



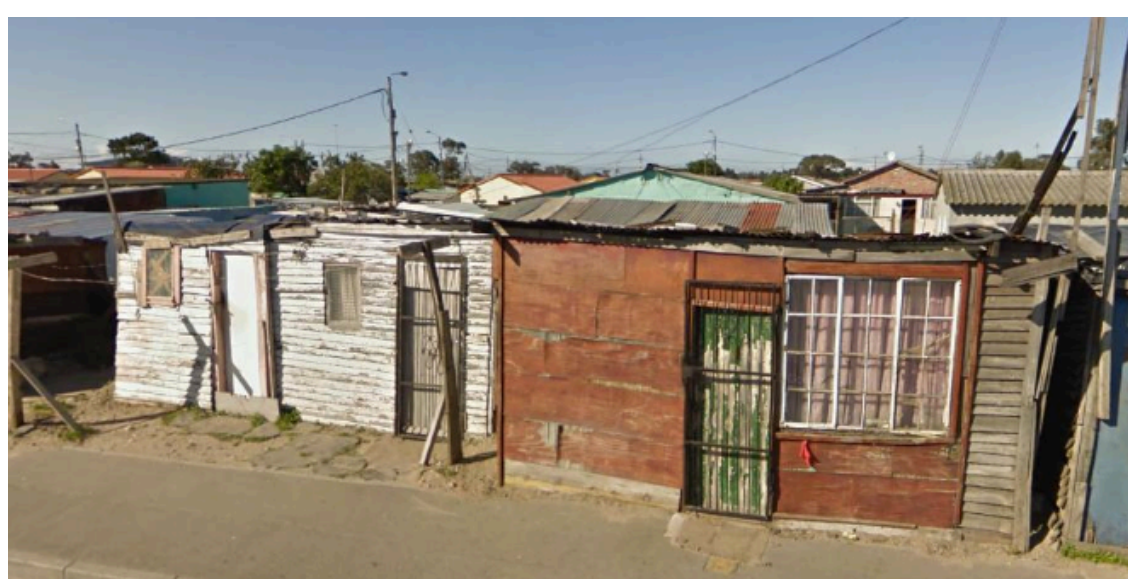
RIGHT TO HOUSING

The best example of the recognition of the right to housing as a fundamental right is the Constitution of South Africa, which provides in its **Section 26** that:

1. Everyone has the right to adequate housing.
2. The State shall take legislative and other measures deemed reasonable, within the limits of available resources, to achieve the progressive realization of this right.
3. No one shall be expelled from his or her home will be destroyed in the absence of a court made after considering all the relevant circumstances. No legislation allow arbitrary evictions.

Its **Section 28** states that:

1. Every child has the right to housing.
- The South African Constitution (Sections 7 and 8) also provides that the State has an **obligation to respect, protect and fulfill the right to housing**, which applies to all branches (executive, legislative and judicial) and all levels of government (local, provincial and national levels).



Example of Informal Housing in Shantytown (thesis of S. Matheson)



A response from State : Social Housing (photo from Rooftops Canada)

«Social Housing is a rental or co-operative housing option which requires institutionalised management which is provided by accredited SHIs or in accredited social housing projects in designated restructuring zones.»

Source : <http://www.shra.org.za/>



SHRA said : «Housing is not just about building houses...it is also about transforming our residential areas and building communities.»

MAJOR PROBLEMS

EVICCTIONS

In the light of the provisions of art. 26 of the Constitution of South Africa, majority of under resource communities residing the inner-city of Johannesburg are denied their right to adequate housing and basic services.

This can be verified looking at two different aspects namely :

1 - The city responsible provider of the housing for its residents

(...) The reality on the ground is that the growing demand of accommodation is far above the supply available in terms of allocated lands and financial limitations in the inner-city of Johannesburg. The population is composed of multi-racial residents who come from all over the world in search of better conditions of living. Their focus presence in the area engenders the raise of joblessness, the dilapidation of buildings due to overcrowding and difficulty to maintain. (...)

2 - Alternative accommodation in the inner-city of Johannesburg

(...) Every month, the City receives 300 eviction applications. At present more than 5 000 residents in the inner city and surrounding areas are facing evictions'. The city has identified 1000 buildings to be renovated and converted into temporary accommodation for evictees, as required by the law. (Inner-city evictions summit) (...) The condition of living in the "bad buildings" is conducting the city to evict the tenants and relocate them elsewhere. Yet, the relocation is not welcomed favourably to evictees who prefer their current places near to all facilities such as schools, hospitals, shops and job places. Residents of the inner-city request houses in the inner-city where they are happy to live near all their main activities. (...)

SOURCE : International Alliance of Inhabitants, 2015



3 - social housing : a solution ?

The Johannesburg Social Housing Company (JOSHCO) was introduced to the people as they were going to come up with a solution to housing issues in Johannesburg inner city and to the shortage of accommodation also to take into consideration the low incomers and people who doesn't have permanent employment in the city of Johannesburg.

But looking at the requirements needed in order to get a place in these flats owned by these companies are way out of people who are not working (...)

« People are also tired of being evicted, on 29 September 2015, after occupiers has been evicted by the Red Ants in the building situated in Jeppestown, moments after they were kicked out the building was set on fire.»

Source : Thabani, Nxumalo (ICRC), 2015

FROM APARTHEID TO URBAN SPRAWL

HISTORICALLY, The black population was located in neighborhoods racially separated (Group Areas Act) consisting mainly of informal settlements, either in formal constructions known as **townships**. (...) The **Housing Subsidy Scheme** : the end of apartheid has brought South Africa in transition. In 1992, the **National Housing Forum (NHF)** is created and aims to restructure the institutions that operated in the apartheid era, offering new directions. However, the phrase "a family, a site" tends to promote **urban sprawl** and **make cities viable apartheid, rather than radically transform the structures of the city**.

S : Thesis of S. Matheson

Evictions

We may provide legal aid if you have been illegally forced out of your property or rented accommodation. We also help with other cases related to the ownership of property.

For example:

- You have been evicted without a court order or notice.
- You have cancelled your lease agreement and your landlord refuses to pay back your deposit.
- The title deed for your property is registered to someone else.
- The owner of your property has sold the property to you and someone else too.
- A farmer will not let you bury your family member on the farm that you live on.

HABITAT WORLDMAP

BETTER UNDERSTAND THE HABITAT SITUATION IN THE WORLD : WWW.WM-URBAN-HABITAT.ORG

WEBSITE UNDER CONSTRUCTION

