



Getting there: Access to Transport

1. Introduction

Interestingly, a quick google on 'transport and human (rights)' provides a biological definition which explains that in biology, transport is referred to "the act or the means by which a molecule or ion is moved across the cell membrane or via the bloodstream."¹ Using this analogy well illustrates the fundamental role played by transport. In a societal context transport ensures the sound functioning of the economy and plays a very significant role in the supply-chain of goods and the movement of people to where they need to go: work; school; clinics and hospitals; churches; recreational and sporting facilities; shopping; and many other destinations.

2. Public Transport

Public transportation provides basic mobility services to those without access to a private car. Only 30% of households in South Africa own a car, with the other 70% depending on taxis, buses, trains and non-motorised forms of transport such as bicycles.² Moreover, access to safe, efficient and economical transportation is not regarded as a human right. Advocacy regarding transport focuses on the access of older persons and those living with disability to such transport. However, it is useful to adopt a rights-based approach to evaluate access to reliable and affordable transport, given the socio-economic context in which so many South Africans live.

3. Increases in the Price of Fuel

At midnight on Tuesday 1st February, the petrol price jumped by 53 cents a litre for both 93 and 95 grades, while the price of diesel increased by 80 cents a litre. The price of wholesale illuminating paraffin went up by R1.01 per litre.³ Global oil prices have been on the rise due to tensions around a possible Russian invasion of Ukraine. Energy minister Gwede Mantashe has warned that the crisis could lead to higher costs for local motorists.⁴ "Consumers and household budgets are currently under tremendous pressure and rising fuel prices will undoubtedly make life considerably more difficult for millions of South Africans."⁵ Furthermore, electricity price increases upwards of 20.5% are also expected, and food prices are projected to increase even more in 2022. While disposable income stagnates or declines the cost of living escalates. The crises of unemployment, inequality and Covid-19 have thrown more and more South Africans into increasing poverty.

"The system of apartheid in South Africa left a legacy of social segregation, and a highly distorted separation of people from both their places of work and most of social services required to live a productive life."⁶ This results in passengers travelling long distances to and from their economic destinations, which means that the cost of transport has a substantial impact on the household wage. ANC transport spokesperson Lulama Mvimbi recently noted that the taxi industry was mainly used by people from disadvantaged areas who would not be able to

afford it if it got too pricey. “Some of the commuters are unemployed but lack the means to get money and travel. I hope they will be considerate of that when adjusting the prices. While we understand the impact the price of fuel might have on the taxi industry, they need to be affordable to the thousands who rely on them.”⁷

4. The Minibus Taxi Industry

Minibus taxis are the most common form of transport available as they service areas which do not have alternative transport such as buses. However, while providing an essential service, they are doing so for profit. This means that they pass the increase in fuel costs on to the consumer. The National Taxi Alliance (NTA) spokesperson, Theo Malele, said the taxi industry cannot absorb the recent fuel hikes:

“It pains us to accept the reality that the taxi industry cannot absorb the recent higher fuel hikes, or else we will be unable to continue providing the service or safety standards will be compromised due to affordability challenges brought by higher operational costs, given that the price of fuel has an overarching influence on almost every commodity. Regrettably, our structures and associations are consulting on the inevitable fare hikes and announcements are imminent... Unless the government intervenes speedily.”⁸

Poor South Africans who rely on the public transport system should not be expected to spend a huge part of their income on transport costs. Furthermore, mid-February fuel price data supplied by Engen show that South African motorists can expect further steep fuel price hikes in March.⁹

The minibus taxi industry is fiercely competitive. Rival taxi associations compete for different routes and there are frequent incidents of violent confrontation between different associations, which puts the safety of both drivers and passengers at risk. The taxi industry is also plagued by strikes which are disruptive to traffic and leave many commuters stranded. Late last year, the NTA and its associates went on strike protesting against transport minister Fikile

Mbalula’s failure to authorise the outstanding payment of COVID-19 relief funds.¹⁰ During such demonstrations taxis frequently barricade the roads, which interrupts other traffic, leading to further social aggravation and economic loss.

5. Safety of Commuters and Transport Infrastructure

Commuters are not spoilt for choice regarding transport. A cheaper bus service is not always available, and rail transport has been severely compromised by the wilful destruction of infrastructure (e.g. the theft of steel, copper on the railways) and the lack of security to protect these valuable assets. Passenger rail transport has been fraught with difficulty for some time. The Commission for Human Rights found that, apart from the limited security throughout the rail system, allegations of corruption and bribery exacerbated the situation. The Commission expressed concern with the amount of lawlessness on public trains, which has a direct impact on the rights and safety of commuters. The Commission noted that the rights of commuters and passengers in other modes of public transport, such as the Gautrain and airports, “are protected by strict enforcement of laws governing health and safety. The Commission is thus concerned that the poor are being unfairly discriminated against, in that their rights are not being prioritised, nor enforced.”¹¹

Similarly, the Ukubavimba Foundation,¹² a social justice and socio-economic development organisation, lodged an official complaint with the SA Human Rights Commission against Cape Town-based Golden Arrow Bus Services on behalf of passengers and bus drivers who have been robbed while boarding their buses.¹³

6. Conclusion

There needs to be renewed investment in repairing badly damaged infrastructure and in exploring other forms of mobility. At the same time, commuter safety needs to be prioritized. It is clear “how public transport, while not the subject of an independent constitutional right, is central to accessing the objects of most constitutionally enshrined socio-economic rights, and is also an

integral element of exercising various civil and political rights".¹⁴

Finally, to illustrate the real price of transport, the following link allows one to calculate how much it

would cost to drive from one town to another during the month of February.

<https://businesstech.co.za/news/motoring/555972/this-calculator-shows-you-how-much-it-really-costs-to-drive-in-south-afr>

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¹<https://www.biologyonline.com/dictionary/transport#:~:text=In%20biology%2C%20transport%20refers%20to,membrane%20or%20via%20the%20bloodstream.&text=This%20type%20of>

² <https://www.saferspaces.org.za/understand/entry/the-state-of-public-transport-in-south-africa>

³ Illuminating paraffin is used by those who have no access to electricity for both heating and cooking. When the price of petrol and diesel increases, that of illuminating paraffin generally follows suit.

⁴ https://businesstech.co.za/news/energy/559530/here-is-the-expected-petrol-price-for-march-3/?utm_source=everlytic&u

⁵ <https://www.cars.co.za/motoring-news/fuel-price-increase-looms-for-february-2022/114472/>

⁶ <https://www.saferspaces.org.za/understand/entry/the-state-of-public-transport-in-south-africa>

⁷ <https://www.iol.co.za/capetimes/news/fare-increase-is-inevitable-says-taxi-industry-c6fe8d49-8b5a-49b3-bc12-ca25968198c6>

⁸ <https://www.iol.co.za/sundayindependent/news/taxi-operators-gear-up-to-hike-fares-after-the-latest-fuel-price-increase-e9a8996e-d9a3-4393-891b-8cdbe4b12227>

⁹ <https://businesstech.co.za/news/energy/559530/here-is-the-expected-petrol-price-for-march-3/>

¹⁰ <https://ewn.co.za/2020/11/18/nta-associates-waging-war-on-transport-minister>

¹¹ <https://www.sahrc.org.za/index.php/sahrc-media/news/item/702-south-african-human-rights-commission-on-safety-of-rail-commuters>

¹² <https://www.givengain.com/c/ukubavimba/about>

¹³ <https://www.iol.co.za/capeargus/news/golden-arrow-taken-to-sa-human-rights-commission-over-bus-robberies-1bce2fda-67c4-49a2-9d56-6887eb463330>

¹⁴ <https://www.tandfonline.com/doi/abs/10.1080/19962126.2015.11865248>

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