



Durban Social Forum

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Date: 21st March 2011

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Memorandum Delivered to Government on Human Rights Day 21st March 2011.

In our 16th year of democracy, we have gathered from across KwaZulu Natal to recall our history and recognise on this Human Rights Day that the rights we now have enshrined in the South African Constitution is based upon undoing the suffering of the poor, and reversing the racism of the legacy of apartheid.

We recognise at the outset those who died for the Rights we now seek delivery on, our 69 brothers and sisters from Sharpeville in particular, and the very many more country wide who died in the struggle for political freedom, and freedom from poverty.

We are deeply concerned about: Governing Impropriety

For some time now there have been concerns about the state of governance by the eThekweni Metro. This manifested itself in the R3,1-billion for the development of Durban's 70 000-seater Moses Mabhida Stadium – the costs had escalated from an initial R1.8 billion; the construction of low-cost housing by Zikhulise Cleaning, Maintenance and Transport became a national scandal with one third of the houses built in Umlazi requiring reconstruction; the 2009/10 auditor-general's report which cited irregular and noncompliant spending to the tune of R532 million; the subsequent audit report by Ngubane and Co which calls for disciplinary and criminal charges to be brought against the city's senior management; and the present Hawk's investigation

Government denying people their livelihoods

During the apartheid regime, security concerns were used extensively to keep local subsistence fisherfolk away from the harbour area. In our democratic era, the poor subsistence fisherfolk, who rely on fishing as their main livelihood, have seen their access to the natural resources being further denied through the illegal banning orders of fisherman from the Durban piers and from key fishing areas within the harbour, while rich recreational fishermen have unhindered access to these resources from their expensive boats.

In a global economy where social services to the poor are being weakened, while the state uses public funds to rescue failed corporate capital, whose failure is as a result of their own financial greed, the poor have developed systems to respond including the extraction of materials from society's 'waste' for income from recycling. However, with ever increasing privatisation of waste services the poor lose access to these resources.

Market gardeners who have for more than a century supplied Durban with fresh produce have over the past few decades been replaced by corporate suppliers of produce imported from throughout SA and globally to Durban, and sold in chain stores that undermine local production and local economies. Despite these overwhelming odds against them, market gardeners still provide food for Durban, and mainly their working class.

Informal traders and traditional traders have been harassed by the city officials, especially those within the **Warwick** Triangle, where livelihoods have been threatened with concrete malls.

Failed promises on Housing

Shack dwellers and the poor remain in poverty and in the shacks year after year while Government issues the housing budget every year???. The eThekweni municipality continues to ignore the shack dwellers. The reasons for the attack on our democratic movements and for the bans on democratic and peaceful marches each time we raise these issues have become clear. The misuse of state funds meant for the poor and the impunity and unaccountability of senior government people in power????.

Health Lack of basic services that guarantees

In our democracy we did not believe that we would be without water, energy and other services that provide us with dignity. Yet today, millions of people cannot afford energy and live in energy poverty; people have the indignity of having 'drip' water systems installed in their homes; townships are still places where refuse removal is inferior to the suburbs and where access to health services mean long queues. Yet, industry receives preferential rates which mean at times they get electricity below cost. In July, annual increases for electricity, water, sanitation and council rates and rent will impact upon the poor **the** severest.

Climate Change, Pollution and Health

South Africa produces 42% of Africa's green house gases. Durban is home to major industries and developments that release these green house gases. Two oil refineries, a major fuel pipeline from Durban to Gauteng, and paper mills are among the many.. Pollution caused by these industries also impact upon local people's health. Independent studies supported by the Durban municipality have found the rate of asthma in south Durban to be the highest globally, affecting 52% of the learning population, and the risk of cancer due to industrial development being 250 times the acceptable norm.

Climate Change – Agriculture

In much of Africa the temperature rises at 1.5 times higher than the global average and already exceeds 1°C. In Niger, several years of drought were followed by unusually severe flooding in August 2010. People already vulnerable to malnutrition saw their crops destroyed and 200,000 people were flooded out of their homes. The 'international community' barely registered this disaster and emergency aid has not been forthcoming. In the southern Cape, the drought of 2010 was preceded by successive years of heavy flooding. Local agriculture in KwaZulu Natal is going to be similarly affected.

Old Airport Land – the deepening of the crisis

The climate crisis and the energy crisis are as a result of the political elite not wanting to give up on the corporate fossil fuel agenda. This agenda is further witnessed as government seeks to place a third petro-chemical complex and a dug-out port on the present old Durban International airport land. This has been without consultation with the local community about their vision for their own local area, and despite the global crisis caused by fossil fuel addiction. The residents of south Durban has placed on record in 1998, their vision for south Durban which government ignores.

Xenophobia – who is Africa for?

Durban's hundreds of thousands of immigrants are under sustained unwarranted scrutiny by the state. There has been no responsibility in relation to the xenophobia crisis of 2008. Immigrants continue to face oppression in their dealings with the South African government and police.

Freedom to peaceful protest

We note that the Durban Municipality has a dismal record in allowing people their freedom of peaceful protest to highlight social injustices. In December 2011, the world's government and global civil society will gather in Durban for the 17th Conference of the Parties on the UN Framework Convention on Climate Change. As society we will seek to protest peacefully against the failure of this process to deliver a meaningful outcome in terms of addressing climate change.

We therefore demand:

- A transparent and publicly accountably investigation into the improper governance and mismanagement of public funds at the eThekweni Metro, and all other municipalities in KwaZulu Natal;
- Government ensures through local policy and legislative process, as well as practice, that the livelihoods of fisherfolk, market gardeners and waste pickers are facilitated and protected from corporate interest and inappropriate and undemocratic government decisions.
- That the senior Durban Municipal staff responsible for housing meet with people and organisations who require such meetings to understand the lack of housing delivery.
- The eThekweni Municipality ensure that free basic services are delivered to people without means testing
- The eThekweni Manager immediately answer as to why the pollution monitoring and compliance component of the Health Department has been weakened at a time when they are critically needed to

ensure that the population is protected from development that is not suitable for the city, its residents and the climate.

- The South African government takes climate change seriously and ensures that adaptation measures are urgently developed to protect local subsistence agriculture and that they immediately stop the fired power developments such as Medupi and Kusile and place these finances into energy efficiency and meaningful renewables

- The South African Cabinet and the Premier of KwaZulu Natal immediately set in place a public dialogue to democratically decide on the future of the old Durban International airport land

- Treat the immigrant community with dignity and decorum.

- The eThekweni Municipality and National government ensure that global civil society is allowed to protest peacefully during the COP in December 2011, free of police brutality, state security and political interference

Signed by the Durban Social Forum, network of NGOs and social movements below

- **Kwa Zulu Natal Subsistence Fisherfolks**
- **Clairwood Ratepayers Association**
- **South Durban Community Environmental Alliance**
- **Abahlali BaseMjondolo**
- **Sipping Ratepayers Association**
- **Dalton Hostel Dwellers**
- **Silverglen civic Association**
- **Bluff Ratepayers Association**
- **Wentworth Development Forum**
- **Rural Network**
- **Streetnet**
- **Early Morning Market**
- **Pietermaritzburg Waste Pickers**
- **Democracy and Development Programme**
- **Diakonia Council of Churches**
- **Immigrant Community of Durban**
- **Reunion Airport Farmers Association**

Received By ----- Signed -----Date -----