

INNER-CITY FIRE ANALYSIS

City of Johannesburg points finger at NGOs and foreign nationals after deadly fire



Joburg Mayor Kabelo Gwamanda briefs media at the scene of a fire in a multi-storey building in the inner city on the corner of Alberts and Delvers street on 31 August 2023 in Johannesburg, South Africa. (Photo: Gallo Images / Papi Morake)

By Nonkululeko Njilo

31 Aug 2023

The Johannesburg building where at least 74 people died in a fire on Thursday was a provincial government shelter for women and children before ‘some challenges were encountered’. Yet the city blamed NGOs and foreign nationals for the devastating blaze.

Nearly five years ago, a bogus landlord was jailed for illegally collecting rent from tenants at the City of Johannesburg’s building at 80 Albert Street where more than 140 undocumented foreign nationals lived.

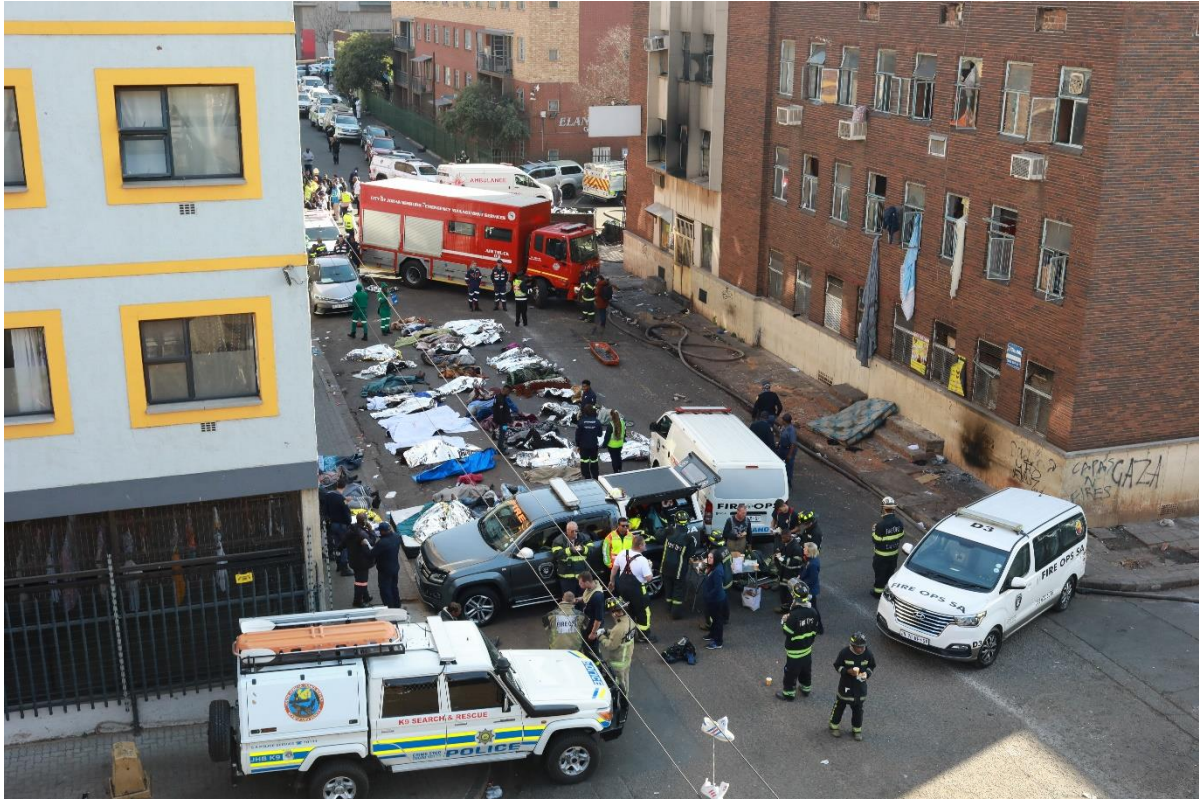
This grew to more than 200 families, who illegally occupied the five-storey building, which was engulfed by fire on Thursday. Seventy-four people died in the blaze, a figure that could rise as dozens of injured residents receive treatment.

During the apartheid era, the building was used to administer pass laws. After that, it was leased to the provincial Department of Social Development and turned into the Usindiso Shelter for Women and Children, but by 2017 it had become derelict.

It is one of 57 hijacked buildings that the Johannesburg Property Owners’ and Managers’ Association has identified and repeatedly lobbied the city to act on, with calls for it to be converted into a heritage site.

The City of Johannesburg manager, Floyd Brink, said: “At the conclusion of the [Department of Social Development’s] lease, some challenges were encountered with the occupants and, as a result of the hostilities and stalemate, the building was invaded and hijacked.”

One of the reasons the City did not implement plans to tackle Johannesburg’s hijacked buildings was that a new political leadership instituted an investigation into the Problematic Properties task team, which was part of an anti-corruption unit called Group Forensics and Investigations Services (GFIS), *Daily Maverick’s* Ferial Haffajee reported.



The covered bodies of the victims of a fire at the five-storey building in the city centre are gathered in a street nearby in Johannesburg, South Africa, 31 August 2023. (Photo: EPA-EFE / Kim Ludbrook)



Fire crews and emergency staff stand next to the covered bodies of the victims as they gather at the site of a fire that broke out at the five-storey building in the city centre in Johannesburg, South Africa, 31 August 2023. (Photo: EPA-EFE / Kim Ludbrook)

City officials apportion blame

Throughout the day, officials seemed to suggest that the catastrophe could have been averted had it not been for civil society organisations that often drag the city to court over “illegal evictions”.

One of the officials with this view is the MMC for transport, Kenny Kunene, who served as the acting executive mayor for one weekend in May. On the top of his agenda were hijacked and illegally occupied buildings.

“We have to arrest this situation because it is spreading like a disease throughout the city,” Kunene said on Thursday.

Kunene proposed two solutions:

- “We need to amend the law on evictions because it protects criminals and requires those who have wronged the victims to spend money on legal fees.”
- “Mass deportation of illegal immigrants who are staying in these buildings that are taking rent. We must arrest and mass-deport all of them; only then you will see a cleaner Johannesburg, the buildings being available and getting them into health standards and the city generating revenue. At the moment, the city is losing water and electricity to these criminals.”

The shack dwellers’ movement, Abahlali baseMjondolo, censured Kunene, saying: “We call on all people of good conscience to oppose this sickening xenophobia clearly, directly and bravely, and to work to build the unity of the oppressed across South Africa.

“We demand that the politicians and the state accept responsibility for this disaster and commit themselves to ensuring decent and safe living conditions for all.”

Council Speaker Colleen Makhubele appeared to blame civil society organisations like the Socio-Economic Rights Institute of South Africa (Seri), which often litigates against the illegal removal of people without alternative accommodation.

“Why would you choose a course to fight for criminality? It doesn’t make sense to us. They need to find another course and allow the city to work. If we do not take over these hijacked buildings, we are never going to be able to clean up

the city and have the programme to reignite the city because at every corner we are met with this resistance and the criminals hide behind this kind of support,” Makhubele said.

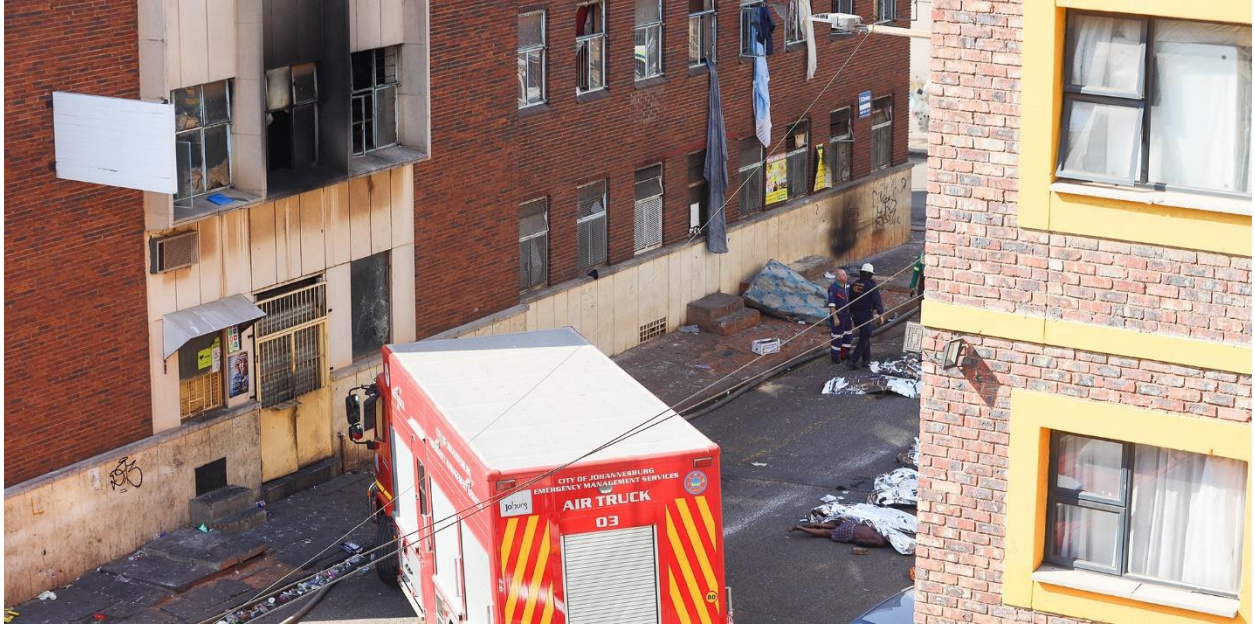
Seri responded, “Seri has never litigated against the City of Johannesburg in relation to this building ... However, Seri has consistently tried to engage the city to improve conditions in its shelters, to no avail.

“To shift the blame to NGOs, as people speaking for the city are currently doing, speaks to the municipality’s unwillingness to take responsibility for the inner-city housing crisis.”

Abahlali baseMjondolo said, “We stand with the progressive lawyers who work with and for the poor. The statements by politicians like Colleen Makhubele ... are disgraceful and an affront to logic and to human decency.”



Emergency personnel about to transport one of the survivors outside the burnt building. (Photo: Felix Dlangamandla)



Bodies of victims of the fire disaster at a five-storey building in Johannesburg's central business district on 31 August 2023 in Johannesburg, South Africa. (Photo: Gallo Images / Papi Morake)

‘Dereliction of duty’

The Ahmed Kathrada Foundation said that because the city had had a lease at the property, “it cannot absolve itself from its dereliction of duty”.

“To blame organisations such as Seri for this incident is beyond shocking. Civil society organisations did not rule on matters before the courts, the judiciary did. Perhaps a closer reading of the judgments will help the politicians who now want to escape responsibility by blaming NGOs for their failures.

“At the heart of this issue is a growing housing crisis for which there does not appear to be a plan that addresses it on the scale needed. This crisis, coupled with a poorly managed and dysfunctional city, has left building owners at the mercy of building hijackers and other criminal syndicates.”

ActionSA’s president, Herman Mashaba, said the state should be charged with culpable homicide as the tragedy could have been avoided.

Mashaba is a former Johannesburg mayor who established the GFIS. As part of his inner-city renewal programme, authorities [conducted raids](#) on buildings. The raids were later [declared unlawful](#).

“ActionSA believes that in 29 years of democracy it is completely unacceptable that people are forced to live in buildings which are unsanitary and a clear fire danger, while they are illegally extorted by mafia-like landlords.

“The South African government should take responsibility for bringing the City of Johannesburg to a situation where lawlessness is allowed to proliferate and should take urgent action to avoid similar incidents from happening in other buildings in the city,” Mashaba said.

Visiting the scene on Thursday evening, President Cyril Ramaphosa said, “We are not here to blame anyone. This incident calls on all of us, from the emergency services and other entities of government, to community-based organisations, to reach out to survivors to help restore people’s physical and psychological wellbeing, and to offer all material help residents may need.”

Gauteng Premier Panyaza Lesufi said a commission of inquiry would be established to investigate the fire and the issue of hijacked buildings in Johannesburg.

Helpline

A call centre has been set up to help families locate missing people or bodies. The numbers are: 0800 203 886, 011 241 5767 and 011 355 3048. The bodies have been taken to Diepkloof mortuary and the survivors to Helen Joseph, Charlotte Maxeke, Chris Hani Baragwanath, Tembisa Provincial and South Rand hospitals.