

CHRIS HANI DISTRICT MUNICIPALITY



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Map

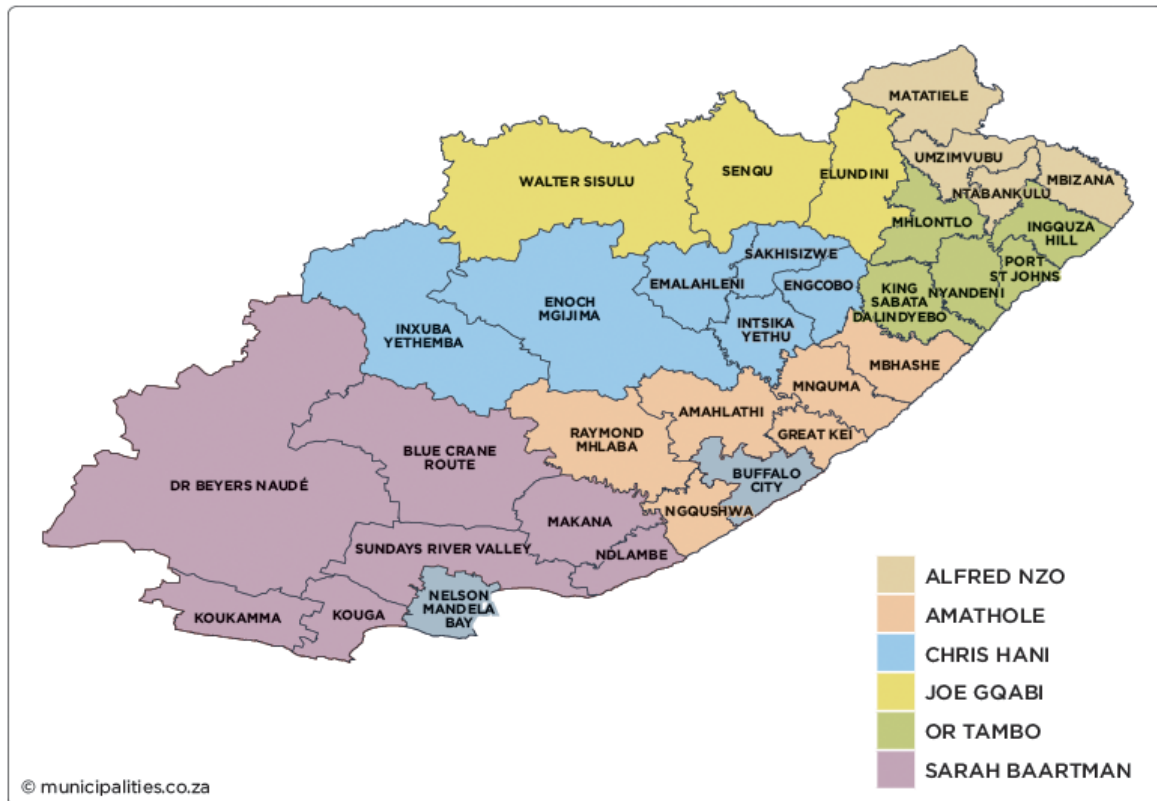


Figure 1: Geographical location of the Chris Hani District Municipality (source Municipalities of South Africa, <https://municipalities.co.za/provinces/view/1/eastern-cape>).

The Chris Hani District Municipality is situated in the north-eastern part of the Eastern Cape. It is the second-largest district in the province.

Assessment: Progressive realization of the right to water in Chris Hani District Municipality

RIGHTS HOLDERS			
Demographics	Current Population: Ranges from 475,610 (<i>Blue Drop</i>) to 872,000 (IDP) Population growth rate: 0.26% Sex Ratio: Moderate female majority Dependency: 29.9% under 15; dependency ratio 65.3		
Unemployment	46.2%		
KEY IMPLEMENTATION INDICATORS			
Availability	Rivers, dams, groundwater 53% of capacity used		
Physical access	Communal source +200m	28.9%	
	Communal source – 200m	41.1%	
	Water source in yard	30.0%	
	Piped water in house	45.9%	
	Service delivery point/household coverage ratio	1.17	
Economic Access	Tariff variation: Domestic, business + 1 category Tariff structure: Increasing block tariff (6 blocks, R11.28-R24.54 FBW: Indigent only Indigency: 5.9% of service delivery points, increasing trend		
Adequacy	No available information		
Quality	Microbiological compliance	96.7%	
	Chemical (acute) compliance	36.2%	
	Chemical (chronic) compliance	99.3%	
Efficiency	WUE Score: 169 l/p/d (Good) Non-revenue water: 23%		
REASONABLE MEASURES			
Policy Efforts	By-law, WSDP, Indigent Policy		
Financial Resources (2024/25)	Budget sufficiency: 129% Revenue coverage: 161% Renewal spending: 0% Maintenance spending rate: 4%		
Human Resources	<i>Blue Drop</i> shortfall: 221 Process Controllers, 1 Supervisor, 1 Technician, 0 Qualified scientists		
SYSTEMIC DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE			
Leadership issues	Not mentioned		
Water planning issues	-Unreliable statistics -Water infrastructure upgrade -Increased costs for bulk water provision -Ageing water infrastructure -Drought and degradation of water sources		

Funding model	-Grant dependent (68% revenue from grants according to the IDP -MIG funding insufficient to address water and infrastructure backlogs
Infrastructure issues	-Persistent infrastructure breakages - Poorly maintained infrastructure
Electricity issues	-High electricity tariffs
Ecological drivers	-Ecological degradation -Drought and floods affect the district
Consumer issues	-High tariffs may render water services unaffordable to consumers -Culture of non-payment by consumers -Water wastage by consumers
Water services intermediaries	-Contracted water carriers and tankers supply water to households
Third-party interference	-Not mentioned
Intergovernmental coordination	-Mentioned, but not in relation to water services
Scale	36,406km ² 22 WTWs, 47 pump stations, 36 km of bulk water supply lines, NI km of reticulation pipelines and 113 reservoirs
UNIQUE DRIVERS OF HUMAN RIGHTS NON-COMPLIANCE	
Overlapping governance structures	The number of wards and traditional authorities not mentioned
Low literacy and education levels	No Schooling: 9.1%, tertiary ed : 7.5%
Infrastructure backlogs	-Water backlog affecting 41679 households -Infrastructure backlogs in former Ciskei and Transkei areas
Limited yellow fleet	-Tractors and trucks are not in good condition, and most of the available fleet is dilapidated, therefore maintenance is problematic.
High vacancy rate	-Municipality Manager and Chief Financial Officer have been in position for 51 and 54 months respectively
Legal non-compliance	-Not mentioned

*Indicators highlighted in red flag potential human rights concerns

Narrative

RIGHTS HOLDERS

Population estimates for the Chris Hani District Municipality range from 475 610 (Blue Drop) to 872 000 (IDP). The population growth rate of 0.26% is lower than the national average of 1.3%. There is a moderate female majority and 29.9% of the population are under the age of 15. The dependency ratio of 65.3 is higher than the reported national 2024 average of 48.4 and higher than the global average of 58.4.¹ There is a high level of unemployment (broad definition used) in this municipality at 46.2%.

KEY IMPLEMENTATION INDICATORS

The Chris Hani District Municipality is authorised to provide water services and can abstract water from the Doring River, Machubeni Dam, Munnik Dam, Anderson Dam, Xuka River, Cefane River, Ngcotyana Stream, Nkonbongo River, Stormbergsspruit River, Canvin Estates Dam, Norca Dam, Tsojana Dam, Tsomo Dam, Tsomo River, Groot-Vis River, Grootfontein Boreholes, Bonkolo, Xonxa, Water Down Dam, Tsomo River, Zindwala Spring, Thomson Dam, Cala Dam and groundwater.

In terms of physical access, 30% of consumers reportedly have a water connection in their yard, and 45.9% enjoy water piped into their dwellings. About 41.1% of the population has access to a communal source within 200m of their dwellings, and 28.9% rely on communal sources further than 200m away. The service delivery point/household coverage ratio is 1.17 meaning that the current service delivery points cover 117% of the households counted in the 2022 Census.

The Chris Hani District Municipality does not provide a universal Free Basic Water Allowance, although in terms of law a municipality is not required to have one. About 5.9% (low) of service delivery points are covered by the indigency policy. Since 2017, the number of households benefiting from the indigency policy has increased. The tariff structure (2021/22) shows an increasing block tariff structure (least expensive block is R11.28, most expensive is R25.54). The municipality has 3 tariff categories.

No reliable data could be found about the number of water services interruptions experienced by the community. There is critical concern with water quality, with the Chris Hani District Municipality reporting microbiological compliance at 96.7% and chemical acute compliance at 36.2% and chronic at 99.3%.

Water use efficiency is average. The *Blue Drop* score of >169 l/p/d is good. According to the 2021/22 Auditor-General report, 23% of all water produced is non-revenue water, which is a concern.

REASONABLE MEASURES

The Chris Hani District Municipality has a valid water services by-law, water services development plan and indigent policy.

The Municipality's financial indicators between 2021/22 and 2024/25 show that the municipality's own revenue is enough (161%) to cover its operational expenditure budget.

The municipality's total income, which includes intergovernmental transfers, is enough (129%) to cover capital and operational expenditure. The portion of capital budget allocated to the renewal of assets ranged between 0% and 0% and maintenance expenditure ranged between 3% and 5%. The revenue collection rate has fluctuated between 79% and 104% according to MFMA Schedule C datasets.

There are 118 municipal officials employed in water treatment. According to the latest *Blue Drop* report, there is a staff shortfall of 21 process controllers, 1 supervisor, and 1 technician in the department responsible for water treatment.

SYSTEMIC DRIVERS OF RIGHTS NON-COMPLIANCE

The key systemic drivers of rights non-compliance in the Chris Hani District Municipality are:

- **Leadership issues:** None reported.
- **Water planning issues:** Unreliable statistics. Inadequate bulk water supply and infrastructure related problems.
- **Funding model:** Grant dependent. Municipality uses cost intensive method of service delivery through water tankering.
- **Electricity issues:** High bulk tariff.
- **Infrastructure issues:** The municipality has ageing infrastructure and insufficient budget to renew.
- **Ecological drivers:** Drought prone area.
- **Consumer issues:** Culture of nonpayment. Consumers waste water.
- **Intermediaries:** None.
- **Third-party interference:** None.
- **Scale:** Water services in the Chris Hani District Municipality are spread out over 36 406 km².

OVERSIGHT

1. Department of Water and Sanitation took Blue Drop Action. (See Table: Oversight Department Water and Sanitation, for details).
2. Public protector undertook a systemic investigation into allegations of inadequate and lack of provision of essential services (See, Table: Other Oversight Institutions, for more details).

Expanded Table

Indicator	Measurement	Sources
Name of the WSA	Chris Hani District Municipality	
Geographical information about the WSA.	This district municipality situated in the north-eastern part of the Eastern Cape.	Chris Hani District Municipality - Overview
Spatial extent	36,406km ²	Chris Hani District Municipality - Overview
Municipal wards	18	IDP 2023-2024, p 336
Traditional Authorities	No easily accessible information	IDP 2023-2024
Is the WSA authorized to provide water services?	yes	IDP 2023-2024, p 272
Is the WSA currently providing water services?	water treatment and distribution	Chris Hani District Municipality, <i>Annual Report 2023/2024</i> , p. 130
Method of service provision	self	IDP 2023-2024, p 272
Context indicators		
Details of any water related stresses experienced within the past five years.	2024/2025 CHDM Annual Report “We are currently experiencing another disaster that is drought and degradation of our water sources, destroying infrastructure, resulting in loss of lives, riots, halted agricultural activity, strife and despair in our communities”. (2020) The Eastern Cape is the “worst hit” province by the persistent drought that has gripped SA since 2015, human settlements, water, and sanitation minister Lindiwe Sisulu said on Monday. https://www.dispatchlive.co.za/news/2020-01-07-eastern-cape-hardest-hit-by-drought/	Chris Hani District Municipality, <i>Annual Report 2024/2025</i> , p.4
Demographics		
Population	475,610 (<i>Blue Drop</i>) 828,387 (2022 Census) 872,000 (IDP)	2023 <i>Blue Drop Report</i> , p.58; Chris Hani District Municipality - Demographic IDP 2023-2024, p 29
Number of households (Census 2022)	226,446	Chris Hani District Municipality - Demographic

Number of domestic household service delivery points (2021/2022) (Non-Financial Census of Municipalities)	265,438	Chris Hani District Municipality - Services	
Ratio service delivery points / households	1.17		
Number of non-domestic consumers	9,281	Chris Hani District Municipality - Services	
Males per 100 females	91.9	Chris Hani District Municipality - Demographic	
Gender Split	47.9% Male 52.1% Female		
Population growth rate per annum	0.26%	Chris Hani District Municipality - Demographic	
Education	No Schooling: 9.1% Higher Education: 7.5%	Chris Hani District Municipality - Demographic	
Financial capacity			
Economically active population (15-64)	60.5%	Chris Hani District Municipality - Demographic	
Unemployment rate	46.2%	IDP 2023-2024, p 109	
Dependency rate	65.3	Chris Hani District Municipality - Demographic	
Population under 15	29.9%	Chris Hani District Municipality - Demographic	
Universal FBW Allowance	no	IDP 2023-2024 p 414	
Number of service delivery points receiving FBW: 2021/22	15,536	Chris Hani District Municipality - Services	
Percentage of FBW service delivery points	5.9%		
Increase/decrease of FBW 2018/2019 – 2021/2022	3,614 to 15,536 Increase	Chris Hani District Municipality - Services	
Is the WSA currently experiencing financial problems? (As at 2022/23 Third Quarter)	Section 138 2 triggers Section 140 1 trigger		NT Municipalities Meeting Criteria, item 30
Details of the triggers present.	Failure to make payments as and when due for longer than 90 days that amount to more than R 1 million.	☒	NT Municipalities Meeting Criteria
	Operating at a deficit of more than 5% of the total direct revenue.	☐	

	Negative OR outstanding audit.	☒	
	Negative cash position for two or more consecutive years.	☐	
	Failure to make any payment to Eskom when due that amounts to more than 2% of the operating expenditure.	☐	
	Failure to make any payment to the Water Board when due that amounts to more than 2% of the operating expenditure.	☒	
	Failure to make any payment to any other creditor when due that amounts to more than 2% of the operating expenditure.	☐	
	Failure to make any payment to Eskom when due that amounts to more than 40% of the operating expenditure.	☐	
	Failure to make any payment to the Water Board when due that amounts to more than 40% of the operating expenditure.	☐	
	Failure to make any payment to any other creditor when due that amounts to more than 40% of the operating expenditure.	☐	
Is municipality considered to be in financial distress?	yes		NT Municipalities Meeting Criteria, item 30
Is the municipality currently subject to a provincial intervention?	The municipality is under S139(5) administration, effective from December 2023.		Chris Hani District Municipality - Council & Management
Water management			
Is the rainfall within the WSA area (July 2022 to January 2023) above or below the average rainfall (464mm) for South Africa?	200-300mm in Western areas 700-800mm in eastern high lying areas The greater part of the district receives less than 400 mm		IDP, p. 176.
Water abstraction authorized?	Yes		2023 Blue Drop Report p 56
Volume of authorized/(unauthorized) water abstraction?	8,350 kl/d		2023 Blue Drop Report p 56
How many water treatment plants are in the WSA's water services network?	Chris Hani WSA manages 22 WSSs, 47 pump stations, 36 km of bulk water supply lines, NI km of reticulation pipelines and 113 reservoirs. Total design capacity is 162.3 MI per day. Design capacity available is 162.3 MI per day. Average production: 53.8 MI per day 33% of capacity is used 2023 Blue Drop critical risk: 0		2023 Blue Drop Report, p.44, p.54, p. 78-80
How many biophysical water sources does this WSA have access to?	River	☒	2023 Blue Drop Report, p. 78-80
	Dam	☒	
	Saltwater	☐	
	Groundwater	☒	
Names of rivers and dams	Doring River, Machubeni Dam, Munnik Dam, Anderson Dam, Xuka River, Cefane River, Ngcotyana Stream, Nkonbongo River, Stormbergspuit River, Canvin Estates Dam, Norca Dam, Tsojana Dam, Tsomo Dam, Tsomo River, Groot-Vis River, Grootfontein Boreholes, Bonkolo, Xonxa.		2023 Blue Drop Report, p. 78-80

	Water Down Dam, Tsomo River, Zindwala Spring, Thomson Dam, Cala Dam		
How many infrastructure water sources does this WSA have?	Water reclamation	☐	IDP 2023-2024, p 213
	Desalination	☐	
	From natural source	☒	
Political Stability			
Is there a coalition government?	ANC ANC 12, DA 2, EFF 1, THE INDEPENDENTS 1, UDM 1 (40% PR Seats)		Chris Hani District Municipality - Council & Management
Has there been mayoral instability in the last 5 years?	During September 2023, the WSA got a new mayor. - https://www.news24.com/news24/community-newspaper/komani-karoo/chris-hani-district-municipalities-new-mayor-to-focus-on-water-sanitation-in-surrounding-communities-20230908		
MM/CFO Vacancy Snapshot	AGSA Website Based Report 2021/22		AGSA Web Based Report 2023/24
	Is the council established?	Yes	
	Council instability the previous year?	No	
	MM vacancy at the end of the year?	No	
	Number of months the MM has been in position.	51	
	CFO vacancy at the end of the year?	No	
	Number of months the CFO has been in position.	54	
Policy Efforts			
Water By-law			
Is there a water by-law?	yes		By-law
Citation of by-law	LAN 63 in GG 1501 of 17 March 2006		By-law
Mark with "yes" if the by-law makes provision for the following:	Matters incidental to providing water services to residents,	yes	By-law
	including communal sources	yes	
	Protecting water supply systems.	yes	
	Prohibiting wasting water	yes	
	Prohibiting illegal connections	yes	
	Sets out standards for water installations and maintaining water infrastructure	yes	
	The installation and upkeep of fire extinguishing systems	yes	
	How service charges are calculated and levied	yes	
	Measures to ensure the quality of potable water	yes	
	Preventing water pollution	yes	
	Anything else?	Temporary supply Water restrictions Water audit	

Water Services Development Plan		
Is there a water services development plan?	yes	IDP 2023-2024, p 216
The validity duration of the plan (which years)	Adopted May 2017, to be reviewed annually.	IDP 2023-2024, p 217
General Policy Framework		
Is there an Indigent Policy?	yes	Municipal Indigent Support Policy 2021/24
IDP		
Issues	Major backlogs Poor municipal Infrastructure More investment required to utilise water resources Minimal water pollution contingency measures in place More attention needs to be placed on water conservation and demand challenges Grant administrative challenges. General financial constraints. Serous droughts Limited staff with technical expertise willing to work in rural areas. Poverty and unemployment.	IDP 2023-2024, p 217-219
Resource Efforts		
Financial Resources		
Budget sufficiency (total budget revenue (excl. capital transfers)/ total budgeted OPEX) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports
Revenue coverage % (Total budgeted revenue (incl. capital transfers) / total budgeted CAPEX+ OPEX) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports

Revenue collection rate % (actual revenue collected / budgeted revenue) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports
Capital budget allocated to renewal of existing assets (Amount allocated to renewal / Total capital budget) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports- Missing data throughout the period
Maintenance spending rate % (Total maintenance expenditure / total revenue collected) x 100		MFMA Section 71 Schedule C 2021 to 2025 Reports
Infrastructure Resources		
Current infrastructure value	567 445 000	Budget, Sheet A9, Item 138, Adjusted Budget 20/21
Human and Skills Resources		
Total number of staff employed in water treatment	118 (103 supervisory, 15 technical)	2023 <i>Blue Drop Report</i> ; p 49, 51-52
Supervisor Staff/WTW Ratio	1.2	2023 <i>Blue Drop Report</i> , p 49
Technical Staff/WTW Ratio	0.7	2023 <i>Blue Drop Report</i> , . 51-52
Staff Shortfall	21 Process Controllers 1 Supervisor 1 Technicians 0 Qualified scientists	2023 <i>Blue Drop Report</i> , p 49, 51-52
Total number of staff employed in the water services department (excluding water treatment)	22	

Implementation					
Physical Access					
Physical access to water, number of consumers, and percentage of total consumers. [households]	Communal source +200m	76,579	28.9%	Chris Hani District Municipality - Services	
	Communal source – 200m	109,132	41.1%		
	Water source in yard	79 727	30.0%		
	Total	265,438			
Piped water inside dwelling	45.9%				
Infrastructure backlog	-Water backlog affecting 41679 households -Infrastructure backlogs in former Ciskei and Transkei areas				
Do schools and clinics have access to water on their premises.	Out of 962 education facilities 194 do not have access to water services and another one has inadequate access. Out of 255 health facilities, 70 have inadequate access to water services				WJT Verification
Economic Access					
Economic access to water.	Free basic water for all	☐			Tariff Policy 2020/21
	Free basic water for Indigent	☒			
	Cross subsidy	☐			
	Prepaid	☐			
Step tariff for households in rand excl VAT. For 2021/22	0 < 6kl	R 11.28		Tariff Policy 2020/21	
	7kl < 15kl	R 13.05			
	16kl < 30kl	R 15.98			
	31kl < 45kl	R 19.90			
	46kl < 60kl	R 21.76			
	61kl <	R 24.54			
Categories of water use:	- Domestic - Welfare organisations, government schools, public hospitals and churches - Business and other water use				Tariff Policy 2020/21
Tariffs for schools.	0 < 200kl	R 13.32		Tariff Policy 2020/21	
	201kl < 2500kl	R 14.74			
	2 501kl <	R 16.13			
Notes.	Education and health facilities pay water according to a tariff tailored specifically for them. These tariffs are a bit cheaper than those for domestic use.				Tariff Policy 2020/21
Tariffs for clinics					Tariff Policy 2020/21
Adequacy					
Number of interruptions in 2024.	Not mentioned				
Media reports on outages:	During November 2020, the WSA were faced with a looming ‘day zero’ water crises. Reports from 2023, show that the situation has not improved much and the WSA continues to struggle with water services provision. This is partly due to insufficient infrastructure and partly due to severe vandalism. Not all revenue is being collected, because consumers are not able to pay for services.				

	- https://www.sabcnews.com/sabcnews/chris-hani-municipality-takes-action-against-those-destroying-water-infrastructure/ - https://www.dispatchlive.co.za/politics/2023-09-18-tackling-water-sanitation-issues-among-new-chris-hani-district-mayors-priorities/#google_vignette - https://www.news24.com/news24/community-newspaper/komani-karoo/chris-hani-district-municipality-writes-off-r451-million-in-irrecoverable-water-debts-20220608 - https://groundup.org.za/article/day-zero-in-the-place-of-water/ - https://www.news24.com/news24/community-newspaper/pe-express/despite-dam-increase-residents-urged-to-continue-using-water-sparingly-20230811	
Quality		
What is the WSA's blue drop score?	2023: 45.3% 2011: 73.5%	2023 <i>Blue Drop Report</i> , p 78-80
Blue Drop Score Improved/Deteriorated (2011-2023)	Deteriorated	
Blue Drop microbiological compliance score	96.7% (16 Excellent WTWs; 6 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p 60
Blue Drop chemical (acute) compliance score	36.2% (8 Excellent WTWs; 14 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p. 60-61
Blue Drop chemical (chronic health) compliance score	99.3% (21 Excellent WTWs; 0 Unacceptable WTWs)	2023 <i>Blue Drop Report</i> , p. 60-61
Does the WSA have a contract with the lab to test water samples?	No information	
<i>Green Drop Risk Rating</i>	High Risk	2023 <i>Green Drop Report</i> , p 49
Efficiency		
Blue Drop Water Use Efficiency Score	169 l/p/d (Good)	2023 <i>Blue Drop Report</i> , p. 58
No Drop Score 2021/22	20%	2023 <i>No Drop Report</i> , p 51
Amount of non-revenue water in liters and in rands value.	R113.88 million in water lost which amounts to 23% of water produced or purchased.	AGSA Web Based Report 2023/4
Main reasons for water losses.	Billing errors, theft, meter under-registration, leaks, unbilled	CHM Annual Report 2023/24, p.411
Oversight		
Department of Water and Sanitation		
<i>Blue Drop actions</i>	The Regulator notes the dire state of management and drinking water quality in the Farms & Rural, Hofmeyer and	2023 <i>Blue Drop Report</i> , p 80

	Tarkastad water supply system. The WSI is placed under regulatory surveillance and the Municipal Manager is required to submit a detailed corrective action plan within 20 days of publishing of this report. The plan must map the activities, responsible persons, timelines, and expected improvement as outlined in the Regulatory Comment.	
Green Drop actions	None	2023 Green Drop Report, p 53
Judicial Oversight		
Where any judgements delivered that involved water services delivery?	yes	
Full citation of judgement.	Mazibuko and Others v City of Johannesburg and Others [2009] ZACC 28	
Summary of judgement and the impact for future water services delivery.	The state has a duty not to interfere with the enjoyment of socio-economic rights. The state does not have a duty to immediately realise the right to water for everyone; instead, the state must take reasonable legislative and other measures to progressively realise the right within available state resources. It is not the place of the court to determine or quantify what is sufficient water. To assess the reasonableness of the legislative and policy measures used: State must be able to show what information it considered and the process it followed to determine its policy. If the process followed is flawed or the information gathered is inadequate or incomplete, appropriate relief may be sought. The Court's evaluation of the City's Free Basic Water Policy: (1) it has different levels of water provision; (2) the city uses pre-paid and credit meters; (3) provision to register as an indigent; (4) it is reasonable to afford basic water to all, rich and poor; (5) it is acceptable to afford basic water on a per household basis and not per person; (6) water policy was revised regularly; (7) communities too have duties, one such duty is to apply to be registered as an indigent if they wish to claim these benefits. Moving from a deemed consumption system to a pre-paid metered system with a free allocation of basic water is not a retrogressive step. Discontinuation of water for not reloading the meter with credits is not a discontinuation of service as per the Water Services Act and the municipality do not need to follow the giving notice and other related procedures.	Paras 47, 48, 50, 71, 78-102, 142
Full citation of judgement.	Government of the Republic of South Africa v Grootboom [2000] ZACC 19	
Summary of judgement and the impact for future water services delivery.	Access to a right, in this case the water right, would include removing barriers to access the right, empowerment measures, and special measures for vulnerable groups. Measures must ensure access over time to a greater number of people that must be guided by targets. This requires legislation, policies, programmes and plans that ensure the	

	implementation of legislation. All vulnerable groups must at least have access to basic service delivery.	
Full citation of the judgement.	Capricorn District Municipality v SANCO [2014] ZASCA 39	
Summary of judgement and the impact for future water services delivery.	Appeal from the High Court, Limpopo Division. Legal Question: Is the interdict given by the HC a competent order? The interdict mandated Capricorn District to repair and replace all leaking pipes and all defective meters within 12 months. In addition, the HC ordered that the WSA may only recover a flat rate of about R 70 for water services delivered from affected households. Judgement: The appeal succeeded. The SCA found that the HC cannot order the WSA to replace and repair the leaky pipes because water leakages do not adversely affect consumers. This is because water leakages are not captured by any water meter reflecting what is payable to any consumer. (Bear in mind that the community alleged they were liable to pay for the wasted water.) A court may also not determine the rates as which water services are charged as this is in contravention of the separation of powers.	Paras 25 and 21
SAHRC Reports		
Where any reports received and investigated on the right to water by the SAHRC?	no	
Parliament		
Other Oversight Institutions		
Details of any oversight action taken.	The Public Protector	
Report name	Report of the Public Protector: Systemic investigation into allegations of inadequate and/or lack of provision of essential services and basic infrastructure by various organs of state in certain villages within the province of Eastern Cape. Report 25 of 2023/24	
Details of complaint	Whether municipal services by the Chris Hani District Municipality within certain villages in the Eastern Cape Province are rendered in a progressive and effective manner as contemplated in the Constitution and the law, if not, whether such constitutes improper conduct as envisaged in section 182(1)(a) of the Constitution as well as improper prejudice in terms of section 6(4)(a)(v) of the Public Protector Act	
	The allegation that municipal services by the CHDM within certain villages in the EC province are not rendered in a progressive and effective manner as contemplated in the Constitution and the law, is substantiated .	
Recommendations or remedial action taken	The Municipal Manager for CHDM 6.14.25.1 Within ninety (90) calendar days of the date of this report, in line with the obligations and mandate contemplated in section 152(1)(b) of the Constitution, conduct an assessment to determine the basic municipal services requirements in all affected	

	areas within CHDM, related to provision of water supply and sanitation; 6.14.25.2 Within ninety (90) calendar days to, in line with the obligations and mandate contemplated in section 152(1)(b) of the Constitution, develop an Implementation Plan for tabling before Council, setting out the measures to be undertaken in addressing the service delivery challenges identified in this report, within the CHDM. The implementation plan is to be submitted to the Municipal Council and the Member of the Executive Council (MEC) for COGTA for monitoring of implementation; The Executive Mayor for CHDM 6.14.25.3 Within sixty (60) calendar days of the date of this report, table a copy thereof before the Municipal Council for discussion in line with the powers and functions of the Executive Mayor in terms of section 56 of the Municipal Structures Act. The Municipal Council is to thereafter consider the Implementation Plan developed by the Municipal Manager, setting out steps/measures to be taken by CHDM to address shortcomings on municipal services related to provision of clean and potable water services for domestic use in all affected areas within CHDM, in line with the obligations of the municipality contemplated in section 152(1)(b) of the Constitution; and 6.14.25.4 Within thirty (30) calendar days of the submission of the Implementation Plan by the Municipal Manager, submit same to the Member of the Executive Council (MEC) for COGTA, indicating steps/measures to be taken or already taken to address the water service delivery concerns of the communities within CHDM, as identified in this report.	
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Sources:

- Auditor-General of South Africa MFMA Report for 2021/22 <https://mfma-2022.aqsareports.co.za/province/limpopo>
- Department Water and Sanitation Water Services Development Planning Website Tool <https://ws.dws.gov.za/wsdp/Index.aspx#>
- Department Water and Sanitation Municipal Strategic Self-Assessment for year ended in 2022
- Department Water and Sanitation Blue Drop Progress Report 2022
- Municipal Demarcation Board Municipal Powers and Functions Capacity Assessment 2018: Sectoral Report for Water and Sanitation
- Independent Electoral Commission Local Government Elections Dashboard accessed at <https://results.elections.org.za/dashboards/lge/>
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