



STATE CAPTURE AND BEYOND

TOKA YA METSİ



State Capture and Beyond (Ho hapa mmuso le ho feta moo): Toka ya Metsi

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E ngotswe ke Jonathan van der Walt

Releboha bakeng sa maikutlo, tšehetso, le lipatlisiso tse eketsehileng ho Ferrial Adam, Eldonna Muhwava, Rehad Desai, Moray Hathorn, Anita Khanna, Pashkar Moodilar, Rashaad Dadoo, and Claire Rankin.



Tshimoloho

Morero wa State Capture and Beyond (SCAB) ke tshebedisano-mmoho pakeng tsa Brot für die Welt ('Bohobe ba Lefatshe' [BfdW]), Human Rights Media Trust (HRMT), le Legal Resources Centre (LRC) ka ditjhelete tse tswang European Union (EU). SCAB e ikemiseditse ho sebetsana le bobodu Afrika Borwa ho latela dikgothaletso tsa Komisi ya dipatlisiso mabapi le ho Tshwarwa ha Naha (e tsejwang hape e le Commission of Inquiry into State Capture kapa CISC). Ka hona e kenyelletsa mekgatlo ya setjhaba (CSOs) le mekgatlo e thehilweng setjhabeng (CBOs). Sephetho se lakatsehang ke ho theha mokgatlo wa naha o khahlanong le bobodu, o matlafatsang batho ho utlwisisa, ho batla le ho lwanela ditokelo tsa bona. Ho sebetsana le leqeba le tebileng la bobodu ka ho toba ho thusa ho bo fodisa.

Brot für die Welt ke mokgatlo o moholo ka ho fetisisa oo e seng wa mmuso wa Jeremane wa dikereke tsa Prostanta o shebaneng le ntshetsopele le ditokelo tsa botho. O sebetsa dinaheng tse ka bang 90 mme o na le boiphihlelo ba dilemo tse fetang 60, o ikemiseditse ho matlafatsa bokgoni ba dihlopha tse futsanehileng le tse kgeswang ho ntlafatsa maemo a tsona a bophelo. Mokgatlo ona o na le nalane e telele ya ho sebetsa le EU, o etella pele diporojeke tse ngata naheng. Morerong ona wa SCAB, BfdW e tliša boiphihlelo bo boholo pusanong le tshebedisanong ya matjhaba, ho bolelang hore o loketse hantle karolo ya tsamaiso le tlhokomelo.

Mokgatlo wa ditokelo tsa botho wa Media Trust (HRMT), mokgatlo o seng wa phaello o thehilweng ka 2004, o sebetsa le merero ya toka ya setjhaba ho pholletsa le Afrika Borwa. HRMT e shebana le metjha ya phatlalatso, ho etsa difilimi tse se nang pefo, le matsholo a bobuelli ba setjhaba ho matlafatsa ditlhoko tsa toka, ha ka nako e tswanang e kothalletsa setso sa demokrasi. HRMT e hasanya tlhahisodeseding mabapi le tshebediso e sa rerwang ya metjha ya phatlalatso le ditaba tse ding ho matlafatsa mantswe a sa nke lehlakore.

Setsi sa disebediswa tsa Molao (LRC), se thehilweng ka 1979, ke mokgatlo o seng wa phaello wa ditokelo tsa botho o nang le diofisiho metseng ya Johannesburg, Cape Town, Durban le Makhanda. LRC e lula e siredetša Molaotheo le puso ya molao naheng, dibakeng tse fapaneng tsa molao: mobu, matlo, bophelo bo botle, thuto, tekano, le ditokelo tsa setjhaba le tsa dipolotiki. Ka nalane e telele ya ho fana ka ditshebedetso tsa molao, LRC e na le kutlwisiso e tebileng ya molao wa ditokelo tsa botho mme e hahile dikamano tsa nako e telele le mekgatlo ya setjhaba



Kakaretso

Afrika Borwa ke naha e haellang metsi ka pula e fokolang selemo le selemo ho ya ka maemo a lefatshe. Ha baahi ba ntse ba hola, ho bohlokwa hore mmuso o laole ka hloko polokelo, ho sefa le kabo ya metsi ho thibela tshenyo. Ka bomadimabe, puso e mpe le tshusumetso ya bobodu, jwalo ka ha ho hlwailwe ke Komisi ya Diphuputso mabapi le Bobodu ba Naha (CISC), di siile naha ena e na le tsamaiso e senyehileng ya phepelo ya metsi. Meralo ya motheo e ntse e mpefala ka lebaka la kgaello ya polokelo, mekgwa e belaetsang ya ho lefisa, boleng bo bobele kabo ya metsi, le kalafo e sa lekaneng ya metsi a ditshila. Sena se siya dikarolo tsa naha, haholoholo tse futsanehileng, di se na phihlollo e lekaneng ya metsi a hlwekileng a lekaneng, a bolokehileng, le a theko e tlase. Afrika Borwa, Molaotheong wa yona, e fana ka tokelo ya metsi; batho jwale ba lokela ho etsa hore mmuso o ikarabelle bakeng sa ho fana ka tokelo eo.

Ho kenyelletswa ha tokelo ya ho fumana metsi Molaong wa Motheo ho ne ho le bohlokwa mme ho qalile ha ho kenyelletswa ditumellano le diqeto tsa matjhaba tse sa tlamang. Athikele ya 27(1) ya Molao wa Motheo e re “Motho e mong le e mong o na le tokelo— (b) ya dijo le metsi a lekaneng.” Ho feta moo, athikele ya 27(2) e re “Mmuso o tla nka mehato e loketseng ya molao le e meng, ka hara mehlodi ya oona e fumanehang, ho fihlela phethahatso e tswelang pele ya tokelo ka nngwe.” Molao oa Ditshebeletso tsa Metsi wa 108 wa 1997 o hlalosa tokelo ena ka ho hlalosa dikhopolo tse kang phepelo ya metsi ya motheo le bohleki ba motheo, le ho fana ka tataiso ho mebuso ya lehae mabapi le hore na ke eng e etsang phepelo e lekaneng ya metsi. Karolo ya 3 ya Leano la GNR.509 la la 8 Phuptjane 2001 e hlalosa ka nepo phepelo ya metsi ya motheo e le ho kenyelletsa, “bonyane bongata ba metsi a hlwekileng a dilithara tse 25 ka motho ka letsatsi kapa dikhilomithara tse 6 ka lelapa ka kgwedi.” Sena se bontsha boitlamo ba mmuso ba ho fana ka metsi bonyane ho tshehetsa bophelo bo botle le boiketlo.

Leha tokelo ya Molao wa Motheo ya ho fumana metsi e kenyeleditswe Molaong wa Motheo, Afrika Borwa e tobane le toka ya metsi a sa tebang, moo maano a bonahalang a lokile empa a sa fetohe ka tsela e nang le mwelelo.



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Mohlala o mong wa toka ya metsi a sa tebang ke leano le tswang leanong la GNR509 la Phuptjane 2001, le fanang ka phepelo ya metsi ya mahala ya dilithara tse 25 ka motho ka letsatsi. Leha bo-rasaense ba lumela hore bonyane metsi a hlokahalang ho boloka bophelo ke dilithara tse 25 ka letsatsi, tjhelete ena e ka tlase haholo ho seo batho ba hlohang ho se sebedisa letsatsi le letsatsi. Tshebediso ya metsi ya motheo le ya bohlokwa, jwalo ka ho nwa, ho pheha, ho hlapa, ho hlatswa matsoho, ho hlatswa dijana, ho hlwekisa matlwana le ho hlatswa diaparo, e ka feta dilithara tse 25 ka letsatsi. Sena se ka qobella ba sa kgoneng ho lefella metsi ho tela ditlhoko tsa motheo, tse amang bophelo ba bona le boiketlo ba bona. Phepelo ya metsi ya motheo e dumella mmuso ho bolela hore o fana ka metsi ka toka, empa ke toka e sa tebang e sa etseng letho ho ntlafatsa maemo.



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Ho na le mabaka a mangata a tlhaho le a entsweng ke batho a etsang hore phephelo ya metsi e hlolehe Afrika Borwa. Mathata a mane a welang tlasa boikarabelo ba mmuso ba ho fana ka phephelo e lekaneng ya metsi a nkwa a hloka kgato e potlakileng:

- Meralo ya Motheo e sa Sebetseng Hantle. Tlhokomelo ya meralo ya motheo ke tlhokahalo e tswelang pele. Ka bomadimabe, dibaka tse ngata ha di sebedise tjhelete e lekaneng tlhokomelong ya meralo ya motheo, e leng se dumellang meralo ya motheo ho senyeha.
- Ditumellano tsa tender. Ditumellano tsa tender tse sa laolweng hantle kapa tse sa sebediswang hampe di senya mehlodi ya bohlokwa ha di ntse di sa fane ka diphetho tse lakatsehang.
- Boleng bo Bobe ba Metsi. Ho theoha ha boleng ba metsi a fanwang ke ditsamaiso tsa masepala ho etsa hore setjhaba se nwe metsi a sa bolokehang, e leng se amang bophelo bo botle.
- Kalafo ya metsi a ditshila. Kalafo e mpe ya metsi a ditshila e lebisa ho kgutleleng ha metsi a ditshila dinokeng tsa metsi, e leng se senyang tikoloho le ho baka dikotsi bophelong.

Ho hlwaya mathata a phephelo ya metsi ke kgato ya bohlokwa ho etsa hore mmuso o ikarabelle. Metsi a lokela ho hlweka le ho bolokeha bakeng sa ho nowa, ha ka nako e tswanang a fumaneha ka bongata bo lekaneng ho phethahatsa tokelo ya ho fumana metsi a lekaneng. Sena se hlahisa dikarolo tse pedi tsa bohlokwa bakeng sa phephelo ya metsi:

(A) Boteng ba metsi

- Ho fumaneha: bonyane dilithara tse 25 tsa metsi a hlwekileng motho ka mong ka letsatsi kapa dikhilomithara tse 6 ka lelapa ka kgwedi
- Sekgahla: sekgahla sa phallo ya metsi se tlase ho dilithara tse 10 ka motsotso
- Sebaka: ka hare ho dimithara tse 200 ho tloha ntlong.

(A) Boleng ba metsi

- Ponahalo: Metsi a hlwekisitsweng le a sefilweng a lokela ho ba a se nang mmala.



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- Ditshila: Metsi a sefilweng a lokela ho hlweka mme a se na ditshila tse bonahalang tse kang ditshila, mme ha ho a lokela ho ba le dintho tse bonahalang kapa tsa tlhaho.
- Monko o Mobe: Metsi a hlwekileng ha aa lokela ho ba le monko o bonahalang.
- Tatso: Metsi a bolokehileng a lokela ho ba le tatso e hlwekileng.
- Diphetho: Metsi a nowang ha aa lokela ho baka mafu

Haeba metsi a sa fanoa ka bongata bo lekaneng kapa a boleng bo lekaneng, mmuso ha o fihlelle boikarabelo ba wona ba molao le ba Molaotheo. Sena se fana ka motheo wa ho kopa dintlafatso phanong ya ditshebeletso.

Haeba mmuso o sa fane ka metsi a boleng bo lekaneng kapa a bongata bo lekaneng, mekgwa ya ho tlaleha le ho phatlalatsa tlhahisoleseding di thusa ho ntlafatsa boikarabelo. Bareki ba ka etsa tse latelang:

- Bokella Tlhahisoleseding. Diwebsaete tsa mmuso, ditlaleho le ditshebetso tsa PAIA di ka ntlafatsa kutlwisiso.
- Tlaleha ka kotloloho. Ho sebedisa ditsamaiso tsa inthanete, di-imeile le dinomoro tsa mohala ho tlaleha bothata ho mmuso wa lehae kapa Lefapha la Metsi le Bohlweki ho hlhisa temoso.
- Hlahisa matshwenyeho a hao. Haeba ho se na karabo kapa ho se na ketso e tswang ho balaodi ba masepala, hlahisa taba ena ka ho ikopanya le makhanselara a diwate le boradipolotiki.
- Kenya letsoho Pusong ya Libaka. Mebuso ya metse e tlamehile ka molao ho kgothaletsa ho nka karolo ha setjhaba, ho kenyeletswa le ho tshwara diboka tse bulehileng bakeng sa setjhaba.
- Sebedisa metjha ya ditaba ya setjhaba. Ho beha ditaba tsa phano ya ditshebeletso kapa tsa tsamaiso metjheng ya ditaba ya setjhaba e ka ba mokgwa o matla wa ho eketsa temohisiso hara setjhaba.
- Letsa molodi. Ho letsa molodi ho ka ba kotsi, empa hangata ke tsela eo ba bang, jwalo ka ba nang le matla a ho etsa dipatlisiso, ba sa tsebeng bothata.
- Bobuelli. Ho kenela kapa ho qala mokgatlo ho thusa ho bokella mehlodi le ho fumana tshehetso ho kgothaletsa phetoho.
- Ngola Ditlaleho. Ho ngolla Seboka sa Naha ho ka tsebisa mmuso ka bomasepala ba hlolehang ho phetha mesebetsi ya bona.
- Etsa Dikopo. Kopo, e saennweng ke batshehetsi mme e amohetswe ke setho sa palamente ya naha, e ka ba sesebediswa se matla sa ho bontsha thahasello e matla ya ho fumana tharollo.



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- Ho bapatsa ka ditlaleho tsa ditaba. Ho ngola ditlaleho tsa ditaba bakeng sa phatlalatso kapa ho ikopanya le boraditaba ho ngola ka dihlooho tse itseng ho ka etsa hore batho ba tsebe.
- Kenya letsoho boipelaetsong. Boipelaetso ba sehlopha, bo sireleditsweng ke Molaotheo, bo bontsha bonngwe mme bo lemosa batho ka taba e itseng.
- Qala ditsamaiso tsa molao. Le hoja di bitsa tjhelete e ngata mme di hloka boiphihlelo ba molao, ditsamaiso tsa molao e ka ba sesebediswa se matla sa ho kopa ditokelo.
- Vouta. Divoutu di ka romela molaetsa o matla le ho lebisa phetohong mmusong.

Ho sebedisa mokgwa o le mong kapa motswako wa mekgwa ena ho thusa ho eketsa boikarabello. Mokgwa o mong le o mong o na le bohlokwa, kahoo hoa khoneha ho etsa phapang esita le ka ketso e nyane.



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Selelekela

Afrika Borwa ke naha e haellang metsi ka pula ya selemo le selemo e ka tlase ho 500 mm, e leng ka tlase ho karolelano ya lefatshe ya 860 mm.¹ Ka lebaka la pula e fokolang hakana, Afrika Borwa e tlasa kगतello e kgolo ya metsi. Kgaello ena e siya sebaka se senyenane bakeng sa taolo ya phephelo ho netefatsa hore Maafrica Borwa ohle a na le phihlello ya metsi a lekaneng. Kgaello ena ya metsi e tlameha ho tswela pele kaha e bohlokwa bakeng sa ho tshehetsa mefuta e fapaneng ya dimela le diphoofole. Ka hona, taolo e sebetsang hantle le e sebetsang ya metsi e bohlokwa Afrika Borwa. Leha ho le jwalo, mmuso o ntse o hloleha mosebetsing wa wona wa ho aba metsi ka tsela e tsitsitseng kaha bobodu le tsamaiso e mpe di sentse tjhelete le bokgoni bo hloka halang bakeng sa kabo e sebetsang. Hape ho na le tshekamelo ya ho latela mokgwa wa toka ya metsi moo mmuso o bonahalang o phethahatsa boikarabelo ba wona. Ke boikarabelo ba Maafrica Borwa ho etsa hore mmuso o ikarabelle le ho tlaleha mathata afe kapa afe ka phihlello, boleng le bongata ba metsi.

Sebaka seo Afrika Borwa e leng ho sona, ka lebaka la pula ya yona e feto-fetohang le e fokolang, se etsa hore polokelo ya metsi, tsamaiso le kabo e be bothata bo boholo. Afrika Borwa ke e nngwe ya dinaha tse 25 tse hodimo tse nang le kgaello ya metsi, e sebedisang "matlo a yona a hlwekileng a fetang 80% bakeng sa nosetso, mehlape, indasteri le ditlhoko tsa malapeng."² Hoa kgoneha ho arola Afrika Borwa ka dibaka tse tharo tse fapaneng le tse fapaneng tsa tlelaemete. Karolo e ka botjhabela ya naha, ho kenyeletswa Gauteng, KwaZulu-Natal, le Limpopo, e na le pula e ngata ka pula e fetang 500mm ka selemo. Sena se ka fihla karolelano ya 1200mm ka selemo dibakeng tse ding. Dibaka tse bohareng le tse ka leboea-bophirima li omme ebile ha di tsitsitse haholo, tse pakeng tsa 100mm le 500mm. Lithaba tsa Cape Fold li na le pula ya selemo le selemo ea pakeng tsa 300mm le 900mm.³

Kabo ena e sa lekanang ya metsi ho pholletsa le Afrika Boroa e etsa hore polokelo ya metsi, ho sefa le ho bokella metsi e be bothata bo boholo. Ka metsi a sa lekaneng ho netefatsa phephelo e lekaneng, Maafrica Borwa a tlameha ho itshetleha ka meralo ya motheo ya metsi ya mmuso. Meralo ya motheo ya metsi e kenyelletsa merero ya sectjhaba, jwalo ka matamo a metsi, matamo le dikanale, hammoho le paballo ya tlhaho ya dinoka, matsha le metsi a ka tlasa lefatshe.



Tsamaiso ya meralo ya motheo ya metsi e tlameha ho lwanela ho leka-lekanya kabo ya metsi dibakeng tse nang le pula e fokolang ha ka nako e tswanang e netefatsa hore ho na le metsi a lekaneng metsing a tlhaho ho boloka tikoloho e phetseng hantle. Esita le maemo a tlase a tshilafalo ya metsi kapa tsamaiso e mpe e ka siya dibaka di se na metsi a lekaneng bakeng sa bophelo bo botle le bohlweki.

E nngwe ya diphephetso tse kgolo tse tobaneng le Afrika Borwa ke tshusumetso e atileng ya bobodu maamong ohle a setjhaba. Khomishene ya Dipatlisiso mabapi le Bobodu ba Mmuso (CISC), e etelletsweng pele ke Moahlodi e Moholo Raymond Zondo, e batlisisitse bobodu ho pholletsa le mmuso wa Afrika Borwa. CISC e pepesitse bobodu maamong ohle a mmuso me ya etsa dikgothaletso tse mmalwa mabapi le mokgwa wa ho sebetsana le bobodu le ho bo thibela nakong e tlang. Dikgothaletso tsena di kenyelletsa tshireletso e matla bakeng sa ba senolang ditaba, ho kgethwa ho latela boleng dikgwebong tsa mmuso (SOEs), le ho ntlafatsa ponaletso. Ho kenya tshebetsong dikgothaletso tsa CISC ho bohlokwa kaha ho tla theha mmuso o ikarabellang le o se nang bobodu o tla tswela Mafrika Borwa bohle molemo. Bobodu bo fellwa ke mehlodi e hlokahalang bakeng sa ntshetsopele ya setjhaba le moruo, mme sena se na le tshusumetso e mpe ditsamaisong tsa phepelo ya metsi. Tsamaiso e mpe ya ditjhelete e bolela hore ha ho na tse ngata tse fumanehang bakeng sa ho hlokomela le ho ntshetsapele meralo ya motheo. Ntle le tlhokomelo e tswelang pele le e sebetsang, sistimi e ya senyeha.⁴ Ditlaleho tsa Blue Drop le Green Drop, tse fanweng ke mmuso, di lekantse 52% ya ditsamaiso tsa rona tsa phepelo ya metsi e le kotsi e mahareng ho isa ho e kgolo.⁵ Tlaleho ya Green Drop mabapi le tsamaiso ya metsi a ditshila e fumane hore hoo e ka bang 39% ya ditsamaiso tsa metsi a ditshila tsa masepala di boemong bo bobele ka 2021.⁶

E nngwe ya diphephetso tse kgolo tse tobaneng le Afrika Borwa ke tshusumetso e atileng ya bobodu maamong ohle a setjhaba. Khomishene ya Lipatlisiso mabapi le Bobodu ba Mmuso (CISC), e etelletsweng pele ke Moahlodi e Moholo Raymond Zondo, e batlisisitse bobodu ho pholletsa le mmuso oa Afrika Boroa. CISC e pepesitse bobodu maamong ohle a mmuso mme ya etsa dikgothaletso tse mmalwa mabapi le mokgwa wa ho sebetsana le bobodu le ho bo thibela nakong e tlang. Dikgothaletso tsena di kenyelletsa tshireletso e matla bakeng sa batho ba phatlalatsang ditaba, ho kgethwa ho latela boleng dikgwebong tsa mmuso (SOEs), le ho ntlafatsa ponaletso. Ho kenya tshebetsong dikgothaletso tsa CISC ho bohlokwa kaha ho theha mmuso o ikarabellang le o se nang bobodu o tla tswela Mafrika Borwa bohle molemo.



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Kaha metsi ke mohlodi wa bohlokwa le o haellang, tsamaiso e sebetsang hantle ya mehlodi ke tlhoko ya bohlokwa Afrika Borwa. Ho netefatsa hore ho na le metsi a lekaneng ho fana ka motheo wa bohlokwa o ka thusang setjhaba ho phela le ho qala ho atleha. Leha ho le jwalo, sena se hloka ho hlola mathata a bobodu le toka e sa sebetseng hantle e sitisang phano ya metsi ka katleho. Sena se tla hloka hore Mafrika Borwa kaofela a tsepamise maikutlo haholwanyane ho sebetsa mmoho ho netefatsa hore mmuso o ikarabella le ho etsa sohle se matleng a oona. Mmuso, haholo-holo sebakeng sa wona, o tlameha ho etsa boiteko ba ho lekola ditlhoko le ho buisana le setjhaba ho netefatsa hore batho ba na le phihlello ya metsi a lekaneng.



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SEBOPEHO SA MOLAO: TOKELO YA METSI



Sebopeho sa molao: Tokelo ya Metsi

Tokelo ya baahi ba Afrika Borwa ya ho fumana metsi e ntlafatswa ka meralo e fapaneng ya molao, ho kenyeletswa molao wa matjhaba, Molaotheo, melao, melawana le molao wa dinyewe. Molao wa matjhaba mabapi le ditokelo tsa metsi, o kenyelleditsweng ditumellanong le ditumellanong, o tlama dinaha tse leng ditho ho kenyelletsa ditokelo tsena e le karolo ya molao wa tsona wa naha. Afrika Borwa, ka molao wa yona, e thehile tokelo ya metsi ho latela molao wa matjhaba. Tokelo ya metsi Afrika Borwa e tswa Molaotheong e le bolaodi bo phahameng ka ho fetisisa ba molao naheng. Molao o ntshetsapele le ho hlalosa tokelo ena ka melao-motheo e hlalosang hore na tokelo ena e ka kenngwa tshebetsong jwang.

Molao wa matjhaba

Afrika Borwa, jwalo ka naha e leng setho sa Matjhaba a Kopaneng (UN) le Kopano ya Afrika (AU), e tlameha ho nka ditumellano tsa yona e le karolo ya molao wa matjhaba.⁹ Molao wa matjhaba o beha dinaha tse nang le ditho tsa yona ditlamo tse mmalwa tsa ho fana ka phihlello ya metsi a hlwekileng ka bongata bo lekaneng bakeng sa tshebediso ya batho le bohlweki. Ka hona, molao wa matjhaba o fana ka tataiso ya hore na ho ka sebediswa tokelo ya metsi jwang. Melao-motheo e mmalwa molaong wa matjhaba e bontsha kamoo dinaha tse nang le ditho di lokelang ho sebedisa tokelo ya tsona ya metsi kateng.

Phatlalatso ya Matjhaba a Kopaneng ya Ditokelo tsa Botho ke tumellano e sa tlameng e faneng ka moralo bakeng sa ditumellano tsa ditokelo tsa botho tsa nakong e tlang. Athikele ya 25.1 ya phatlalatso ena e hlalosa tokelo ya metsi e le karolo ya maemo a bophelo a lekaneng:

Motho e mong le e mong o na le tokelo ya ho phela bophelo bo lekaneng bakeng sa bophelo bo botle ba hae le ba lelapa la hae, ho kenyeletsoa dijo, diaparo, bodulo le tlhokomelo ya bongaka le ditshebeletso tse hlokahalang tsa setjhaba, le tokelo ya tshireletso haeba ho ka ba le ho hloka mosebetsi, ho kula, bokowa, bohlohlolohadi, botsofadi kapa ho hloka mokgwa o mong wa boipheliso maemong a ke keng a laolwa ke eena.



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Tokelo ya bophelo bo botle le boiketlo bo lekaneng, ho kenyeletsoa le dijo, e bolela tlhoko ya tokelo ya ho fumana metsi. Metsi a lekaneng ke tlhoko ya motheo bakeng sa bophelo bo botle le ho lokisa dijo. Diqeto tsa morao tjena tsa Matjhaba a Kopaneng, Mananeo a Tshebetso a Matjhaba a Kopaneng, le Di-Charter tsa Afrika di hlakile haholo ho ipiletseng tokelo ya ho fumana metsi.



STATE CAPTURE AND BEYOND

Sehlooho	Phepelo ya metsi	Kakaretso
Qeto ya Seboka se Akaretsang sa 64/292. Tokelo ya botho ya metsi le bohlweki.	1. E amohela tokelo ya metsi a hlwekileng le a sireletsehileng a nowang le bohlweki e le tokelo ya mantlha ya botho bakeng sa ho natefelwa ke bophelo bo botle le ditokelo tsohle tsa botho;	E ananela tokelo ya botho ya metsi le bohlweki. E kgothalletsa dinaha tseo e leng ditho ho fana ka thuso ya ditjhelete le ya botekgeniki ho netefatsa hore ditokelo tsena dia phethahala lefatsheng ka bophara.
Qeto ya Seboka se Akaretsang 64/292. Tokelo ya botho ya metsi le bohlweki	1. E amohela tokelo ya ho fumana metsi a hlwekileng le a sireletsehileng a nowang le bohlweki e le tokelo ya mantlha ya botho bakeng sa ho natefelwa ke bophelo bo botle le ditokelo tsohle tsa botho;	E lemoha bohlokwa ba metsi mme e kgethile setsebi se ikemetseng sa metsi. Setsebi sena se filwe mosebetsi wa ho etsa dipatlisiso, ho buisana le diprofinse, ho fana ka dikeletso le ho ntshetsapele ditlaleho.
Qeto ya Lekgotla la Ditokelo tsa Botho 12/8. Ditokelo tsa botho le phihlrello ya metsi a nowang a sireletsehileng le bohlweki	4(a) Ho theha tikoloho e nolofalletsang ho sebetsana le bothata ba bohlweki maamong ohle...	O tiisa hore o fumane tlaleho ya pele ya ditsebi mabapi le metsi mme o etsa qeto ya hore diprofinse di hloka ho haha setsi se netefatsang phepelo ya metsi le ho ntlafatsa bohlweki.
Lenaneo la mosebetsi la Mar Del Plata	Qetello II(a) Batho bohle, ho sa tsotelehe boemo ba bona ba ntshetsopele le maemo a moruo le kahisano, ba na le tokelo ya ho fumana metsi a nowang ka bongata le boleng bo lekaneng bakeng sa ditlhoko tsa bona tsa motheo.	Seboka sena sa pele sa metsi sa Matjhaba a Kopaneng se ile sa tsebahatsa le ho hlalosa bohlokwa ba metsi e le tokelo ya botho. Se ile sa ipiletsa ho ldinaha ho sebetsa mmoho ho fana ka metsi e le tlhoko ya motheo bakeng sa ho phela ha batho bohle.
Tjhata ya Afrika mabapi le Ditokelo tsa Botho le tsa Batho (1981)	Athikele ya 24: Batho bohle ba na le tokelo ya tikoloho e loketseng bakeng sa ntshetsopele ya bona.	Leha molaotheo o sa bue ka tokelo ya metsi, Khomishene ya Afrika ya Ditokelo tsa Botho le Batho e hlalositse dipehelo tse ding e le tse kenyeletsang tokelo e sa tobang ya metsi.
Molaotheo wa Afrika wa Ditokelo le Boiketlo ba Ngwana (1990)	Karolo ya 14(2)(c) ho netefatsa hore ho fanwa ka dijo tse lekaneng le metsi a hlwekileng a nowang	Tumellano ena e hloka hore dinaha tse kenelang letsoho di etse melao ho netefatsa hore metsi a nowang a bolokehile. Leha ho le jwalo, ha e bolele letho ka bongata ba metsi a lokelang ho fanwa.



STATE CAPTURE AND BEYOND

Kaha boholo ba ditumellano tsena tsa matjhaba ha di tlame ka molao, di beha tlamo ya boitshwaro ho dinaha tse ding ho ena le tlhoko e thata ya molao. Afrika Borwa, ho ya ka karolo ya 233 ya Molaotheo, e beha boikarabelo makgotleng a dinyewe ho hlalosa melao ya lehae hore e tsamaellane le molao wa matjhaba. Ditumellano tsa matjhaba, ho kenyeletswa le tokelo ya metsi, di pharaletse ho lekana ho dumella dinaha tse ding ho fumana ka botlalo hore na di ka kenya tshebetsong ditokelo jwang maemong le mekgwa ya tsona e ikgethang. Leha ho le jwalo, ditumellano tsena tsa matjhaba di bolela hore tokelo ya metsi e tlameha ho kenyeletsa metsi a hlwekileng a nowang le ditlhoko tse lekaneng tsa motheo.

Molaotheo

Afrika Borwa e bile naha ya pele ho tiisa ka ho hlaka tokelo ya ho fumana metsi e le karolo ya molaotheo wa yona. Sena se etsa hore Afrika Borwa e be e nngwe ya dinaha tsa pele ho fana ka tshireletso le tshebediso ya ditokelo tsa metsi ka tsela ya molaotheo. Karolo ya 27, ho Kgaolo ya Bobedi ya Molaotheo, e hlalosa tokelo ena:

27. (1) Motho e mong le e mong o na le tokelo ya ho fumana –

(a) ditshebeletso tsa tlhokomelo ya bophelo bo botle, ho kenyeletswa le tlhokomelo ya bophelo bo botle ba ho ikatisa;

(b) dijo le metsi a lekaneng; le

(c) tshireletso ya kahisano, ho kenyeletswa, haeba ba sa kgone ho itlhokomela le ho hlokomela batho ba ba tshehetsang, thuso e loketseng ya kahisano.

(2) Mmuso o tlameha ho nka mehato e loketseng ya molao le e meng, ka hara mehlodi ya wona e fumanehang, ho fihlella phethahatso e tswelang pele ya ditokelo tsena.

(3) Ha ho motho ya ka hanelwang kalafo ya tshohanyetso.

Karolo ena ya Molaotheo e hlalisa tokelo e itseng ya ho fumana metsi Afrika Borwa. E bwetse e beha boikarabelo ho mmuso ho ntlafatsa phihlello ya metsi ka ditlhoko tse tharo tsa hore mehato ena e lokela ho ba e loketseng, e tsepamise maikutlo ho kenngweng tshebetsong ho tsitsitseng, mme e dumellane le mehlodi e teng. Ka hona, mekgatlo ya mmuso e tlameha ho lwanela ho sebedisa mehloli e teng ho netefatsa hore Mafrika Borwa kaofela a na le phihlello ya tokelo ena. Leha ho le jwalo, Molaotheo ha o hlalose hore na tokelo ena e bolela eng kapa hore na mekgatlo ya mmuso e ka kenya tshebetsong tokelo ena jwang.



STATE CAPTURE AND BEYOND

Melao

Hona jwale ho na le melao e mmedi e laolang tokelo ya ho fumana metsi. Melao ena e ntshetsa pele tokelo jwalo ka ha e boletswe Molaotheong mme e hlalosa tsamaiso le kabo ya metsi. Ka kakaretso, phihlello ya metsi e lokela ho kenyeletsa phano ya metsi a hlwekileng a nowang ka bongata bo lekaneng.

Molao wa Naha wa Metsi wa 36 wa 1998 (NWA) o shebane le tsamaiso le tshireletso ya mehloli ya metsi ya Afrika Borwa. Molao ona o na le matla a naha a shebaneng le dibaka tse kang kaho ya matamo, tsamaiso ya dinoka, tshebediso ya metsi a ka tlasa lefatshe, le ditokelo tsa metsi a lebopong la lewatile. Le hoja NWA e le ya bohlokwa tsamaisong ya naha ya metsi, ha e bue ka mokgwa wa ho netefatsa hore batho ba ka fumana tokelo ya bona ya metsi.

Ka lehlakoreng le leng, Molao wa Ditshebeletso tsa Metsi 108 wa 1997 (WSA) o shebane le tokelo ya motho ka mong ya ho fumana metsi. Molao o qala ka ho hlalosa dikgopolo, ho kenyeletswa le dikgopolo tsa bohlokwa tsa phephelo ya metsi ya motheo le bohlweki ba motheo Karolong ya 1:

“bohlweki ba motheo” bo bolela maemo a tlase a ditshebeletso tse hlokahalang bakeng sa pokello, ho tloswa, ho lahla kapa ho phekola mantle a batho, metsi a ditshila a malapeng le dikgwerekgwere malapeng, ho kenyeletswa le dibaka tsa bodulo tse sa rerwang.

“phephelo ya metsi ya motheo” e bolela boemo bo tlase ba ditshebeletso tsa phephelo ya metsi tse hlokahalang ho fana ka metsi a lekaneng a boleng bo lekaneng malapeng, ho kenyeletswa malapa a sa rutehang, ho tshehetsa bophelo bo botle ba batho le bohlweki.“

Ditlhaloso tsena di fana ka tataiso ya hore na mebuso e ka finyella/fana ka tokelo ya motheo ya metsi jwang. Tlhaloso ya "phephelo ya metsi ya motheo" e bohlokwa haholo hobane e dumela hore bongata ba metsi a motheo bo lokela ho tshehetsa bophelo bo botle ba batho le bohlweki. Leha ho le jwalo, WSA ha e re letho ka hore na metsi a lekaneng bakeng sa bophelo bo botle ba batho le bohlweki, e siya seo se kgethwa ke melao le mebuso ya lehae.



Ho na le dikarolo tse mmalwa tsa bohlokwa tsa Molao tse amanang le ho fa Maafrika Borwa tokelo ya ho fumana metsi. Karolo ya 2 ya Molao e hlalosa dipehelo tsa wona tsa mantlha.

2. Maikemisetso a mantlha a Molao ona ke ho fana ka -

- (a) tokelo ya ho fumana metsi a motheo le tokelo ya bohlweki ba motheo bo hlokahalang ho netefatsa metsi a lekaneng le tikoloho e seng kotsi bophelong kapa boiketlong ba baahi;
- (b) ho bewa ha maemo a naha le maemo a ditefiso tsa ditshebeletso tsa metsi
- (c) ho lokiswa le ho ananelwa ha merero ya ntshetsopele ya ditshebeletso tsa metsi ke balaodi ba ditshebeletso tsa metsi;
- (d) moralo wa tsamaiso bakeng sa ditsi tsa ditshebeletso tsa metsi le bahokahanyi ba ditshebeletso tsa metsi;
- (e) ho thehwa le ho qhalwa ha diboto tsa metsi le dikomiti tsa ditshebeletso tsa metsi le mesebetsi le matla a tsona;
- (f) ho beha leihlo ditshebeletso tsa metsi le ho kenella ha Letona kapa Profense e amehang;
- (g) thuso ya ditjhelete bakeng sa ditshebeletso tsa metsi;
- (h) pokello ya tlhahisoleseding tsamaisong ya naha ya tlhahisoleseding le phatlalatso ya tlhahisoleseding eo;
- (i) boitlamo ba bafani ba ditshebeletso tsa metsi: le
- (j) ho kgothaletsa tsamaiso le paballo e nepahetseng ya mehlodi ya metsi.

Karolo ya 3 ya Molao, “Tokelo ya ho fumana phephelo ya metsi ya motheo le bohlweki ba motheo,” e beha dingolwa tse nne tse hlalosang tokelo ya metsi:

- (1) Motho e mong le e mong o na le tokelo ya ho fumana metsi a motheo le bohlweki ba motheo.
- (2) Ditsi tsohle tsa ditshebeletso tsa metsi di tlameha ho nka mehato e utlwahalang ho kenya tshebetsong ditokelo tsena.
- (3) Balaodi bohle ba ditshebeletso tsa metsi, mererong ya bona ya ntshetsopele ya ditshebeletso tsa metsi, ba tlameha ho fana ka mehato ya ho phethahatsa ditokelo tsena.
- (4) Ditokelo tse boletsweng karolong ena di ipapisitse le meedi e fumanehang Molaong ona.



WSA e tiisetsa ka botlalo tokelo ya metsi jwalo ka ha e boletswe Molaotheong. Leha ho le jwalo, WSA ha e fane ka ditataiso tse thata mabapi le ditheko, e leng se tlohelang mebuso ya lehae ho etsa qeto ya hore na e ka kenya tshebetsong ditokelo tsena jwang ka maano a masepala le melawana ya mmuso.

Melao

Melawana ke melao ya kamoo makala a mmuso wa lehae a lokelang ho kenya tshebetsong melao. Mabapi le metsi, GNR.509 ya la 8 Phuptjane 2001: Melawana ya maemo a tlamang a naha le mehato ya paballo ya metsi e fana ka phano ya motheo ya metsi:

3. Phepelo ya metsi ya motheo — Maemo a tlase a ditshebeletso tsa metsi tsa motheo ke —

- (a)fana ka thuto e loketseng mabapi le tshebediso e ntle ya metsi; le
- (b)bonyane dilithara tse 25 tsa metsi a hlwekileng motho ka mong ka letsatsi kapa dikhilolithara tse 6 ka lelapa ka kgwedi —
 - (i) ka sekghala sa phallo ya metsi sa dilithara tse ka bang 10 ka motsotso;
 - (ii) ka hare ho dimithara tse 200 ho tloha lapeng; le
 - (iii)ka tsela eo ho seng moreki ya se nang morekisi matsatsi a fetang a supileng a tletseng selemo se seng le se seng.

Phepelo ena ya metsi ya motheo ke seo mmuso o se behang e le tlhoko e tlase ho netefatsa hore batho bohle ba thabela tokelo ya bona ya ho fumana metsi. Metsi a nowang ke metsi a hlwekisitsweng le a sefilweng, a latela ditekanyetso tse tiileng, ho netefatsa hore a bolokehile bakeng sa ho nowa le ho phehwa ntle le tlhoko ya ho hlwekiswa ho eketsehileng. Ka hona, phepelo ya metsi ya motheo ke tshepiso ya mmuso wa Afrika Borwa ya hore o tla fa baahi bohle e le tokelo ya hang-hang. Leha ho le jwalo, molao wa matjhaba o kgothaletsa bonyane dilithara tse 50 ka motho ka letsatsi e le tlhoko e tlase, e leng se bontshang hore phepelo ya metsi ya motheo ha ya lekana.



STATE CAPTURE AND BEYOND

Melao le Melawana ya Naha ya Metsi le Bohlweki, e e-so phatlalatswe, e ikemiseditse ho fetola phepelelo ya motheo ya metsi. Molawana o rerilweng, o phatlaladitsweng bakeng sa maikutlo a setjhaba, o kenyeletsa diphetoho tse mmalwa phepelelong ya motheo ya metsi. Koranteng ya Mmuso ya Pherekong 2024 (nomoro ya 49979), ho na le maemo a mabedi a motheo bakeng sa phepelelo ya motheo ya metsi: karolo ya 2, Maemo a Tshebeletso ya Nakwana le karolo ya 3, Maemo a Motheo a Metsi. Sena se etsa phapang e hlakileng dipakeng tsa dibaka tse sa rerwang tse nang le maemo a nakwana le dibaka tse hlophisitsweng tse nang le maemo a motheo a metsi.

Ditekanyetso tsa motheo tsa metsi ke mokgwa wa ntlafatso, ho kenyeletswa metsi a mahala bakeng sa malapa a futsanehileng (3(2)(a)(iii)) le ho hloka hore metsi a iswe qetellong ya mwedi (3(2)(b)). Leha ho le jwalo, ditekanyetso tsa metsi tsa nakwana di ka ba mpe ho feta mohlodi wa metsi wa hona jwale kaha ho na le phetoho ho tloha "ka hara dimithara tse 200 ho tloha malapeng" ho ya "sebakeng sa phihlello kapa phano e lokelang ho ba phaephe ya kamehla, ka hara sebaka se loketseng sa ho tsamaya sa dimithara tse sa feteng 200 ho tloha malapeng a hole." Polelwana e reng "dimithara tse 200 ho tloha malapeng a hole" ha e hlake ka ho lekaneng ho dumella ditlhaloso tse ding. E bolela hore ha ho lelapa le tla tlameha ho tsamaya dimithara tse fetang 200 ho ya fumana metsi. Ntle le moo, phaephe ya kamehla e ka ba ka hara dimithara tse 200 ho tloha malapeng afe kapa afe sebakeng sa bodulo se sa rerwang, e leng se qobellang malapa a mang ho tsamaya dimithara tse fetang 200. Ho ka ba molemo ho hlahloba karolo ena ho utlwisisa hamolemo maemo a metsi.

Molao wa Botlokotsebe

Ntlha ya bohlokwa ya puisano e ne e le hore na phepelelo ya metsi ya mantlha ya dilithara tse 25 e ne e lekane. Bongata ba metsi a fanweng tlasa phepelelo ya metsi ya mantlha ya mahala bo ile ba phephetswa letotong la dinyewe tse ileng tsa fella ka nyewe ya *Mazibuko and Others v City of Johannesburg and Others*.¹⁰

Lekgotla la Molao wa Motheo le ile la tshehetsa leano la Motse la ho fana ka dikhilomithara tse 6 tsa metsi a mahala ka lelapa ka kgwedi. Lekgotla le ile la etsa qeto ya hore ho hlakile hore ho latela kananelo e tswelang pele ya tokelo ena ho tla nka nako hore mmuso o ntlafatse phepelelo e le hore bohle ba be le phihlello ya metsi a lekaneng.



STATE CAPTURE AND BEYOND

IQeto ena e tiisitse kabo ya metsi ya mantlha ya dilithara tse 25 ka motho ka letsatsi ho latela WSA. Lekgotla la Molao wa Motheo le ne le sa ikemisetsa ho kenella mme le behile maemo a tlase bakeng sa tokelo ena, kaha sena se ne se tla tlola karohano ya matla. Ke boikarabelo ba mebuso ya naha, ya diprofinse le ya dibaka ho laola phephelo ya metsi ho latela seo ba se hlalosang ka nepo e le metsi a lekaneng bakeng sa bophelo le bohlweki.

Nyewe tse mmalwa di hlalositse boikarabello ba mmuso ba ho kenya tshebetsong ditokelo tse boletsweng ho Bili ya Ditokelo. Nyewe ya 2000 ya *Mmuso wa Rephabliki ya Afrika Borwa le ba Bang kgahlanong le Grootboom le ba bang*¹¹ (Grootboom) e fane ka ditlhaloso tsa "ketso e tswelang pele" le "ho fumaneha ha disebediswa". Nyewe ya Grootboom e ne e shebane le hore na mmuso wa lehae o na le boikarabello ba ho fana ka matlo a nakwana ho malapa a fallisitsweng e le karolo ya tokelo ya bodulo. Nyewe e fumane hore tshebetso e tswelang pele e hlokomela hore ho loketse hore mmuso o kanna wa se kgone ho kenya tshebetsong ditokelo hang-hang, empa mmuso o tlameha ho nka mehato ya ho nolofatsa ditokelo tsena.

Diprofinse di tlameha ho nolofatsa tshebetsong ya ditokelo ka ho hlahloba ka hloko disebediswa le mekgwa ya ho theha ditsamaiso tse sebetsanang le ditshitiso, ho kenyeletswa le diphephetso tsa ditjhelete le tsa tsamaiso. Ho fumaneha ha disebediswa e ka ba tshitiso ditokelong tsena, kaha mmuso o ke ke wa etsa ho fetang seo mehlodi ya wona e teng e se dumellang. Leha ho le jwalo, diprofinse di tlameha ho ba le disebediswa tse lekaneng ho tshehetsa tshebetsong ya ditokelo tsa mantlha tsa botho.¹²

Ka ho tshwanang, nyewe ya 2002 ya *Letona la Bophelo le ba Bang kgahlanong le Kalafo ya Ketso le ba bang*¹³ (TAC) e ne e shebane le ho kengwa tshebetsong ho tswelang pele le ho fumaneha ha mehlodi. Nyewe ya TAC e ne e shebane le mmuso o etsang hore meriana e pholosang bophelo e fumanehe haholo ho e-na le ho thibelwa dibakeng tse mmalwa tsa diteko. Bahlahisi ba Nevirapine ba ile ba ithaopela ho fa mmuso moriana ona mahala ka dilemo tse hlano, e leng se ileng sa etsa hore o kgonehe ho ajwa haholo ho pholosa maphelo a mangata. Nyewe ena e totobatsa hore se fapaneng le seo ke nnete. Ha mehlodi e fumaneha, jwalo ka meriana e theko e tlaase, mmuso o hloleha mesebetsing ya oona haeba o sa sebedise mehlodi ena ho fihlela tshebetsong e tswelang pele.¹⁴



STATE CAPTURE AND BEYOND

Maemo ana a shebane le "teko ya ho lekana" ho lekola hore na Naha e latela tlamo ya yona ya ho fana ka ditokelo tse tsitsitseng tsa setjhaba le moruo. Dintho tsa nakwana di bohlokwa haholo bakeng sa tokelo ya metsi, kaha ho lekana ho itshetlehile ka karolo e itseng ka ntsetsopele e tsitsitseng ya mehlodi e teng.¹⁵ Mohato wa pele, Naha e na le tlamo ya molao le ya boitshwaro ya ho fana ka ditlhoko tsa motheo tsa metsi tse boletsweng ho GNR.509 Tataiso ya la 8 Phuptjane 2001, ho sa tsotelehe hore na mehlodi e teng e fumaneha kapa tjhe. Mohato o latelang o loketseng ke ho rera ka hara mehlodi e teng, ho kenyeletswa le ho etsa hore mehlodi e meng e fumanehe, ho ntlafatsa phihlello le ho fana ka metsi a lekaneng a bolokehileng bakeng sa tshebediso.



STATE CAPTURE AND BEYOND

TOKA YA METSI



Toka ya metsi

Taba ya bohlokwa eo re lokelang ho e nahana ke hore na melao ya metsi ya Afrika Borwa e fana ka metsi a lekaneng. Ha re sheba ka lekgetlo la pele, ho bonahala eka phephelo ya metsi ya motheo e ntse e ntlafala haholo. Palo ya metsi, dilithara tse 25 ka motho ka letsatsi, e ka bolelwa e fana ka metsi a lekaneng bakeng sa ho nwa le ho pheha. Ka lehlakoreng le leng, palo ena e tlase ke mohlala wa toka ya metsi e sa lekaneng. Toka ya metsi e sa lekaneng e bontsha tshebediso ya mmuso ya maano a bonahalang a etsa hore ho be le phihlello e lekanang ya metsi empa ho ena le hoo a shebane le phaello kapa phaello ya dipolotiki.¹⁶ Tokelo ya metsi ya motheo e dumella mmuso ho ipolela hore o amohela tokelo ya metsi ntle le ho etsa jwalo. Habohlokwa le ho feta, ha ba ntshetsapele maano ana, ha ba nahane ka ho lekaneng ka ditlhoko tsa batho mme hangata ba ba siya kantle ho dipuisano.

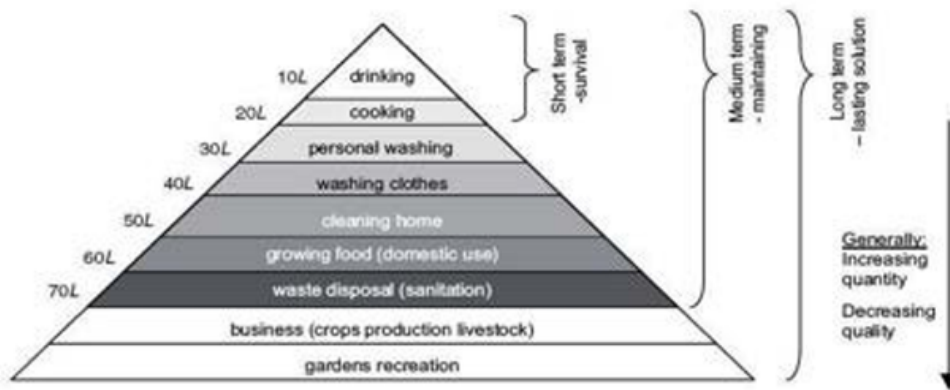
Metsi a bohlokwa bakeng sa ho phela ha motho, mme ho nwa dilithara tse 25 tsa metsi ka letsatsi ha hwa lekana ho fihlela ditlhoko tsa mantlha tsa metsi. Ditlhoko tsa mantlha tsa metsi di kenyelletsa ho nwa, ho pheha le bohlweki. Phapanyetsano ya metsi ya letsatsi le letsatsi bakeng sa batho ba baholo, e hlaloswang e le bongata ba metsi boo motho a bo hlokanang letsatsi le leng le le leng ho phela, e ka fapana pakeng tsa dilithara tse 2.9 le 4.3 ka letsatsi ho latela dilemo, bong le mokgwa wa bophelo.¹⁷ Metsi ana a fumanwa ka ho nwa metsi le ho ja dijo. Mabapi le ho lokisa dijo, metsi aa hloka hahala bakeng sa ho pheha le ho hlwekisa dijo, dijana, dibaka tsa ho jela le disebediswa tsa ho pheha. Kgakanyo e akaretsang ke hore, bonyane, tshebediso ya metsi bakeng sa ho lokisa dijo e ka ba dilithara tse 1.5 ka motho ka letsatsi, empa e ka ba ho utlwahalang ho dumella ho feta habedi palo eo.¹⁸ Ho lokisa dijo tse tlwaelehileng, tse kang raese le poone e le mehlodi e meholo ya dijo tse nang le phepo, ho sebedisa dilithara tse ding tse 0.25 ka motho ka letsatsi.¹⁹

Bohlweki ke phetoho e nngwe ya bohlokwa bakeng sa bophelo bo botle, kaha bohlweki bo bohlokwa bakeng sa ho fokotsa ho ata ha mafu. Ho shawara ntle le metsi a phallang hangata ho sebedisa dilithara tse pakeng tsa 5 le 10 tsa metsi ka letsatsi, ha ho sebediswa metsi a phallang hangata ho sebedisa dilithara tse 17 ka letsatsi.²⁰ Ntlwana ya ho hlapela e sebedisa dilithara tse ka bang 11 ka ho hlapela, mme palo ya dihlapi tseo batho ba di hlokanang letsatsi le letsatsi e ka fapana.²¹

STATE CAPTURE AND BEYOND

IHo hlatswa matsoho ho sebedisa dilithara tse pakeng tsa 0.5-2 tsa metsi ka ho hlapela. Haeba u latela dikgothaletso tsa ho fokotsa ho ata ha mafu, sena se lokela ho sebedisa bonyane dilithara tse 5 tsa metsi ka motho ka letsatsi.²² Ho sebedisa metsi a boleng bo tlaase bakeng sa bohlweki ho amahanngwa le dikotsi tse phahameng tsa bophelo bo botle.

Tshebediso ena ya motheo ya metsi e ka hloka dilithara tse fetang 25, esita le tlasa maemo a matle ka ho fetisisa. Kaha ditefiso tsa metsi di tlase haholo pele metsi a rekwa, hangata batho ba futsanehileng ba tlameha ho etsa diqeto tse thata mabapi le moo ba tla sebedisa metsi teng. Ntho e nngwe eo u lokelang ho e nahana ke hore ditefiso tsa metsi di thehilwe ho palo e tlwaelehileng ya malapa ya batho ba 4-5, athe metse e futsanehileng e ka ba le malapa a maholo haholo



Setšoantšo sa 1: Hierarchy of Water Needs.²³

Ka nqane ho ho phela ha motheo, metsi a lekaneng a bohlokwa bakeng sa boiketlo ba batho. Metsi le ona ke karolo ya bohlokwa moruong wa malapa le ntlafatsong ya maemo a batho. Mohlala o tlwaelehileng wa tlhahiso ya ho ntlafatsa maemo, haholo-holo bakeng sa ba phelang ka dithuso tsa mmuso, ke ho lema le ho hlokomela dirapa tsa meroho ho ntlafatsa boleng ba phepo. Naheng e nang le kgaello ya metsi jwalo ka Afrika Borwa, serapa sa meroho se hloka phepele e eketsehileng ya metsi, kaha ho itshetleha ka pula ho ke ke ha lekana. Karolelano ya dibaka tse nang le kgaello ya metsi ke dilithara tse 300 ka letsatsi bakeng sa serapa sa meroho sa 30m² se abetsweng lelapa.²⁴



STATE CAPTURE AND BEYOND

Ka hona, ho fana ka metsi a motheo, a phelisang bophelo ho ka bapala karolo ho ntshetseng pele bofuma. Phihlello ya metsi a lekaneng mahala kapa ka theko e tlase e fa batho menyetla ya moruo ya ho intlafatsa. Dikgwebo tse ngata tsa malapeng, tse kang ho baka kapa ho hlatswa diaparo, di hloka metsi hore di sebetse hantle. Mefuta ena ya dikgwebo e dumella batho ho fumana tjhelete e kenang ho intlafatsa.

Ka lehlakoreng le leng, diphello tse mpe tsa bophelo bo botle tsa phepelo e sa lekaneng ya metsi hangata di bolela hore batho ba qeta nako e ngata ba etela dipetlele kapa ditlediniking ho ya fumana kalafo. Ka hona, ditshenyehelo tsa ho batla phekolo di feta ho lefella meriana mme di kenyelletsa tjhelete e ka nnang ya lahleha ka ho qeta nako kliniking. Ka hona, ho fana ka metsi a lekaneng ho ka bapala karolo ho rarolleng bofuma.

Hore toka ya metsi e sebetse, metsi a tlameha ho ba haufi. Melao ya WSA e bolela hore metsi a fumanehang a lokela ho ba ka hara dimithara tse 200 ho tloha lelapeng le leng le le leng. Esita le sebaka sena se bonahalang se le sekhutshwanyane se ka ba le tshusumetso e kgolo bokgoning ba lelapa ba ho fumana metsi. Ho jara metsi ka letsoho kapa ka basketeng ho ka ba boima, ho etsa hore ho be thata hore batho ba bokelle bongata bo hlokaahalang ho etsa bohlweki bo sebetsang hantle. Bothata ba ho tsamaya bo qobella batho ba holileng kapa ba kulang ho lefa ba bang ho ba lata metsi, e leng se ba qobellang ho sebedisa mehlodi ya bona e seng e ntse e fokola ho seo e lokelang ho ba sa lefellweng. Diphaphe tsa setjhaba di ka baka likgohlano mme tsa dumella taolo e sa rerwang a phepelo ya metsi.

Ho tswa ho tse boletsweng ka hodimo, ho hlakile hore tefiso ya motheo ya metsi e tlase haholo ho thusa batho ho phela, re se re sa bue ka ho atleha. Ho ba le tefiso e tlase hakana ya metsi ho dumella mekgatlo ya mmuso ho ithorisa ka ho fihlela ditlhoko tsa ho hlokomela tokelo ya ho fumana metsi. Leha ho le jwalo, ho sa tsotelehe hore na di ka hlaha di le pele hakae pampiring, maano le melao ya hona jwale ha e phethahatse tokelo ya ho fumana metsi a lekaneng ka tsela e nang le mwelelo. Ena ke tahlehelo e bolayang.



STATE CAPTURE AND BEYOND

MATHATA A PHEPELO YA METSI



Mathata a Phepelo ya Metsi

Ntle le diphephetso tsa kgaello ya metsi ho pholletsa le Afrika Borwa, ho na le mathata a bakwang ke tsamaiso e mpe le bobodu. Ka bomadimabe, mathata ana a ama phepelo ya metsi ho pholletsa le Afrika Borwa. Dilemong tsa morao tjena, ho bile le diketsahalo tse mmalwa tsa "Day Zero" tse kenyeletsang ditemoso tsa ho tima ha pompo ka lebaka la kgaello ya polokelo kapa ho hloleha ha meralo ya motheo. Tsena di kenyelletsa Cape Town ka 2018²⁵, Makhanda ka 2019²⁶, mme Johannesburg e ka ba le Day Zero ka 2025²⁷ ka lebaka la mathata a polokelo.

Bobodu le tsamaiso e mpe ya masepala di bapala karolo ya bohlokwa ho hloleheng ha mmuso ho fihlela tekanyo ya wona ya motheo ya metsi. Ho na le ditlaleho tse ngata tsa dibaka tse qetang matsatsi di se na metsi mme di tlameha ho itshetleha ka ditanka tsa metsi. Metsi ana a ka laolwa hampe, e leng se lebisang diphellong tse mpe tsa bophelo bo botle. Leha mathata a phepelo ya metsi a hlaha ho pholletsa le Afrika Borwa, ho na le mathata a bohlokwa a ikgethang dibakeng tse ding.

Meralo ya motheo e sa sebetseng hantle

[**Lindiwe Elistah Maelane:** "Batho baa shwa. Dikgwerekgwere dia tswa monyako wa ka. Mme baetapele ba rona ba romella ditshwantsho tsa diboka tsa tekanyetso tseo re sa kang ra mengwa ho tsona."]

Lefapha la Metsi le Tlhwekiso ya Dikgwerekgwere (DWS) le bomasepala ba ikarabella bakeng sa ho laola le ho hlokomela meralo ya motheo ya metsi. Ho hloleha ho hlokomela meralo ya motheo ya metsi metseng ke lebaka le tlwaelehileng leo ka lona batho ba se nang metsi a lekaneng. Ho hlokomela meralo ya motheo ya metsi ke tshebetso e tswelang pele e hlokanang boitlamo ba nako e telele ba ho nkela meralo ya motheo ya metsi sebaka ha e ntse e tsofala kapa e senyeha. Tlhokomelo e sebetsang ya meralo ya motheo ya metsi e kenyelletsa ditokomane tse hlakileng, ditlahlobo tsa kamehla, le phano ya mehlodi e lekaneng ho netefatsa hore meralo ya motheo ya metsi e dula e sebetsa.

Motse wa Johannesburg (CoJ) hajwale o tobane le bothata bo boholo ba meralo ya motheo ya metsi bo sokelang ho siya batho ba dimilione ba se na metsi. Sena se bakwa ke dilemo tse ngata tsa tlhokomelo e sa lekaneng ya meralo ya motheo ya metsi, ho kenyeletswa diphaephe, ditanka tsa polokelo, difeme tsa kalafo le dipompo.



Tlhokomelo ena e mpe e fetoha bothata bo bonahalang, ba letsatsi le letsatsi bakeng sa baahi ba bangata kaha dipompo dia oma ka matsatsi a mangata ha metsi a ntse a tlaa diterateng ka lebaka la ho kwaleha, ho phatloha le diphaephe tse robهيلeng.²⁸ Lebaka le ka bang teng la ho hloka tlhokomelo ho CoJ ke hore mehlodi e fokolang e abelwa bakeng sa litshenyehelo tsa motse-moholo (CAPEX) bakeng sa tlhokomelo le ho nkela meralo ya motheo sebaka.²⁹ Sena se mpefatswa ke Johannesburg, toropo e nang le baahi ba bangata ka ho fetisisa Afrika Borwa, e ntseng e hola ka potlako ka lebaka la ho falla ha ditoropo.

Ho hlokomela meralo ya motheo ho pholletsa le naha ho bohlokwa ho netefatsa hore setjhaba se fumane metsi. Ntle le mehlodi e lekaneng e fanweng le e sebediswang bakeng sa ditshebeletso, meralo ya motheo e tla senyeha mme e se ke ea sebediswa. Ka hona, ho bohlokwa hore mmuso o fane ka mehlodi e lekaneng le ho netefatsa hore e tswela pele ho hlokomelwa.

Ditumellano tse belaetsang tsa tender

[**Vicky Muvhala**: : "Mehlodi yohle ya metsi e robهيلe. Empa motho e mong o e saenne, me tjhelete e tswile metsing."]

Hangata dithendara tsa mmuso di kenyelletsa ho kopa dikhamphani ho etsa kopo ya ho etsa mosebetsi lebitsong la mmuso bakeng sa tefo. Le hoja mosebetsi o mong wa mmuso o etswa ka hare ho mmuso, dithendara di loketse haholo diporojeke tse kgolo. Leha ho le jwalo, CISC e bontshitse ka ho hlaka kamoo tshebetso ya dithendara e ka fetolwang habonolo kateng molemong wa motho. Mofuta ona wa bolotsana o kenyelletsa ho eketsa ditjeo tsa pele, ho fetola ditlhoko ho shebana le borakonteraka ba itseng, le ho sitisa tshebetso yohle ya dithendara. Dithendara tse belaetsang ha se kamehla di bakwang ke bolotsana, kaha ho ka ba le diphoso tsa nnete. Leha ho le jwalo, maemong a mangata, bobodu e ka ba sesosa. Metsi ha se mokgelo, kaha ho na le dithendara tse ngata tse kenyeletsang tokiso le kabo ya metsi tse hlahisang dipelaelo.

Ditheko tse kenyeletsang ditanka tsa metsi e le tharollo ya nakwana dibakeng tse se nang metsi a diphaephe, jwalo ka e ntseng e tswela pele Tshwane, di baka dipelaelo tse ngata.³⁰ Seo ho thweng ke tharollo ya nakwana ha meralo ya motheo e ntse e hahuwa kapa e lokiswa hangata ke tharollo ya ka ho sa feleng. Hape ho na le matshwenyeho mabapi le "mafia a metsi" a senyang meralo ya motheo kapa a thibelang phihlello ya metsi a diphaephe e le ho fumana ditheko tse turang.³¹



STATE CAPTURE AND BEYOND

Esita le ha di sebetsa hantle, tshebediso ya nako e telele ya ditanka tsa metsi e baka mathata, kaha batho ba bangata ba tlameha ho tsamaea dikhilomithara tse ngata ho ya fumana metsi. Kaha ditanka tsa metsi ha di fihle ka nako kamehla, batho ba sebetsang hangata ba lefa ba bang ho lata metsi molemong wa bona, athe a lokela ho fanwa mahala. Ka 2025, ho ne ho se ho bile le boipelaetso bo mmalwa mabapi le phihlello e tsitsitseng le e sebetsang ya metsi Knoflokskraal haufi le Grabouw, Western Cape³² le Phumla Mqashi haufi le Lenasia, Gauteng.³³ Phumla Mqashi, baahi ba buile ka tlhoko ya ho kena ditumellanong tsa setjhaba mabapi le pokello ya metsi ho thibela dikhohlano tsa metsi.

Dithentara tse sa tshepahaleng, tse kang tse amanang le ho ntshwa ha metsi, di senya ditjhelete bakeng sa merero ya bohlokwa ya metsi. Sena se siya ditjhaba tse ngata di thatafallwa ke ho fumana metsi a motheo kapa ho a lefella.³⁴ Sena se ka kgothalletsa diketso tsa botlokotsebe, ho kenyeletswa le boshodu ba metsi le ho senngwa ha meralo ya motheo ke bao ho thweng ke mafia a metsi. Ho hlokomelwa ka hloko le ho pepeneneng ha dithentara hwa hlokahala ho thibela tahlehelo e sa hlokahaleng.

Ho Senyeha ha Boleng ba Metsi

[**Promise Mabilo** : "Esita le metsi a matsho. Moya o thata ho o hema. Ditokomane tsa rona di a lahleha hobane re botsa dipotso tse ngata haholo."]

Metsi a fanwang ke mmuso ho setjhaba, ka diphaephe kapa ditanka, a tlameha ho ba a boleng bo hodimo, ho netefatsa hore a bolokehile bakeng sa ho nowa, ho phehwa le ho hlwekiswa. Afrika Borwa e na le maemo a itseng a boleng ba metsi, a hlalositsweng ho Maemo a Naha a Afrika Borwa (SANS) 241-1:2015, a sebetsang e le tataiso bakeng sa kalafo le diteko tsa metsi. Leha ho le jwalo, tlaleho ya Blue Drop e fumane ho theoha ho totobetseng ha boleng ba metsi dilemong tse leshome tse fetileng, e leng se siileng dibaka tse ngata di se na phihlello ya metsi a hlwekileng a nowang.

Ho theoha ha boleng ba metsi ho na le mabaka a mangata, ho kenyeletswa le tlhokomelo e mpe ya difeme tsa kalafo ya metsi le dibaka tsa polokelo. Tlaleho e hlokomela hore "ditsamaiso tse 277 ho tse 958 tsa phepelo ya metsi (29%) di fumanwe di le boemong bo bobe naheng ha di bapiswa le ditsamaiso tse 174 ka 2014."³⁵ Se tshwenyang haholo tlalehong ke hore "boholo ba metse (57%) ha e tsebise basebedisi ba metsi ha boleng ba metsi bo le kotsing kapa bo ke ke ba bolokwa."



STATE CAPTURE AND BEYOND

Boleng bo bobbe ba metsi ke bothata bo boholo dikarolong tse ding tsa Afrika Borwa. Haufinyane tjena ka 2023, ho bile le sewa se bolayang sa kholera Hammanskraal se ileng sa bolaya batho ba 17.³⁶ Sewa sena se bakilwe ke motswako wa bohlweki bo bobbe le phihlello e sa lekaneng ya metsi a hlwekileng a nowang. Kaha 29% ya ditsamaiso tsa kalafo le kabo ya metsi tsa Afrika Borwa di hloleha ho fihlela maemo a matala, ho na le lebaka la ho tshaba ho qhoma ho hong nakong e tlang. Sena se hloka kgato e potlakileng ya tokiso ho netefatsa hore boleng ba metsi bo dula bo le hodimo ebile bo sireletsehile.

Mekgwa ya ho Hlwekisa Metsi a Ditshila

[**Ela Ghandi:** "Ho na le noka eo re neng re e sebedisa nakong e fetileng. Noka eo e silafetse haholo."]

E nngwe ya ditsela tsa bohlokwa ka ho fetisisa tsa ho netefatsa hore ho na le metsi a lekaneng le a sireletsehileng ke ho phekola metsi a ditshila ka nepo. Ho phekola metsi a ditshila ho bohlokwa bakeng sa ho sebedisa metsi hape bakeng sa tshebediso ya batho kapa ho a dumella ho kgutlela ditshebetsong tsa metsi tsa naha bakeng sa ho sefa ka tlhaho. Haeba metsi a silafetseng haholo a dumellwa ho kgutlela dinokeng, a ka baka tshenyo dibakeng tsa tlhaho tsa bodulo. Sena se etsa hore ho be bohlokwa haholo ho netefatsa hore difeme tsa kalafo ya metsi a ditshila di tshwara metsi a ditshila hantle le ho hlahloba kgafetsa hore na ditsamaiso tsa metsi a tlhaho di sebetsana hantle hakae le metsi a ditshila a kenang.

Tlaleho ya Green Drop, e tshwanang le ya Blue Drop Report, e shebaneng le metsi a ditshila, e fumane hore phekolo ya metsi a ditshila ho pholletsa le Afrika Borwa ha ya lekana. Ho ya ka tlaleho, Lefapha la Metsi le Bohlweki (DWS) le tshwenyehile haholo hore 67.7% ya difeme tsa kalafo ya metsi a ditshila di sebetsa ka kotsi e kgolo (34%) le maamong a kotsi e kgolo (34%). Ena ke keketseho e potlakileng le e tshosang ya palo ya difeme tsa phekolo ya metsi a ditshila tse sa sebetseng hantle, e hlokanang thuso e potlakileng le ditjhelete ho netefatsa phokotso da dikotsi.³⁷

Mekgwa e mebe ya ho phekola metsi a ditshila e ka baka tshenyo e kgolo tikolohong ha ka nako e tshwanang e beha batho kotsing. Bongata ba metsi a ditshila a sa phekolwang hona jwale a kgutlela ditshebetsong tsa metsi a tlhaho, e leng se lebisang ho silafatsweng ha ditshebetso tsena le ho ata ha mafu.³⁸



STATE CAPTURE AND BEYOND

Masepaleng wa Maluti-a-Phofung, ho hloleha ha difeme tsohle tse supileng tsa ho phekola metsi a ditshila ho ne ho bolela hore metsi a ditshila a sa phekolwang kapa a sa phekolwang hantle a ile a tsholoha dinokeng tse hokahantsweng le Letamo la Vaal.³⁹ Metsi a ditshila a kotsi a bakwang ke dintho tse phelang le ona a ile a kena masimong, a senya diphoofolo tse hlaha le diphoofolo tse ruwang tseo setjhaba se itshetlehileng ka tsona bakeng sa dijo le tjhelete. Bonyane dilemo tse pedi, Masepala wa Durban o bile le mathata a meralo ya motheo moo metsi a ditshila a sa phekolwang a ileng a tsholoha Nokeng ya Umgeni.⁴⁰ Ka lebaka leo, dintho tse kotsi tse phelang di kene dibakeng tse mmalwa tsa bahahlaudi le tsa ho tshwasa ditlhapi, tse kang Blue Lagoon le Umgeni Estuary.



STATE CAPTURE AND BEYOND

TLHAHLOBO YA MATHATA A METSI





Tlhahlobo ya Mathata a Metsi

Mohato wa pele wa ho ntlafatsa boikarabello ba metsi ke ho tseba hore na o lokela ho sebedisa disebediswa tsa ditlaleho le bobuelli neng. Ho na le ditaba tse mmalwa tse ka hlahang tse bontshang hore ho hlokahala mehato ho ntlafatsa phepelo ya metsi. Ditaba tsena di wela dikarolong tse pedi tse kgolo: phihlello ya metsi le boleng ba metsi. Haeba leha e le efe ya tsena e haella, e bontsha bothata ka phepelo ya metsi bo hlohang ho tlalehwa. Mathata ka boleng ba metsi le bongata a ka bakwa ke disosa tse sa foleng kapa tsa nakwana, jwalo ka diphetoho tsa tlhaho phepelong ya metsi, dikoluwa, kapa dikotsi tsa tsamaiso. Maemong ana, DWS kapa mmuso wa lehae ba ka rarolla bothata ka mora hore ba bo tsebe. Phihlello e tsitsitseng ya metsi le boleng di ka bontsha tsamaiso e mpe kapa bobodu.

Boteng ba metsi

Bakeng sa mehlodi ya motheo ya metsi, melawana ya mmuso e hlahisa matshwao a hlakileng a thusang ho fumana hore na metsi a haella. Tsena di kenyelletsa:

- Ho fumaneha: bonyane dilithara tse 25 tsa metsi a hlwekileng motho ka mong ka letsatsi kapa dikhilomithara tse 6 ka lelapa ka kgwedi
- Boemo: sekgahla se tlase sa phallo ya metsi se ka tlase ho dilithara tse 10 ka motsotso
- Sebaka: ka hare ho dimithara tse 200 ho tloha lelapeng

Ho feta moo, ha ho motho ya lokelang ho dula a se na metsi matsatsi a fetang a supileng ka selemo. Haeba bomasepala ba lehae ba sa fihlelle ditlhoko tsena tsa motheo tsa phepelo ya metsi, sena se bontsha bothata bo hlohang ho tlalehwa.



IBoleng ba Metsi

Afrika Borwa e sebedisa Maemo a Naha a Afrika Borwa (SANS) 241-1:2015 ho fumana boleng bo bobele ba metsi. SANS e fana ka ditekanyetso tse ikgethang le tse ka lekannngwang bakeng sa ho fumana hore na metsi a bolokehile bakeng sa tshebediso.⁴¹ Ditshebeletso tsa metsi tsa setjhaba di sebedisa maemo ana ho laola boleng ba metsi a ajwang ka diphaephe ho ya dipompong ho pholletsa le Afrika Borwa. Leha ho le jwalo, metsi a diphaephe ha se kamehla a fihlelang tlhoko ena, kaha ditsi tse ngata tsa kalafo ya metsi tsa masepala di hloleha ho fihlela maemo ana. Le hoja ho ka ba thata ho tseba boleng bo bobele ba metsi, ho na le matshwao a mmalwa a boleng bo bobele:

- Ponahalo: Metsi a hlwekisitsweng le a sefilweng ha aa lokela ho ba le mmala. Haeba metsi a bonahala a le maru kapa a na le mmala o mofubelu kapa wa lamunu, sena se tla bontsha boteng ba ditshila.
- Tshilafalo: Metsi a sefilweng a lokela ho se be le ditshila tse bonahalang, mme ha hwa lokela ho ba le dintho tse bonahalang kapa tsa tlhaho. Sena se kenyelletsa ho ba siyo ha odi kapa ntho e benyang ka metsing.⁴²
- Monko: Metsi a phekotsweng hantle ha aa lokela ho ba le monko o mobe. Monko o kang mahe a bodileng kapa mollo o tjhesitsweng o ka bontsha boteng ba sebaole le bleach e matla. Monko wa dihlahiswa tsa ho hlwekisa o ka bontsha boteng ba chlorine e ngata haholo. Monko ofe kapa ofe wa tsena o bontsha hore metsi ha aa phekolwa le ho sefshwa hantle, e leng se ka bang kotsi.
- Ho latswa: Metsi a bolokehileng a lokela ho ba le tatso e hlwekileng, mme tatso e sa thabiseng ya tshepe kapa e babang e ka bontsha boteng ba ditshila tse kotsi ka metsing.⁴³
- Phetoho ya mmala: Dintho tse silafatsang tse ka metsing, tse kang maemo a hodimo a ditshepe, di ka baka phetoho ya mmala ho potoloha diphaephe esita le ka hara dijana



STATE CAPTURE AND BEYOND

Ditshobotsi tsena di bontsha metsi a ka bang kotsi le tlhoko ya ho beha leihlo le ho tlaleha. Leha ho le jwalo, tshilafalo ya metsi e ka bonwa ke batho, mme kotsi e ka fumanwa feela ka phello ya yona ho motho ya nwang metsi kapa ka ho a hlahloba.

- Ditshila tsa Baktheria: Metsi a nowang a diphaephe ha aa lokela ho ba le dikokwana-hloko tse kotsi, tse kang dibaktheria, divaerane le dikokwana-hloko tse ka bakang mafu a bakwang ke metsi. Ditlamorao tsa sena hangata di bonwa e le disosa tsa letshollo, tshwaetso e matla ya ho hema, le mafu a mang a bakwang ke metsi.⁴⁴
- Dikhemikhale tse silafatsang: Ditekanyetso tsa naha di beha meedi bakeng sa ditshila tse fapaneng tsa dikhemikhale, ho kenyeletswa le ditshepe tse boima, tjhefo e bolayang dikokwanyana le dintho tse phelang, ho netefatsa polokeho ya metsi. Esita le haeba di sa bonahale, di ka lebisa mefuteng e fapaneng ya tjhefo ya dikhemikhale.⁴⁵

Ho molemo ho qoba ho nwa metsi a silafetseng, mme haeba ho kgoneha, fumana mokgwa o mong o sireletsehileng. Haeba ho na le ho se tsitse ka boleng ba metsi a hau, ho bohlokwa ho bitsa mmuso hore o hlahlojwe kapa ho reka kit ya tlhahlobo ya metsi lapeng. WaterCAN, mokgatlo wa setjhaba o inehetseng ditokelong tsa metsi le bobuelli, o rekisa kit ya tlhahlobo ya metsi inthaneteng, <https://shop.oua.co.za/collections/frontpage/products/purchase-new-water-kit-with-delivery>. Kit ya diteko e hokahantswe le sistimi ya mmapa wa boleng ba metsi ho pholletsa le Afrika Borwa <https://watercan.org.za/map/>.



STATE CAPTURE AND BEYOND

DITSELA TSA HO BOLOKA MMUSO O IKARABELLA



Ditsela tsa ho Boloka Mmuso o Ikarabella

Ha ho tluwa ditabeng tsa phephelo ya metsi, ho bohlokwa hore mmuso o ikarabelle. Mmuso o tlameha ho fa Maafrika Borwa ohle metsi a bolokehileng le a hloekileng, mme ke ho batho ka bomong ho batla tokelo eo. Ho na le ditsela tse ngata tseo mmuso o ka ikarabellang ka tsona tse fumanehang ho bohle. Leha ho ka nna ha se ke ha kgoneha ho kopa bohle ho nehela maphelo a bona ho boipelaetso, ho na le ditsela tse potlakileng le tse bonolo tseo motho ka mong a ka batlang boikarabello ka tsona. Ho batla boikarabello bakeng sa toka ya metsi ho ka qala ka ho tlaleha phaephe e lutlang kapa pompo e omileng lapeng. Bakeng sa ba ikemiseditseng ho etsa ho eketsehileng, e ka mpefala ho tloha ho tlaleheng ho ya ketsong ya bohale ba setjhaba. Haeba Maafrika Borwa ohle a etsa karolo ya bona, ho sa tsotelehe hore na e nyane hakae, e bontsha tlhoko ya boikarabello mme e lokela ho qobella mmuso ho nka kgato.

Phihlello ya tlhahisoleseding

Haeba ho na le mathata a tswelang pele ka phephelo ya metsi, ho ka ba molemo ho bokella tlhahisoleseding mabapi le disosa e le ntlha ya ho qala. Mmuso wa Afrika Borwa o entse boitlamo, bo qobellwang ke molao maemong a mangata, ba ho pepeneneng. Ka hona, ho lokela ho kgoneha ho fumana tlhahisoleseding ya mmuso tlasa Molao wa Kgothaletso ya Phihlello ya Tlhahisoleseding wa 2 wa 2000 (PAIA). Leha ho le jwalo, ha se kamehla ho leng bonolo ho tseba moo o ka fumanang tlhahisoleseding teng. Ho na le dibaka tse ngata tse ntle tsa ho qala tse ka thusang.

Di-database tsa mmuso

Sebaka se setle sa ho qala ho fumana tlhahisoleseding ke diwebsaeteng tsa mmuso. Lebopong la metsi, websaete ya DWS, <https://www.dws.gov.za/>, e fana ka tlhahisoleseding e molemo mabapi le ditokelo tsa metsi, ho kenyeletswa le ditsela tsa ho tlaleha mathata ka kotloloho ho DWS. Leqepheng la pele, ho na le tlhahisoleseding ya motheo ya ho ikopanya le mafapha le kakaretso ya mafapha. Konopo ya "Ditaba" e fana ka phihlello mehloding e fapaneng ya ditaba le maikutlo, ha "Laeborari" e fana ka mehlodi ya molao, ya mmuso le ya thuto. DWS e bwetse e na le Sistimi e Kopaneng ya Tlhahisoleseding (IRIS), https://ws.dws.gov.za/IRIS/dashboard_status.aspx, e fanang ka lintlafatso mabapi le boleng ba metsi.



STATE CAPTURE AND BEYOND

Ntle le DWS, ho na le diwebsaete tsa mmuso wa lehae tse lokelang ho ba tsa masepala wa lehae. Webosaete, <https://municipalities.co.za/>, ke sebaka se setle sa ho qala ho fumana diwebsaete tsa masepala ka kgetho ya ho batla kapa ka ho sebedisa mmapa. Bothata ka diwebsaete tsa masepala ke hore boleng ba diwebsaete bo fapana haholo. Le hoja diwebsaete tse ding di le bonolo ho di sebedisa ka disebediswa tse ntle tsa ho tlaleha le ditokomane tse fumanehang habonolo, tse ding di ka ba bonolo haholo kapa tsa ferekanya. Haeba disebediswa di sa fumanehe kapa ho le thata ho di fumana, dikgetho tse ding di ka kenyeletsa ho letsetsa, ho romela imeile, kapa ho etela ofisi ya masepala ho kopa tlhahisoleseding. Sena se ka boela sa kenyelletsa ho kopa hore webosaete e ntjhafatswe e le hore tlhahisoleseding e fumanehe habonolo ho baahi bohle

Dibuka le ditlaleho tse hatisitsweng

Mafapha le mekgatlo ya mmuso e hlokwa ke molao ho phatlalatsa le ho arolelana ditlaleho tse molemo mabapi le phepele ya metsi le boleng. Ditlaleho tsa bohlokwa bakeng sa ho utlwisisa phepele le kalafo ya metsi Afrika Borwa ke ditlaleho tsa Blue Drop, Green Drop, le No Drop. Ditlaleho tsena di fumaneha ho <https://ws.dws.gov.za/IRIS/latestresults.aspx> . Ditlaleho tsena di fana ka tlhahisoleseding mabapi le boleng le boteng ba metsi ho pholletsa le naha. Tlaleho ya Blue Drop e shebane le metsi a nowang, ho leka le ho lekola ditsamaiso tsa phepele ya metsi ho pholletsa le naha. Tlaleho ya No Drop e lekola katleho ya kabo ya metsi, e kgetholla tahlehelo ya metsi le ho lekola tlhoko ya metsi. Tlaleho ya Green Drop e shebane le kalafo ya metsi a ditshila le ho lekola katleho ya difeme tsa kalafo ya metsi a ditshila. Ditlaleho tsena ke tsa botekgeniki le tse qaqileng.

Tsena ke ditlaleho tse qaqileng mabapi le boleng le ho fumaneha ha metsi ho pholletsa le naha. Tlaleho ya Blue Drop e shebane le metsi a nowang, ho leka le ho lekola ditsamaiso tsa phepele ya metsi ho pholletsa le naha. Tlaleho ya No Drop e lekola katleho ya kabo ya metsi, e kgetholla tahlehelo ya metsi le ho lekola tlhoko ya metsi. Tlaleho ya Green Drop e shebane le taolo ya metsi a ditshila le ho lekola katleho ya difeme tsa kalafo ya metsi a ditshila. Tsena ke ditlaleho tsa botekgeniki le tse qaqileng haholo.



Lena imibiko eneminingwane mayelana nekhwalithi kanye nokutholakala kwamanzi kulo lonke izwe. I-Blue Drop Report igxile emanzini okuphuza, ukuhlola kanye nokulinganisa izinhlelo zokuphakelwa kwamanzi ezweni lonke. I-No Drop Report ihlola ukusebenza kahle kokusatshalaliswa kwamanzi, ikhomba lapho amanzi elahleka khona futhi ihlola isidingo samanzi. I-Green Drop umbiko ugxile ekuphathweni kwamanzi angcolile futhi uhlola ukusebenza kahle kwezindawo zokuhlana amanzi angcolile. Lena imibiko yobuchwepheshe kakhulu futhi eneminingwane eminingi.

Balaodi ba ditshebeletso tsa metsi (WSAs) le bona ba ikarabella bakeng sa ho hlahisa ditlaleho mabapi le phephelo ya metsi le boleng. Di-WSA tsa masepala di ikarabella bakeng sa ho netefatsa hore ditshebeletso tsa metsi dia fumaneha dibakeng tsa tsona ho latela Molao wa Ditshebeletso tsa Metsi wa 108 wa 1997. Di-WSA di tlameha ho hlahisa ditokomane tse mmalwa le ditlaleho mabapi le metsi ho kenyeletswa le merero ya ntshetsopele ya ditshebeletso tsa metsi, ditlaleho tse 46 tsa tswelo-pele mabapi le merero ya ntshetsopele,⁴⁷ le ditlaleho mabapi le boleng ba metsi.⁴⁸ Tlhahisoleseding ena e hloka hore e fumanehe diwebsaeteng tsa WSA le Sistiming ya Naha ya Tlhahisoleseling ya Ditshebeletso tsa Metsi ya Lefapha la Metsi le Tsamaiso ya Dikgwerekgwere, <https://ws.dws.gov.za/wsks/Default.aspx>



Dikopo tsa PAIA

Molao wa Kgothaletso ya Phihlello ya Tlhahisoleseding wa 2 wa 2000 (PAIA The Promotion of Access to Information Act) o fa batho ka bomong tokelo ya ho fumana tlhahisoleseding e tshweroeng ke mekgatlo ya setjhaba kapa ya poraefete ha ba e kopa. Molao ona o eketsa ponaletso Afrika Borwa ho latela tokelo ya molao wa motheo ya ho fumana tlhahisoleseding.⁴⁹ Le hoja tlhahisoleseding e ngata e fumaneha ho setjhaba mme e lokela ho ba teng, tlhahisoleseding e kanna ya se fumanehe habonolo kapa e ka ba thata ho e fumana. Haeba tlhahisoleseding e sa fumanehe habonolo, batho ka bomong ba ka sebedisa diforomo le mekgwa e tlwaelehileng, jwalo ka ha e behilwe ho PAIA, ho kopa tlhahisoleseding.

Ha o sebedisa kopo ya PAIA ho kopa tlhahisoleseding, mohato wa pele ke ho lekola mofuta wa setheo le mofuta wa tlhahisoleseding e kopilweng. Ho ngola kopo, qala ka ho fumana ditokomane tsa PAIA tse lokelang ho fumaneha webosaeteng ya lefapha kapa mmuso o amehang. Ditokomane tsena ke ditataiso, tse hlokehang ke PAIA, tse fanang ka dintlha tsa mekgwa le batho bao o ka ikopanyang le bona, jwalo ka Ofisiri ya Tlhahisoleseding ya mokgatlo. Foromo ya Molaodi wa Tlhahisoleseding ya 2 ke foromo e tlwaelehileng ya kopo, <https://infoeregulator.org.za/wp-content/uploads/2020/07/InfoRegSA-PAIA-Form02-RegZ.pdf>

Kopo ya PAIA e ka lefiswa tefiso, e lokelang ho bolelwa lengolong la PAIA la mokgatlo. Kamora ho romela kopo ho Ofisiri ya Tlhahisoleseding ya mokgatlo o amehang, ho tlameha ho ba le karabo matsatsing a 30, ka katoloso e phahameng ya matsatsi a 30 haeba mokgatlo o romela tsebiso. Haeba mokgatlo o hana kopo ya tlhahisoleseding kapa o sa arabe matsatsing a 30, ho a kgoneha ho ipiletsa qetong eo. Bakeng sa tlhahisoleseding e nepahetseng haholoanyane, ho na le tataiso e tswang ho Khomishene ya Ditokelo tsa Botho ya Afrika Borwa (SAHRC) e fumanehang webosaeteng ya mmuso, https://www.gov.za/sites/default/files/gcis_documents/SAHRC-PAIA-guide2014.pdf

Mehala e kgethehileng

Haeba ho na le bothata bo bonolo ba metsi, sebaka sa pele seo u ka qalang ho sona ke ho sebedisa mohala wa ho tlaleha diphoso wa masepala. Nomoro ena ya mohala e fana ka tsela e bonolo le e theko e tlaase bakeng sa batho ho tlaleha mathata afe kapa afe ka phano ya ditshebeletso.



Ho latela boholo le theknoloji ya masepala, ho ka ba le mehala e mengata ya ho tlaleha e inehetseng ho mefuta e itseng ya mathata kapa esita le mekgwa ya ho tlaleha inthaneteng. Masepala a lokela ho ba le mekgwa ya ho tlaleha diphoso, mme diwebsaete tse itseng tsa masepala di lokela ho fana ka dintlha tse hlokahalang tsa ho ikopanya.

Webosaete e ka thusang ho fumana diwebsaete tse itseng tsa masepala ke <https://municipalities.co.za/> e dumellang ho batlwa kapa ho sebediswa ha mmapa ho fumana masepala, e fanang ka tlhahisoleseding e itseng ka masepala le tlhaisoleseding ya ho ikopanya.

Bakeng sa ditaba tse amanang le metsi, ho bwetse ho na le DWS ya naha. Ena e ka ba ntlha ya qalo kapa mokgwa wa ho eketsa diphoso tsa tlaleho haeba masepala o sa arabe. DWS e fana ka mehala e mmalwa ya mahala ya ho fana ka tlaleho e tobileng.:

- Diphoso tse ding tsa metsi 0800 200 200
- Boshodu le Bobodu 0800 701 701

Webosaete ya DWS, <https://www.dws.gov.za/contactRegions.aspx>, e fana ka tlhahisoleseding ya puisano bakeng sa baemedi ba diprofinse tsohle.

Dinomoro tsa mohala, di-imeile le ditsebiso tsa inthanete di bohlokwa kaha di fana ka dinomoro tsa ditshupiso le tlhaisoleseding e ka latelwang ho haha rekoto ya puisano. Ho boloka rekoto ya puisano ho thusa haholo ho bontsheng nalane ya bothata ha ho hlokahala kgato. Leha ho le jwalo, monyetla wa hore ho tlaleha feela e tla ba tharollo e sebetsang o itshetlehile ka dintlha tse ngata, ho kenyeletswa le masepala le sebaka. Ka kakaretso, dibaka tse ruileng di fumana hore ho tlaleha feela hoa sebetsa, ha dibaka tse futsanehileng di sotleha ntle le thuso. Sena se ka etsa hore ho eketseha ha bothata ho be bohlokwa le ho feta ha ho e-na le ho hloleha ho nka kgato mathateng.

Puisano e tobileng

Ho ikopanya ka kotloloho le mmuso wa lehae ke tsela e nngwe e sebetsang ya ho phahamisa temoso mabapi le ditaba tsa metsi. Lefapha la Tshebedisano mmoho ya Mmuso le Merero ya Setso (CoGTA) le kgothaletsa hore o ikopanye le makhanselara a lehae ka dipotso kapa dikopo dife kapa dife.⁵⁰



STATE CAPTURE AND BEYOND

IHo thusa ho sena, Mokgatlo wa Mmuso wa Lehae wa Afrika Borwa (SALGA) o fana ka dintlha tse thusang tsa puisano bakeng sa makhanselara a lehae webosaeteng ya wona, <https://www.salga.org.za/Municipalities%20MCD.html>. CoGTA e kgothaletsa ho romela dipotso kapa dikopo tse ngotsweng bonyane matsatsi a leshome pele ho dikopano tsa masepala. Leha ho le jwalo, ho a kgoneha hape ho ikopanya le ditho tsa masepala ka kotloloho, o sebedisa imeile kapa mohala, ho botsa dipotso kapa ho etsa dikopo. Ena ke e nngwe ya ditsela tse potlakileng tsa ho tsebisa mmuso le ho fumana boitlamo ba ho rarolla mathata.

Ho ikopanya le masepala, websaete e thusang ke <https://municipalities.co.za/>, e ka u thusang ho fumana tlhahisoleseding ya ho ikopanya. Ka websaete ena, hoa kgoneha ho batla kapa ho sebedisa mmapa ho fumana masepala a itseng. Ho kgetha masepala ho isa mosebedisi ho tab ya "kakaretso" e hlalosing masepala o kgethilweng. Di-tab tse hodimo ho leqephe, ka tlase ho lebitso la masepala, di lebisa maqepheng a fanang ka tlhahisoleseding e eketsehileng e thusang. Sena se kenyelletsa tab ya "mabitso" e fanang ka tlhahisoleseding ya ho ikopanya le masepala, ho kenyeletswa aterese, nomoro ya mohala, websaete le dinomoro tse ding bakeng sa mafapha a itseng.



ISetšoantšo sa 2: <https://municipalities.co.za/>.

Webosaete e nngwe ya ho tlaleha mathata le diphoso ke www.fixlocal.org.za. Webosaete ena, leha e ntse e le mohatong wa ntshetsopele, e fana ka tataiso ya hore na ho ka tlalehwa jwang ho latela sebaka. E bwetse e fana ka tataiso ya hore na ho ka eketswa dlitlaleho jwang haeba ho tlaleha feela ho sa rarolle bothata. Tataiso ena e tloha ho fumana lekhanse la wate ho isa ho theheng dihlopha tsa diketso tsa setjhaba.



STATE CAPTURE AND BEYOND

Diboka tsa Mmuso wa Lehae

Bomasepala ba lehae le bona ba na le tlamo ya molao ya ho tshwara dikopano tsa setjhaba ho buisana le metse ya bona ka ditaba tse fapaneng, ho kenyeletswa le metsi. Molao wa Ditsamaiso tsa Mmuso wa Lehae wa 32 wa 2000 karolong ya 4(2) (e) o re kopano ena e tlameha ho kenyeletsa, “(i) tekanyo, boleng, boholo le tshusumetso ya ditshebeletso tsa masepala tse fanwang ke masepala, ebang ke ka ho toba kapa ka mofani e mong wa ditshebeletso; le (ii) mekgwa e fumanehang ya ho fana ka ditshebeletso.” Sena se matlafatswa hape ke karolo ya 17(2)(c) ya Molao e hlokanang “dikopano tsa setjhaba le dipuisano tsa masepala le mekga e meng ya dipolotiki le batho ba hirilweng dipolotiking tsa masepala, moo ho loketseng.”

Ho ba teng dibokeng tsena ho fa batho ka bomong monyetla wa hore mantswe a bona a utluwe. Diboka tsena ke karolo ya mekgwa eo bomasepala ba lokelang ho e theha ho latela tlamo ya bona ya molao ya ho eketsa ho nka karolo ha setjhaba. Leha ho le jwalo, dipuisano le ho nka karolo ha setjhaba ha di bolele hore bomasepala ba tlameha ho latela dikeletso tsa setjhaba. Bomasepala ba bang ba tla beha ditaba tse ntjha mabapi le hore na diboka tsa setjhaba di tla tshwarelwa neng diwebsaeteng tsa bona, empa ha se bomasepala bohle ba nang le diwebsaete tse sebetsang. Ka hona, ho bohlokwa ho letsetsa kapa ho etela bomasepala ho botsa hore na seboka se latelang se tla tshwarelwa neng.

IDiforamo tsa Puisano

Diwebsaete tsa metjha ya ditaba ya setjhaba, ho kenyeletswa Facebook, X (eo pele e neng e le Twitter), Instagram, le tse ding, di ka ba molemo bakeng sa ho phatlalatsa melaetsa ho dihlopha tse kgolo tsa batho. Leha ho le jwalo, di-platform tsa metjha ya ditaba ya setjhaba di atisa ho ba mofuta wa puisano e sa tobang e nang le mehato e fokolang ya tshireletso. Ho ka ba molemo ho tlaleha diposo metjheng ya ditaba ya setjhaba ho phahamisa tlhokomediso ya mathata le ho thusa mebuso ho nka kgato. Ka dinako tse ding ho na le monyetla wa karabelo e potlakileng, kaha mafapha a mmuso a ka ba le diakhaonto tse sebetsang tsa metjha ya ditaba ya setjhaba tse ka fanang ka maikutlo le tlhaisoleseding e eketsehileng.



Ka lehlakoreng le leng, di-platform tsa metjha ya ditaba ya setjhaba ha se kamehla di loketseng ho tlaleha bobodu. Ho ka ba kotsi ho tlaleha diketsahalo tsa bobodu u sebedisa metjha ya ditaba ya setjhaba, kaha e dumella ho latelwa. Ho na le tshireletso e fokolang haholo bakeng sa batho ba senolang ditaba tlasa molao wa Afrika Borwa. Ka hona, ho molemo ho tlaleha bobodu ka lekunutu.

Ho letsa molodi

Ho tlaleha bobodu ho kenyelletsa ho tlaleha bobodu ho bolaodi bo ka fuputsang le ho nka kgato kgahlanong le batho ba bodileng. Ho tlaleha bobodu ho bohlokwa ntweng kgahlanong le bobodu, kaha ho ke ke ha kgoneha ho nka kgato kgahlanong le bobodu ntle le tsebo kapa bopaki ba hore bo teng. Leha ho le jwalo, ho tlaleha bobodu ho kotsi haholo hobane ho ka lebisa phetetsong, ho kenyeletswa le ditshoso polokehong ya motho ka mong le tshireletsong ya mosebetsi.

Afrika Borwa e fana ka tshireletso ya molao bakeng sa ba senolang ditaba tlasa Molao wa Ditlaleho tse Sireleditsweng wa 26 wa 2000. Le hoja e le sebaka se setle sa ho qala kamano ya mohiri le mohiruwa, Molao ona o na le diphoso tse tebileng tse ka siyang ba senolang ditaba ntle le tshireletso eo ba e hlohang le eo ba e tshwanelang.⁵¹ Diphoso tsena di tshohlwa ka botlalo videong ya SCAB, "Mokgwa wa ho Messageblower," e fumanehang hape karolong ya difilimi webosaeteng ya SCAB, <https://beyondstatecapture.org.za/films/>. Ke feela haeba motho a nka mehato ya tshireletso nakong ya kahlolo ya hae moo a lokelang ho nahana ka ho tlaleha bobodu.

E nngwe ya ditsela tsa bohlokwa ka ho fetisisa tsa ho itshireletsa bobodung setjhabeng ke ho dula u sa tsejwe. Sena se ka kenyelletsa ho theha aterese e ntjha ya imeile ntle le tlhahisoleseding e kgethollang le ho sebedisa Virtual Private Network (VPN).⁵² Ho na le mehala e mmalwa ya thuso ya mmuso e fanwang e sireletsehile ebile e sa tsejwe, mme ena e thathamisitswe webosaeteng ya mmuso, <https://www.gov.za/anti-corruption/hotlines>.

Haeba motho a sa phutholoha ho ya mmusong, kgetho e nngwe ke ho tlaleha bobodu ho mekgatlo ya setjhaba e shebaneng le bobodu. Hoa kgoneha hape ho tlaleha bobodu metjheng ya ditaba tsa setjhaba, empa sena se etsa hore ditaba di phatlalatswe. Ka hona, ho ya metjheng ya ditaba tsa setjhaba hangata ke sebaka se betere sa ho qala.



STATE CAPTURE AND BEYOND

Dihlopha tsa Mekgatlo ya Setjhaba

Mokgwa o mong o motle wa ho tlaleha bothata kapa bothata ke ho ikopanya le dihlopha tsa setjhaba, tseo tse ding tsa tsona di inehetseng ho sebetsaneng le bobodu. Mekgatlo ena hangata e na le mekgwa e behilweng ya ho boloka tlhahisoleseding ya ba senolang ditaba e le lekunutu, e ba sireletsang ho iphetetseng. Ka boiphihlelo ba bona ba ho tlaleha tlhahisoleseding, hape ke mehlodi e metle ya dikeletso le tlhahisoleseding ya hore na ba ka fumana tlhahisoleseding jwang ka mokgwa o sireletsehileng. Tsena di kenyelletsa: Mokgwa o mong o motle wa ho tlaleha bothata kapa bothata ke ho ikopanya le dihlopha tsa setjhaba, tseo tse ding tsa tsona di inehetseng ho sebetsaneng le bobodu.

Mekgatlo ena hangata e na le mekgwa e behilweng ya ho boloka tlhahisoleseding ya ba senolang ditaba e le lekunutu, e ba sireletsa ho iphetetseng. Ka boiphihlelo ba bona ba ho tlaleha tlhahisoleseding, hape ke mehlodi e metle ya dikeletso le tlhahisoleseding ya hore na ba ka fumana tlhahisoleseding jwang ka mokgwa o sireletsehileng. Tsena di kenyelletsa:

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

Metjha ya ditaba

Ho tlaleha ditaba e ka ba tsela e atlehang ya ho tlaleha bobodu, empa ho tla le dikotsi tse kgolo. Ditaba di ka jala tlhahisoleseding mabapi le bobodu ka potlako le ka bophara, di phahamisa tlhokomediso bakeng sa karabelo e potlakileng. Ditaba, ho latela tlhahisoleseding ya tsona, di ka ba le batho bao di ikopanyang le bona le tsebo ya ho fetola malebela hore e be dipale tse matla, tse hapang tlhokomelo. Ditaba di ka boela tsa batla tlhahisoleseding e eketsehileng e thusang ho matlafatsa nyewe. Leha ho le jwalo, ho ya ditabeng ho bolela ho phatlalatsa tlhahisoleseding, mme seo se baka dikotsi tsa botho. Esita le haeba moqolotsi wa ditaba a le hlokolosi, ho na le kotsi ya hore boitsebiso ba motho ya tlalehang bobodu bo tla tsejwa phatlalatsa. Haeba tlhahisoleseding e kgethollang motho e dumella motho ya tlalehang bobodu ho tsejwa, e ka baka kotsi e kgolo, ho tloha tlikefetsong ya mosebetsing ho ya ditshokelong tsa bophelo. Ka hona, u hloka ho ba hlokolosi haholo ha u tlaleha bobodu ditabeng..



STATE CAPTURE AND BEYOND

Ditlaleho tse ngotsweng ho Mmuso

Tsela e bonolo le eo hangata e sa sebetseng ya ho hlahisa ntlha ke ho ngolla mmuso lengolo. Ho bua ka tletlebo kapa boemedi ho mopresidente, palamente, lekgotla la mmuso, kapa mmuso wa lehae ho ka thusa ba pusong ho utlwisisa ditaba. Batho ba pusong ho ka etsahala hore ba se ke ba tseba diphephetso, kahoo lengolo e ka ba sesebediswa se molemo sa ho ba tsebisa. Leha ho le jwalo, mangolo a lahleha habonolo kapa a hlokomolohuwa, kaha ha ho hlokahale hore mmuso o bale maikutlo ohle a entsweng ke setjhaba. Haeba lengolo le se na tshusumetso e lakatsehang, ho bohlokwa ho fetela mefuteng e matla ya puisano. Lengolo kapa maikutlo a setjhaba ke sebaka se setle sa ho qala, mme ho molemo ho boloka tlaleho ya maikutlo ana ho u bontsha mokgwa wa ho leka mekgwa e fapaneng.

Molaotheo wa Afrika Borwa o fana ka monyetla wa hore setjhaba se kenelle ho etsweng ha melao, tlhokomelo le ditshebetso tse ding tsa palamente. Tsamaiso ya demokrasi ya Afrika Borwa ha e fe baahi feela tokelo ya ho kgetha baemedi ba bona empa hape e dumella baahi ho ba le maikutlo ditabeng tse ba amang.⁵³ Mmuso wa lehae o tlamehile ho utlwa ditletlebo ho ya ka Molao wa Mmuso wa Lehae: Mekgwa ya Masepala, moo karolo ya 17(2)(a) e bolelang hore mmuso wa lehae o tlameha ho amohela, ho nahana le ho nahana ka ditletlebo tse hlahisitsweng ke ditho tsa setjhaba sa lehae. Leha ho le jwalo, ho utlwa ditletlebo ha ho bolele hore mmuso wa lehae o tlameha ho latela tletlebo.

Dikopo

Dikopo ke tsela e theko e tlaase bakeng sa dihlopha tse kgolo tsa batho ho phatlalatsa maikutlo a bona. Di kenyelletsa kopo kapa kopo e etswang ho motho eya nang le matla bakeng sa ho kenella ho itseng. Batho ba saenang batho ba bang e le karolo ya kopo ba ka eketsa tshehetso ya yona. Molaotheo o kenyelletsa tokelo ya motho e mong le e mong ya ho fana ka dikopo karolong ya 17, e atolohelang ho makala ohle a mmuso. Dikarolo tsa 56 (d) le 69 (d) tsa Molaotheo, tse baloang hammoho le Melao ya Lekgotla la Naha la Diprovense le Palamente ya Naha, di fana ka hore Palamente ya Naha le Lekgotla la Naha la Diprovense di tla amohela dikopo. Karolo ya 115 (d) ya Molaotheo e hloka hore makgotla a ketsamolao a provense a amohela dikopo. Molao wa Mmuso wa Dibaka: Mekgwa ya Masepala s17 (2) (a) o hloka hore mebuso ya lehae e amohela, e nahane le ho nahana ka dikopo.



IMohato wa pele kopong ke ho bolela sepheo kapa sepheo se hlakileng bakeng sa kopo, ho kgetholla seo kopo e lekang ho se finyella. Ya bobedi, theha tokomane ya kopo, ho latela ditlhoko tsa lekgotla la ketsamolao leo kopo e lebisitsweng ho lona. Sena se kenyelletsa morero, tlhaloso, tlhahisoleseding ya ho ikopanya le sebaka sa ho saena.

Mohato o latelang ke ho bokella disaeno ka ho fumana batho ba nang le thahasello e tshwanang molemong wa kopo. Sena se ka etswa dipokanong tse kgolo, dibakeng tse hlahelletseng tsa diboka, metjheng ya ditaba tsa setjhaba, ditabeng, kapa ka dikopo tse tswang lefapheng ho ya ho lefapha. Mokgwa o mong o tsebahalang ke ho ba le kopo ya inthanete, jwalo ka <https://www.change.org/t/south-africa-en-gb>. Mohato wa ho qetela ke ho hlalisa kopo le tlhoko. Mokgwa wa ho etsa sena o itshetlehile ka boemo ba mmuso boo kopo e lebisitsweng ho bona.

- Dikopo tsa naha ho palamente di romellwa ke ditho tsa Palamente (MPs), ho bolelang hore di hloka tshehetso ya setho sa Palamente, mme di tlameha ho latela tsamaiso ya palamente, jwalo ka ha ho hlalositswe ho <https://www.parliament.gov.za/petitions>.
- Dikopo tse yang ho Lekgotla la Naha la Diprovense (NCOP) ha di hloke tshehetso ya Setho sa Palamente kapa setho sa NCOP.
- Dikopo tsa ketsamolao ya provense di na le mekgwa e fapaneng ho latela provense. URL, <https://provincialgovernment.co.za/units/type/3/legislatures>, e fana ka dihokelo tsa diwebsaete tsa ketsamolao ya provense tse robong.
- Dikopo boemong ba mmuso wa lehae ke taba ya bomasepala, empa Molao wa Mekgwa ya Masepala o hloka hore bomasepala ba be le mekgwa ya ho etsa kopo. Diwebsaete tsa mmuso wa lehae di lokela ho fana ka tlhahisoleseding e eketsehileng mabapi le dikopo kapa ho kenyelletsa dintlha tsa puisano bakeng sa dipotso. Webosaete e thusang bakeng sa ho fumana diwebsaete tsa mmuso wa lehae ke <https://municipalities.co.za/>

Ho Kena kapa ho Theha Mekgatlo

Haeba ho sebetsa ka bohona ho sa lekana ho hohela tlhokomelo, hoa kgoneha ho ikopanya kapa ho theha mekgatlo ho matlafatsa boiteko ba bobuelli. Mekgatlo e dumella dihlopha tsa batho ho sebetsa mmoho ho emela dithahasello tsa setjhaba, moo matsoho le dikelello tse ngata di ka sebetsang mmoho bakeng sa sepheo se le seng.



STATE CAPTURE AND BEYOND

Ho na le mekgatlo e mengata, ho kenyeletswa mekgatlo e seng ya mmuso le mekgatlo ya setjhaba e seng ya mmuso. Mekgatlo ena e ipakile e atlehile ho hlophisa diketso tsa setjhaba ka boipelaetso, dikopo, dihlooho, ditlhahiso tsa mmuso, esita le dinyewe.

Mekgatlo ya Setjhaba (CSOs) le Mekgatlo e Thehilweng Setjhabeng (CBOs) di bapala karolo ya bohlokwa ho etsa hore mmuso o ikarabelle. Jwalo ka dihlopha tsa batho, ba na le matla le tsebo e ngata ho feta motho a le mong. Dihlopha tsena di ka hlalosa ka katleho ditlhoko le ditakatso tsa batho setjhabeng, e leng se dumellang mmuso ho nka kgato e betere. Ka hona, dihlopha tsena ke moo batho ba ka fumanang tshehetso ditabeng tsa metsi tseo ba tobaneng le tsona. Ka hona, CBOs le CSOs le tsona di bapala karolo ya ho etsa hore tlhahisoleseding e be pepeneneng le ho hlalisa ditlhoko tsa dihlopha ho mmuso.

Seteraeke

Haeba dipolelo le dikopo tse hlomphehang di sa kgothaletse ketso, boipelaetso bo ka nna ba hloka hahle ho hohela tlhokomelo bothateng. Boipelaetso, jwalo ka dipokano, mekoloko, le mela ya boipelaetso, e ka ba ditsela tse matla tsa ho buisana ka mathata le ditlhoko. Athikele ya 17 ya Molaotheo e sireletsa tokelo ya ho bokana, ho ipelaetsa, ho ipelaetsa, le ho batla tharollo bakeng sa ditsetlebo, tsohle ka kgotso. Boipelaetso bo etseditswe ho baka pherekano mme bo ka ba kotsi haeba ho na le kgohlano pakeng tsa tokelo ya boipelaetso le ditokelo tse ding, jwalo ka ha phihlello ya moaho kapa sebaka sa setjhaba e thibetswe. Ka hona, ho bohlokwa ho latela mekgwa ya molao ho netefatsa hore ketso ya boipelaetso e molaong ebile e bolokehile bakeng sa baipelaetsi.

Molao wa Taolo ya Dikopano wa 205 wa 1993 o laola tsamaiso ya dipontsho mme o sebetse feela dipokanong tsa setjhaba tsa batho ba 15 kapa ho feta.⁵⁴ Dipontsho ha di hloke tumello. Leha ho le jwalo, moetapele wa pontsho o tlameha ho fana ka tsebiso ya bonyane matsatsi a supileng (7) pele ho pontsho ho molaodi ya okametseng, eo e leng motho ya kgethilweng ke molaodi ba lehae, haeba ho na le pontsho ya batho ba fetang 15.⁵⁵ Moetapele ke motho ya hlophisang pontsho. Moetapele a ka fana ka tsebiso ya matsatsi a ka tlase ho a supileng ka nako e loketseng haeba a ka fana ka tlhahisoleseding e lekaneng. Dipontsho ntle le tsebiso ha di molaong mme, ka hona, di ke ke tsa sireletswa. Hangata bomasepala ba na le mehlala ya ditsebiso tse fumanehang diofising tsa bona tsa masepala kapa inthaneteng.



STATE CAPTURE AND BEYOND

Ditaba tsa koranta

Ho ngola dihlooho bakeng sa dikoranta kapa diwebsaete tsa metswedi ya ditaba tsa kahisano e ka ba tsela e ntle ya ho phatlalatsa molaetsa. Le hoja ho kgoneha ho ngola dihlooho o le mong mme diwebsaete tsa ditaba di di phatlalatse, sena se bonolo haholo haeba o le sehlopheng. Ho sebetsa jwalo ka sehlopha mehopolong le ditlalehong ho dumella monahano o tebileng, ho ntlafatsa ho nepahala ka maikutlo a fapaneng, mme ho fana ka botsitso.

Ho tlaleha ka diketsahalo tsa setjhaba ditabeng ho ka boela ha dumella ho thehwa ha matsholo a tlhokomediso. Mohlala, ho ka thusa ho etsa tsebiso kapa ho mema baemedi ba metjha ya ditaba ho nka karolo diketsong tse ding, ho kenyeletswa dikopo, boipelaetso le dinyewe.

Ha setjhaba se na le tsebo e ngata ka taba e itseng, menyetla ya ho fumana tshehetso le ho nka kgato kapele ho tswa mmusong e ba kgolwanyane.

Thuto ya nyewe

Haeba dintho tse ding tsohle di hloleha kapa haeba ho na le tlolo e tebileng ya tokelo ya metsi, ho ya lekgotleng ke sesebediswa sa bohlokwa ntweng ya toka. Ho qosa nyewe ha se mohato wa pele o sebetsang wa ho tiisa ditokelo tsa hau, kaha ho bitsa tjhelete e ngata ebile ho dieha. Ditshenyehelo tsa nyewe di kenyelletsa tlhoko ya boiphihlelo ba molao mekgahlelong yohle. Makgotla ho pholletsa le Afrika Borwa le ona a tletse dinyewe, ho bolelang hore ho ka nka dilemo hore dinyewe tse seng tsa tshohanyetso si tle ka pela moahlodi kapa magistrate. Ka lebaka lena, makgotla a kgothaletsa hore mekgwa yohle e meng ya ho rarolla diqabang e phethwe pele, jwalo ka ho buella, mme a ka hana ho amohela nyewe moo bakopi ba sa kang ba qosa mekgwa e meng.

Mabapi le nyewe ena, ho na le monyetla wa ho ikopanya le mekgatlo eya sejhaba bakeng sa tshehetso. Ho na le mekgatlo e kgethehileng ya setjhaba, ho kenyeletswa Legal Resource Center, Section27, Corruption Watch, le ProBono.Org. Mekgatlo ena e fana ka ditshebeletso tse fapaneng tse kgethehileng tsa molao, ho kenyeletswa thuto, bweletsi le dinyewe. Mofuta wa tshehetso ya molao e hlokahalang o ka etsa qeto ea hore na mekgatlo ena e ka fana ka thuso.



STATE CAPTURE AND BEYOND

Ho Vota

Tsela ya bohlokwa ya ho etsa hore mmuso o ikarabelle naheng ya demokrasi jwalo ka Afrika Borwa ke ka ho vouta. Demokrasi e thehilweng mekgeng e na le mefokolo ya yona, empa matla a yona a maholo ke tsela eo e dumellang phetoho ya kgotso ka voutu e nngwe le e nngwe. Haeba mmuso, sebakeng sefe kapa sefe, o sa phethahatse ditshepiso tsa wona le seo batho ba se batlang, ho vouta ho dumella batho bao ho buella phetoho ntle le ho sebedisa pefo. Ka bomadimabe, ho bile le keketseho ya ho se tsotelle ha bakgethi kaha ho nahanwa hore voutu e nngwe le e nngwe ya bohlokwa. Leha ho le jwalo, mekgwa ya morao tjena ya ho vouta Afrika Borwa e bontsha hore ha ho jwalo. Dikgethong tsa morao tjena tsa 2024, phetoho e nyane haholo palong ya bakgethi e bakile Mmuso wa Bonngwe ba Setjhaba (GNU). Mofuta ona wa mmuso, o kgethollwang ke ho se be teng ha mokga o le mong o nang le bongata, o qobella tshebedisano-mmoho dipakeng tsa mekga e bontshang tshepiso ya ho ntlafatsa boikarabello.

Ho vouta ho ka etsa phapang e kgolo dikgethong tsa lehae ka diphetho tse potlakileng. Ha mokga o mong o dula o le pusong nako e telele, ho ba le tshekamelo ya ho se tsotelle le ho se tsotelle mathata a lehae. Ho vouta mokga o mong, kapa esita le ho theha mokga o motjha, ho ka etsa hore bahlanka ba mmuso wa lehae ba ikarabelle haholoanyane metseng ya bona.

Mohlala wa sena ke Makanda Citizens Front (MCF), e thehilweng ka Phupu 2021, ho arabela boipelaetso mabapi le phano e mpe ya ditshebeletso. Sehlopha sa 57 MCF se ile sa qothisana lehlokwa dikgethong tsa lehae tsa 2021 me sa hlaha e le mokga o moholo ka ho fetisisa wa bohanyetsi ka 18.1% ya dikgetho. Ka lebaka leo, ba ile ba kgona ho sebedisa ditulo tsa bona mmusong wa lehae ho etsa hore mmuso o ikarabelle le ho fokotsa bobodu. Phetoho mmusong wa lehae, moo dikgetho tse dikete tse mmalwa di ka fetolang setulo sa wate, ho bonolo ho e fihlela ho feta phetoho ya naha.



DITLHAHISO, QETELLO LE DIQETO



Ditlhahiso

Metsi ke tokelo e lokelang ho fuwa Mafrika Borwa ohle mme ke ya bohlokwa bakeng sa tikoloho e phetseng hantle. Ho fihlela sena, ho hloka phetoho tseleng eo naha e talimang metsi le kabo ya ona e ikemiseditseng ho etsa hore metsi e be mohlodi o tshwanang, o arolelanwang. Sena se tla kenyelletsa ho kenya letsoho ha setjhaba le tshebedisano-mmoho le mmuso ho arolelana melemo le boikarabello ba tsamaiso ya metsi. Ka pono e pharaletseng kelellong, dikgothaletso tse fapaneng di ka thusa ho ntlafatsa phepelo ya metsi, tlhokomelo le phihlelo.

Ho Ntlafatsa Phihlelo ya Metsi a Lekaneng bakeng sa Bohle

- Mmuso o lokela ho eketsa tekanyo ya metsi a mahala ho dilithara tse 100 motho ka mong, ka letsatsi, tse fumanehang ho baahi bohle.
- Ho hloka hore ho be le tsamaiso e fumanehang habonolo e le hore malapa a futsanehileng a ka etsa kopo ya metsi a mahala.
- Ho nka karolo ha setjhaba ho bohlokwa ho hlwayeng hore na ke mang ya fumanang metsi a mahala, le hore na phepelo ya metsi ya motheo e fanwa neng.
- Dimithara tse SMART, tse etselitsweng ho fumana melemo ya ditshebeletso tsa metsi, ha di amohelehe hobane ha di netefatse kabo e lekanang ya metsi.

Phepelo ya Metsi ya Motheo

- Malapa ohle a lokela ho ba le metsi a diphaephe e le tshebeletso ya motheo, a nkelang ditanka tsa metsi sebaka, ditanka tsa JoJo le dipompo tse sa sisinyeheng sebaka.
- Ditanka tsa metsi di amoheleha feela maemong a tshohanyetso ka nako e kgutshwanyane ka ho fetisisa. Ho lokela ho etswa boiteko bohle ho ntlafatsa phepelo ya metsi ka diphaephe kapele kamoo ho ka khonehang.

Ho nka karolo ka mafolofolo phanong ya ditshebeletso tsa metsi ⁵⁶

- Bomasepala ba lokela ho qoba ho etsa hore ditshebeletso tsa metsi e be tsa poraefete.
- Ditho tsa setjhaba di lokela ho kgothaletswa ho nka karolo ditshebetsong tsa ho etsa diqeto ka ditsela tse atlehang le tse nang le moelelo.



STATE CAPTURE AND BEYOND

- Ditharollo tsa lehae dia hlokahala, mme di lokela ho tsamaiswa ke baemedi ba lehae.

Ntlafatsa Mekgwa ya ho hira batho ho tsepamisa maikutlo ho Bokgabane

- Makala a mmuso a lokela ho hira basebetsi ho latela bokgoni le tsebo e amanang le ona ho ena le ho hira batho bao a amanang le bona.
- Maano a lokela ho hloka hore ho kgethwe bonyane palo ya baenjiniere ba kwetlisitsweng le ba nang le mangolo mafapheng le dibotong tse ikarabellang bakeng sa meralo ya motheo.
- Mokgwa wa bophelo o hloka ho bewa leihlo kgafetsa ho fedisa bobodu.

Tshehetsa le ho Kgothaletsa Mekgwa ya Boikarabello ya ho Sebetsana le Ditaba tsa Metsi le Bobodu

- Mehala ya thuso e hloka tjhelete e lekaneng ho sebetsa ka katleho le ho kwetlisa basebetsi hantle.
- Dinomoro tsa mohala di lokela ho ba le dihora tse atelositsweng kapa di sebetse dihora tse 24 ka letsatsi ho dumella ho tlaleha ka ntle ho dihora tsa kgwebo.
- Diwebsaete tsa masepala di tlameha ho kenyelletsa ditsamaiso tsa tlaleho tsa inthanete tse sa tsejweng.

Fetola tekanyetso hore e tsepamise maikutlo haholo ho CAPEX ho feta ho hira

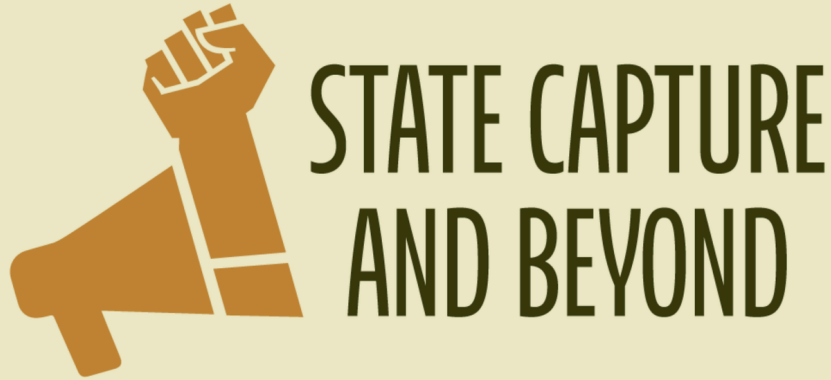
- Tjhelete e kenang metsing e lokela ho behellwa ka thoko ho tsepamisa maikutlo kabong ya metsi.
- Peresente ya tekanyetso e sebedisitsweng ho CAPEX le tlhokomelo ya meralo ya motheo ya metsi e seng e ntse e le teng e lokela ho eketswa.



Qetello

Metsi a bohlokwa bakeng sa ho phela ha dintho tsohle tse phelang, mme Afrika Borwa e nnile ya nahana ka bokamoso ka ho boloka metsi e le tokelo Molaong wa Motheo. Ka tokelo ena, batho bohle ba ka etsa kopo le ho batla tshebetsong ya tokelo ya bona ya ho fumana metsi. Leha ho le jwalo, ho boloka tokelo ena Molaong wa Motheo ha hoa lekana ho netefatsa hore batho bohle ba na le phihlrello ya metsi a lekaneng, a hlwekileng ho atleha. Ho hlokomela tokelo ya ho fumana metsi ho hloka tsamaiso e ntle ya mohlodi ona wa bohlokwa mafapheng ohle a mmuso. Leha ho le jwalo, tsamaiso ya metsi e hlolehile ho pholletsa le naha, ka meralo ya motheo e hlokang ho lokiswa, ditumellano tse sa tsitsang tsa ho fana ka ditshebeletso di senya mehlodi ya bohlokwa, boleng bo kotsi ba metsi, le mekgwa ya kalafo e ntshang metsi a ditshila a sa phekolwang. Ho hlokomela tokelo ena ho hloka phetoho e kgolo ka tshebedisano-mmoho ya maemo ohle a setjhaba le mmuso.

Phetoho e tlameha ho qala ka tlhahlobo ya phepelo ya metsi ya dilithara tse 25 ka motho ka letsatsi, kaha sena se fokola haholo bakeng sa bophelo bo botle le bohlweki. Esita le lethathamo le bonolo la ditlhoko tsa mantlha tsa metsi le bontsha hore na phepelo ya mantlha ha e lekane hakae, e leng se qobellang batho ho kena potolohong ya bofuma le dikgetho tse thata. Hammoho le ho lokisa phepelo ya mantlha ya metsi, ho tlameha ho be le dipatlisiso tse tebileng mabapi le bobodu bo ka bang teng tsamaisong, tlhokomelong le kabong ya dithendara ho bafani ba metsi. Mona ke moo batho ba tswang maamong ohle a bophelo ba ka emang ho kgothaletsa phetoho. Le hoja e se bohle ba nang le nako, disebediswa, kapa tsebo ya ho ba motshehetsi wa nako e tletseng, esita le ho tlaleha mathata e ka ba ntlha ya pele ya ho kgothalletsa phetoho. Ho phahamisa temoso, ho tloha ho bitsa masepala ho ya boipelaetsong ba setjhaba, ho na le matla a ho qala mokgatlo.



Ho qeta

1 Ingrid Dennis and Rainier Dennis 'Climate change vulnerability index for South African aquifers' (2011) Water SA Vol. 38 No. 3 available at <http://dx.doi.org/10.4314/wsa.v38i3.7>

2 Samantha Kuzma, Liz Saccoccia and Marlena Chertock '25 Countries, Housing One-Quarter of the Population, Face Extremely High Water Stress' (2023) World Resources Institute available at <https://www.wri.org/insights/highest-water-stressed-countries>

3 FAO 'AQUASTAT Country Profile – South Africa' (2016) Food and Agriculture Organization of the United Nations (FAO) Rome, Italy available at <https://www.fao.org/aquastat/en/countries-and-basins/country-profiles/country/ZAF>

4 Julia Evans 'Water everywhere but not a drop to drink – how unchecked leaks exacerbate Johannesburg's water crisis' Daily Maverick 10 Feb 2025 available at https://www.dailymaverick.co.za/article/2025-02-10-water-everywhere-but-not-a-drop-to-drink-how-unchecked-leaks-exacerbate-johannesburgs-water-crisis/?utm_source=Sailthru&utm_medium=email&utm_campaign=first_thing

5 Department of Water and Sanitation (DWS) "Blue Drop: Watch Report 2023" (2023) available at <https://ws.dws.gov.za/IRIS/latestresults.aspx>

6 Department of Water and Sanitation (DWS) "Green Drop: Progress Assessment Report 2023" (2023) available at <https://ws.dws.gov.za/iris/releases/GDWR.pdf>

7 Steve Kretzmann and Tladi Moloi 'Cattle are drinking sewage on this Free State veld' GroundUp 27 January 2025 available at <https://groundup.org.za/article/cattle-are-drinking-sewage-on-this-free-state-veld/>

8 Steve Kretzmann and Chris Gilili 'Deadly cholera outbreak was just a matter of time' GroundUp 24 May 2023 <https://groundup.org.za/article/deadly-cholera-outbreak-was-just-a-matter-of-time/>

9 Constitution of the Republic of South Africa, 1996 at s 39(1)(b)

10 (CCT 39/09) [2009] ZACC 28; 2010 (3) BCLR 239 (CC); 2010 (4) SA 1 (CC) (8 October 2009)

11 (CCT11/00) [2000] ZACC 19; 2001 (1) SA 46; 2000 (11) BCLR 1169 (4 October 2000)



12 Grootboom at 46

13 (CCT8/02) [2002]ZACC 15; 2002 (5) SA 721 (CC);2002 (10) BCLR 1033 (CC) (5 July 2002)

14 TAC at 94

15 5 Calitz 'Chapter10: Water Rights'Dullah Omar ResourceBook (2007) available at <https://dullahomarinstitute.org.za/socio-economic-rights/research-and-publications/resource-book>

16 Reade-Malagüeño, B. et al. 'From shallow to transformative water justice. Water Alternatives' (2025) Viewpoint18(1): 153-170

17 Yosuke Yamada et al. 'Variation in human water turnover associated with environmental and lifestyle factors' (2022) Science378(662) available at DOI: 10.1126/science.abm8668

18 Guy Howard et al. 'Domestic water quantity, servicelevel and health'(2020) WorldHealth Organisation (WHO) available at <https://www.who.int/publications/i/item/9789240015241>

19 'Stiff Pap' (2019) ACE available at <https://www.acemaizemeal.co.za/Recipes/Back-to-Basics/Stiff-pap>

20 Howard et al. op cit note 16.

21 Tracy Ledger 'Empty Promises: The struggle for equitable access to water in South Africa' (2024) Public Affairs Research Institute (PARI) available at <https://pari.org.za/report-empty-promises-the-struggle-for-equitable-access-to-water-in-south-africa>

22 2 Howard et al. op cit note 16.

23 B. J. Reed "Minimum water quantity needed for domestic uses" (2005) WorldHealth Organization Regional Office for South-East Asia, New Delhi

24 Ledger op cit note 19

25 'City of Cape Town relaxes water restrictions, tariffs to Level 5' News24 10 Sep 2018 available at <https://www.news24.com/news24/city-of-cape-town-relaxes-water-restrictions-tariffs-to-level-5-20180910>



STATE CAPTURE AND BEYOND

26 7 LubabaloNgcukana ‘Day zero looms for Makhandla’ News24 27 Jan 2019 available at <https://www.news24.com/citypress/news/day-zero-looks-for-makhandla-20190126>

27 Laura Grant and Gemma Ritchie ‘Joburg’s water crisis sees decades of neglect fueling infrastructure failures and community struggles’ Daily Maverick 13 Dec 2024 available at <https://www.dailymaverick.co.za/article/2024-12-13-joburgs-water-crisis-sees-decades-of-neglect-fuelling-infrastructure-failures-and-community-struggles/>

28 Julia Evans ‘Water everywhere but not a drop to drink — how unchecked leaks exacerbate Johannesburg’s water crisis’ Daily Maverick 10 Feb 2025 available at https://www.dailymaverick.co.za/article/2025-02-10-water-everywhere-but-not-a-drop-to-drink-how-unchecked-leaks-exacerbate-johannesburgs-water-crisis/?utm_source=Sailthru&utm_medium=email&utm_campaign=first_t

29 Drikus Greyling ‘Johannesburg Water spends R1.5 billion on salaries and only R860 million on capex’ Daily Investor 3 February 2025 available at <https://dailyinvestor.com/south-africa/76353/johannesburg-water-spends-r1-5-billion-on-salaries-and-only-r860-million-on-capex/>

30 Buyeleni Sibanyoni ‘Joburg awards R263m water tanker tender to two twentysomethings’ Daily Maverick 22 Dec 2024 available at <https://www.dailymaverick.co.za/article/2024-12-22-joburg-awards-r263m-water-tanker-tender-to-two-twentysomethings/>

31 Kotie Geldenhuys “The Water Tanker Mafia: Holding municipalities hostage”(2024) Servamus Community-based Safety and Security Magazine 117(12) available at [https://journals.co.za/doi/abs/10.10520/ejc-servamus_v117_n12_a4#:~:text=Communities%20are%20suffering%20as%20organised,lin e%20\(eNCA%2C%202023\)](https://journals.co.za/doi/abs/10.10520/ejc-servamus_v117_n12_a4#:~:text=Communities%20are%20suffering%20as%20organised,lin e%20(eNCA%2C%202023))

32 Liezl Human “Protesters block N2 for hours at Grabouw” GroundUp 15 January 2025 available at <https://groundup.org.za/article/knoflokskraal-block-n2-demand-water-and-sanitation/>

33 Silver Sibiyi “Lenasia residents march for water” GroundUp 17 January 2025 available at <https://groundup.org.za/article/hundreds-residents-from-a-lenasia-settlement-march-to-joburg-water-office/>

34 Bernard Chiguvare ‘Limpopo residents have to use social grants to buy water’ GroundUp 23 May 2025 available at <https://groundup.org.za/article/limpopo-residents-use-social-grants-to-buy-water/>



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35 Department of Water and Sanitation (DWS) "Blue Drop: Watch Report 2023" (2023) available at <https://ws.dws.gov.za/IRIS/latestresults.aspx>

36 Steve Kretzmann and Chris Gilili "Deadly cholera outbreak was just a matter of time" GroundUp 24 May 2023 available at <https://groundup.org.za/article/deadly-cholera-outbreak-was-just-a-matter-of-time/>

37 Department of Water and Sanitation (DWS) "Green Drop: Progress Assessment Report 2023" (2023) at p10

38 Muhammad Hussain 'SA's dirty water crisis: "We have tech, info and experts to fix problem, so why aren't we?"' News24 25 Jan 2025 available at <https://www.news24.com/opinions/analysis/sas-dirty-water-crisis-we-have-tech-info-and-experts-to-fix-problem-so-why-arent-we-2025012>

39 Steve Kretzmann and Tladi Moloi 'Cattle are drinking sewage on this Free State veld' GroundUp 27 January 2025 available at <https://groundup.org.za/article/cattle-are-drinking-sewage-on-this-free-state-veld/>

40 Tony Carnie 'Urgent repairs ordered as Durban's sewage crisis threatens Blue Lagoon and Umgeni River health' DailyMaverick 28 Jan 2025 available at https://www.dailymaverick.co.za/article/2025-01-28-urgent-repairs-ordered-as-durbans-sewage-crisis-threatens-blue-lagoon-and-umgeni-river-health/?dm_source=dm_block_list&dm_medium=card_link&dm_campaign=main

41 George Seruwagi 'The Quality Standards of Purified Water in South Africa' (2024) Manzi available at <https://manzi.co.za/2024/01/18/the-quality-standards-of-purified-water-in-south-africa/#:~:text=In%20South%20Africa%2C%20the%20South,customers%20receive%20acurate%20product%20information>

42 EPA 'Types of Drinking Water Contaminants' (2024) US Environmental Protection Agency (EPA) available at <https://www.epa.gov/ccl/types-drinking-water-contaminants>

43 ETR Labs 'Top 8 Signs That You're Drinking Contaminated Water' (2025) ETR Laboratories <https://etrlabs.com/signs-that-youre-drinking-contaminated-water/#:~:text=Metallic%20Taste.%20Clean%20drinking%20water%20lacks%20any,limited%20to:%20medications%2C%20pesticides%2C%20and%20industrial%20chemicals>

44 Howard et al. op cit note 16.

45 Howard et al. op cit note 16.



46 Water Services Act at ss 12-17

47 Water Services Act at s 18

48 Department of Water and Sanitation “National Norms and Standards for Domestic Water and Sanitation Services” at p 71

49 Constitution at s 32

50 CoGTA ‘Find Your Councillors’ (2025) Cooperative Governance and Traditional Affairs (CoGTA) available at <https://www.cogta.gov.za/index.php/find-your-councillors/>

51 Corruption Watch ‘Using the law to frustrate, rather than support, whistle-blowers’ (2023) Corruption Watch News available at <https://www.corruptionwatch.org.za/using-the-law-to-frustrate-rather-than-support-whistle-blowers/>

52 A commonsuggestion is to create a private Protonemail specifically for remaining anonymous,
<https://proton.me/>

53 Parliament of the Republic of South Africa ‘How to Make a Submission’ available at <https://www.parliament.gov.za/how-to-make-a-submission>

54 <https://civicsacademy.co.za/what-does-the-right-to-freedom-of-assembly-and-protest-entail/>

55 Regulation of Gatherings Act 205 of 1993 at s 3(2)

56 Makana CitizensFront ‘About MCF’ available at <https://makana-citizens-front.org.za/about-mcf/>

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