



Fighting for justice and equality

The Social Justice Coalition's recent work on evictions in informal settlements

Over the past 10 months the City of Cape Town has carried out more evictions than ever before. The most egregious evictions have been on the City's periphery, where residents of informal settlements live far from the centres of wealth and power where evictions carried out by the State would cause an uproar.

In Island Informal Settlement in Khayelitsha, in the Siyahhlala Informal Settlement in Khayelitsha, and in the Siyangena Informal Settlement in Philippi, the City's law enforcement agents have illegally evicted residents. At none of these evictions have law enforcement agents been able to produce eviction orders. Instead, they have caused malicious damage to property by demolishing homes with residents' belongings still inside and have stolen residents' building materials.

Section 8(1) of the Prevention of Illegal Eviction and Unlawful Occupation of Land (PIE) Act clearly states that "[n]o person may evict an unlawful occupier except on the authority of an order of a competent court". The violent and unlawful actions carried out by the City over the past 10 months undermine the rights and dignity of its most vulnerable residents and are eerily reminiscent of apartheid dispossessions.

On 11 April 2018 residents of Island Informal Settlement, with the support of the Social Justice Coalition, filed court papers in the Western Cape High Court to interdict the City from demolishing their homes and illegally evicting them.

Andiswa Kolanisi, the first applicant in the case, said, "*We are landless and in need of homes and have nowhere to go... I have been on what government refers to as a waiting list for over 21 years with no indication that I will ever receive access [to] an RDP house or benefit from any government subsidy for poor people. I have knocked on all government doors to try get a home for my family*".

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Despite this legal action and repeated calls for the City to cease its unlawful actions, violent evictions continue. The City's actions violate section 26(3) of the Constitution as well as PIE. It is against this background that the SJC decided to file criminal charges against Alderman Jean-Pierre (JP) Smith and Richard Bosman in October 2018. As Mayoral Committee member for Safety and Security, Smith has oversight over Law Enforcement Services. The Anti-Land Invasion Unit (ALIU) is described on the City's website as the biggest unit in Law Enforcement. As the Executive Director for Safety and Security for the City, Bosman is directly responsible for Law Enforcement within the Safety and Security directorate.

The SJC has laid criminal charges against Smith and Bosman because this is the only recourse left to us after numerous attempts at engaging with the City. Poor, Black residents of Cape Town's informal settlements have been unable to hold officials responsible for the inhuman and unconscionable actions carried out against them. The SJC is demanding change, dignity and accountability from the government of this City. Now more than ever, we see the need for the development of a broad-based urban land justice movement that can push politically for land justice and long-term infrastructure in informal settlements.