South Africa and Others v Grootboom and Others¹¹ (Grootboom) linike iinkcazo "zokuphunyezwa okuqhubekayo" kunye "nokufumaneka kwezixhobo". Ityala likaGrootboom ligxile ekubeni urhulumente wengingqi unoxanduva na lokubonelela ngezindlu zexeshana kwiintsapho ezigxothiweyo njengenxalenye yelungelo lezindlu. Eli tyala lifumanise ukuba ukuphunyezwa okuqhubekayo kuyayiqonda into yokuba kufanelekile ukuba urhulumente angasoloko ekwazi ukuzalisekisa amalungelo ngoko nangoko, kodwa urhulumente kufuneka athathe amanyathelo okwenza lula la malungelo. Amaphondo kufuneka aququzelele ukuphunyezwa kwamalungelo ngokuvavanya ngononophelo izixhobo kunye neenkqubo zokudala iinkqubo ezijongana nemiqobo, kubandakanya imingeni yemali kunye nolawulo. Ukufumaneka kwezixhobo kunokuba ngumqobo kula malungelo, njengoko urhulumente engenakwenza okungaphezulu koko izixhobo zakhe ezikhoyo zikuvumelayo. Nangona kunjalo, amaphondo kufuneka abe nezixhobo ezaneleyo ukuxhasa ukuphunyezwa kwamalungelo oluntu asisiseko.¹²

Ngokufanayo, ityala lika-2002 likaMphathiswa wezeMpilo kunye nabanye v Treatment Action Campaign kunye nabanye¹³ (TAC) ligxile ekuphunyezweni okuqhubekayo kunye nokufumaneka kwezixhobo. Ityala le-TAC ligxile kurhulumente ekwenzeni amayeza asindisa ubomi afumaneka ngokubanzi kunokuba athintelwe kwiindawo ezimbalwa zovavanyo. Abavelisi beNevirapine banikela ngokubonelela urhulumente ngesi sidakamizwa simahla iminyaka emihlanu, okwenza kube nokwenzeka ukuba sisasazwe ngokubanzi ukuze kusindiswe ubomi obuninzi. Eli tyala ligxininisa ukuba okuchaseneyo kuyinyani. Xa izixhobo zifumaneka, ezifana namayeza afikelelekayo, urhulumente uyasilela kwimisebenzi yakhe ukuba akasebenzisi ezi zixhobo ukuphumeza okuqhubekayo.¹⁴



STATE CAPTURE AND BEYOND

IEzi meko zigxile "kuvavanyo lokufaneleka" lokuvavanya ukuthobela kweLizwe uxanduva lwalo lokubonelela ngamalungelo entlalo noqoqosho azinzileyo. Iimbono ezibonelelayo zibaluleke kakhulu kwilungelo lokufumana amanzi, njengoko ukufaneleka kuxhomekeke ngokuyinxenye ekubeni kukho impumelelo ezinzileyo kwizixhobo ezikhoyo.¹⁵ Njengenyathelo lokuqala, uLizwe unoxanduva lomthetho nolwesimilo lokubonelela ngamanzi asisiseko achazwe kwiMigqaliselo ye-GNR.509 yomhla wesi-8 kuJuni 2001, nokuba zikho na izixhobo ezikhoyo. Inyathelo elilandelayo elifanelekileyo kukucwangcisa ngaphakathi kwezixhobo ezikhoyo, kubandakanya ukwenza izixhobo ezongezelelweyo zifumaneke, ukuphucula ukufikelela kunye nokubonelela ngamanzi aneleyo akhuselekileyo okusetyenziswa.



STATE CAPTURE AND BEYOND

UBULUNGISA BAMANZI



Ubulungisa bamanzi

Umba obalulekileyo ekufuneka uqwalaselwe kukuba ingaba imithetho yamanzi yaseMzantsi Afrika ibonelela ngamanzi aneleyo na. Ekuqaleni, ukubonelela ngamanzi asisiseko kubonakala ngathi kuyaphucuka kakhulu. Iilitha ezingama-25 kumntu ngamnye ngosuku, kunokuthiwa ngamanzi aneleyo okusela nokulungiselela ukutya. Kwelinye icala, eli nani liphantsi ngumzekelo lo dlala ngabantu. Ubulungisa bamanzi aphantsi bubonakalisa ukusebenzisa kukarhulumente imigaqo-nkqubo ebonakala ngathi idala ukufikelela kwamanzi kwabantu ngokulinganayo, kodwa isizathu sigxile kwinzuzo zemali okanye inzuzo yezopolitiko.¹⁶ Ukubonelela ngamanzi asisiseko kuvumela urhulumente ukuba athi uyaliqonda ilungelo lamanzi ngaphandle kokwenza oko. Okubaluleke ngakumbi yile yokuba, xa urhulumente ephuhlisa le migaqo-nkqubo, ayiziqwalaseli ngokufanelekileyo iimfuno zoluntu, kwaye idla ngokuzishiya ngaphandle kwengxoxo.

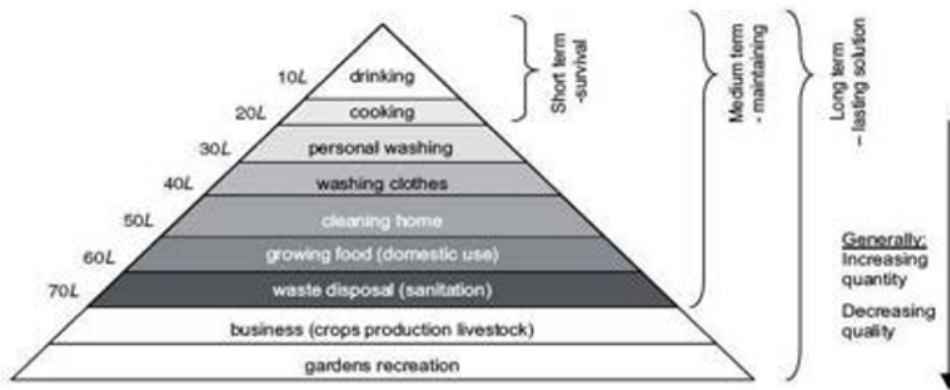
Amanzi abalulekile ukuze umntu aphaile, kwaye iilitha angama-25 ngosuku akwanelanga ukuhlangabezana neemfuno zamanzi ezisisiseko. Iimfuno zamanzi ezisisiseko ziquka ukusela, ukupheka, kunye nococeko. Ukutshintshiselana ngamanzi imihla ngemihla kwabantu abadala, okuchazwa njengomlinganiselo wamanzi umntu afuna ukuwatshintsha yonke imihla ukuze aphaile, kunokwahluka phakathi kweelitha eziyi-2.9 kunye neziyi-4.3 ngosuku: kuxhomekeke kwiminyaka, isini, kunye nendlela yokuphila.¹⁷ La manzi afunyanwa ngokusela amanzi nokutya ukutya. Ngokuphathelele ukulungiswa kokutya, amanzi ayadingeka ekuphekeni nasekucoceni ukutya, izitya, iindawo zokutyela, kunye nezixhobo zokupheka. Uqikelelo oluqikelelweyo kukuba, ubuncinci, ukusetyenziswa kwamanzi ekulungiseleleni ukutya kuya kuba ziilitha eziyi-1.5 ngomntu ngosuku, kodwa kuya kuba sengqiqweni ukuvumela ngaphezulu kwesibini eso sixa.¹⁸ Ukulungiswa kokutya okuqhelekileyo, njengerayisi kunye nombona njengemithombo ephambili yokutya okunesondlo, kusebenzisa ezinye iilitha eziyi-0.25 ngomntu ngosuku.¹⁹

Ucoceko lolunye uhlehlengiso oluyimfuneko ukuze ube sempilweni entle, njengoko ucoceko lubalulekile ekunciphiseni ukusasazeka kwezifo. Ukuhlamba ngaphandle kwamanzi ahambayo kudla ngokusebenzisa phakathi kweelitha ezi-5 ukuya kwezi-10 zamanzi ngosuku, ngelixa ukusebenzisa amanzi ahambayo kudla ngokusebenzisa iilitha ezili-17 ngosuku.²⁰

STATE CAPTURE AND BEYOND

Indlu yangasese egutyungelwayo isebenzisa malunga neeli-11 ngokuhlamba, kwaye inani lee-flush abantu abazidingayo imihla ngemihla linokwahluka.²¹ Ukuhlamba izandla kusetyenziswa phakathi kweeli-0.5-2 zamanzi ngokuhlamba. Ukuba ulandela iingcebiso zokunciphisa ukusasazeka kwesifo, oku kufuneka kusebenzise ubuncinane iili-5 zamanzi kumntu ngamnye ngosuku.²² Ukusebenzisa amanzi akumgangatho ophantsi kucoko kunxulunyaniswa nomngcipheko ophezulu wempilo.

Olu setyenziso lwamanzi lususiseko lusenokufuna ngaphezulu kweeli-25, nokuba zingcono kangakanani na iimeko. Ekubeni umrhumo wamanzi uphantsi kakhulu ngaphambi kokuba kuthengwe amanzi, abantu abahlwempuzekileyo badla ngokuthatha izigqibo ezinzima malunga nokuba baza kuwasebenzisa phi amanzi. Enye into ekufuneka iqwalaselwe kukuba umrhumo wamanzi usekelwe kumlinganiselo wosapho oluphakathi kwabantu abayi-4-5, ngelixa uluntu oluhlwempuzekileyo lunokuba neentsapho ezinkulu kakhulu.



Umfanekiso 1: Hierarchy of Water Needs.²³

Ngaphaya kokuphila okususiseko, amanzi aneleyo abalulekile kwimpilo-ntle yomntu. Amanzi akwayinxalenye ebalulekileyo kushishino lwasekhaya kunye nokuphuculwa kweemeko zomntu. Umzekelo oqhelekileyo wesiphakamiso sokuphucula iimeko, ingakumbi kwabo baphila ngezibonelelo zikarhulumente, kukutyalwa nokugcinwa kweegadi zemifuno ukuphucula ixabiso lesondlo. Kwilizwe elinoxinzelelo lwamanzi njengoMzantsi Afrika, igadi yemifuno ifuna isibonelelo samanzi esongezelelweyo, njengoko ukuthembela emvuleni bekungayi kwanela. Umyinge woku kwiindawo ezinoxinzelelo lwamanzi ziilitha ezingama-300 ngosuku kwigadi yemifuno engama-30m² eyabelwe usapho.²⁴



STATE CAPTURE AND BEYOND

Ngoko ke, ukubonelela ngamanzi asisiseko, axhasa ubomi kunokudlala indima ekuqhubekeni kobuhlwempu. Ukufikelela emanzini aneleyo simahla okanye ngexabiso eliphantsi kunika abantu amathuba oqoqosho okuziphuhlisa. Amashishini amaninzi asekhaya, afana nokubhaka okanye ukuhlamba impahla, afuna amanzi ukuze asebenze ngokufanelekileyo. Olu hlobo lwamashishini luvumela abantu ukuba bafumane umvuzo ukuze baziphuhlise.

Kwelinye icala, iziphumo ezimbi zempilo zokunqongophala kwamanzi aneleyo zihlala zithetha ukuba abantu bachitha ixesha elininzi besiya ezibhedlele okanye kwiikliniki ukuze bafumane unyango. Iindleko zokufuna unyango ke ngoko zidlulela ngaphaya kokuhlawulela amayeza kwaye ziquka umvuzo onokuthi ulahleke ngokuchitha ixesha kwikliniki. Ke ngoko, ukubonelela ngamanzi aneleyo kunokudlala indima ekusombululeni ubuhlwempu.

Ukuze ubulungisa bamanzi busebenze, amanzi kufuneka abe kufutshane. Imithetho ye-WSA ibonisa ukuba amanzi afikelelekayo kufuneka abe ngaphakathi kweemitha ezingama-200 ukusuka kwikhaya ngalinye. Kwanalo mgama ubonakala umfutshane unokuba nefuthe elikhulu kumandla eentsapho okufikelela emanzini. Ukuphatha amanzi ngesandla okanye ebhaskithi kunokuba nzima, okwenza kube nzima kubantu ukuqokelela ubungakanani obufunekayo ukuze baqhelise ucoceko olusebenzayo. Ubunzima bokuhamba bunyanzela abantu abadala okanye abagulayo ukuba bahlawule abanye ukuba babaqokelele amanzi, nto leyo ebangela ukuba bachithe imali yabo esele inqongophele kwinto ekufanele ukuba ikhululekile. Imibhobho kawonke-wonke inokubangela ukungqubana kwaye ivumele ulawulo olungenamkhethe kubonelelo lwamanzi.

Ukusuka koku kungasentla, kuyacaca ukuba umrhumo wamanzi osisiseko uphantsi kakhulu ukunceda abantu baphile, ingasathethwa ke ngokuchuma. Ukuba nomrhumo wamanzi osisiseko ophantsi kangaka kuvumela iiarhente zikarhulumente ukuba ziqhayise ngokuhlangabezana neemfuno zokuqonda ilungelo lokufikelela emanzini. Nangona kunjalo, nokuba zibonakala ziphucukile kangakanani na ephepheni, imigaqo-nkqubo kunye nemithetho yangoku ayifezekisi ilungelo lokufikelela emanzini aneleyo ngendlela enentsingiselo. Olu lubulungisa obungenamsebenzi.



STATE CAPTURE AND BEYOND

IINGXAKI ZOKUNIKEZELWA KWAMANZI



Iingxaki zokuNikezelwa kwaManzi

Ukongeza kwimingeni yokunqongophala kwamanzi kulo lonke elaseMzantsi Afrika, kukho iingxaki ezivela ekuphathweni gwenxa kunye norhwaphilizo. Ngelishwa, ezi ngxaki zichaphazela ukubonelelwa kwamanzi kulo lonke elaseMzantsi Afrika. Kwiminyaka yakutshanje, kubekho iziganeko ezininzi ze-"Day Zero" ezibandakanya izilumkiso zokuma kweempompo ngenxa yokungabikho kwendawo yokugcina okanye ukusilela kweziseko zophuhliso. Ezi ziquka iKapa ngo-2018²⁵, iMakhanda ngo-2019²⁶, kunye nokuba iGoli linokuba nosuku lwe-zero ngo-2025²⁷ ngenxa yeengxaki zokugcina.

Urhwaphilizo kunye nokuphathwa gwenxa koomasipala kudlala indima ebalulekileyo ekusileleni kukarhulumente ukufezekisa isabelo sakhe samanzi esisisiseko. Kukho iingxelo rhoqo zeendawo ezichitha iintsuku zingenamanzi kwaye kufuneka zixhomekeke kwiitanki zamanzi. La manzi asenokungalawulwa kakuhle, nto leyo ekhokelela kwimiphumo emibi kwimpilo. Nangona iingxaki zobonelelo lwamanzi zenzeka kulo lonke elaseMzantsi Afrika, kukho iingxaki ezibalulekileyo ezikhethekileyo kwezinye iindawo.

Iziseko Zophuhliso Ezingasebenziyo

[u**Lindiwe Elistah Maelane** uthi: "Abantu bayafa. Indle iphandle komnyango wam. Iinkokheli zethu zithumela imifanekiso yeentlanganiso zohlahlo-lwabiwo mali esingazange simenywe kuzo."]

ISebe lezaManzi noCoceko (Department of Water and Sanitation (DWS)) kunye noomasipala banoxanduva lokulawula nokugcina iziseko zamanzi. Ukusilela ukugcina iziseko zamanzi kuluntu sisizathu esiqhelekileyo sokuba abantu bangabi namanzi aneleyo. Ukugcina iziseko zamanzi yinkqubo eqhubekayo efuna ukuzibophelela kwexesha elide ekutshintsheni iziseko zamanzi njengoko ziguga okanye ziwohlaka. Ukugcinwa kweziseko zamanzi ngendlela esebenzayo kubandakanya amaxwebhu acacileyo, ukuhlolwa rhoqo, kunye nokubonelelwa kwezixhobo ezaneleyo ukuqinisekisa ukuba iziseko zamanzi zihlala zisebenza.

ISixeko saseGoli (i-CoJ) okwangoku sijongene neengxaki ezinkulu zeziseko zamanzi ezisongela ukushiya izigidi zabantu zingenamanzi. Oku kuvela kwiminyaka emininzi yokugcinwa okunganelanga kweziseko zamanzi, kubandakanya imibhobho, iitanki zokugcina, izityalo zonyango, kunye neempompo.



Olu londolozo lungalungiyo luba ngumzabalazo obonakalayo, wemihla ngemihla kubemi abaninzi njengoko iimpompo zoma iintsuku ezininzi ngelixa amanzi egcwala izitalato ngenxa yokuvaleka, ukugqabhuka, kunye nemibhobho ephukileyo.²⁸ Isizathu esinokwenzeka sokunqongophala kolondolozo kwi-CoJ kukuba zimbalelwa izibonelelo ezabelwe inkcitho yemali (capex) yokugcinwa kunye nokutshintshwa kweziseko zophuhliso.²⁹ Oku kwenziwa mandundu yiGoli, isixeko esinabemi abaninzi eMzantsi Afrika, esisakhula ngokukhawuleza ngenxa yokufuduka kwabantu ezidolophini.

Ukugcinwa kweziseko zophuhliso kulo lonke ilizwe kubalulekile ukuqinisekisa ukuba uluntu lufumana amanzi. Ngaphandle kwezixhobo ezaneleyo ezibonelelwayo nezisetyenziselwa iinkonzo, iziseko zophuhliso ziya kudodobala zide zingabi safaneleka ukusetyenziswa. Kungoko ke kubalulekile ukuba urhulumente abonelele ngezixhobo ezaneleyo aze aqinisekise ukuba ziyaqhubeka nokugcinwa.

Izivumelwano zethenda ezirhanelekayo

[u**Vicky Muvhala**: "Zonke iimithombo zamanzi ziqhekekile. Kodwa kukho umntu owayisayinayo, kwaye imali yaphuma emanzini."]

Iithenda zikarhulumente zihlala ziquka ukucela iinkampani ukuba zibhide ukwenza umsebenzi egameni likarhulumente ukuze zifumane intlawulo. Nangona eminye imisebenzi karhulumente yenziwa ngaphakathi, iithenda zifanelekile ngakumbi kwiiprojekthi ezinkulu. Nangona kunjalo, i-CISC ibonise ngokucacileyo indlela inkqubo yeethenda enokuguqulelwa lula ngayo ukuze kuzuze umntu. Olu hlobo lobuqhetseba lubandakanya ukunyuka kweendleko zokuqala, ukukhohlisa iimfuno zokujolisa kwiikontraka ezithile, kunye nokuphazamisa nje yonke inkqubo yeethenda. Iithenda ezirhanelekayo azisoloko zibangelwa bubuqhetseba, njengoko kunokubakho iimpazamo zokwenyani. Nangona kunjalo, kwiimeko ezininzi, urhwaphilizo lusenokuba yimbangela. Amanzi akafani, njengoko kukho iithenda ezininzi ezibandakanya ukulungiswa kunye nokuhanjiswa kwamanzi ezibangela ukurhanelwa.



lithenda ezibandakanya iitanki zamanzi njengesisombululo sexeshana kwiindawo ezingenamanzi ahamba ngepayipi, njengaleyo iqhubekayo eTshwane ngoku, ziphakamisa ii-alamu ezininzi.³⁰ Oko kufanele kube sisisombululo sexeshana ngelixa kwakhiwa okanye kulungiswa iziseko zophuhliso kudla ngokuba sisisombululo esihlala sihleli. Kukwakho neenkxalabo malunga "nee-mafia zamanzi" ezonakalisa iziseko zophuhliso okanye ukuvala ukufikelela kumanzi ahamba ngepayipi ukuze kufumaneke iithenda ezibizayo.³¹

Nokuba zisebenza kakuhle, ukusetyenziswa kwexesha elide kweetanki zamanzi kubangela ubunzima, njengoko abantu abaninzi kufuneka bahambe iikhilomitha ezininzi ukuze bafumane amanzi. Ekubeni iitanki zamanzi zingafiki rhoqo ngexesha elifanelekileyo, abantu abasebenzayo badla ngokuhlawula abanye ukuba baqokelele amanzi egameni labo, ngelixa kufanele ukuba kubonelelwe simahla. Ngo-2025, sele kukho imibhikisho emininzi malunga nokufikelela emanzini okuzinzileyo nokusebenzayo eKnoflokskraal kufutshane neGrabouw, eNtshona Koloni³² kunye nePhumla Mqashi kufutshane neLenasia, eGauteng.³³ EPhumla Mqashi, abemi bathethe ngemfuneko yokungena kwizivumelwano zoluntu malunga nokuqokelelwa kwamanzi ukuze kuthintelwe iingxabano zamanzi.

lithenda ezingaqinisekanga, ezifana nezo zibandakanya ukutsalwa kwamanzi, zinciphisa uxhaso-mali lweeprojekthi zamanzi ezibalulekileyo. Oku kushiya uluntu oluninzi lusokola ukufikelela kumanzi asisiseko okanye ukuwahlawulela.³⁴ Oku kunokukhuthaza imisebenzi yolwaphulo-mthetho, kubandakanya ukubiwa kwamanzi kunye nokutshatyalaliswa kweziseko zophuhliso ngabantu ababizwa ngokuba zii-mafia zamanzi. Ukubeka esweni ngononophelo kunye nokungafihlisi kweethenda kuyafuneka ukuthintela ilahleko engeyomfuneko.

Ukuwohloka koMgangatho waManzi

[u**Promise Mabilo**: "Kwanamanzi amnyama. Kunzima ukuwuphefumla umoya. Amaxwebhu ethu ayalahleka kuba sibuzwa imibuzo emininzi kakhulu."]

Amanzi anikezelwa kuluntu ngurhulumente, ngemibhobho okanye iitanki, kufuneka abe semgangathweni ophezulu, ukuqinisekisa ukuba akhuselekile ekuseleni, ekuphekeni, nasekucoceni.



STATE CAPTURE AND BEYOND

UMzantsi Afrika unemigangatho ethile yomgangatho wamanzi, echazwe kwiMigangatho yeSizwe yaseMzantsi Afrika (South African National Standards (SANS)) 241-1:2015, esebenza njengesikhokelo sokunyanga nokuvavanya amanzi. Nangona kunjalo, ingxelo yeBlue Drop ifumanise ukwehla okucacileyo komgangatho wamanzi kwiminyaka elishumi edlulileyo, nto leyo eshiye iindawo ezininzi zingenawo amanzi okusela akhuselekileyo.

Ukwehla komgangatho wamanzi kunezizathu ezininzi, kuquka ukugcinwa kakubi kweendawo zokucocwa kwamanzi kunye neendawo zokugcina amanzi. Ingxelo iphawula ukuba “iinkqubo zokubonelela ngamanzi ezingama-277 kwezingama-958 (29%) zifunyenwe zikwimeko embi kweli lizwe xa kuthalekiswa neenkqubo ezili-174 ngo-2014.”³⁵ Eyona nto ixhalabisayo kule ngxelo kukuba “uninzi loomasipala (57%) abangabazisi abasebenzisi bamanzi xa umgangatho wamanzi usengozini okanye ungagcinwa.”

Umgangatho wamanzi ophantsi yingxaki enkulu kwezinye iindawo zaseMzantsi Afrika. Kutshanje ngo-2023, bekukho ubhubhane wekholera obulalayo eHammanaskraal owabulala abantu abali-17.³⁶ Olu bhubhane lubangelwe kukudibana kococeko oluphantsi kunye nokungabonelelwa kakuhle kwamanzi okusela acocekileyo. Njengoko i-29% yeenkqubo zonyango kunye nokubonelela ngamanzi eMzantsi Afrika zingaphumeleli ukuhlangabezana nomgangatho oluhlaza, kukho isizathu sokoyika ubhubhane olungaphezulu kwixesha elizayo. Oku kufuna amanyathelo akhawulezileyo okulungisa ukuqinisekisa ukuba umgangatho wamanzi uhlala uphezulu kwaye ukhuselekile.

Iindlela zokuCoca Amanzi amdaka

[u**Ela Ghandi**: "Kukho umlambo esasiwusebenzisa kudala. Loo mlambo ungcolile kakhulu."]

Enye yezona ndlela zibalulekileyo zokuqinisekisa ukuba kukho amanzi aneleyo nakhuselekileyo kukuphatha amanzi amdaka ngokufanelekileyo. Ukunyanga amanzi amdaka kubalulekile ekusebenziseni amanzi kwakhona ukuze asetyenziswe ngabantu okanye ukuwavumela ukuba abuyele kwiinkqubo zamanzi zelizwe ukuze ahluzwe ngokwendalo. Ukuba amanzi angcoliswe kakhulu avunyelwe ukuba abuyele emilanjani, anokubangela umonakalo kwiindawo zokuhlala zendalo.



STATE CAPTURE AND BEYOND

Oku kwenza kubaluleke kakhulu ukuqinisekisa ukuba amaziko okunyanga amanzi amdaka aphatha amanzi amdaka ngokufanelekileyo kwaye kuvavanywe rhoqo ukuba iinkqubo zamanzi endalo ziwapatha kakuhle kangakanani amanzi amdaka angenayo.

Ingxelo yeGreen Drop, efana neBlue Drop Report, egxile kumanzi amdaka, ifumanise ukuba unyango lwamanzi amdaka kulo lonke elaseMzantsi Afrika alwanelanga. Ngokwengxelo, iSebe lezaManzi noCoceko (i-DWS) lixhalabile kakhulu kukuba ama-67.7% eendawo zokunyanga amanzi amdaka zisebenza kumngcipheko ophezulu (34%) kunye namanqanaba omngcipheko ophezulu (34%). Oku kukwanda okukhawulezileyo nokumangalisayo kwenani leendawo zokunyanga amanzi amdaka ezingasebenzi kakuhle, nto leyo efuna ukungenelela okukhawulezileyo nokuxhaswa ngemali ukuqinisekisa ukunciphisa umngcipheko.³

Iindlela ezimbi zokunyanga amanzi amdaka zinokubangela umonakalo omkhulu kwindalo esingqongileyo ngelixa zibeka emngciphekweni abantu. Uninzi lwamanzi amdaka angacocwanga okwangoku lubuyela kwiinkqubo zamanzi endalo, nto leyo ekhokelela ekungcolisweni kwezi nkqubo kunye nokusasazeka kwezifo.³⁸

Kumasipala waseMaluti-a-Phofung, ukungaphumeleli kwazo zonke izitishi ezisixhenxe zokunyanga amanzi amdaka kuthetha ukuba amanzi amdaka angacocwanga okanye angacocwanga kakuhle athululelwe kwimilambo eqhagamshelwe kwiDama laseVaal.³⁹ Amanzi amdaka ayingozi abangelwa zizinto eziphilayo nawo angene emasimini, enzakalisa izilwanyana zasendle kunye nemfuyo uluntu oluxhomekeke kuyo ukuze lufumane ukutya kunye nengeniso. Ubuncinane iminyaka emibini, uMasipala waseThekwini ube neengxaki zeziseko zophuhliso apho amanzi amdaka angacocwanga athululelwa kuMlambo wase-Umgeni.⁴⁰ Ngenxa yoko, izinto eziphilayo ezinobungozi ziye zangena kwiindawo ezininzi zabakhenkethi nezokuloba, njengeBlue Lagoon kunye ne-Umgeni Estuary.



STATE CAPTURE AND BEYOND

UVAVANYO LWEENGXAKI ZAMANZI



Uvavanyo lweeNgxaki zaManzi

Inyathelo lokuqala ekuphuculeni uxanduva lokunikezelwa kwamanzi kukwazi ukuba kufuneka kusetyenziswe nini izixhobo zokunika ingxelo kunye nokukhuthaza. Kukho imiba eliqela enokuvela ukubonisa ukuba kufuneka amanyathelo okuphucula ukunikezelwa kwamanzi. Le miba yahlulwe kwiindidi ezimbini ezibanzi zokufikelela emanzini kunye nomgangatho wamanzi. Ukuba kukho nayiphi na kwezi enqongopheleyo, ibonisa ingxaki ngokunikezelwa kwamanzi ekufuneka ixelwe. Iingxaki ngomgangatho wamanzi kunye nobungakanani bamanzi zinokubangelwa zizizathu ezingapheliyo okanye zexeshana, ezifana notshintsho lwendalo ekunikezelweni kwamanzi, iintlekele, okanye iingozi zolawulo. Kwezi meko, i-DWS okanye urhulumente wengingqi banokusombulula ingxaki emva kokuba beyazi. Ukufikelela kwamanzi rhoqo kunye nomgangatho kunokubonisa ukuphathwa gwenxa okanye urhwaphilizo.

Ukufumaneka kwamanzi

Kwimithombo yamanzi esisiseko, imithetho karhulumente idala izalathisi ezicacileyo ezinceda ekuqinisekiseni ukuba amanzi awonelanga na. Ezi ziquka:

- Ukufumaneka: ubuncinane iilitha ezingama-25 zamanzi acocekileyo kumntu ngamnye ngosuku okanye iikhilolitha ezi-6 kusapho ngalunye ngenyanga
- Inqanaba: ubuncinci besantya sokuhamba kwamanzi esingaphantsi kweelitha ezili-10 ngomzuzu
- Umgama: ngaphakathi kweemitha ezingama-200 ukusuka kusapho

Ngaphezu koko, akukho mntu ufanele ahlale engenamanzi iintsuku ezingaphezu kwesixhenxe ngonyaka. Ukuba oomasipala basekuhlaleni abazifezekisi ezi mfuno zisisiseko zokubonelela ngamanzi, oku kubonisa ingxaki ekufuneka ixelwe.



Umgangatho Wamanzi

UMzantsi Afrika usebenzisa iMigangatho yeSizwe yaseMzantsi Afrika (SANS) 241-1:2015 ukumisela umgangatho wamanzi ombi. I-SANS ibonelela ngemilinganiselo ethile nelinganisekayo yokumisela ukuba amanzi akhuselekile na ukusetyenziswa.⁴¹ Iinkonzo zamanzi zikarhulumente zisebenzisa le migangatho ukulawula umgangatho wamanzi asasazwa ngemibhobho ukuya kwiimpompo kulo lonke elaseMzantsi Afrika. Nangona kunjalo, amanzi eepayipi awahlali ehlangabezana nale mfuno, njengoko uninzi lweendawo zokunyanga amanzi zikamasipala zingaphumeleli ukuhlangabezana nale migangatho. Nangona kunokuba nzima ukuchonga umgangatho wamanzi ombi, kukho izinto ezininzi ezibonisa umgangatho ombi:

- Inkangeleko: Amanzi acociweyo nahluziweyo afanele angabi nambala. Ukuba amanzi abonakala enamafu okanye anombala obomvu okanye orenji, oku kuya kubonisa ukuba kukho izinto ezingcolisayo.
- Udaka: Amanzi ahluziweyo kufuneka angabi nazinto zingcolisayo ezibonakalayo, kwaye akufuneki kubekho zizinto ezibonakalayo okanye izinto eziphilayo. Oku kuquka ukungabikho kwamafutha okanye into ekhazimlayo emanzini.⁴²
- Ivumba: Amanzi aphantsi kakuhle akufuneki abe nevumba elibi. Ivumba elifana namaqanda abolileyo okanye umatshisi otshisiweyo linokubonisa ukuba kukho isalfure kunye ne-bleach enamandla. Ivumba leemveliso zokucoca linokubonisa ukuba kukho i-chlorine eninzi. Naliphi na kula mavumba libonisa ukuba amanzi anganyangwanga kakuhle kwaye ahluziwe, nto leyo enokuba yingozi.
- Incasa: Amanzi akhuselekileyo afanele abe nencasa ecocekileyo, kwaye incasa engathandekiyo yesinyithi okanye ekrakra ingabonisa ukuba kukho izinto ezingcolisayo eziyingozi emanzini.⁴³
- Ungcoliseko: Izinto ezingcolisayo emanzini, ezifana namanqanaba aphezulu esinyithi, zinokubangela ukutshintsha kombala ojikeleze imibhobho kwanakwizikhongozeli.



STATE CAPTURE AND BEYOND

Ezi mpawu ziphawulekayo zibonisa amanzi anokuba yingozi kunye nesidingo sokubekwa esweni nokuxelwa. Nangona kunjalo, ungcoliseko emanzini lunokubonwa ngabantu, kwaye ingozi inokumiselwa kuphela ngempembelelo enayo kumntu osela amanzi okanye ngokuvavanya.

- Izinto Ezingcolisayo Ezibangelwa Yintsholongwane: Akufuneki kubekho iintsholongwane ezinobungozi, ezinje ngeebhaktheriya, iintsholongwane, kunye neeparasite, emanzini okusela ahamba ngemibhobho anokubangela izifo ezisasazwa ngamanzi. Iziphumo zoku zihlala zibonwa njengezizathu zorhudo, usulelo lokuphefumla olukhawulezileyo, kunye nezinye izifo ezisasazwa ngamanzi.⁴⁴
- Izinto Ezingcolisayo Zekhemikhali: Imigangatho yesizwe ichaza imida yezinto ezahlukeneyo ezingcolisayo ngeekhemikhali, kuquka iintsimbi ezinzima, izibulali-zinambuzane, kunye nezinto eziphilayo, ukuqinisekisa ukhuseleko lwamanzi. Nokuba azibonakali, zinokukhokelela kwiintlobo ezahlukeneyo zetyhefu yeekhemikhali.⁴⁵

Kungcono ukuphepha ukusela amanzi angcolileyo, kwaye ukuba kunokwenzeka, fumana enye indawo ekhuselekileyo. Ukuba kukho ukungaqiniseki malunga nomgangatho wamanzi akho, kubalulekile ukubiza urhulumente ukuba avavanywe okanye uthenge ikhithi yokuvavanya amanzi ekhaya. I-WaterCAN, umbutho woluntu ozinikele kumalungelo amanzi kunye nokukhuthaza, ithengisa ikhithi yokuvavanya amanzi kwi-intanethi,

<https://shop.oua.co.za/collections/frontpage/products/purchase-new-water-kit-with-delivery>. Izixhobo zovavanyo zidibene nenkqubo yokuphawula umgangatho wamanzi kulo lonke elaseMzantsi Afrika, <https://watercan.org.za/map/>.



STATE CAPTURE
AND BEYOND

IINDLELA ZOKUGCINA URHULUMENTE ENOXANDUVA



Iindlela Zokugcina URhulumente Enoxanduva

Xa sijongene nemiba yokubonelela ngamanzi, kubalulekile ukuba urhulumente aphenhule. Urhulumente kufuneka anike bonke abemi baseMzantsi Afrika amanzi akhuselekileyo nacocekileyo, kwaye kuxhomekeke kubantu ngabanye ukuba bafune elo lungelo. Zininzi iindlela zokuba urhulumente aphenhule ezifumaneka kuye wonke umntu. Nangona kungenakuba yinto engenakwenzeka ukucela wonke umntu ukuba anikele ubomi bakhe kubutshantliziyo, kukho iindlela ezikhawulezayo nezilula umntu anokufuna ngazo uxanduva. Ukufuna uxanduva lobulungisa bamanzi kungaqala ngokuxela nje umbhobho oqhumayo okanye itephu eyomileyo ekhaya. Kwabo bazimisele ukwenza okungakumbi, kunokunyuka ukusuka ekuxeleni ukuya kwisenzo sobugorha sikawonke-wonke. Ukuba bonke abemi baseMzantsi Afrika benza indima yabo, nokuba incinci kangakanani na, kubonisa isidingo soxanduva kwaye kufuneka kunyanzele urhulumente ukuba enze okuthile.

Ukufikelela kulwazi

Ukuba kukho iingxaki eziqhubekayo ngobonelelo lwamanzi, kunokuba luncedo ukuqokelela ulwazi malunga nezizathu njengesiqalo. Urhulumente waseMzantsi Afrika wenze isibophelelo, esinyanzeliswa ngumthetho kwiimeko ezininzi, sokuba sobala. Ke ngoko, kufanele kube nokwenzeka ukufikelela kulwazi lukarhulumente phantsi koMthetho wokuKhuthazwa koFikelelo kuLwazi 2 ka-2000 (PAIA). Nangona kunjalo, akusoloko kulula ukwazi apho ungalufumana khona ulwazi. Kukho iindawo ezininzi ezilungileyo zokuqala ezinokunceda.

Iidathabheyisi zikarhulumente

Indawo elungileyo yokuqala ukufumana ulwazi kukwiwebhusayithi zikarhulumente. Kwiwebhusayithi zamanzi, iwebhusayithi ye-DWS, <https://www.dws.gov.za/>, inika ulwazi oluluncedo ngamalungelo amanzi, kuquka neendlela zokuxela iingxaki ngqo kwi-DWS.



STATE CAPTURE AND BEYOND

Kwiphepha lasekhaya, kukho ulwazi olusisiseko loqhagamshelwano kunye nesishwankathelo samasebe. Iqhosha elithi “Igumbi leendaba” linika ukufikelela kwiindidi ezahlukeneyo zeendaba kunye nemithombo yezimvo, ngelixa elithi “Ithala leeNcwadi” libonelela ngemithombo yezomthetho, karhulumente, kunye nemfundo. I-DWS ikwanayo neNkqubo yoLwazi oluHlanganisiweyo (IRIS), https://ws.dws.gov.za/IRIS/dashboard_status.aspx, enika uhlaaziyo malunga nomgangatho wamanzi.

Ukongeza kwi-DWS, kukho iiwebhusayithi zoorhulumente basekhaya ekufuneka zibe zezomasipala wasekuhlaleni. Iwebhusayithi, <https://municipalities.co.za/>, yindawo elungileyo yokuqala ukufumana iiwebhusayithi zomasipala nokuba kukhetho lokukhangela okanye ngokusebenzisa imephu. Umngeni ngeewebhusayithi zomasipala kukuba umgangatho weewebhusayithi uyahluka kakhulu. Ngelixa ezinye iiwebhusayithi kulula ukuzisebenzisa ngezixhobo ezilungileyo zokunika ingxelo kunye namaxwebhu afikelelekayo ngokulula, ezinye zinokuba lula kakhulu okanye zidideke. Ukuba izixhobo azifumaneki okanye kunzima ukuzifumana, ezinye iindlela zinokubandakanya ukufowunela, ukuthumela i-imeyile, okanye ukutyelela iofisi kamasipala ukucela ulwazi. Oku kunokubandakanya nokucela uhlaaziyo lwewebhusayithi ukuze ulwazi lufikeleleke lula kubo bonke abemi.

Iincwadi kunye neengxelo ezipapashiweyo

Amasebe karhulumente kunye nee-arhente kufuneka ngokomthetho ukuba apapashe kwaye abelane ngeengxelo eziluncedo malunga nobonelelo lwamanzi kunye nomgangatho. Iingxelo ezibalulekileyo zokuqonda unikezelo lwamanzi kunye nonyango eMzantsi Afrika ziingxelo zeBlue Drop, Green Drop, kunye neNo Drop.

Ezi ngxelo ziyafumaneka ku- <https://ws.dws.gov.za/IRIS/latestresults.aspx>. Ezi ngxelo zibonelela ngolwazi malunga nomgangatho kunye nokufumaneka kwamanzi kulo lonke ilizwe. Ingxelo yeBlue Drop igxile kumanzi okusela, ukuvavanya kunye nokuvavanya iinkqubo zobonelelo lwamanzi kulo lonke ilizwe. Ingxelo yeNo Drop ihlola ukusebenza kakuhle kokusasazwa kwamanzi, ichonga ukulahleka kwamanzi kwaye ihlola imfuno yamanzi. Ingxelo yeGreen Drop igxile kunyango lwamanzi amdaka kwaye ihlola ukusebenza kakuhle kwezityalo zonyango lwamanzi amdaka. Ezi ngxelo zinobuchwephesha kwaye zineenkcukacha ezininzi.



STATE CAPTURE AND BEYOND

Ezi ziingxelo ezineenkcukacha ngomgangatho kunye nokufumaneka kwamanzi kulo lonke ilizwe. Ingxelo yeBlue Drop igxile kumanzi okusela, ukuvavanya kunye nokuvavanya iinkqubo zokubonelela ngamanzi kulo lonke ilizwe. Ingxelo yeNo Drop ihlola ukusebenza kakuhle kokusasazwa kwamanzi, ichonga ukulahleka kwamanzi kwaye ihlola imfuno yamanzi. Ingxelo yeGreen Drop igxile kulawulo lwamanzi amdaka kwaye ihlola ukusebenza kakuhle kwezityalo zonyango lwamanzi amdaka. Ezi ziingxelo zobugcisa kakhulu nezineenkcukacha.

Amagunya eenkonzo zamanzi (ii-WSA) nawo anoxanduva lokuvelisa iingxelo malunga nobonelelo lwamanzi kunye nomgangatho. Ii-WSA koomasipala zinoxanduva lokuqinisekisa ukuba iinkonzo zamanzi ziyafumaneka kwiindawo zazo ngokuhambelana noMthetho weeNkonzo zaManzi 108 ka-1997. Ii-WSA kufuneka zivelise amaxwebhu aliqela kunye neengxelo ngamanzi kuquka izicwangciso zophuhliso lweenkonzo zamanzi, iingxelo zenkqubela phambili ezingama-46 kwizicwangciso zophuhliso,⁴⁷ kunye neengxelo malunga nomgangatho wamanzi.⁴⁸ Olu lwazi kufuneka lufumaneke kwiwebhusayithi ze-WSA nakwiNkqubo yoLwazi lweenkonzo zaManzi yeSizwe yeSebe lezaManzi noCoceko, <https://ws.dws.gov.za/wsks/Default.aspx>



Izicelo ze-PAIA

UMthetho woKhuthazo lokuFikelela kuLwazi 2 ka-2000 (PAIA The Promotion of Access to Information Act) unika abantu ilungelo lokufikelela kulwazi olugcinwe ziinkampani zikarhulumente okanye zabucala xa beceliwe. Lo Mthetho wandisa ukucaca eMzantsi Afrika ngokuhambelana nelungelo lomgaqo-siseko lokufikelela kulwazi.⁴⁹ Nangona ulwazi oluninzi lufumaneka kuluntu kwaye kufuneka lufumaneka, ulwazi lusenokungafumaneki okanye lunokuba nzima ukulufumana. Ukuba ulwazi alufumaneki lula, abantu banokusebenzisa iifom kunye neenkqubo ezisemgangathweni, njengoko kuchaziwe kwi-PAIA, ukucela ulwazi.

Xa usebenzisa isicelo se-PAIA ukucela ulwazi, inyathelo lokuqala kukuvavanya uhlobo lweziko kunye nohlobo lolwazi oluceliweyo. Ukuze ubhale isicelo, qala ufumane amaxwebhu e-PAIA afanele ukuba afumaneka kwiwebhusayithi yesebe okanye karhulumente efanelekileyo. La maxwebhu zizikhokelo, ezifunekayo yi-PAIA, ezibonelela ngeenkcukacha zeenkqubo kunye nabantu oqhagamshelana nabo, njengeGosa loLwazi lombutho. IFomu 2 yoMlawuli woLwazi luxwebhu oluqhelekileyo lwesicelo, <https://info regulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-RegZ.pdf>. Isicelo se-PAIA sinokuhlawula umrhumo, ekufuneka uchazwe kwileta ye-PAIA yombutho. Emva kokungenisa isicelo kwiGosa loLwazi lombutho ofanelekileyo, kufuneka kubekho impendulo zingakapheli iintsuku ezingama-30, kunye nolwandiso olukhulu lweentsuku ezingama-30 ukuba umbutho uthumela isaziso. Ukuba umbutho uyala isicelo solwazi okanye awuphenduli zingakapheli iintsuku ezingama-30, kunokwenzeka ukuba ubhenele kwisigqibo. Ukuze ufumane ulwazi oluchanekileyo, kukho isikhokelo esivela kwiKhomishini yamaLungelo oLuntu yaseMzantsi Afrika (i-SAHRC) efumaneka kwiwebhusayithi karhulumente, https://www.gov.za/sites/default/files/gcis_documents/SAHRC-PAIA-guide2014.pdf

Iifowuni ezikhethekileyo

Ukuba kukho ingxaki yamanzi elula, indawo yokuqala omawuqale kuyo kukusebenzisa i-hotline yengxelo yempazamo kamasipala. Le nombolo yefowuni ibonelela ngendlela elula nengabizi kakhulu yokuba abantu baxele naziphi na iingxaki ngokunikezelwa kweenkonzo. Ngokuxhomekeke kubukhulu kunye netekhnoloji kamasipala, kunokubakho i-hotline ezininzi ezinikezelwe kwiintlobo ezithile zeengxaki okanye nakwiindlela zengxelo ezikwi-intanethi. Oomasipala kufuneka babe neendlela zengxelo yempazamo, kwaye iwebhusayithi ezithile zikamasipala kufuneka zibonelele ngeenkcukacha zoqhagamshelwano ezifunekayo.



STATE CAPTURE AND BEYOND

Iwebhusayithi enokunceda ekufumaneni iwebhusayithi ezithile zikamasipala yi-<https://municipalities.co.za/> evumela ukukhangela okanye ukusebenzisa imephu ukufumana umasipala, enika ulwazi oluthile malunga nomasipala kunye nolwazi loqhagamshelwano.

Kwimiba enxulumene namanzi, kukwakho ne-DWS kazwelonke. Oku kungaba yindawo yokuqala okanye indlela yokwandisa iimpazamo zengxelo ukuba umasipala akaphenduli. I-DWS inikezela ngeminxeba emininzi yasimahla yokunika ingxelo ngqo:

- Ezinye iimpazamo zamanzi 0800 200 200
- Ubuqhetseba kunye noRhawaphilizo 0800 701 701

Iwebhusayithi ye-DWS, <https://www.dws.gov.za/contactRegions.aspx>, inika ulwazi loqhagamshelwano lwabameli kuwo onke amaphondo.

Iinombolo zefowuni, ii-imeyile, kunye nezaziso ezikwi-intanethi zibalulekile njengoko zibonelela ngeenombolo zesalathiso kunye neenkukacha ezinokulandelelwa ukwakha irekhodi yonxibelelwano. Ukugcina irekhodi yonxibelelwano kunceda kakhulu ekuboniseni imbali yengxaki xa kufuneka inyathelo. Nangona kunjalo, amathuba okuba ingxelo yodwa ibe sisisombululo esisebenzayo axhomekeke kwizinto ezininzi, kuquka umasipala kunye nommandla. Ngokubanzi, iindawo ezityebileyo zifumana ingxelo yodwa isebenza, ngelixa iindawo ezihlwempuzekileyo zihlupheka ngaphandle koncedo. Oku kunokwenza ukwanda kwengxaki kube yinto ebaluleke ngakumbi xa kukho ukusilela ukuthatha inyathelo kwiingxaki.

Unxibelelwano oluthe ngqo

Ukunxibelelana ngokuthe ngqo norhulumente wengingqi yenye indlela esebenzayo yokwazisa ngemiba yamanzi. Amasebe kaRhulumente weNtsebenziswano kunye neMicimbi yeMveli (CoGTA) acebisa ukuba uqhagamshelane nooceba bengingqi xa unemibuzo okanye izicelo.50 Ukunceda koku, iSouth African Local Government Association (SALGA) inika iinkukacha zoqhagamshelwano eziluncedo kooceba bengingqi kwiwebhusayithi yabo, <https://www.salga.org.za/Municipalities%20MCD.html>.



STATE CAPTURE AND BEYOND

I-CoGTA icebisa ukuthumela imibuzo ebhaliweyo okanye izicelo ubuncinane kwiintsuku ezilishumi ngaphambi kweentlanganiso zikamasipala. Nangona kunjalo, kunokwenzeka ukunxibelelana namalungu kamasipala ngokuthe ngqo, usebenzisa imeyile okanye umnxeba, ukubuza imibuzo okanye ukwenza izicelo. Le yenye yezona ndlela zikhawulezayo zokwazisa urhulumente kunye nokufumana izibophelelo zokujongana nemiba.

Ukuze uqhagamshelane nomasipala, iwebhusayithi eluncedo yi- <https://municipalities.co.za/>, enokunceda ekufumaneni ulwazi loqhagamshelwano. Ngale webhusayithi, kunokwenzeka ukukhangela okanye ukusebenzisa imaphu ukufumana oomasipala abathile. Ukukhetha umasipala kuthatha umsebenzisi kwithebhu ethi “isishwankathelo” echaza umasipala okhethiweyo. lithebhu eziphezulu kwiphepha, ngaphantsi kwegama lomasipala, ziya kumaphepha anikezela ngolwazi olongezelelweyo oluluncedo. Oku kuquka ithebhu ethi “oonxibelelwano” ebonelela ngolwazi loqhagamshelwano lomasipala, kubandakanya idilesi, inombolo yefowuni, iwebhusayithi, kunye neenombolo ezongezelelweyo zamasebe athile.



Umfanekiso 2: umfanekiso we <https://municipalities.co.za/>.

Enye iwebhusayithi yokuxela iingxaki kunye neempazamo yi- <https://www.fixlocal.org.za>. Le webhusayithi, nangona isekwinqanaba lophuhliso lwayo, inika isikhokelo sendlela yokubika ngokusekelwe kwindawo. Ikwandisa isikhokelo sendlela yokwandisa iingxelo ukuba ingxelo yodwa ayisombululi ingxaki. Esi sikhokelo siqala ekufumaneni ikhansela lewadi ukuya ekudaleni amaqela ezenzo zoluntu.



STATE CAPTURE AND BEYOND

Iintlanganiso zooRhulumente basekuhlaleni

Oomasipala basekuhlaleni nabo banoxanduva olusemthethweni lokubamba iintlanganiso zikawonke-wonke ukuze babonisane noluntu lwabo ngemiba eyahlukeneyo, kuquka amanzi. UMthetho weNkqubo zooMasipala basekuhlaleni 32 ka-2000 kwicandelo 4(2)(e) uthi olu thethwano kufuneka lubandakanye, “(i) ubungakanani, umgangatho, ububanzi kunye nempembelelo yeenkonzo zikamasipala ezibonelelwa ngumasipala, nokuba ngokuthe ngqo okanye ngomnye umboneleli weenkonzo; kunye (ii) neendlela ezikhoyo zokubonelela ngeenkonzo.” Oku kuqiniswa ngakumbi licandelo 17(2)(c) loMthetho elifuna “iintlanganiso zikawonke-wonke kunye neengxoxo zikamasipala kunye namanye amaqela ezopolitiko kunye nabantu abaqeshwe kwezopolitiko zikamasipala, apho kufanelekileyo.”

Ukuya kwezi ntlanganiso kunika ithuba lokuba abantu ngabanye bave amazwi abo. Ezi ntlanganiso ziyinxalenye yeendlela oomasipala ekufuneka bazidale ngokwemfanelo yabo esemthethweni yokwandisa ukuthatha inxaxheba koluntu. Nangona kunjalo, ukubonisana kunye nokuthatha inxaxheba koluntu akuthethi ukuba oomasipala kufuneka balandele iingcebiso zoluntu. Abanye oomasipala baza kuthumela uhlaziyo malunga nokuba iintlanganiso zoluntu ziza kuba nini kwiwebhusayithi zabo, kodwa ayizizo zonke iimasipala ezineewebhusayithi ezisebenzayo. Ke ngoko, kubalulekile ukufowunela okanye ukutyelela oomasipala ukuze ubuze ukuba iintlanganiso elandelayo iza kubanjwa nini.

IiForam zoNxibelelwano

Iiwebhusayithi zeendaba zoluntu, kuquka i-Facebook, i-X (eyayisakuba yi-Twitter), i-Instagram, kunye nezinye, zinokuba luncedo ekusasazeni imiyalezo kumaqela amakhulu abantu. Nangona kunjalo, amaqonga eendaba zoluntu adla ngokuba luhlobo lonxibelelwano olungathanga ngqo oluneendlela ezimbalwa zokukhusela. Kunokuba luncedo ukuxela iimpazamo kwimidiya yoluntu ukuphakamisa ulwazi ngeengxaki kunye nokunceda oorhulumente ukuba bathathe inyathelo. Ngamanye amaxesha kukho ithuba lokuphendula ngokukhawuleza, njengoko amasebe karhulumente enokuba neekhawunti zeendaba zoluntu ezisebenzayo ezinokubonelela ngempendulo kunye nolwazi olongezelelweyo.



Kwelinye icala, amaqonga eendaba zoluntu awasoloko efanelekile ukuxela urhwaphilizo. Kunokuba yingozi ukuxela izehlo zorhwaphilizo usebenzisa amajelo oluntu, kuba oko kuvumela ukulandelwa. Zimbalwa kakhulu iindlela zokukhusela abantu abatyhola abanye kumthetho waseMzantsi Afrika. Ke ngoko, kungcono ukuxela urhwaphilizo ngaphandle kokungaziwa.

Ukuxela

LiUkuxela urhwaphilizo kubandakanya ukuxela urhwaphilizo kwigunya elinokuphanda nokuthatha amanyathelo nxamnye nabantu abakhohlakeleyo. Ukuxela urhwaphilizo kubalulekile ekulweni norhwaphilizo, njengoko kungenakwenzeka ukuthatha amanyathelo nxamnye norhwaphilizo ngaphandle kolwazi okanye ubungqina bokuba lukhona. Nangona kunjalo, kuyingozi kakhulu ukuxela urhwaphilizo kuba kunokukhokelela ekuziphindezeleni, kubandakanya nosongelo kukhuseleko lomntu kunye nokhuseleko lomsebenzi.

UMzantsi Afrika ubonelela ngokhuseleko olusemthethweni kwabo baxela urhwaphilizo phantsi koMthetho wokuXela okuKhuselweyo 26 ka-2000. Nangona uyindawo elungileyo yokuqala ubudlelwane phakathi komqeshi nomqeshwa, lo Mthetho uneziphene ezinzulu ezinokushiya abo baxela urhwaphilizo bengenalo ukhuseleko abaludingayo nabalufaneleyo.⁵¹ Ezi ziphene zixutyushwa ngokweenkcukacha kwividiyo ye-SCAB, ethi “How to Blow the whistle,” ekwafumaneka kwicandelo leefilimu ye-SCAB, <https://beyondstatecapture.org.za/films/>. Kuphela xa umntu ethatha amanyathelo okhuseleko ngexesha lokugwetywa kwakhe kufuneka acinge ngokuxela urhwaphilizo.

Enye yezona ndlela zibalulekileyo zokukhusela urhwaphilizo kuluntu kukuhlala ungaziwa. Oku kungabandakanya ukudala idilesi entsha ye-imeyile ngaphandle kokuchonga ulwazi kunye nokusebenzisa i-Virtual Private Network (VPN).⁵² Kukho iinombolo ezininzi zonxibelelwano zikarhulumente ezibonelelwa njengezikhuselekileyo nezingaziwayo, kwaye ezi zidweliswe kwiwebhusayithi karhulumente, <https://www.gov.za/anti-corruption/hotlines>. Ukuba umntu akonwabanga ukuya kurhulumente, enye indlela kukubika urhwaphilizo kwimibutho yoluntu egxile kurhwaphilizo. Kunokwenzeka kwakhona ukuxela urhwaphilizo kwimidiya yoluntu, kodwa oku kwenza umxholo ube selubala. Ke ngoko, ukuya kwimidiya yoluntu kudla ngokuba yindawo engcono yokuqala kuyo.



STATE CAPTURE AND BEYOND

Amaqela Ombutho Woluntu

Enye indlela entle xa kufikwa kulwazi okanye kuxelwa iingxaki kukuqhagamshelana namaqela oluntu, amanye awo agxile ekusombululeni urhwaphilizo. Le mibutho idla ngokuba neendlela zokugcina ulwazi lwabatyholi luyimfihlo, lubakhusela ekuziphindezeleni. Ngobuchule babo ekufikweni kulwazi, bakwayimithombo emihle yeengcebiso nolwazi malunga nokufikwi kulwazi ngokukhuselekileyo.

Enye indlela yokuxela ingxaki, kukuqhagamshelana namaqela oluntu, amanye awo agxile ekusombululeni urhwaphilizo. Le mibutho idla ngokuba neendlela zokugcina ulwazi lwabatyholi luyimfihlo, lubakhusela ekuziphindezeleni. Ngobuchule babo ekubikeni oko kubikiweyo, bakwayimithombo emihle yeengcebiso nolwazi malunga nokufikwi kulwazi ngokukhuselekileyo. Ezi ziquka:

- The Corruption Watch whistleblower platform
- Whistleblower House
- The Organisation Opposing Tax Abuse (OUTA)
- PPLAAF

Amaphepha ndaba

Ukunika ingxelo kwiindaba kungaba yindlela esebenzayo yokuxela urhwaphilizo, kodwa kuza nemingcipheko emikhulu. Iindaba zingasasaza ulwazi malunga norhwaphilizo ngokukhawuleza nangokubanzi, ziphakamisa ulwazi ukuze kuphendulwe ngokukhawuleza. Iindaba, ngokuxhomekeke kulwazi lwazo, zinokuba nabantu abaqhagamshelana nabo nolwazi lokuguqula amacebiso abe ngamabali anamandla, atsala ingqalelo. Iindaba zinokufuna nokufumana iinkcukacha ezongezelelweyo ezinceda ekuqiniseni ityala.

Nangona kunjalo, ukuya kwiindaba kuthetha ukwenza ulwazi lube sesidlangalaleni, kwaye oko kudala iingozi zomntu. Nokuba intatheli ilumkile, kukho umngcipheko wokuba ubuwena bomntu obika urhwaphilizo buya kubonwa esidlangalaleni. Ukuba ulwazi oluchongayo luvumela umntu obika urhwaphilizo ukuba abonwe, lunokubangela ingozi enkulu, ukusuka ekuhlukunyezweni emsebenzini ukuya kwizisongelo zobomi. Ke ngoko, kufuneka ulumke kakhulu xa ubika urhwaphilizo kwiindaba.



Alingxelo ezibhaliweyo kuRhulumente

Eyona ndlela elula nengasoloko ingasebenziyo yokuveza ingongoma kukubhala ileta eya kurhulumente. Ukuthetha ngesikhalazo okanye ukumelwa kumongameli, ipalamente, ibhunga lelizwe, okanye urhulumente wengingqi kunokunceda abo basemagunyeni baqonde imiba. Kusenokwenzeka ukuba abantu abasemagunyeni abazi ngemingeni, ngoko ke ileta inokuba sisixhobo esiluncedo sokubazisa. Nangona kunjalo, iileta ziyaphoswa okanye zinganakwa lula, njengoko kungekho mfuneko kurhulumente yokufunda zonke izimvo ezenziwe luluntu. Ukuba ileta ayinayo impembelelo efunekayo, kubalulekile ukunyukela kwiindlela ezinamandla zonxibelelwano. Iileta okanye izimvo zikawonke-wonke yindawo elungileyo yokuqala, kwaye kuluncedo ukugcina irekhodi lala magqabaza ukubonisa ukuzama iindlela ezahlukeneyo.

UMgaqo-siseko waseMzantsi Afrika ubonelela ngenxaxheba yoluntu ekwenziweni kwemithetho, ukongamela kunye nezinye iinkqubo zepalamente. Inkqubo yentando yesininzi yaseMzantsi Afrika ayiboneleli nje kuphela abemi ilungelo lokukhetha abameli babo kodwa ikwavumela abemi ukuba babe nelizwi kwimiba ebachaphazelayo.⁵³ Urhulumente wengingqi unyanzelekile ukuba amamele izikhalazo ngokwemigaqo yoMthetho woRhulumente weNgingqi: IiNkqubo zikaMasipala, apho icandelo 17(2)(a) lichaza ukuba urhulumente wengingqi kufuneka amkele, aqwalasele kwaye aqwalasele izikhalazo ezifakwe ngamalungu oluntu lwengingqi. Nangona kunjalo, ukuqwalaselwa kwezikhalazo akuthethi ukuba urhulumente wengingqi kufuneka alandele isikhalazo.

Izicelo

Izicelo ziyindlela engabizi kakhulu yokuba amaqela amakhulu abantu enze izimvo zabo zivakaliswe. Zibandakanya isicelo okanye isicelo esenziwe kumntu osemagunyeni sokungenelela okuthile. Abantu abatyikitya abanye abantu njengenxalenye yesicelo banokwandisa inxaso yaso. UMgaqo-siseko ubandakanya ilungelo lomntu wonke lokungenisa izicelo kwicandelo le-17, elifikelela kuzo zonke iziko zikarhulumente



Amacandelo 56 (d) kunye nama-69 (d) oMgaqo-siseko, afundwa kunye neMithetho yeBhunga leSizwe lamaPhondo kunye nePalamente yeSizwe, achaza ukuba iPalamente yeSizwe kunye neBhunga leSizwe lamaPhondo ziya kufumana izicelo. Icandelo 115 (d) loMgaqo-siseko lifuna ukuba izindlu zowiso-mthetho zamaphondo zithole izicelo. UMthetho wooRhulumente baseKhaya: iiNkqubo zooMasipala s17 (2) (a) ufuna ukuba oorhulumente basekhaya bafumane, baqwalasele, kwaye baqwalasele izicelo.

Ukuqala kwesicelo kukuchaza injongo okanye injongo ecacileyo yesicelo, ukuchonga oko isicelo sizama ukukufezekisa. Okwesibini, yenza uxwebhu lwesicelo, ulandela iimfuno zendlu yowiso-mthetho apho isicelo sibhekiswe khona. Oku kuquka injongo, inkcazo, ulwazi loqhagamshelwano, kunye nendawo yokusayina. Inyathelo elilandelayo kukuqokelela iisiginitsha ngokufumana abantu abanomdla ofanayo kwinjongo yesicelo. Oku kungenziwa kwiindibano ezinkulu, kwiindawo zentlanganisano ezidumileyo, kwimidiya yoluntu, kwiindaba okanye nakwizicelo ezivela kwisebe ukuya kwisebe. Enye indlela ethandwayo kukuba nesicelo esikwi-intanethi, esifana ne- <https://www.change.org/t/south-africa-en-gb>. Inyathelo lokugqibela kukuveza isicelo kunye nesidingo. Indlela yokwenza oku ixhomekeke kwinqanaba likarhulumente isicelo esibhekiswe kulo.

- Izicelo zesizwe eziya epalamente zithunyelwa ngamalungu ePalamente (ii-MP), oko kuthetha ukuba zifuna inkxaso yelungu lePalamente, kwaye kufuneka zilandele inkqubo yepalamente, njengoko kuchaziwe ku- <https://www.parliament.gov.za/petitions>.
- Izicelo eziya kwiBhunga leSizwe lamaPhondo (i-NCOP) azidingi nkxaso yeLungu lePalamente okanye ilungu le-NCOP.
- Izicelo zepalamente yephondo zineenkqubo ezahlukeneyo ngokuxhomekeke kwiphondo. I-URL, <https://provincialgovernment.co.za/units/type/3/legislatures>, inika amakhonkco kwiwebhusayithi zepalamente zephondo ezilithoba.
- Izicelo kwinqanaba likarhulumente wasekhaya zixhomekeke koomasipala, kodwa uMthetho weeNkqubo zikaMasipala ufuna oomasipala babe neenkqubo zokufaka izicelo. Iiwebhusayithi zikarhulumente wasekhaya kufuneka zinike ulwazi olongezelelweyo malunga nezicelo okanye zibandakanye iinkcukacha zonxibelelwano zemibuzo. Iwebhusayithi eluncedo yokufumana iiwebhusayithi zikarhulumente wasekhaya yi- <https://municipalities.co.za/>



STATE CAPTURE AND BEYOND

Ukujoyina okanye Ukudala Imibutho

Ukuba ukwenza wedwa akwanelanga ukutsala ingqalelo, kunokwenzeka ukujoyina okanye ukudala umbutho wokuqinisa izenzo zokukhuthaza. Imibutho ivumela amaqela abantu ukuba basebenzisane ukumela izilangazelelo zoluntu, apho izandla neengqondo ezininzi zinokusebenzisana ngenjongo enye. Kukho imibutho emininzi, kuquka imibutho engekho phantsi korhulumente kunye nemibutho yoluntu engekho phantsi korhulumente. Le mibutho ibonakalise impumelelo ekuququzeleleni izenzo zoluntu ngemibhikisho, izicelo, amanqaku, ukungeniswa kukarhulumente, kwanamatyala.

Imibutho yoLuntu (ii-CSO) kunye neMibutho esekwe kuLuntu (ii-CBO) zidlala indima ebalulekileyo ekwenzeni urhulumente aphenhule. Njengamaqela abantu, banegunya nolwazi olungaphezulu kunomntu omnye. La maqela anokuchaza iimfuno kunye neminqweno yabantu kuluntu ngempumelelo, nto leyo evumela urhulumente ukuba athathe amanyathelo angcono. Ke ngoko, la maqela kulapho abantu banokufumana khona inkxaso kwimiba yamanzi abajongene nayo. Ke ngoko, ii-CBO kunye nee-CSO nazo zinendima ekwenzeni ulwazi lube sobala kwaye zibonise iimfuno zamaqela kurhulumente.

Uqhankqalazo

Ukuba iingxelo nezicelo ezihloniphekileyo azikhuthazi senzo, imibhikisho inokuba yimfuneko ukunyanzelisa ingqalelo kwingxaki. Imibhikisho, efana neendibano, iimatshi, kunye nemibhikisho, inokuba ziindlela ezinyanzelayo zokuxoxa ngeengxaki neemfuno. Inqaku le-17 loMgaqo-siseko likhusela ilungelo lokuhlenganisana, ukubhikisha, ukubhikisha, kunye nokufuna ubulungisa kwizikhalazo, konke ngoxolo. Imibhikisho yenzelwe ukuphazamisa kwaye ingaba yingozi ukuba kukho ingxabano phakathi kwelungelo lokubhikisha kunye namanye amalungelo, njengaxa ukufikelela kwisakhiwo okanye kwindawo kawonke-wonke kuthintelwe. Ke ngoko, kubalulekile ukulandela iinkqubo zomthetho ukuqinisekisa ukuba isenzo sokubhikisha sisemthethweni kwaye sikhuselekile kubabhikishi.



STATE CAPTURE AND BEYOND

UMthetho woLawulo lweeNdibano 205 ka-1993 ulawula ukuqhutywa kwemiboniso kwaye usebenza kuphela kwiindibano zikawonke-wonke zabantu abali-15 nangaphezulu.⁵⁴ Imiboniso ayifuni mvume. Nangona kunjalo, kufuneka ukuba inkokeli yomboniso inike ubuncinane isaziso seentsuku ezisixhenxe (7) ngaphambi komboniso kwigosa eliphethayo, elingumntu oqeshwe ligunya lendawo, ukuba kukho umboniso wabantu abangaphezu kwe-15.⁵⁵ Inkokeli ngumntu oququzelela umboniso. Inkokeli inokunika isaziso seentsuku ezingaphantsi kwesixhenxe ngexesha elifanelekileyo ukuba inokunika ingcaciso efanelekileyo. Imiboniso ngaphandle kwesaziso ayisemthethweni kwaye, ngenxa yoko, ayinakukhuselwa. Oomasipala badla ngokuba neetemplate zezaziso ezifumaneka kwiiofisi zabo zikamasipala okanye kwi-intanethi.

Iindaba zephephandaba

Ukubhala amanqaku kumaphephandaba okanye kwiiwebhusayithi zeendaba zoluntu kunokuba yindlela entle yokusasaza iindaba. Nangona kunokwenzeka ukubhala amanqaku wedwa uze ucele iiwebhusayithi zeendaba ukuba ziwapapashe, oku kulula kakhulu ukuba ukwiqela. Ukusebenza njengeqela kwiingcamango kunye neengxelo kuvumela ukucinga nzulu, kuphucula ukuchaneka ngeembono ezahlukeneyo, kwaye kubonelela ngolungelelwano.

Ukunika ingxelo ngeziganeko zikawonke-wonke kwiindaba kunokuvumela nokudalwa kwamaphulo okwazisa. Umzekelo, kunokunceda ekwenzeni isaziso okanye kumenywe abameli beendaba ukuba bathathe inxaxheba kwezinye izenzo, kuquka izicelo, imibhikisho, kunye namatyala.

Okukhona uluntu lunolwazi oluthe kratya malunga nombala othile, kokukhona amathuba okufumana inkxaso kunye nenyathelo elikhawulezileyo kurhulumente abamanzini.

Uvavanyo lwamatyala

Ukuba konke okunye kuyasilela okanye ukuba kukho ukwaphulwa okukhulu kwelungelo lokufumana amanzi, ukuya enkundleni sisixhobo esibalulekileyo ekulweleni ubulungisa. Ukumangalelana ayisiyiyo inyathelo lokuqala elisebenzayo ekuqinisekiseni amalungelo akho, njengoko kubiza kakhulu kwaye kuhamba kancinci.



STATE CAPTURE AND BEYOND

Iindleko zokumangalelana ziquka imfuneko yobuchule bezomthetho kuzo zonke izigaba. Iinkundla kulo lonke elaseMzantsi Afrika nazo zigcwele amatyala, oko kuthetha ukuba kungathatha iminyaka ukuba amatyala angangxamisekanga eze phambi kwejaji okanye umantyi. Ngenxa yesi sizathu, iinkundla zicebisa ukuba zonke ezinye iindlela zokusombulula iingxabano zisetyenziswe kuqala, njengolamlo, kwaye zinokwala ukwamkela ityala apho abafaki-zicelo bengakhange basebenzise ezinye iindlela.

Ngokuphathelele ityala, kukho ithuba lokunxibelelana nemibutho yoluntu ukuze ufumane inkxaso. Kukho imibutho yoluntu ekhethekileyo, kuquka iZiko leMithombo yoMthetho, iCandelo27, i-Corruption Watch, kunye ne-ProBono.Org. Le mibutho inikezela ngeenkono ezahlukeneyo zomthetho ezikhethekileyo, kuquka imfundo, iingcebiso, kunye nokumangalelana. Uhlobo lwenkxaso yomthetho olufunekayo lunokumisela ukuba le mibutho inokubonelela ngoncedo na.

UkuVota

Iindlela ebalulekileyo yokubamba urhulumente uxanduva kwilizwe lentando yesininzi njengoMzantsi Afrika kukuvota. Intando yesininzi esekwe kumaqela inezinto zayo ezingalunganga, kodwa amandla ayo amakhulu yindlela evumela ngayo utshintsho olunoxolo ngevoti nganye. Ukuba urhulumente, nakweyiphi na indawo, akafezekisi izithembiso zakhe kunye noko abantu bafuna, ukuvota kuvumela abo bantu ukuba bakhuthaze utshintsho ngaphandle kokusebenzisa ubundlobongela. Ngelishwa, kubekho ukwanda kokungakhathali kwabavoti njengoko kubonwa ukuba ivoti nganye ibalulekile. Nangona kunjalo, iindlela zokuvota zakutshanje eMzantsi Afrika zibonisa ukuba oku akunjalo. Kunyulo lwakutshanje luka-2024, utshintsho oluncinci kakhulu ekuphumeni kwabavoti lubangele uRhulumente woBumbano lweSizwe (i-GNU). Olu hlobo lukarhulumente, olubangelwa kukungabikho kweqela elinye elinenani elikhulu, lunyanzela intsebenziswano phakathi kwamaqela abonisa ithemba ekuphuhliseni uxanduva.

Ukuvota kunokwenza umahluko omkhulu kunyulo lwasekuhlaleni ngeziphumo ezikhawulezayo. Xa iqela elinye lihlala liphethe ixesha elide, kukho umkhwa wokungabi namdla kwaye ungawunaki iingxaki zasekuhlaleni. Ukuvotela elinye iqela, kwanokudala iqela elitsha, kunokwenza amagosa karhulumente wasekuhlaleni aphenndule ngakumbi kuluntu lwawo.



STATE CAPTURE AND BEYOND

Umzekelo woku yiMakana Citizens Front (MCF), eyasekwa ngoJulayi 2021, ngenxa yemibhikisho malunga nokuhanjiswa kweenkonzo ngendlela engaphucukanga. I-57 MCF idlale kunyulo lwasekuhlaleni luka-2021 kwaye yavela njengeqela elikhulu eliphikisayo eline-18.1% yevoti. Ngenxa yoko, bakwazile ukusebenzisa izihlalo zabo kurhulumente wasekhaya ukuze babambe urhulumente uxanduva kwaye banciphise urhwaphilizo. Utshintsho kurhulumente wasekhaya, apho amawaka ambalwa eevoti anokutshintsha isihlalo sewadi, kulula ukulufezekisa kunotshintsho lwesizwe.



STATE CAPTURE AND BEYOND

IINGCEBISO, ISIPHELO NEZOKUGQIBA



STATE CAPTURE AND BEYOND

Iingcebiso

Amanzi lilungelo elifanele linikwe bonke abemi baseMzantsi Afrika kwaye liyimfuneko ukuze kubekho imeko-bume esempilweni. Ukuze kufezekiswe oku, kufuneka kubekho utshintsho kwindlela ilizwe eliwajonga ngayo amanzi kunye nokusasazwa kwawo olujolise ekwenzeni amanzi abe sisixhobo esifanayo, esabelwana ngaso. Oku kuya kubandakanya ukubandakanyeka koluntu kunye nentsebenziswano norhulumente ukuze kwabelwane ngeenzuzo kunye noxanduva lolawulo lwamanzi. Ngombono obanzi engqondweni, iingcebiso ezahlukeneyo zinokunceda ukuphucula ukuhanjiswa kwamanzi, ukhathalelo, kunye nokufikelela kuwo.

Ukuphucula Ukufikelela Kwamanzi Aneleyo Kuwo Wonke Umntu

- Urhulumente kufuneka anyuse isabelo samanzi sasimahla sibe yi-100 litres ngomntu ngamnye, ngosuku, esifumaneka kubo bonke abemi.
-
- Kufuneka kubekho inkqubo efikelelekayo ukuze iintsapho ezihlwempuzekileyo zikwazi ukufaka izicelo zamanzi simahla.
- Ukuthatha inxaxheba koluntu kubalulekile ekumiseleni ukuba ngubani ofumana amanzi asimahla, nokuba isibonelelo samanzi esisisiseko sinikezelwa nini.
- Iimitha ze-SMART, ezenzelwe ukubamba iingenelo zeenkonzozo zamanzi, azamkelekanga kuba aziqinisekisi ukusasazwa kwamanzi ngokulinganayo.

Ukuhanjiswa Kwamanzi Okusisiseko

- Zonke iintsapho kufuneka zibe namanzi ahamba ngemibhobho njengenkonzo esisisiseko, zithathe indawo yeetanki zamanzi, iitanki zeJoJo, kunye neempompo ezimileyo.
- Iinqanawa zamanzi zamkelekile kuphela kwiimeko zentlekele ngexesha elifutshane kangangoko. Kufuneka kwenziwe yonke imizamo yokuphucula ukubonelelwa kwamanzi ngemibhobho ngokukhawuleza.



STATE CAPTURE AND BEYOND

Ukuthatha inxaxheba okusebenzayo ekunikezelweni kweenkonzo zamanzi ⁵⁶

- Oomasipala mabaphephe ukwenza iinkonzo zamanzi zibe zezabucala.
- Amalungu oluntu kufuneka akhuthazwe ukuba athathe inxaxheba kwiinkqubo zokwenza izigqibo ngeendlela ezisebenzayo nezinentsingiselo.
- Izisombululo zasekuhlaleni ziyafuneka, kwaye kufuneka ziqhutywe ngabameli basekuhlaleni.

Phucula iindlela zokuQesha ukuze ugxile ekuGqweseni

- Iiarhente zikarhulumente kufuneka ziqeshe abasebenzi ngokusekelwe kwizakhono nolwazi olunxulumene noko endaweni yokuqesha abantu abanoxibe lwano nabo
- Imigaqo-nkqubo kufuneka ifune ukuba kuqeshwe ubuncinane inani leenjineli eziqeqeshwe neziqinisekisiweyo kumasebe nakwiibhodi ezijongene neziseko zophuhliso.
- Kufuneka kuhlolwe rhoqo indlela yokuphila ukuze kupheliswe urhwaphilizo.

Xhasa kwaye Ukhuthaze iindlela Zokunika Ingxelo Zokusombulula Iingxaki Zamanzi Norhwaphilizo

- Iinombolo zoncedo zifuna imali eyaneleyo ukuze zisebenze ngokufanelekileyo kwaye ziqeqeshe abasebenzi ngokufanelekileyo
- Iinombolo zefowuni kufuneka zibe neeyure ezandisiweyo okanye zisebenze iiyure ezingama-24 ngosuku ukuze zikwazi ukunika ingxelo ngaphandle kweeyure zomsebenzi.
- Iiwebhusayithi zikamasipala mazibandakanye iinkqubo zokunika ingxelo ezingaziwa kwi-intanethi.



STATE CAPTURE AND BEYOND

Lungisa uhlahlo-lwabiwo mali ukuze lugxile kakhulu kwi-CAPEX kunokuqesha

- Ingeniso evela emanzini mayibekwe ecaleni ukuze kugxilwe ekuhanjiseni kwamanzi.
- Ipesenti yohlahlo-lwabiwo mali oluchithwe kwi-CAPEX kunye nokugcinwa kweziseko zamanzi ezikhoyo kufuneka inyuswe.



Isiphelo

Amanzi abalulekile ekusindeni kwezinto eziphilayo, kwaye uMzantsi Afrika ubusoloko ucinga ngekamva ngokubeka amanzi njengelungelo kuMgaqo-siseko. Ngale lungelo, bonke abantu banokubanga kwaye bafune ukunyanzeliswa kwelungelo labo lokufumana amanzi. Nangona kunjalo, ukufaka eli lungelo kuMgaqo-siseko akwanelanga ukuqinisekisa ukuba bonke abantu banokufikelela kumanzi aneleyo, acocekileyo ukuze bachume.

Ukuqonda ilungelo lokufumana amanzi kufuna ulawulo olucokisekileyo lwale mithombo inqabileyo kuzo zonke iinkalo zikarhulumente. Nangona kunjalo, ulawulo lwamanzi luye kwasilela kulo lonke ilizwe, apho iziseko zophuhliso zifuna ukulungiswa, izivumelwano zokunikezelwa kwethenda ezingaqinisekanga ezichitha izixhobo ezibalulekileyo, umgangatho wamanzi oyingozi, kunye neendlela zonyango ezikhupha amanzi amdaka angacocwanga. Ukuqonda eli lungelo kufuna utshintsho olukhulu ngentsebenziswano yawo onke amanqanaba oluntu kunye norhulumente.

Utshintsho kufuneka luqale ngokuhlolwa kwakhona kwesibonelelo samanzi esisisiseko seelitha ezingama-25 ngomntu ngosuku, njengoko oku kuncinci kakhulu kwimpilo nococeko. Kwanoluhlu olulula lweemfuno zamanzi ezisisiseko lubonisa indlela enganelanga ngayo unikezelo olusisiseko, nto leyo enyanzela abantu ukuba bangene kumjikelelo wobuhlwempu kunye nokukhetha okunzima.

Kunye nokulungisa isibonelelo samanzi esisisiseko, kufuneka kubekho uphando olunzulu malunga norhwaphilizo olunokubakho kulawulo, ukugcinwa, kunye nokunikezelwa kweethenda kwababoneleli bamanzi. Kulapho abantu abavela kuzo zonke iinkalo zobomi banokuma khona ukuze bakhuthaze utshintsho.

Nangona kungenguye wonke umntu onexesha, izixhobo, okanye ulwazi lokuba ngumlweli wexesha elizeleyo, kwaneengxaki zokuxela zingaba sisiqalo sokukhuthaza utshintsho. Ukunyusa ingxelo, ukusuka ekubizeni oomasipala ukuya kwimibhikisho kawonkewonke, kunamandla okuqalisa intshukumo.



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