

**MEDIA STATEMENT PRESENTED BY MEC FOR CO-OPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS IN MPUMALANGA, HON. REFILWE MTSHWENI DURING A MEDIA BRIEFING AT EHLANZENI DISTRICT COUNCIL CHAMBER ON 24 FEBRUARY 2015**

Let me first appreciate your positive response in attending this Media Briefing. We are convinced that your presence as the vehicle of information will help us to communicate the guidelines for staging peaceful gatherings.

The Provincial Executive Council (EXCO) Lekgotla, which took place on 8 February this year expressed concern about the gatherings which degenerate into chaos. EXCO recognizes the fact that the right to protest as a way of expressing grievances is enshrined in our Constitution. **Section 17 of the Constitution** gives effect to this as it states: ***“Everyone has the right, peacefully and unarmed, to assemble, to demonstrate, to picket and to present petitions”***. However, as government, we cannot fold our arms when these gatherings turn into war zones where the safety of our people is undermined and public property misused as objects to express anger.

As government, we recognize the fact that there are service delivery challenges in Mpumalanga. We are aware that most of our communities are affected by the lack of water. Improvement of the roads and electricity connections are often on the list of the demands. However, we are concerned that the protests are a short cut to express dissatisfaction without exhausting all other avenues.

We appeal to the conveners of the protests to consider the following avenues before taking any action:

- Refer their concerns to the Executive Mayors and Ward Councillors, as elected public representatives at local level.
- The concerns can be elevated to the MEC for COGTA for further discussions.
- The concerns can be elevated to the Premier’s office as an arbiter.
- Gatherings and marches should be the last resort and as elected public representatives, we will then attend to receive the grievances, provided the convener has complied with the guidelines.

While these protests affect the delivery of basic services by the three spheres of government, however, our municipalities are mostly affected. They are at the coal face of our communities and are the first point of contact for our people. As such, they become a target for gatherings which are non-compliant to the gatherings act. This non-compliance leads to the following:

- Road blockades in which our people are prevented from going to work,
- Destruction of public property.
- Interrupt classes by burning schools and prevent learners from attending school.
- Interrupt delivery of basic services in various service delivery points.

- Cause disorder by confronting law enforcement agencies who intervene to bring order.

I must emphasize that rights and responsibilities go together. Every protest must be done within the ambit of the law. Any deviation will be dealt with by law enforcement agencies. Conveners must comply with the following guidelines:

- **Notice form must be filled within seven (7) days prior the gathering and must be sent to the local municipality,**
- **The Notice form must be filled with details of the conveners purpose of the gathering, proposed number of people, possible names of the marshals, the assembly point, the manner in which participants will be transported.**
- **If the notice is given later than 7 days, reasons should be given for the delay.**
- **The notice can be prohibited with reasons if it is submitted within 48 hours before the gathering, such as disruption of traffic, possible damage to property, possible injury to participants.**
- **The convener can approach a Magistrate or a High Court to declare the prohibition illegal, in order to obtain permission for the gathering to go ahead.**

We hope that our people will take heed of these guidelines and adhere to them. I am glad that our Provincial Commissioner, Lt-Gen Dumisa Magadlela is here with us to enforce compliance to these guidelines.

I thank you.