



RIGHT2KNOW

16 November 2018

To: Executive Mayor, Herman Mashaba, City of Johannesburg
Speaker of Johannesburg City Council, Cllr Vasco de Gama
Chief of Police David Tembe, Johannesburg Metropolitan Police

Memorandum on Joburg 'Protest Fees' and violations of our right to protest

We march today in defence of the right to protest and against practices by the City of Johannesburg which are violating this right and exploiting poor residents of our City.

We demand an end to the application of 'protest fees' – whereby JMPD tries to 'charge' people for the cost of giving notice of a protest, and then charges again to 'hire' police to be deployed to the march. These fees can start at R180 and run into thousands of rands. How can you expect people to pay to exercise a constitutional right? We would not pay a fee to vote in elections and we should not pay a fee to participate in a protest.

On top of the fees, we demand an end to unlawful JMPD processes which undermine the constitutional right to protest – officials refusing to obey the procedures in the Regulation of Gatherings Act, ignoring the timelines and even forcing people to travel across the City to submit documents in person instead of electronically.

These practices are exploiting the poor and preventing them from participating in their basic constitutional right to protest.

R2K has tried for years to engage JMPD officials on this. They refuse to budge, saying these fees are required by the Joburg Council. In January 2018, R2K then engaged the Office of the Speaker of Johannesburg, to urge an intervention on this exploitation of poor communities. Ten months later, nothing has happened.

We have no love for the Regulation of Gatherings Act, but as long as it is the law, the City of Johannesburg must follow it.

Our demands

1. The City of Joburg and JMPD must stop applying fees to protest gatherings immediately!
2. JMPD must stop its other tactics to frustrate communities who are trying to follow the bureaucratic process of the Gatherings Act, such as only 'accepting' notices in person, and only 'approving' marches on Wednesdays.
3. We demand the right to give notice of our protest any day of the week, in person, on paper or digitally!

We call on the City to address these by 15 December 2018.

RECEIVED BY (name) _____
Contact:

R2K rep _____
Contact: