

Forced Evictions - Towards Solutions?

Second Report of the Advisory Group on Forced Evictions
to the Executive Director of UN-HABITAT





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Our special thanks is to all of the communities with whom we work, and who share their problems, experiences, ideas and insights with us. This report is dedicated to them, and their ongoing struggle to realise their basic human rights.

FOREWORD BY YVES CABANNES, CONVENOR OF THE ADVISORY GROUP ON FORCED EVICTIONS

Three years have passed since the Advisory Group on Forced Evictions (AGFE) held its inaugural meeting in Nairobi. Since then, the Group has identified, monitored and documented 30 cases of forced eviction and played a mediating and conciliatory role during four missions to cities where forced evictions were being carried out or where there was an imminent threat of large scale evictions. In addition to AGFE's own activities, several organisations that are linked to AGFE and form a global network, are working towards reducing and preventing forced evictions in all parts of the world. AGFE Members, their respective organisations and the wider AGFE Network have contributed to the information and experience exchange and for putting this report together.

After three years since the launch of AGFE, there are both good and bad news. The bad news is that forced evictions over the past three years have increased dramatically in frequency, in number and in the level of violence. Forced evictions appear to have become a common practice in lieu of sustainable urban planning and inclusive social policies, both in many developed and developing countries. Information gathered by AGFE shows that over the last three years evictions have been taking place or are to take place in at least 60 countries. Unlawful evictions affect the lives of millions of children, men, women and the elderly, most of them poor. Against this dramatic reality, finding solutions to this unjust practice remains a central challenge to meeting the Millennium Development Goals and to implementing the Habitat Agenda.

The good news is that despite the current scale and devastating effects of forced evictions, local initiatives at various levels and by different actors prove that alternative solutions can be found. AGFE has identified and documented cases where people, their organisations and their governments have successfully developed practices and tools to prevent evictions and attain security of tenure. When appropriately supported and resourced, such multi-actor and multi-dimensional initiatives are able to confront the negative and dominant local and global forces. These cases give real hope to hundreds of thousands of children, women and men all over the world who live in constant threat of evictions.

AGFE's Second Report to the Executive Director of UN-HABITAT is another contribution to increasing awareness and knowledge both within UN-HABITAT and the wider UN System on how to address the challenge of forced evictions in a timely and effective manner. By making this Report available also to the wider public, AGFE seeks to further disseminate successful practices in the fight against forced evictions that can be applied by relevant stakeholders in different local and national contexts.

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1 INTRODUCTION AND ACTIVITIES

Forced evictions are carried out in both developed and developing countries, in all regions of the world. Often these are large-scale evictions, where entire communities of tens or even hundreds of thousands of people are removed. They are usually directed at the poor, living in informal settlements. The effect on the lives of those evicted is catastrophic, leaving them homeless and subject to deeper poverty, discrimination and social exclusion. Such communities are invariably evicted against their will, and in most cases, without any compensation or alternative housing.

The term 'forced eviction' refers to the removal of people from their homes or lands against their will, directly or indirectly attributable to the State. It is a widespread practice annually affecting millions of persons in developed and developing countries.

Forced evictions can always be attributed to specific decisions, legislation or policies of States, or to the failure of States to intervene to halt forced evictions by third parties. Thus, States are always legally responsible for forced evictions occurring on territory under their jurisdiction.

Although international law has repeatedly declared forced evictions to be a gross and systematic violation of human rights, governments continue to use forced eviction as a tool of development. Part of the struggle against this widespread practice is clearly a need to change the mindset of such leadership. It is crucially important to get the message across to governments that forced evictions are unjust, illegal and invariably counterproductive to genuine human development; and that alternatives to eviction therefore urgently need to be identified and promoted.

The Advisory Group on Forced Evictions

The Advisory Group on Forced Evictions (AGFE) was established at the request of the UN-HABITAT Governing Council during its 19th session, following recommendations of the first World Urban Forum to promote policy alternatives to forced evictions. Its mandate is to monitor, identify and, if so requested, promote alternatives to unlawful evictions. The group is composed of experts in the fields of urban development, community participation, human rights and forced evictions (a list of current members is attached as Annex 1). These experts

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