

1657 Ext 5, Tlholong
Kestell
9860

P.O. Box 169
Harrismith
9880

22 September 2014

Attention:
National Council of Provinces
Me Thandi Modise

Fax: 021-461 94 60

Me,

I refer to my previous letter to you in this matter, dated 1 August 2014

Up to this date we are still suffering at Bokamoso in Qwa-Qwa and there has been no change in our situation.

We have had no response from anybody alleviating our situation.

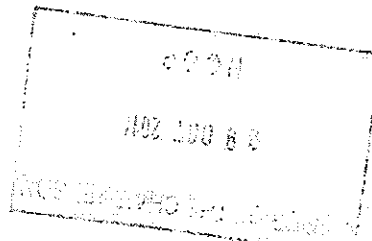
We are nearing Heritage Day this week, yet we are struggling to survive in the dreadful situation in which Maluti-A-Phofung Municipality has left us here.

I plea to you to assist us speedily as we cannot bear this suffering much longer.

Thank you,
On Behalf of the People of Bokamoso,

Sello B Gatebe
083 77 022 74 / 082 589 2528
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Mokoena Matjole
076 906 8159 / 081 085 8687



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**TRADITIONAL AFFAIRS
MABOLELA DISTRICT**

**BOCHABELA VILLAGE
BOCHABELA MOTSENG**



**REPUBLIC OF SOUTH AFRICA
REPABOLKI YA AFRIKA BORWA**

P O BOX 5113, PHUTHADITJHABA, EASTERN FREE-STATE, 9866

Dear Sir / Madam

It is with great respect and humility that I, on behalf of the Village Traditional Authority, write this brief report about the worrying conditions that the residents of Bochabela – Bokamoso (Remaining part of the former Bluegumbosh farm 199 - HaTshohanyane) who were evicted on Wednesday 11th June 2014, are currently living under.

Following the Constitutional Court's decision to dismiss the residents' appeal application on the 23rd of May 2014, the Maluti-A-Phofung Local Municipality (MAP) activated an eviction that was previously ordered, by the Bloemfontein High Court, to be conducted on the 17th of August 2012.

The village council allocated an additional 730 mapped sites at Bokamoso in 2012, but approximately 500 families have been living at their homes on a permanent basis. The rest of the people have been living temporary at their sites due to realities such as: employment out of Qwa-qwa, fear of eviction pending the outcome of the land dispute, delayed service delivery, poverty and opportunistic tendencies. The Village council has been allocating livestock land, cemetery land, initiation-school land, residential land and business land (with the knowledge and cooperation of the Local Municipality and the District Traditional Council) in this area for a period of over thirty years.

Nevertheless, the residents were advised by the Sheriffs, on Monday the 9th June 2014 at their respective homes, to leave the land and were handed two double-sided pages -4 pages-(the Constitutional Courts conclusion and the High Court's eviction order) to

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support their advice. When I asked where we should evacuate to I was told that the Municipality and the Chief (myself) know about the alternate land that has been made available, and that the eviction could take place as soon as that very day because the order was given almost two years ago already. This was surprising as the case was still on, and our legal advisors only received the Constitutional Court's conclusion after the 23rd of May 2014.

At an urgent community meeting on the subsequent day, Tuesday the 10th of June 2014, the residents requested the Chief, and three (3) community members to approach the Human Rights Commission (HRC), and request them to intervene due to escalating rumours that an eviction was due to happen on the following day. The Commission promptly intervened by writing a letter to the Municipal Manager at MAP in which they, *amongst other things*, requested the municipality to give the residents 60 days in which they will be fairly informed about the alternate accommodation they are to be relocated to, so as to accommodate the vulnerable (Women, Children, Disabled people and the Elderly) and the disadvantaged amongst us, who may not be able to evacuate immediately.

A copy of the letter from the HRC was sent to the Phuthaditjhaba Police Station early (05:00) on Wednesday morning (05:00) with the fear that the Municipal manager may have received the letter too late (if at all) for him to communicate its contents with the SAPS. The Station Commander, who was already in a meeting with identifiable police and traffic officers as well as MAP employees, responded by stating that the Sherriff is on his way and that the police can only do what the Sherriff requires them to do in this situation. I then waited outside and as soon as the Sherriff arrived, I handed the letter to him and after reading it he went to the gathering where the station commander was. He returned after a few minutes and told us (myself and community member) that he can only stop the eviction if the Mayor says he should. I then called the Mayor who answered by acknowledging that the municipality has received the letter, but the Municipality lawyers have advised that they should continue with the eviction because the order has been given. When I asked the Sherriff where the alternate land that has theoretically been made available is, he said that there is a temporary shelter where the evicted people and their property will be relocated to.

We then returned to Bokamoso to report the situation to the residents, who became distressed to hear that the request from the HRC has been rejected. Not long after the report was given, police vehicles entered Bokamoso and they announced that, 'because the Courts have ruled against them living on this land, they must leave immediately otherwise they will be forcefully removed'. Nothing was mentioned about the alternate land that was to be made available, we then saw a group of people (private demolishers) getting into the homes to take the belongings outside, then the bulldozers flattened the houses and the properties were loaded onto trucks and taken to a factory in the industrial area for storage. What traumatised many of the residents is that some of the bulldozers were driven by white (European) people, which revived the fear that they have taken years to overcome.

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Many residents then fled to their homes to begin dismantling them properly, in order to prevent them from being crushed down by the bulldozers, some succeeded but those who were too slow due to them having little assistance, or those not being at home were overtaken by the demolishers and their houses were ruined.

Some of the residents received help from their families and friends to dismantle and transport their belongings, because it was not clear where we were to relocate to and whether or not our property would be safely kept at the factory. At the end of that dreadful day, approximately 50 families were left at Bokamoso without shelter, 41 were given some food and taken to the Fire Department while the rest, who did not get help, stayed out in the cold because they could not leave their remaining property unattended to overnight. My wife and I were one of the families who went to the Fire Department that night, but I was instructed to leave the premises because I was told that I (as the Village Chief) am no longer part of this situation because it is now a security location, regardless of the fact that my home was amongst those that were demolished.

On the following day, Thursday the 12th of June 2014, the evicted masses made their way to the Fire Department to know more about the plans that have allegedly been made for additional land. The males and females were crowded together in one room, there was no bath water and the toilets were blocked. Those who are employed had to miss work and children had to miss school (during Exam time) because they were unsure about their future places of residence. Those who have pets and household animals had to abandon them because the transport to each resident provided was limited. Much of the furniture that was taken to the factory is damaged, and some of the property has been stolen.

Some, who only received shelter from friends and families for the night, arrived and added to the ones who spent the night at the fire department, only to be told that they are no longer part of the people who need to be given alternate land because they have other options of residence. Many responded by saying that their property that is still at the factories is proof that they are amongst the people who were evicted, and that the lists which the Sheriffs' wrote when they were distributing the papers and evicting on Monday and Wednesday respectively, as well as the register that the Village council has should be used to ascertain whether they are rightfully there or not. Some even suggested that the Independent Electoral Commission (IEC) be approached to see whether they were amongst the residents who voted in Bokamoso (Ha Morena Tsholo) on the 7th of May 2014.

The evicted residents are constantly at the shelter, some full-time and some during the day, because they do not want to miss the opportunity of being provided with their rightful alternate accommodation. On Saturday, 14th June 2014, they were moved to a bigger shelter (Makwane Youth Centre) because the MEC for Social Development intervened. The blankets are inadequate, the men have no mattresses, the electricity is restricted, there is no firewood (for warmth, bathing or cooking), and as a result many are being admitted to the hospital, and some who are ill are being taken in by families

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and friends. On Friday, 20th June, the food parcels were stopped and they were told to leave the shelter because renovations are due to be made there.

The municipality took some of the 41 households, who slept at the Fire Department on the first night, to a piece of land at Snakepark in Bluegumbosh location. They furthermore used the damaged and mixed-up building material which was taken from the demolished houses at Bokamoso to build (what they call) 'temporary accommodation' three (3) meters from each other, in which the household property does not fit.

This relocation to Snakepark has caused internal and external problems which could prove to be fatal. There is no water or firewood available which was not the case at Bokamoso. The old residents are openly threatening to remove the Bokamoso people because they claim to be staying in other peoples' houses and now instead of them being given sites there, strange people get them. The school children have been relocated to a site that is very far from their school, worse still, during winter exams.

Efforts have been made by the Village Council and affected community to relieve the residents from some of the stresses they are under, because their misfortune of losing their homes is made worse by them having no access to their property. Cleaning and bathing material was made available on the first week. Letters to various employers are being written to inform them of the affected employee's residential situation. Letters are being sent to a few supermarkets requesting food parcels or assistance. Churches are being approached for much needed Prayers and assistance. The Local Municipality and Government at large is constantly being engaged to sit down and properly consider the far reaching effect that this eviction is having on the affected community. Allegations of crime are being reported to the police. The sick are being referred to the local clinics and hospitals. The media is often invited to arouse public interest and to inform society. The Human Rights Commission and Legal advisors have been consulted for advice and mediation between our vulnerable people and, us, their leaders.

It is troubling to note that a few weeks after the majority of Bokamoso residents voted for the Ruling Party (at a voting station that was erected at Bokamoso), the very same Government is the one that rewards the electorate by evicting them from the land.

Thank you for your attention, as I leave this sensitive issue in your capable hands.

Yours in Service

T. Mopeli: 0784053257

MORENA WA MOTSE

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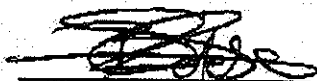
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