

Right to dignity and shelter disregarded

No records kept of what becomes of the evicted

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EVICTION is often a traumatic experience and South Africa like the US, does not have a record of the number of tenants evicted.

In fact, most countries have no way to gauge the number of individuals and families displaced through evictions.

Chester Hartmen¹ argues that in American culture and policy, homeowners are favoured over tenants resulting in reliable data of mortgage foreclosures but no way to estimate the number of evictees.

There is also no information on who are displaced, why evictions take place and what happens to the people once they are evicted.

On two occasions over the past 27 years, the OCR attempted to establish statistics of evictees from the courts and the government. The response was that no information or data was collected.

Like the US, evicted tenants are not considered important and there is no 'monitoring' and record keeping. There is therefore no way to establish what really happens when people are threatened with evictions, eventually evicted and the consequence.

Equally significant is the absence of data and information on landlords who experience hardships in evicting tenants, particularly non-paying tenants.

Evictions take place for various reasons and during the apartheid era, families and so called mixed couples were evicted for racist reasons. Racist laws made it legal for such evictions.

In our constitutional democracy, uprooting and displacement of families continue with informal settlements largely affected as can be ascertained from news reports, NGOs and legal cases.

¹ "Evictions: the hidden housing problem"

Every person is dignified and sacred and must be assured the right to secured suitable, decent, affordable shelter without favour, fear or discrimination. In this context, we can identify with the traumatic experiences brought about by evictions not only in South Africa but in other parts of our global village. Racist laws are not needed for evicting people for racist reasons.

Such is the case of the Roma communities in Europe.

An international Zero Eviction Day² was held on Saturday April 9, 2011 at Dale Farm, Essex in the United Kingdom, a traveller site where about 90 families face evictions.

Members of the Roma communities from across Europe also converged on this site to commemorate the 40th anniversary of the first World Romani Congress, held in 1971 in London.

Dale Farm is home to United Kingdom's largest Gypsy and Traveller communities. The eviction order is considered "one of the biggest evictions in British history".

The constant harassment of Traveller communities led to the Dale Farm settlement in the 1960s as a haven for displaced marginalised Roma victims of racist attitudes.

Roxy Freeman³ writing for the guardian.co.uk (Wednesday 16 March 2011) states:

"After nearly 10 years of legal battles, the largest eviction in recent history is about to begin. Basildon council in Essex has voted to force more than 80

² I am indebted to Dale Farm Housing Association Secretary Grattan Puxon for Zero Eviction Day pic

³ Permission was granted by Ms. Freeman to use part of her article.

Gypsy and Traveller families to leave their homes in Dale Farm, and in about a month's time the demolition of their homes will commence. The bailiff company selected by the council to enforce the eviction is notorious among the Traveller community for its methods, and I believe the eviction is likely to be brutal.

“In 2008, a British high court ruled against the eviction, on the grounds of "unacceptable discrimination against Travellers".

But David Cameron criticised the previous government for letting the site "mushroom in size", and believes that to ensure "fairness" the operation should now go ahead.

Half of the residents of Dale Farm live legally on the well-manicured plots, the other half illegally occupy official green-belt land.

The Travellers were unaware that the land was green belt when they bought it in 2001; to them it was simply a disused scrapyard, strewn with vehicles and rubbish. Over the past 10 years they have turned the plot into a fully functioning community complete with amenities, a chapel and an education/youth club.”

There is no moral justification for the Basildon’s ruling Tories to spend £18million, including police costs, in its

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Pics - April 9, 2011 Zero Eviction Day protests at Dale Farm

Sayed Iqbal Mohamed with some of the residents at Dale Farm (September 15, 2006)



mass eviction of the families who are stripped of their rights to dignity.

Judge Sachs statement in *Port Elizabeth Municipality v Various Occupiers* 2005 (1) SA 217 (CC) should be a reminder to the government of the United Kingdom as well as ours when intending to evict:

“Thus, those seeking eviction should be encouraged not to rely on concepts of faceless and anonymous squatters automatically to be expelled as obnoxious social nuisances. Such a stereotypical approach has no place in the society envisaged by the Constitution; justice and equity require that everyone is to be treated as an individual bearer of rights entitled to respect for his or her dignity.”

We support the struggle of the marginalised Roma community and Romani activists in standing for their rights to dignity, justice and equality to secured tenure.

According to Grattan Puxon, Dale Farm Housing Association Secretary, Prof Yves Cabannes an executive member of the Italian-based International Alliance of Inhabitants responsible for Zero Eviction Day protests, and chair of the UN advisory group on forced evictions, congratulated the families for having stood their grounds against repeated attempts to evict them.

