

# Ilungelo lokufumana Amanzi nezokuHlanzeka



## ILUNGELO LOKUFUMANA AMANZI NEZOKUHLANZEKA LILUNGELO ELISISEKELO LABANTU ELIQINTELWE KUVIKELAMALUNGELO.

UmThetho weZenzelwa  
zaManzi uqintela bona:

- Woke umuntu unelungelo lokufumana ukuphakelwa kwamanzi okusisekelo nezenzelwa zokuhlangezeka;
- Esinye nesinye isikhungo sezenzelwa zamanzi kufanele sithathe amagadango wokuzalisekisa amalungelo lawa;
- Omunye nomunye umasipala kufanele uhlele mayelana nokuzalisekiswa kwamalungelo lawa ehlelweni labo lokuthuthukisa izenzelwa zamanzi.

IsiGaba sesi- 2 somThethosisekelo weSewula Afrika siqintela bona:

***“Woke umuntu unelungelo lokufumana ukudla namanzi aneleko.”***

Kobana ilungelo leli lisebenze iPalamende iphasise umThetho we- 108 we- 1997 weZenzelwa zaManzi. Umngqopho womThetho lo kulungisela ilungelo lokuphakelwa kwamanzi okusisekelo nezenzelwa zokuhlangezeka okusisekelo.

UmThetho lo uqinisekisa bona ilungelo lokufumana ukuphakelwa kwamanzi okusisekelo kanye nezenzelwa zokuhlangezeka ezisisekelo liyafuneka ekuqinisekiseni amanzi aneleko nebhoduluko elinganabungozi emaphilweni nakuhlalakahle yabantu neenlwana.

Ezinye iimvumelwano zesifunda ezibulunge nezihlonipha ilungelo lokufumana amanzi nokuhlanzeka zifaka hlangana:

- ITjhatha ye- Afrika yamaLungelo wobuNtu nabaNtu (1981)
- ITjhatha ye- Afrika yamaLungelo neHlalakuhle yomNtwana (1990)
- Umgomo wokuNgezelela wesiVumelwano se- Amerika esimayelana namaLungelo wobuNtu emkhakheni wamaLungelo wezomNotho, wezokuHlalisana namaSiko (umGomo we- San Salvador) (1988)
- ITjhatha ye- Arab yamaLungelo wobuNtu (2008)

## Ngubani onesibopho sokwethulwa kwezenzelwa zamanzi nokuhlanzeka?

Yoke imikhakha karhulumende inesibopho sokuqinisekisa bona izenzelwa zamanzi nokuhlanzeka zinikelwa ngendlela ehlelekileko, efaneleko neragela phambili.

Yoke imikhakha karhulumende kufanele ilinge ngamandla ukunikela izenzelwa zokuphakelwa kwamanzi nokuhlanzeka mayelana nokugcinwa nokuragela phambili komsetjenzana wezomnotho.

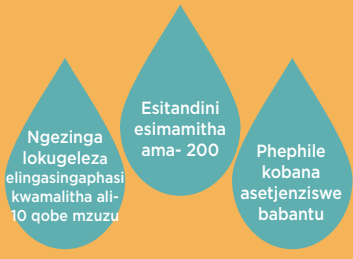
Umsebenzi karhulumende kukobana:

- Urhulumende wesitjhaba kufanele alawule imithombo yamanzi ngamabhodi ahlukahlukeneko wamanzi;
- Abomasipala banesibopho sokwethulwa kwezenzelwa zamanzi nokuhlanzeka begodu kufanele badwebe amahlelo wokuzethula. Amahlelo lawa kufanele atjheje izenzelwa ezisebenzako zokwethula emiphakathini engakahleleki;
- Umthetho wethu uqintela bona ngebanga letlhogeko leentlabagelo urhulumende akakghoni ukunikela wo ke umuntu izenzelwa ngesikhathi sinye. Nanyana kunjalo, urhulumende kufanele abe nehlelo elicacileko elinamarherho weenkxhathi nezabelo zeemali kobana anikele izenzelwa lezi begodu angezelele ukufunyanwa kwazo;
- Urhulumende kufanele enze njalo ngaphandle kokwehlisa amanye amalungelo asisekelo.

**Urhulumende kufanele anikele izenzelwa ezisisekelo ezilandelako zamanzi nokuhlazeka:**



1. Okungenani amalitha azi- 6000 zamalitha umuzi ngamunye qobe ngenyanga



2. Indlwana yokuzithuma namkha indlwana yokuzithuma yomgodi engenisa ummoya, ephephileko, ethembekako, elungele ibhoduluko, egcineka lula ihlanzekile, enikela ifihlo nokuvikeleka ebujameni bezulu, engenisa kuhle ummoya, ebamba umnuko nekhandela ukungena kweempukani nezinye iinunwana ezithwala amalwelwe.



**AKEKHO UMSEBENZISI ONGAHLALA ANGANAMANZI AMALANGA EQAKO KWALI- 7 QOBE MNYAKA**



Esiphethweni semiNqopho yokuThuthukisa yeMileniyamu ngo- 2015, iHlangano yesiBethamthetho seenTjhaba eziBumbeneko yamukele i- Ajenda ka- 2030 yeTuthuko eRagela Phambili, ememezele imiNqopho yeTuthuko eRagela Phambili (Sustainable Development Goals (SDG's)). ISewula Afrika nayo izibophelele ekuzuzeni i- SDG's ngamarherho weenkhati ezibekiweko.

Umnqopho wesi- 6 we- SDGs utjheje ilungelo lokufunyanwa ngiwo woke umuntu kwezenzelwa zamanzi nokuhlazeka uku-:

- Qinisekisa ukuba khona nokuphathwa okuragela phambili kwamanzi zokuhlazeka kwawo woke umuntu;
- Ngo- 2030, zuza ukufumaneka kwephasini loke nokungathathi ihlangothi kwamanzi wokusela aphephileko nangabiziko ngiwo woke umuntu;
- Ngo- 2030, zuza ukufumaneka kwawo woke umuntu kokuhlazeka okwaneleko nokungathathi ihlangothi, nokuqedwa kokuzithuma kwangaphandle, ngokutjheja khulu iindingo zabafazi nabentazana kanye nalabo abasebujameni bokulimala bulula.

UmNyango wezaManzi nokuHlanzeka umtlhogomeli wemithombo yamanzi yeSewula Afrika. Ugunyazwe ngokuthuthukisa ukuphathwa okuhlelekileko nokusebenzako kwemithombo yamanzi ukuqinisekisa ukuthuthukiswa okuragela phambili kwezomnotho nokuhlalisana. Ilwazi mayelana nomNyango lingafunyanwa kuwebhusayidi yawo ku: [www.dwa.gov.za](http://www.dwa.gov.za).

## Izenzelwa ezisisekelo zasimahla



ISewula Afrika inomgomo 1 wezenzelwa ezisisekelo zasimahla (umgomo wabatlhagako) ukufaka hlangana amanzi, igezi nokuthuthwa kweensila ukuqinisekisa bona:

- Elinye nelinye ikhaya lithola amalitha wokuthoma azi- 6000 zamanzi simahla ngenyanga. Amanzi asetjenziswe ukudlula nangaphezu kwalokhu kufanele abhadelwe. Amanzi anikelwa intengo ekhuphukako okutjho bona nakasetjenziwa khulu, abiza khulu. Enarheni yoke amakhaya ama-92,5% afumana imithombo yamanzi enziwe ngcono;<sup>2</sup>
- Abomasipala abahlukeneko banemigomo ehlukeneko yokunikelwa kwamanzi nokuhlanzeka kwasimahla. Izenzelwa lezi ungazithola ngokuzenzekela namkha kungafanela bona uzitlolisele.

## Lapho ekuzokutholwa khona isizo



- Unelungelo lezenzelwa zasimahla begodu unelungelo lokwazi bona kubayini ungatholi izenzelwa ezaneleko;
- Kufanele utjele umasipala wakho, ilunga lomkhandlu wewadi namkha isisebenzi sokuthuthukiswa komphakathi nangabe uhlangabezana nemiraro;
- IKomitjhini yamalungelo wobuNtu yeSewula Afrika (IKomitjhini/ SAHRC), ezinye iinkhongo zesigaba se- 9 neenhlangotho ezingasizo zakarhulumente (NGOs) nazo zingakusiza kobana uthole ilwazi olithhogako.

# Amalungelo akuVikelamalungelo ayakhambelana

Woke amalungelo akumThethosisekelo wethu ayalingana begodu athembele kwelinye nelinye. Ukwenza isibonelo, kubudisi ukufunda esikolweni ngaphandle kwamanzi kanye nokuthola ifundo.

Woke amalungelo wobuntu abophene begodu athembelene. Ilungelo lokufumana izenzelwa zamanzi nokuhlazeka lihlenganiswe namalungelo wokuphila, isithunzi, zamaphilo, ukudla, ifundo, ukuvikeleka, ukulingana kobulili kanye nokukhandelwa kwebandlululo. Itlhogeko lokufunyanwa kwamanzi nokuhlazeka kunemithelela eminengi emimbi.

Okungenani ama- 26% (3.8 yesigidi) samakhaya weendaweni ezihlelekileko anenzelwa zokuhlazeka ezingahlangabezi izinga elifunekako ngebanga lokonakala komthangalasekelo, okubangelwa litlhogeko lekghono elibuthekni lokuqinisekisa ukusebenza kuhle, ukutjhejwa njalo njalo, ukuvuselelwa kanye/namkha ukukhuphulwa kwezenzelwa zokukhupha uthuvi eendlwani zokuzithuma zomgodi kanye/namkha izenzelwa zemithombo enganeliko yamanzi.<sup>3</sup>

Umphakathi neenhlango ezingasizo zakarhulumente zidlala indima eqakathekileko ekutjhejeni ukuzakisekiswa okuragela phambili kwelungelo lokufunyanwa kwezenzelwa zamansi nokuhlazeka.

**UmKhandlu wamaLungelo wezokuHlalisana nezomNotho weSewula** Afrika (Socio-Economic Rights Institute of South Africa (SERI)) ngomunye umhlobo wehlango begodu ungathintwa ngewebhusayidi yayo. [www.seri-sa.org.za](http://www.seri-sa.org.za)

linghohoyilo ngobudisi bokubhadelwa kweenkolodo zingenziwa nomLawuli weenKolodo wesiTjhaba ku- [www.ncr.org.za](http://www.ncr.org.za).

## AMALUNGelo ANGAKUVIKELAMALUNGelo AYAKHAMBELANA, UKWENZA ISIBONELO:

- Ukusabalala kwamalwelwe akhandelekako afana nerhudo nendenebovu;
- Abentwana, khulu khulu abentazana banomukghwa wokulisa isikolo nangabe azikho iindlwana zokuzithuma;
- Ukusetjenziswa kweembhedlela nemitholapilo kuyangezeleleka;
- Abantu bayatshwila emsebenzini begodu abasebenzi;
- Abafazi basaba ukuya eendlwani zokuzithuma ebusuku ngombana basabela ukuphepha kwabo.

## Umsebenzi we- SAHRC



**IKOMITJHINI YAMALUNGELO  
WOBUNTU YESEWULA AFRIKA  
YIHLANGANO EZIJAMELEKO  
EHLONYWE MTHETHOSISEKELO  
KOBANA ITJHEJE,  
IVIKELE BEYITHUTHUKISE  
UKUZALISEKISWA  
KWAMALUNGELO WOBUNTU  
ENARHENI YEKHETHU.**

Ukwepulwa kwelungelo lokufumana amanzi nokuhlanzeka kuphezulu ngendlela engamukelekiko eSewula Afrika, ngokwepulwa okunengi okwenzeka emiphakathini yemakhaya nengakahleleki. IKomitjhini ithola iinghonyoyilo ezinengi mayelana namanzi nokuhlanzeka. Hlangana kwaka-2012 no- 2016 iKomitjhini yamukele iinghonyoyilo eziyi- 1 363 mayelana nokwepulwa kwelungelo lokufumana amanzi nokuhlanzeka.<sup>4</sup>

Ukwepulwa kwamalungelo wokufunyanwa kwamanzi nokuhlanzeka akurholeli kwaphela ekwaphulweni kwamalungelo asisekelo, kodwana kwesinye isikhathi kubanga nokunghonyoyila kwemiphakathi ehlangahlanganiswe litlhogeko lezenzelwa ezaneleko.

Amakhotho acacisile bona abantu banelungelo lokufumana amanzi. Ukwahlulela okuqakathekileko kwamakhotho kunikela iimphathimandla ezifaneleko umhlahlo mayelana nalokho isibopho sabo sokunikela amanzi wekwalithi nokuhlanzeka esikubandakanyako. Amakhotho aqintele bona ilungelo lokufumana amanzi nokuhlanzeka kwawo wo ke umuntu eSewula Afrika liqakathekile enarheni kobana kuqedwe ukungalingani; umtlhago, ukwenza ngcono nokuvikela amanye amalungelo afana nelungelo lezamaphilo nefundo.<sup>5</sup>

Eenghonyilweni ezimbili zangaphambili eziya kuKomitjhini, imiphakathi yeMakhaza, yeKhayelitsha neyeRammulotsi eFreyistata zinghonyile ngeendlwana zokuzithuma zemiphakathi nazo.

Iphenyo leKomitjhini liveze bona abantu bemiphakathini le balemuke ukwepulwa okunengi kwamalungelwabo asisekelo. Bebakateleleka ukuhlala ebujameni obungakahlanzeki nobungakaphephi njengobana kwakufanele basebenzise iindlwana zokuzithuma ezingakabiyelwa, egade zingakahlwengi begodu nezingakhambisani nemithetho namazinga wokwethulwa kwezenzelwa. IKomitjhini yalayela abomasipala bobabili kobana bathathe amagadango khonokho mayelana nokuvikelwa kwefihlo, isithunzi, ilungelo lokufumana ibhoduluko elihlanzekileko neliphephileko kanye namalungelo wokufunyanwa kwamanzi nokuhlanzeke kwemiphakathi le.

IKomitjhini yafuna nokobana umNyango wokuHlela, ukuTjheja nokuHlaziya we-Ofisini kaMengameli (*Department of Planning, Monitoring and Evaluation (DPME)*) unikele iKomitjhini umbiko omayelana nelungelo lokuhlanzeke enarheni yoke. I- DPME ibike bona bekunemiraro eragela phambili nesabaleleko emayelana “nokubhalelwa kwezenzelwa eziqakathekileko zamanzi kanye neetjhijilo ezibangelwe litlhogeko lesekelo leemali elaneleko nokubuthelelwa okungasikuhle kwerevenyu okurholele ekunganzinini kwezeemali; itlhogeko lamakghono wobuthekniki, wokuphatha newebhizinisi; ukucabhela kwezepolotiki nekohlakalo kanye negunya nemisebenzi engacaciko yabomasipala.”<sup>6</sup>

IKomitjhini ibike ngokuhlelekileko ngemiphumela neemphakamiso zayo nepalamende yesitjhaba ngemva kokulalelwa okwenziwe kizo zoke iimfunda mayelana nokwepulwa kwamalungelo wokufunyanwa kwamanzi nokuhlanzeke. Iragela phambili ngokutjheja nokubika ngelungelo kanye nokuphendula iinghonyilo ezilethwa kiyi miphakathi. Kungasikade iKomitjhini yathintana nekhotho mayelana nesizo ngokujamela umphakathi wesiFunda seTlha<sup>9w</sup>ini Tjhingalanga.<sup>7</sup> Ebujameni lobu, uMasipala gade anikela amanzi kodwana bewanganeli iindingo za<sup>wo.8</sup>

## End notes

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



# Imininingwana yokuthintana

## AMA- OFISI WEEMFUNDA

### Pumalanga Kapa

Isiphande: 4th Floor Oxford house,  
86 Oxford street, East London, 5200  
Umrhala: 043 722 7828/21/25 | Ifeksi: 043 722  
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## **Indlela yokuthintana ne- SAHRC**

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