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**Statement by Mr. Miloon Kothari, Special  
Rapporteur  
on adequate housing as a component of the  
right to  
an adequate standard of living, to the World  
Urban  
Forum III (19-23 June 2006) in Vancouver**

Vancouver, 20 June 2006

The Special Rapporteur will be speaking at the Dialogue on "Achieving the MDGs: Slum-upgrading and Affordable Housing" on 20 June 2006.

The World Urban Forum III gives us the opportunity to reflect on the challenges facing the world community as it grapples with the global housing and living conditions crisis. These challenges also need to be tackled in the context of realization of the Millennium Development Goals (MDGs) which should serve to focus worldwide efforts in overcoming the critical deficiencies in global development, and should be fully based on human rights principles and commitments. The attempt to improve living conditions for some, for example through slum-upgrading projects, must not lead to the violation of human rights of others, such as through forced evictions. Thus, the process followed to achieve the MDGs is as important as the agreed targets and as Special Rapporteur on adequate housing I urge that the principles of non-discrimination, progressive realization, and indivisibility of human rights frame efforts to achieve the MDGs.

Forced evictions are acts and/or omissions involving the coerced or involuntary displacement of individuals, groups and communities from homes and/or lands and common property resources that were occupied or depended upon, thus eliminating or limiting the ability of an individual, group or community to reside or work in a particular dwelling, residence or location, without the provision of, and access to, appropriate forms of legal or other protection. Evictions must be carried out lawfully, only in exceptional circumstances, and in full accordance with relevant provisions of international human rights and humanitarian law.

Since my appointment as Special Rapporteur on adequate housing, I have witnessed and increasingly received reports on forced evictions and displacement around the world. Many contemporary cases of forced evictions constitute a gross violation of human rights and indicate a systematic disregard of recognized human rights standards on the part of States. Forced evictions and displacement occur due to different reason. They are taking place in countries world wide, ranging from democratic to authoritarian

states. Many are so-called development-based evictions, which include evictions often planned or conducted with the justification or under the pretext of serving the "public good," such as those linked to slum-clearance drives, large-scale infrastructure or other development projects, and land-acquisition measures associated with urban renewal, housing renovation, city beautification, or other land-use programmes. Evictions are also on the rise due to the reluctance of States to control speculation in housing and property.

Figures show that there are millions of people displaced and forced into homelessness and inadequate housing living conditions every year due to development projects – a number exceeding even that of those displaced due to armed and ethnic conflict. And yet, forced evictions, a prima facie violation of a range of recognized human rights, continue to take place with impunity and rare, if any, reaction by the international community.

Above all, the impact on those affected can often be characterized as a human tragedy. In the wake of forced evictions, people are often left homeless and destitute, without means of earning a livelihood and, in practice, with no effective access to legal or other remedies. As a general rule, forced evictions affect the poorest, the socially and economically most vulnerable and marginalized sectors of society and intensify inequality and social conflict, contributing to segregation and the creation of 'apartheid cities'.

The examples illustrating the scale and global reach of this perhaps the most devastating violation of the right to adequate housing are numerous.

It is now one year after the launch of Operation Murambatsvina (Restore Order), initiated by the Government of **Zimbabwe** to "rid the capital of illegal structures, businesses and criminal activities". An estimated 700,000 people lost their homes, their livelihoods, or both, according to UN sources. The majority of the people having been evicted are still homeless, in resettlement camps or living in inadequate housing conditions, without food, potable water or sanitation. Others have taken refuge in caves outside Harare. Disturbingly, the Government has not implemented the recommendations made by the UN Special Envoy in her Zimbabwe mission report, including the call to immediately halt any further demolitions and to pay compensation for property that was unlawfully destroyed. Operation Garikai (Better Life) has not met the needs of those affected by Operation Murambatsvina. I am extremely concerned that one year after the operation the situation has not improved. On the contrary, human suffering and violations of the right to adequate housing, including forced evictions, continue to occur.

I have recently drawn attention to a new wave of forced evictions in connection with the construction of the Lyari Expressway in Karachi, **Pakistan**, leading to the destruction of thousands of houses since the beginning of this year. The affected families, already amongst the poorest of the poor, have allegedly been left to fend for themselves on the streets without basic shelter. In cases where relocation has been offered, the

relocation sites are reportedly located far away from livelihood opportunities and are lacking in civic services. The evictions have allegedly been accompanied by the excessive use of force by the police and local authorities, and reports of related death and injury have been received. When completed, the project allegedly will have rendered an estimated over 250,000 people homeless, and 25,000 people have been evicted between January and May 2006 alone.

Since November 2004 an estimated 400,000 slum dwellers have been displaced from their homes in the city of Mumbai, **India**. In May 2004 governmental promises were made to regularize slums built in Mumbai, India before the year 2000. Notwithstanding, in November the same year, the Mumbai government initiated a massive housing demolition drive lasting for several months resulting in an estimated 92,000 homes being razed to the ground throughout the city. Moreover, the Mumbai government has embarked on a new urban renewal initiative known as "Operation Makeover", to free up public spaces for infrastructure projects including commercial and entertainment centres. As a result, Mumbai has witnessed an intensification of demolitions, accompanied by the use of force against residents, and without provision of any rehabilitation or alternative housing to any of the evicted. In early May 2006, 5,000 houses in the slum communities of Indira Nagar and Janata Nagar in Mandala, near Mankurd in Mumbai were demolished and the rest set on fire, in the presence of members of the police force and municipal official representatives, with no or inadequate prior eviction notice.

Until recently Bassac Village, an informal settlement on the banks of the Bassac River in central Phnom Penh, **Cambodia**, was home to an estimated two thousand families, living in extreme poverty. Demolitions, forced evictions and relocations with the aid of security forces were initiated in the beginning of May 2006, culminating in early June. Information received points to a humanitarian emergency. The two designated relocation sites are situated over 20 kilometers from the city, far from livelihood opportunities. Allegedly, the relocation areas are also prone to flooding and lack basic services such as water, education facilities and health services. In one of the relocation sites in Andaung (Dangkor District), over one thousand families are currently occupying a total of one hectare of land provided by the Municipality.

According to information received, evictions and demolitions in Abuja communities and other settlements in the Federal Capital Territory of **Nigeria** have taken place since 2003/2004. With the most recent wave of evictions the total number of dispossessed and homeless people has allegedly reached an estimated 800,000 persons. These evictions are justified as being part of the belated implementation of the 1979 Abuja Master Plan, which includes planned measures for the "beautification" of the Federal Capital City. In implementing the Master Plan, the present government has allegedly nullified allocation documents and title deeds issued by the former authorities. It is further alleged the main actual causes for the forced evictions and demolition of property are real estate investment interests and privatization, and that private real estate developers have assumed the key

role in rebuilding on the demolished sites. Evictions allegedly began on a mass scale in 2003. The evictions, so far, have reportedly destroyed nine communities, including both formal and informal settlements. A total of 49 settlement areas are reportedly earmarked for demolition. The nine communities allegedly affected to date are: Wuse and Mpape demolished in 2004, Dantata and Old Karimo in November 2004, Jabi/Kado in April 2004, Chika in November 2005, Idu Karimo between 2005 and 2006, Kubwa between June 2005 and April 2006, and Dei-dei in April 2006. It is also reported that the Chika (Extension) Community has been totally destroyed, including social services, schools and churches.

In **Mexico**, the planned construction of a hydroelectric dam as part of the Central American Electrical Interconnection System (SIEPAC), risks to cause the flooding of several communities in the municipalities of Acapulco, San Marcos and Juan R. Escudero, Chilpancingo and Tecuanapan. According to some sources up to 25,000 people, most of them poor farmers and peasants, will be affected by the project which allegedly would result in the destruction of houses, schools and health centers. Information received indicated that the building of the "La Parota" dam would entail the flooding of an area in the range of 14,000 to 17,000 hectares of land, affecting towns and villages by a drastic transformation of the existing environment and the deprivation of traditional livelihood. Reportedly feasible options to eviction and displacement have not been explored in consultation with the affected persons and groups.

The list of situations where violations of human rights, often those of the poorest of the poor, take place in the name of 'development' in one form or another can be continued. The North Rail and South Rail project in the **Philippines** will, when completed, have evicted and displaced an estimated 150,000 families, with inadequate relocation alternatives. Testimonies from **United States of America** have been received regarding the eviction from and demolition of older public housing, without adequate replacement housing alternatives. In **Canada**, thousands of households continue to be evicted, due to high rents and inadequate income support, without proper hearings and with no consideration of whether these evictions will result in homelessness. Slum-clearance programmes in cities like Casablanca in **Morocco**, including initiatives supported by international financial institutions such as the 'Cities without Slums' initiative, are reportedly not including the necessary human rights safeguards. In the **Russian Federation**, allegations are continuously received regarding the forced evictions of Roma communities, including as part of local political electoral campaigns. Forced evictions in **Iran** continue to displace thousands of persons of ethnic and religious minorities, including Arabs, Kurds, Nomads and the Baha'i.

Most of these 'development-based' evictions have one or several common features that contravene recognized human rights standards. Lack of prior notice, inadequate or no consultation, absence of information-sharing, no possibility of participation in the decision-making process for those affected, lack of housing alternatives and the use of excessive force to carry out evictions are disturbing trends. Without human rights safeguards, the

commitment to the reduction of slums, including through the relevant MDGs can easily become slum-eradication to the detriment of slum-dwellers.

Wherever they take place, discrimination seems to play a critical role in forced eviction cases. Ethnic, religious, racial and other minorities as well as indigenous people are far more likely than others to be evicted. Women suffer particularly as a result of forced evictions and as a consequence not just from loss of home, but also livelihoods, relationships and support systems they were used to, breakdown of kinship ties, physical and psychological trauma and even increased morbidity and mortality. Of serious consequence is also the fact that evictions increase the vulnerability of women to further acts of violence.

Given the alarming increase of forced evictions, I particularly call for:

- States, consistent with their human rights obligations, to take steps to minimize evictions and displacement by: undertaking human rights impact assessment studies; search for alternative development strategies and adopt comprehensive housing policies and legislations on forced evictions based on human rights standards. A inclusive approach needs to be adopted to address the issues of forced evictions, security of tenure, legalization of informal settlements and slum-upgrading, and to ensure close consultation with those affected at the planning stage and with respect for the right to participation in decision-making in these areas.
- an immediate halt of all forced evictions and for concerned authorities to carry out open and genuine consultations with affected persons and to ensure that evictions do not result in homelessness;
- urgent attention and comprehensive action from the global community, including UN programmes and agencies, international financial institutions, bilateral agencies and donors;
- support to the thousands of human rights defenders across the world that are peacefully opposing forced evictions.

States should remember that, under international human rights law, evictions should only be carried out under exceptional circumstances, following a well defined procedure. In this respect, I wish to draw attention to the Basic Principles and Guidelines on Development-based Evictions and Displacement which I have recently elaborated to assist States in developing policies and legislations to prevent forced evictions at the domestic level.

We are witnesses to large-scale evictions around the world today. We are also witnessing a deepening of the global housing and living conditions crisis as detailed in the UN-Habitat State of the World Cities Report 2005-2006. Such a reality makes a mockery of agreed MDG's and other internationally agreed targets, goals and commitments, including those detailed in the Habitat Agenda. I call on all actors at the World Urban Forum to unequivocally uphold the human right to adequate housing and oppose forced evictions as a means of achieving 'development'. I urge UN-Habitat, OHCHR, the newly formed UN Human Rights Council and other international bodies to play a larger role in holding States accountable to their human

rights commitments, including halting the practice of forced evictions. I urge the world's governments to abide by their international human rights commitments to uphold the human right to adequate housing especially for the millions of women, men and children that continue to be forced to live in inadequate and insecure housing and living conditions.

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*The Special Rapporteur's latest report, including the "Basic principles and guidelines on development-based evictions and displacement" (E/CN.4/2006/41), can be found at:*

<http://www.ohchr.org/english/issues/housing/annual.htm>

*For more information on the mandate and work of the Special Rapporteur, including recent public statements on forced evictions, please consult the website of the Office of the High Commissioner for Human Rights at*

<http://www.ohchr.org/english/issues/housing/index.htm>