

Ilungelo Lokuhlinzekwa ngamanzi Nokuthuthwa Kwendle



ILUNGELO LOKUHLINZEKWA NGAMANZI KANYE NOKUTHUTHWA KWENDLE LIYILUNGELO LESINTU ELIYISISEKELO ELITHOLAKALA KUSOMQULU WAMALUNGELO.

UMthetho Wezamanzi uthi:

- Bonke abantu banelungelo lokuhlinzekwa ngamanzi kanye nokuthuthwa kwendle;
- Zonke izikhungo ezihlinzeka ngamanzi kumele zithathe izinyathelo zokuqinisekisa ukugcwaliseka kwalamalungelo;
- Bonke omasipala kumele babe nohlelo lokugcwalisa lamalungelo ohlelweni lwabo lokuthuthukisa ukuhlinzeka ngamanzi.

Isahluko 2 soMthethosisekelo waseNingizimu Afrika sithi:

“Bonke abantu banelungelo lokuthola ukudla kanye namanzi ngokwanele.”

Ukuze leli lungelo ligcwaliseke iPhalamende lashaya uMthetho Wezamanzi 108 ka 1997. Inhloso yalo Mthetho ukuchaza ngelungelo lokuhlinzekwa ngamanzi kanye nokuthuthwa kwendle okuyisisekelo.

Lo Mthetho wazisa ukuthi ilungelo lokuhlinzekwa ngamanzi okuyisisekelo kanye nokuthuthwa kwendle kubalulekile ukuze kuqinisekiswe ukuthi amanzi enele izidingo futhi nendawo okuhlalwa kuyo ibe yindawo engeke isilimaze isimo sokuphila kanye nenhlalohle yabantu nezilwane.

Ezinye izivumelwano zesifunda eziqukethwe elungelweni lokuthola amanzi nokuthuthwa kwendle zibandakanya:

- USomqulu Wase-Afrika Wesintu Namalungelo Esintu (1981)
- USomqulu Wase-Afrika omayelana Namalungelo Nenhlalakahle Yomntwana (1990)
- Inqubo Yokwengezela Yesivumelwano SaseMelika Samalungelo Esintu Kwezomnotho, Ezenhlalakahle kanye Namalungelo Amasiko (Inqubo yase-San Salvador) (1988) kanye
- NoSomqulu Wase-Arab Wamalungelo Esintu (2008)

Ubani onesibophosokuhlinzeka ngamanzi kanye nokuthuthwa kwendle?

Zonke izinhlaka zikahulumeni zinesibopho sokuqinisekisa ukuthi amanzi nokuthuthwa kwendle kuhlinzekwa ngendlela esheshayo, elinganayo nesimeme.

Zonke izinhlaka zikahulumeni kumele ziphokophele ekuhlinzekeni ngamanzi kanye nokuthuthwa kwendle ukuze kuqhubeke imisebenzi yokuziphilisa nempilo esimeme.

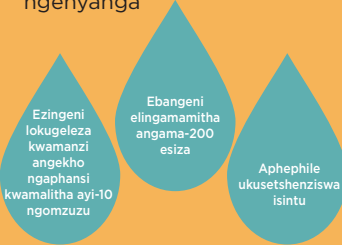
Uhulumeni kumele ubambe iqhaza lokwenza okulandelayo:

- Uhulumeni wakuzwelonke kumele alawule izinsiza zamanzi ngokusebenzisa izinhlangano ezibhekelele ezamanzi ezinhlobonhlobo;
- Omasipala banesibopho sokuhlinzeka ngamanzi kanye nokuthuthwa kwendle futhi kumele bazibhale phansi izinhlelo zokuhlinzeka ngale misebenzi. Lezi zinhlelo kumele zibandakanye imisebenzi yokuhlinzeka ngalezi zidingo emiphakathini yasemijondolo;
- Umthetho wethu uyakuqonda ukuthi, ngenxa yokushoda kwezinsiza, uhulumeni angeke ukwazi ukuhlinzekela wonke umuntu ngalezizidingo ngokuphazima kweso. Nokho, uhulumeni kumele ube nohlelo olucacile olunezikhathi ezinqunyiwe kanye nezabelomali zokuhlinzeka ngalezizidingo futhi wandise ukutholakala kwazo;
- Uhulumeni kumele wenze lokho ngaphandle kokunyathela amanye amalungelo ayisisekelo.

Uhulumeni kumele wenze okulandelayo ukuqinisekisa ukuthi kuhlizekwa ngamanzi ayisisekelokanye nokuthuthwa kwendle:



1. Okungenani amalitha ayizi-6000 emzini ngamunye ngenyanga



2. Indlu yangasese noma indlu yangasese enomgodi oshaya umoya, ephephile, eyethembekile, elungele imvelo, egcineka ihlanzekile kalula, ehlinzeka ngobumfihlo futhi evikelekile esimweni sezulu, enezikhala zomoya ezifanele, enganuki kakhulu nevikela ukungena kwezimpukane kanye nezinye izilwanyana ezithwala izifo.



**AKEKHO
UMTHENGI
ONGAPHILA
NGAPHANDLE
KWAMANZI
ISIKHATHI
ESINGAPHEZU
KWEZINSUKU
EZIYISI-7
NGONYAKA.**



Esiphethweni Semigomo Yentuthuko Yekhuluminyaka yezi-2015, uMhlangano Owujikelele Wenhlangano Yezizwe wamukela uHlelo Lwentuthuko Eqhubekisayo lowezi-2030, olwamemezela iMigomo Yentuthuko Eqhubekisakayo (ama-SDG). INgizimu Afrika iphinde yazibophezela ekufezeni ama-SDG ngalezo zikhathi ezinqunyiwe.

Umgomo 6 wama-SDG udingida ilungelo lokuhlizekela bonke abantu ngamanzi nokuthuthwa kwendle ukuze:

- Kuqinisekiswe ukutholakala nokuphathwa kwamanzi ngendlela esimeme kanye nokuthuthwa kwendle kubantu bonke;
- Ngowezi-2030, kumele kufinyelelwe ekutholakaleni kwamanzi okuphuza ahlanzekile nangambi eqolo emhlabeni wonke ngokulingana kubantu bonke;
- Ngowezi-2030, kuphumelele ukuhlizekela ngokuthuthwa kwendle kanye nenhlazeko yabantu bonke ngendlela egculisayo nelinganayo, kanye nokuqeda ukuzikhulula esidlangalaleni, kube kubekwa phambili izidingo zabantu besifazane, namantombazane kanye nalabo abasezimweni ezibabeka engozini.

UMnyango Wezamanzi Nokuthuthwa Kwendle nguwo obhekelele imithombo yamanzi eNingizimu Afrika. Unomsebenzi wokukhuthaza ukuphathwa kwemithombo yamanzi ngendlela egculisayo nesheshayo ukuqinisekisa umnotho osimeme kanye nokuthuthukisa umphakathi.

Ulwazi mayelana noMnyango luyatholaka ku-www.dwa.gov.za.

Izidingongqangi zamahhala

INingizimu Afrika inenqubo yezidingo eziyisisekelo zamahhala (inqubomgomo yabampofu) okubandakanya amanzi, ugesi kanye nokuqoqwa kwezibi ukuqinisekisa ukuthi:



- Umuzi ngamunye kumele uthole amalitha ayizi-6 000 okuqala mahhala ngenyanga. Amanzi asetshenziswa ngaphezu kwalawo kumele akhokhelwe. Inani lamanzi limiswe enanini elikhuphukayo okusho ukuthi uma uwasebenzisa kakhulu, uzokhokha kakhulu. Ezweni lonke ama-92.5% emizi akwazi ukuthola imithombo yamanzi okuphuza athuthukisiwe; ²
- Omasipala abahlukene banezinqubomgomo ezahlukene zokuhlizeka ngamanzi amahhala nokuthuthwa kwendle. Ungazithola lezidingo ngokuzenzakalela noma kudingeke ukuthi ubhalisele ukuthola lezidingo.

Lutholakalaphi usizo



- Unelungelo lokuhlizeka mahhala futhi unelungelo lokwazi ukuthi kungani ungahlizeka ngokufanele;
- Kumele utshele umasipala wakho, ikhansela lewadi noma umsebenzi wezokuthuthukiswa komphakathi uma ubhekene nezinkinga.
- IKhomishana YaseNingizimu Afrika Yamalungelo Esintu (IKhomishana/i-ne-SAHRC), ezinye izikhungo zesahluko 9 kanye nezinhlangano ezingekho ngaphansi kukahulumeni (ama-NGO) zingakusiza ukuthi uthole ulwazi oludingayo.

Amalungelo akuSomqulu Wamalungelo ayahambisana

Wonke amalungelo akuMthethosisekelo ayalingana futhi amalungelo ancikene. Isibonelo, ngaphandle kwamanzi kunzima ukufunda esikoleni, uthole imfundo.

Wonke amalungelo esintu athandelene futhi ancikene. Ilungelo lokuhlinzekwa ngamanzi nokuthuthwa kwendle lixhumene nelungelo lokuphila, isithunzi somuntu, ezempilo, indlu, ukudla, imfundo, ukuphepha komuntu ngamunye, ukulingana ngokobulili, kanye nokunqanda ukucwasa. Ukusilela kokuhlinzeka ngamanzi nokuthuthwa kwendle kunemithelela emibi eminingi.

Okungenani ama-26% (izigidi eziyi-3.8) emizi asemijondolo ahlinzekelwe ngokuthuthwa kwendle ngendlela engahambisani nemigomo edingekayo ngenxa yokumoshakala kwengqalasizinda, okudalwa ukusilela kochwepheshe abazoqinisekisa ukuthi zisebenza ngokufanele, zilungiswa ngesikhathi, zivuselelwe, futhi/noma kuthuthukiswe izinhlinzeko zokuthulula imigodi yezindlu zangasese ehlanzekayo, kanye/noma amanzi izinhlinzeko zemithombo yamanzi anganele.³

Izinhlangotho zomphakathi kanye nezinhlangano ezingekho ngaphansi kukahulumeni zibamba iqhaza elikhulu lokuqapha ukuqhubekiseka kokugcwaliseka kwelungelo lokuhlinzekwa ngamanzi nokuthuthwa kwendle.

ISikhungo Samalungelo Ezenhlanomtho eNingizimu Afrika (i-SERI) ingenye yezinhlangano ezinjalo futhi ungaxhumana naso ku: www.seri-sa.org.za

Izikhalo ngobunzima bokukhokha izikweletu zingaqondiswa kuMlawuli **Wezikweletu Kuzwelonke** ku-www.ncr.org.za.

AMALUNGELO AKUSOMQULU WAMALUNGELO AYAHAMBISANA, ISIBONELO:

- Ukwanda kwezifo ezinganqandeka njengesifo sohudo nekholera;
- Izingane, ikakhulukazi amantombazane, zivame ukungasiqedi isikole ngenxa yokungabibikho kwezindlu zangasese;
- Kwanda ukusetshenziswa kwezibhedlela kanye nemitholampilo;
- Abantu abayi emsebenzini futhi abakwazi ukusebenza ngendlela egculisayo;
- Abantu besifazane basaba ukuya ezindlini zangasese ebusuku ngenxa yokusaba ukungaphephi.

IHhovisi Lomvikeli Womphakathi yisikhungo esizimele esasungulwa ngokweSahluko 9 soMthethosisekelo. Umsebenzi waso ukuphenya ukungaziphathi kahle kuhulumeni, ukwehluleka kanye nokuphatha ngokungafanele. Ukuze uthole olunye ulwazi ngeHhovisi Lomvikeli Womphakathi ungavakashela ku iwebhusayithi yalo www.pprotect.org.

Iqhaza le-ne-SAHRC



**IKHOMISHANA YAMALUNGELO
ESINTU ENINGIZIMU
AFRIKA IWUPHIKO
OLUZIMELE OLUMISWE
UMTHETHOSISEKELO UKUZE
LIQAPHE, LIVIKELE FUTHI
LIKHUTHAZE UKUGCWALISEKA
KWAMALUNGELO ESINTU
EZWENI LETHU.**

Ukuphazanyiswa kwelungelo lokuthola amanzi nokuthuthwa kwendle kusezingeni eliphezulu kakhulu eNingizimu Afrika kube kuyinto engamukelekile, ikakhulukazi ezindaweni zasemakhaya nasemijondolo. IKhomishana ithola izikhalo eziningi mayelana namanzi kanye nokuthuthwa kwendle. Phakathi kowezi-2012 nowezi-2016 iKhomishana yamukela izikhalo eziyizi-1 363 mayelana nokuphazanyiswa kwelungelo lokuthola amanzi nokuthuthwa kwendle.⁴

Ukuphazanyiswa kwamalungelo okuthola amanzi nokuthuthwa kwendle, akuholeli nje ekuphazanyisweni kwelungelo eliyisisekelo, kodwa ngenye inkathi kudala imibhikisho yomphakathi osuke ungeneme ngenxa yokusilela kwalezizidingo ezifanele.

Izinkantolo zicacise ngokusobala ukuthi abantu bafanelwe ukuwathola amanzi. Izinqumo zenkantolo ezibalulekile zihlinzeka izinhlaka eziphethe mayelana nokuthi umsebenzi wazo wokuhlinzeka ngamanzi aseqophelweni elifanele kanye nokuthuthwa kwendle ubandakanya ini. Izinkantolo zazise ukuthi ilungelo lokuthola amanzi nokuthuthwa kwendle kubo bonke abaseNingizimu Afrika libalulekile ukuze izwe liqede ukungalingani; ububha, ukuthuthukisa nokuvikela amanye amalungelo njengelungelo lezempilo kanye nezemfundo.⁵

Ezikhazweni zangaphambilini ezathunyelwa kwikhomishana, imiphakathi yaseMakhazeni eKhayelitsha naseRammulotsi eFree State yayikhalaza ngezindlu zangasese ezisemiphakathini yayo.

Uphenyo lweKhomishana ludalule ukuthi abantu bakule miphakathi bebebhekana nokuphazanyiswa okukhulu kwamalungelo abo ayisisekelo. Beyiphoqeleka ukuthi ihlale ngaphansi kwezimo ezingahlanzekile nezingaphephile njengoba beyingenazo izindlu zangasese ezivalekile, ebezihlanzekile futhi ezingahambisani nezinqubo kanye nemigomo yokuthumela lezidingo. IKhomishana iyalele omasipala bobabili ukuthi bathathe izinyathelo ngaleso sikhathi ngokuvikela ilungelo langasese, isithunzi somuntu, ilungelo lenhlanzeko nendawo ephephile kanye namalungelo okuthola amanzi nokuthuthwa kwendle kule miphakathi.

IKhomishana inxuse uMnyango kaMengameli Wezokuhlela, Ukuqapha Nokuhlola (i-DPME) ukuthi ihlinzeke lKhomishana ngombiko mayelana nelungelo lezokuthuthwa kwendle ezweni lonkana. I-DPME ibike ngokuthi bekunezinkinga eziqhubekayo neziyinsakavukela mayelana “nokuntengantenga kwezinhlinzeko zamanzi ezisemqoka futhi izinselelo zidalwe ukusilela koxhaso olwanele kanye nokungaqoqwa kwengeniso ngokwanele okuholele ekutheni lungabibikho uzinzo kwezezimali; ukushoda kwamakhono ezobuchwepheshe, ezokuphatha kanye nokuqhuba ibhizinisi; ukugxambukela kwezepolitiki, inkohlakalo, amandla kanye nemisebenzi kamasipala engacacisiwe.”⁶

IKhomishana ikudingide ngokusemthethweni okutholakele kanye nezincomo nephalamende likazwelonke emuva kwemihlangano eyabanjwa nomphakathi ezifundazweni zonke mayelana nokuphazanyiswa kwamalungelo okuthola amanzi nokuthuthwa kwendle. Iyaqhubeka ukuqapha kanye nokubika ngalelilungelo nokuphendula izikhalo ezivela emiphakathini. Kamuva nje iKhomishana yaqonda enkantolo icelela umphakathi wasesiFundazweni iNorth West.⁷ Kuleli cala, amanzi ayahlinzekwa uMasipala kodwa awazanele izidingo.⁸

Amanothi Okusonga

- ¹ Free Basic Water Implementation Guideline for Local Authorities Version 2.3 available at <http://www.dwa.gov.za/Documents/FBW/FBWLocalAuthGuidelinesAug2002.pdf>
- ² GHS Series Volume VIII Water and Sanitation: In depth analysis of the GHS 2002 - 2015 and CS 2016 data
- ³ Report on the right to access to sufficient water and decent sanitation in SA 2014 (ne-SAHRC)
- ⁴ ne-SAHRC Annual Trends Analysis Report 2015/2016
- ⁵ Mazibuko and Others v City of Johannesburg and Others 2010 (3) BCLR 239 (CC) (08 October 2009)
- ⁶ ne-SAHRC Moqhaka findings (2011)
- ⁷ ne-SAHRC Section 184 (3) Report (2016/2017)
- ⁸ ne-SAHRC v Madibeng Local Municipality NW/2014/0036

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