



Mandela Month: Reclaiming the dignity of senior citizens

On 26 July 2024, our office hosted a Mandela Day event, under the theme "Reclaiming our Dignity" at the Reuven Retirement Village in Turffontein. In commemoration of Mandela Month, we spent the day at the village to further advocate for the protection of the human rights of residents, this time within the elderly community.

The retirement village, which consists of 283 units, continues to experience a myriad of service delivery related challenges ranging from poor maintenance i.e., cracked floor tiles, broken windows, burst pipes, sewer and geyser leakages to limited access to recreational amenities, inhabitable spaces and the unlawful occupation of unauthorised individuals in some units.

As an office we heeded the call and were honoured to lead a programme that centred around the socio-economic emancipation of the most vulnerable of our society, by providing a day filled with physical activities, camaraderie, delightful treats, pampering and essential personal care items aimed at improving the mental and physical wellbeing of our senior citizens.



Image: Senior Citizens from the Reuven Retirement Village, Turffontein

The mandate of our office is to investigate any alleged acts of maladministration and human rights violations within the City of Johannesburg's departments and municipal entities; and through our senior citizen engagements, we can ensure that service delivery is enhanced across the City so that the right to quality of life, non-discrimination, and human dignity of senior citizens is protected and maintained.

Our #AtYourReach outreach programmes continue to play an instrumental role in bridging the gap between the advocacy of residents' right to efficient (and equitable) service delivery and our collaboration with the respective City departments/entities essentially helps us to make our services more accessible across all the seven regions.

This programme not only strengthens our efforts to make the office accessible to residents but as our flagship project, we hope it will continue to contribute to accelerating service delivery to the most vulnerable in our communities.

Follow us on X (@jhbombudsman) and Facebook (Joburg Ombudsman) for updates of our Outreach campaigns across the City. We could be visiting your region soon!

Joburg's fringe communities still using pit latrines

In last month's issue, we cited that our office recently conducted an outreach activation in Poortjie (a formal township located in Ward 5, Region G) and learned that residents are still subjected to inadequate sanitation services such as pit latrines (long drops), exposing them to significant health risks. This not only violates the residents' human rights to "an environment that is not harmful to their health or well-being", but also their right to "have their intrinsic dignity protected" and respected.

According to a report received from the Human Settlement Department, the City of Johannesburg relocated 168 water-logged households from pegged and serviced stands. These houses were relocated to what is now known as Dark City, an informal settlement situated on the outskirts of Poortjie.

Notably, the department has made significant progress in various initiatives namely relocating 817 households to a new site in 2020 and 2021; successfully rolling out essential services to benefit the community, including the electrification of 672 households by Eskom and the installation of 356 VIP toilets, communal taps, and upgraded standpipes by Joburg Water. Additionally, 168 families previously residing in waterlogged stands have been connected to the existing sewer line. And while VIP toilets continue to serve the area in the short to medium term, long-term plans suggest upgrading to a **reticulation system**.



Image source: Reuters

The obligation for the provision of a safe and healthy environment is specified in the Constitution as well as a variety of legislation, stating that everyone has the right to a healthy and safe environment. The Municipal System Act also imposes an obligation to ensure that right is protected.

As an office of last instance, our duty is to help accelerate service delivery by promoting good governance and advocating for the protection of human rights of residents





by ensuring that the respective departments uphold the human dignity of the people of Dark City through providing access to good sanitation services.

As no two complaints are the same, residents are encouraged to approach our office where they feel they may have experienced an injustice and our team will give each matter the attention required to ascertain the validity of the concerns raised based on the information provided and evidence gathered.

The informal economy: A marriage between economic development and regulation

Our office received a complaint against the City of Johannesburg's Department of Economic Development, regarding growing concerns around the alleged illegal occupation of undocumented immigrants in the City of Johannesburg's designated trading areas. The complainant raised questions about the efficacy of informal trading permits, citing fears that this may have a negative impact on the health and safety of residents in and around the city.

We conducted a preliminary investigation and upon receipt of a formal response from the Department of Economic Development, the case was closed due to the complainant not having lodged a complaint with the department and awarding them an opportunity to respond and address their concerns. ** Despite the resolution at Intake and Registry level, complainants are always encouraged to return to our office should the department fail to address the concerns raised.*

As an office of last instance, the Ombudsman By-Law 2023 requires that a complainant first exhaust all the avenues available to lodge a complaint within the City's relevant structures prior to escalating it with our office.

“Informal trading accounts for approximately R10 billion in annual revenue, highlighting the importance of this sector in the city's economy...”

The City of Johannesburg is mandated by our Constitution to promote social and economic development as well as a safe and healthy environment. We believe that the current Street Trading By-Laws seeks to regulate Informal Trading within the jurisdictional area of the City in a manner that recognises and enhances the City's constitutional and the adoption of an Informal Trading policy, and will hopefully create more opportunities for the Informal Trading sector to share in the benefits of, and further contribute to the City's economic growth.

As an office, we acknowledge the importance of informal trading and the role it plays in providing an opportunity for many small-scale entrepreneurs to earn a living. However, it must be stated that although any resident of the City may be

permitted to engage in Informal Trading provided and that they comply with the provisions of this By-law and any other applicable laws, there exists an uneven playing field for legitimate businesses in the informal sector which still needs a concerted effort by the collective.



Image source: SALGA

To learn more about the Street Trading By-Laws of the City of Johannesburg, click the link below to download a copy:

https://joburg.org.za/documents/_Documents/By-Laws/informal_trading_bylaws.pdf



Image source: SALGA

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