

# EVICCTIONS AND THE RIGHTS-BASED APPROACH TO URBAN DEVELOPMENT



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# EVICTIIONS

## AND THE RIGHTS-BASED APPROACH TO URBAN DEVELOPMENT

**International Expert Group Meeting**

Held at UN-Habitat's Global Headquarters in Nairobi, Kenya from 20–23 September 2011





## LIST OF ACRONYMS

ADB	Asian Development Bank
ACHR	Asian Coalition for Housing Rights
ACHPR	African Commission on Human and Peoples' Rights
AGFE	Advisory Group on Forced Evictions
BMA	Bangkok Metropolitan Administration
CEDAW	Convention on the Elimination of Discrimination Against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CERD	Committee on the Elimination of Racial Discrimination
CESCR	Committee on Economic, Social and Cultural Rights
COHRE	Centre on Housing Rights and Evictions
CRPD	Convention on the Rights of Persons with Disabilities
EGM	Expert Group Meeting
EvIA	Eviction Impact Assessment
ESCR	Economic, Social, Cultural Rights
ECSR	European Committee of Social Rights
HIC	Habitat International Coalition
IHS	Institute for Housing and Urban Development Studies
HR	Human Rights
HRC	Human Rights Council
HRC	Human Rights Committee
HRBA	Human Rights Based Approach
HLRN	Housing and Land Rights Network
IAP	International Accountability Project
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
IDPs	Internally Displaced Persons/People
IRR	Impoverishment Risks and Reconstruction Model
MDG	Millennium Development Goals
NGO	Non-governmental organization
OHCHR	Office of the High Commissioner for Human Rights
SERAC	Social and Economic Rights Action Centre
SPARC	Society for the Promotion of Area Resource Centres
SDI	Slum Dwellers International
TOR	Terms of Reference
TMB	Treaty Monitoring Bodies
UN	United Nations
UNHRP	United Nations Housing Rights Programme
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UDHR	Universal Declaration of Human Rights
UPR	Universal Periodic Review
WUF	World Urban Forum



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## EXECUTIVE SUMMARY

UN-Habitat hosted an EGM on Forced Evictions from 20-23 September 2011 in Nairobi, Kenya. With 50 experts in attendance from 40 different countries, participants exchanged views and contributed knowledge and ideas to discussions on the ways that UN-Habitat and other relevant actors can prevent, monitor, and assess the impact of forced evictions across the globe. The EGM was organized in collaboration with the Office of the High Commissioner for Human Rights (OHCHR) in Geneva and was intended to build momentum and elaborate on the strategies for shaping and strengthening the future role of UN-Habitat in the area of forced evictions and housing rights.

Through keynote presentations, plenary discussions and workshops, the experts agreed unanimously that the increase in the intensity and scale of forced evictions across the world is a trend that has to be reversed and a human rights based approach (HRBA) is key in this regard. This was particularly emphasized in plenary keynote addresses throughout the EGM.

The Executive Director of UN-Habitat, Dr. Joan Clos, in his webcast keynote address expressed his full commitment to the United Nations (UN) overarching goals and principles, to the issue of human rights as one of the main pillars of the UN, and especially to the human right to adequate housing. Dr. Clos expressed real concern about the urbanization process and its impact on less-developed and poor countries. For this reason he has dedicated himself to a strategic planning exercise within UN-Habitat, to re-energize it in the face of the challenges that lie ahead as urbanization proceeds.

The Executive Director's powerful address was followed by a video message from Ms. Raquel Rolnik, UN Special Rapporteur on Adequate Housing. She noted that interventions aimed

at addressing forced evictions have not yielded maximum impact because human rights standards and systems have not been fully integrated into institutional architecture at the national level for realizing the right to housing and shelter. National, regional and territorial housing and shelter strategies generally do not incorporate human rights principles and norms.

Urban Jonsson, an independent expert, provided an overview of key elements to a HRBA to housing and the value-added of such an approach should UN-Habitat embrace it.

UN-Habitat's re-structuring and the incorporation of a HRBA to its work, particularly in the areas of housing and forced evictions, was a major theme of discussion. In particular, many discussions centered on the value-added and capacity of UN-Habitat to mainstream human rights into its programming to achieve sustainable human development globally. Recognizing that it is impossible for UN-Habitat to be engaged in evictions happening around the world, participants stressed the importance and urgency for the agency to recognize that people living in poverty and other vulnerable and marginalized groups are their core constituency and as such, its programs and projects must retain a primary focus on empowering those who are marginalized, or at risk of being marginalized, in the development process. The adoption of a human rights policy and conceptual framework for integrating and mainstreaming of human rights into its policy development and project programming in accordance with the commitments stated in the Habitat Agenda, was also strongly recommended.

In this regard, Mr. Miloon Kothari, the former UN Special Rapporteur on Adequate Housing, outlined specific ideas and directions to encourage UN-Habitat to transform into a





human rights organization. He stated that there is an urgent need to restore public confidence in UN-Habitat. UN-Habitat needs to understand and highlight the enormity of the impact of forced evictions, with particular emphasis on women, children and Indigenous groups. Mr. Kothari suggested that UN-Habitat could use its expertise to bring real meaning to the concept of the *Right to the City* and lastly that UN-Habitat must launch an aggressive campaign to challenge the notion of “*Cities Without Slums*” which has often been abused by governments around the world. UN-Habitat needs to articulate the content and direction of this campaign to reflect the needs and realities faced by the urban poor. Mr. Kothari also noted an urgent need for the UN-Habitat to articulate, clarify and elaborate a normative definition of ‘public purpose’ in response to the growing trend where private interests in forced evictions are disguised as public purpose. In this regard, it has become imperative for pressure to be put on states and governments to put an end to land speculation and review land-use and tenancy legislations in a manner that affords protections to citizens against physical, economic and financial pressures.

The possible future role of the Advisory Group on Forced Evictions (AGFE) within UN-Habitat and as an independent entity was also discussed at length throughout the EGM. AGFE was established in 2004, and was comprised of independent experts and practitioners from different parts of the world. It carried out a number of missions to investigate forced evictions across the world, including in: New Orleans, Istanbul, Port Harcourt, Nigeria, Italy, London and Argentina. Mission reports were forwarded to the Executive Director of UN-Habitat with concrete recommendations for possible actions that UN-Habitat could undertake to prevent or address the forced evictions. To kick-start this conversation on the future of AGFE, Ms. Leilani Farha provided an overview of forced evictions in the global context, highlighting the work of AGFE, as well

as the challenges AGFE faced in terms of its leadership, structure, funding and the difficulty in meeting its central mandate: advising the Executive Director of UN-Habitat. These limitations were underscored in a letter written to the EGM by Yves Cabannes, the former Chair of AGFE.

Despite the challenges that faced AGFE there was consensus among experts at the EGM that an international body to monitor and address forced evictions similar to AGFE ought to exist. Experts also agreed that UN-Habitat is well-positioned to play more of a leadership role in addressing situations of forced evictions from a human rights perspective, through more strategic engagements with governments at both national and local levels as well as other non-state actors. EGM participants discussed in some detail, the role UN-Habitat could adopt in this regard, for example, the provision of resources to bring together international and regional groups working on forced evictions; the provision of technical, logistical, advisory support to governments; and greater participation in the UN human rights system and with UN actors engaged in addressing the practice of forced eviction. EGM participants also examined the ways UN-Habitat could undertake interventions that would lead to corrective action and reduce the likelihood of forced evictions.

To complement the plenary presentations and discussions, nine workshops were held during the three days, with three workshops running concurrently each afternoon. The workshops examined in greater depth three themes: i/ the capacity of UN-Habitat to address forced evictions working within the broader UN human rights system including the OHCHR; ii/ UN-Habitat’s ability to address the issue of forced evictions and to develop and use appropriate tools while working with local NGOs and in the national context, with a focus on Nigeria, Cambodia and Egypt; and iii/ UN-Habitat’s role with respect to existing networks



working to monitor, prevent and address forced evictions, for example with ESCR-Net, the Asian Coalition on Housing Rights (ACHR), and the Kenyan Housing Coalition.

The EGM resulted in an outcome document, entitled, “Formal and Consensus-based Observations and Recommendations to UN-Habitat by Participants in the International Expert Group Meeting on Forced Evictions”. This document was presented by Mr. Kothari to the Executive Office of UN-Habitat. This document makes several observations about UN-Habitat’s role with respect to forced evictions. For example, it notes UN-Habitat’s failure to adopt an explicit policy on the integration or mainstreaming of human rights into its policy development and project programming and the lack of leadership and action by UN-Habitat to promote the right to adequate housing as articulated in the Habitat Agenda.

The outcome document provides much guidance as to how UN-Habitat could better engage forced evictions. It stipulates for example, that UN-Habitat should adopt a formal human rights policy and a conceptual framework for how to embed the HRBA in all of its programming and in its specific projects. It also suggests that UN-Habitat engage and collaborate with the OHCHR and human rights mechanisms including Special Procedures, Treaty Bodies, the Human Rights Council (HRC) and the Universal Periodic Review (UPR).

The outcome document further suggests that UN-Habitat: facilitate the exchange of information as well as the collection and dissemination of tools amongst relevant stakeholders; demonstrate leadership in the area of forced evictions when focusing on specific country contexts; encourage dialogue between stakeholders; and, adopt a proactive approach to addressing forced evictions.



## A MESSAGE FROM MR. MILOON KOTHARI



I was pleased and honoured to participate in the Expert Group Meeting on Forced Evictions in Nairobi, Kenya from 20-23 September 2011. It was heartening to hear the Executive Director of UN-Habitat, Dr.

Joan Clos, open this meeting with a strong commitment to human rights, and to have senior officials within UN-Habitat embrace his message at this meeting.

This meeting allowed us the luxury to dream of UN-Habitat as a human rights organization, not only in words but also in deeds, and it provided us with an opportunity to develop practical recommendations as to how UN-Habitat could restore its reputation and credibility by playing a more prominent role in addressing housing rights violations around the world.

If UN-Habitat is to reach its potential, as a starting point, it will need to engage in institutional reflection, re-engage the Habitat Agenda, and re-focus its mission in keeping with human rights principles. If UN-Habitat is serious about embracing the human rights message with respect to development and housing, it has tremendous resources and tools at its disposal, be it treaties, interpretive instruments, or guidelines on forced evictions that have been developed by experts. If UN-Habitat became more human rights oriented it would also have many institutional partners within the UN system. It could more fully develop meaningful partnerships with the Special Procedures appointed by the UN Human Rights Council, such as the Special Rapporteurs on adequate housing, food, water and sanitation, extreme poverty, violence against women, and indigenous peoples.

So where should UN-Habitat go from here? The time is ripe for UN-Habitat's Executive Director to issue a clear message to the UN human rights system and to the broader international community that UN-Habitat can be relied upon as a real partner, and that it

is embracing a human rights approach to its work. In this regard, UN-Habitat must adopt a broad definition and understanding of the right to adequate housing, one that recognizes that the right is about more than just secure tenure (though that is very important) but it is also about freedom from dispossession, and rights to land and property, information, capacity building, restitution, safety and security, and gender equality.

UN-Habitat could certainly distinguish itself and assist some of the most marginalized people living in abhorrent conditions around the world, if it capitalized on some of its existing strengths within a human rights framework. For example, as an entity that has worked so closely with municipal governments, it is well positioned to lead on developing a more coherent vision for the right to the city – a concept that has taken hold in many regions. UN-Habitat could also use its unique position in the field to challenge the economic policies of governments and the neo-liberal policies of global financial institutions that promote land and property speculation, privatization of lands, de-regulation and control of rent values that facilitate and lead to the practice of forced eviction.


Individuals, families and communities who have experienced or are facing housing rights violations – including forced evictions – need a strong, reliable voice within the UN system to draw attention to their experiences, defend their rights and help fashion solutions. At the same time, the support of a UN body with developed expertise on housing rights, would undoubtedly benefit the work of Non-governmental Organizations (NGOs) concerned with housing rights, making their work on the ground that much more effective.

This is a tall order, but under its new leadership and strategic plan, it is one that UN-Habitat can meet.

**Miloon Kothari**, Executive Director, Housing and Land Rights Network in India, was nominated by the group of experts to formally present the formal and consensus-based observations and recommendations to the Executive Office of UN-Habitat on 23 September 2011.



# 1. INTRODUCTION



This report provides a summary and overview of the Expert Group Meeting (EGM) on Forced Evictions hosted by UN-Habitat in Nairobi, Kenya from 20 - 23 September 2011. The meeting brought together approximately 50 expert participants including independent experts, academics, NGO representatives, inhabitants' networks, government representatives, and observers, to discuss the phenomenon of forced evictions, international, regional and national responses, and possible roles for UN-Habitat in monitoring, preventing and addressing forced evictions within this context.

This report provides a summary of all of the substantive sessions held over the course of the meeting. Because of the summary nature of the report, not all discussions and nuances could be fully reflected, the report captures the essence and spirit of the meeting, major themes, concerns and outputs. It is structured as follows:

**Section 2** of the report provides a summary of each of the keynote presentations, including addresses given by the Executive Director of UN-Habitat, Dr. Joan Clos, the UN Special Rapporteur on Adequate Housing, Ms. Raquel Rolnik, and her predecessor, Mr. Miloon Kothari, Leilani Farha presenting on UN-Habitat's global report on forced evictions, Ryan Schlieff from WITNESS, Maartje Vaan Eerd from the Institute for Housing and Urban Development Studies (IHS), Esther Kodhek from the Centre on Housing Rights and Evictions (COHRE), Leticia Osorio on behalf of Hakijamii, and Jean du Plessis and Claudio Acioly Jr. of the Housing Policy Section of UN-Habitat.

**Section 3** provides an overview of a roundtable discussion on housing and land rights networks and UN-Habitat, with representatives from COHRE, ACHR, Society for the Promotion of Area Resource Centres (SPARC), Habitat International Coalition (HIC), and the International Accountability Project (IAP).

**Section 4** provides an overview of the nine workshops that were held which focused on

a range of issues including alternatives to forced eviction, normative tool development, and working with regional or national housing rights coalitions.

The report concludes with an **Annex** containing all of the pertinent documents that informed the EGM, including the formal and consensus based observations and recommendations to UN-Habitat.

## 1.2 Petitions

Participants at the Expert Group Meeting presented several petitions to UN-Habitat during the meeting. The petitions were accepted by the Officer-in Charge and Chief of Staff of UN-Habitat. One petition requested to include representatives of inhabitants' organizations in the meeting. It was supported by a petition from the East Africa Social Movements and Networks. Due to the large number of proposed participants with very short notice, UN-Habitat agreed to include three representatives in the workshop that was facilitated by the Kenya Housing Coalition.

Another petition requested UN-Habitat's active engagement and possible mediation in Cambodia at the Boeung Kak Lake. UN-Habitat's Executive Director responded favourably to this request, and instructed the UN-Habitat Regional Office for Asia and the Pacific to carry out a fact-finding mission to the area, which took place in February 2012. The last petition concerned the need for UN-Habitat to present the AGFE reports to relevant authorities and take appropriate action as per the reports. In view of the recommendations made by experts at the meeting, UN-Habitat is seeking to re-define the scope and nature of any future advisory mechanism on eviction to ensure that the recommendations made by such an advisory mechanism be appropriately utilized.

In addition, participants at the meeting also sent a petition in support of the gypsy and traveller communities that faced imminent evictions at Dale Farm in the United Kingdom at the time of the meeting.



*Participants at the International Expert Group Meeting on Forced Evictions, held in Nairobi in September 2011  
Photo: UN-Habitat /Julius Mwelu*





## 2. KEYNOTE ADDRESSES







## **Keynote Speaker: Joan Clos,** Executive Director of UN-Habitat

Dr. Clos opened the EGM by expressing his full commitment to the UN's overarching goals and principles, to the issue of human rights as one of the main pillars of the UN, and especially to the human right to adequate housing. He warmly thanked the AGFE for its work under the former Executive Director of UN-Habitat.

Dr. Clos expressed real concern about the urbanization process and its impact on less-developed and poor countries. It is for this reason that he is now engaged in a strategic planning exercise with UN-Habitat, to re-energize it in the face of the challenges that lie ahead as urbanization proceeds. He noted that within this context, forced evictions are a grave calamity yet they are on the rise all around the world and is an issue that affects basic human rights. In this regard he noted that UN-Habitat is developing new strategies along three main lines: i/ urban planning and design; ii/ urban legislation and governance; and iii/ urban economy and job creation.

Dr. Clos stated that urban planning has been criticized, even abandoned, in most parts of the world. In his opinion, UN-Habitat needs to return to this crucial area, because without urban planning there is no way to have a real effect on the future design, fabric and growth of cities. He indicated that UN-Habitat will also focus on urban legislation and governance and the intervention of the public sector and political institutions in the construction of a proper city. He stressed that protection against forced evictions should be an integral part of both urban planning and urban legislation and governance.

Dr. Clos noted that urbanization should not be viewed simply as housing creation and slum prevention, and that it needs to be understood in broader terms such as the enlargement of the city, and as proper urban planning that protects people's rights. This approach will unlock the potential of societies to develop around cities.

Dr. Clos was clear in that we cannot accept that the challenge of urbanization is so overwhelming that we cannot do anything about it. He said he intends to address this attitude by promoting best practice models of how to deal with the challenges of urbanization, including forced evictions, and presenting Governments with options on how to respond in effective ways. He added that once a Government has been shown both proper and improper ways of responding to a human rights issue, however it chooses to act is a political and informed choice for which it must assume responsibility.

Dr. Clos concluded with a clear declaration: "there is a way to create a good and proper city, a just city, a city that cares for the poor, a city that defends the rights of its people, a city that is at the same time politically feasible, environmentally sustainable and economically prosperous. This is the approach we must adopt if we are to successfully tackle the challenges that lie ahead."





## **Keynote Speaker:** Raquel Rolnik, UN Special Rapporteur on Adequate Housing

The Special Rapporteur expressed her disappointment at not being able to attend the EGM, but offered several very concrete thoughts about the central causes of forced evictions and inspired thoughts on the way forward.

The Special Rapporteur commenced her substantive comments by noting that forced evictions should not be regarded as a legal issue somehow separate from urban and territorial policies. She explained that this separation is based on the fact that institutional structures themselves are not integrated. For example, the human rights system and its institutional architecture and procedures are completely separate from the institutional systems of housing, and urban and territorial practices. This can result in a certain disconnect. On the one hand a State may have progressive legislation to promote human rights including the right to adequate housing at the national or even local level, but on the other hand, that same territory may have local policies that contradict the right to adequate housing because the right is not integrated into everyday practice.

The Special Rapporteur indicated that this disconnect poses a huge challenge both within and outside UN-Habitat. The solution, or main project then, is to determine how best to mainstream the human right to housing into all the programs in which UN-Habitat is involved.

Mainstreaming is a very difficult project; the right to adequate housing is rarely found at the core of housing policies, and this is known because of the ongoing increase in the practice of forced evictions globally and other violations of housing rights. It is a very difficult challenge also because the bulk of housing rights violations are the result of the commodification of housing production.

Despite these challenges, the Special Rapporteur asserted that the human right to adequate housing provides a very good framework for urban and housing policies. The right to adequate housing can constitute a good base and structure for promoting urban and territorial housing policy reform. The Special Rapporteur indicated that now is an opportune time to implement human rights based reform because the collapse of liberal approaches to housing commodification is proof that these approaches have been ineffective and that reform is required.





**Speaker:** Urban Johnsson, Independent expert

**Keynote address:** The human rights based approach

Mr. Jonsson's presentation focused on a HRBA to development, in the context of the work done by the UN, and concluded with constructive criticisms of the work of UN-Habitat. He stressed the importance of having the process and outcomes of the work of UN-Habitat embedded in an HRBA.

Mr. Jonsson commenced with three central points: first that human rights must be understood as both morality and legality, not just one or the other, for a focus on only one of these elements will lead to a reductionist approach. Second, he stressed the importance of understanding the relationship between 'claim holders' and 'duty bearers', noting that claim holders generate duty bearers, not the other way around, and that these are roles into which individuals enter depending on the context. For example, in a tenant-landlord relationship, the tenant is the claim holder requiring certain duties of the landlord, such as access to safe drinking water. Third, he stressed the importance of defining the outcome from the process used. Human rights standards are the minimum acceptable level of desirable outcome, while human rights principles are the criteria for an acceptable process. The standards and principles are what we use to define an HRBA.

Mr. Jonsson then demonstrated the different ways in which the HRBA is embedded in the foundation of the UN. In particular, he noted what he refers to as the principles of the UN's common understanding of an HRBA: i/ equality and non-discrimination, ii/ participation and inclusion, and iii/ accountability and rule of law, as an example of the existing consensus on human rights at the UN. He then focused on the essential and unique characteristics of the UN's common understanding of an HRBA which includes; a situation analysis to identify

immediate, underlying and basic causes of the non-realization of human rights (causality analysis), the identification of key claim-holder/ duty-bearer relationship on all levels of society (pattern analysis), and the assessment and analysis of the capacity gaps of claim-holders to be able to claim their rights and of duty-bearers to be able to meet their obligations (capacity analysis). He concludes this by stating that the focus of a UN HRBA must be to build capacity so that claim-holders can claim their rights and duty bearers can meet their duties.

He then turned to focus on the right to adequate housing, which he noted is enshrined in almost every covenant and basic human rights document within the human rights system. He stated that while General Comments 4 and 7 by the UN Committee on Economic, Social and Cultural Rights (CESCR) about the right to adequate housing and forced evictions are commendable, more needs to be done to ensure that the right to adequate housing is implemented in practice.

In his criticisms of UN-Habitat, Urban Jonsson suggested that in comparison to other agencies working on Economic, Social, Cultural Rights (ESCR), UN-Habitat is lagging behind with respect to the adoption of an HRBA. He then provided ten points as to the value-added of a HRBA to development, summarized as follows:

1. In an HRBA to development, the individual is the subject of the right and has valid claims on others, who have duties and obligations. This is different from an 'entitlement' or 'basic needs' approach where there is no 'duty-bearer.'
2. HRBA to development requires attention to both outcome and process.
3. Human rights can be used to challenge power.



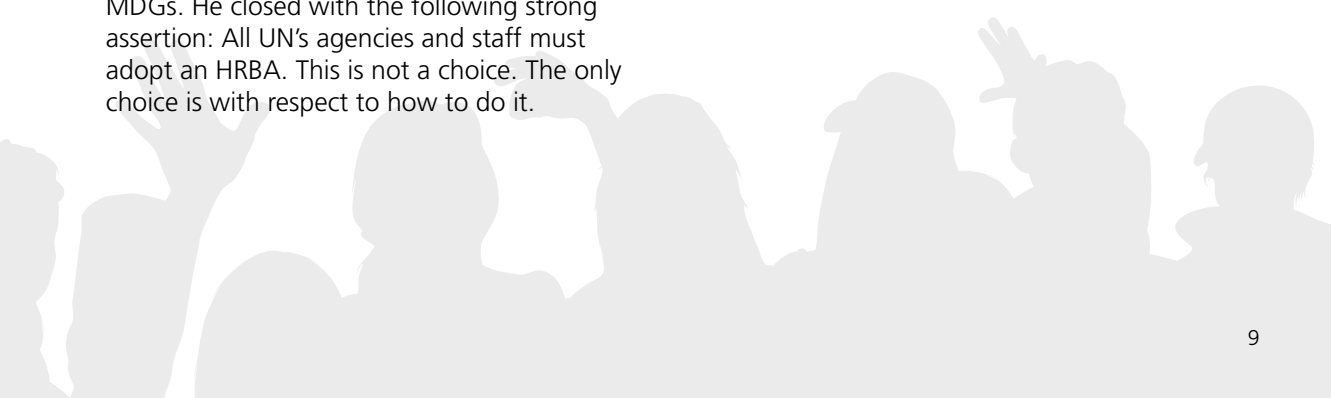
4. An HRBA to development promotes the rule of law (reduces impunity and corruption, and increases access to justice etc.)
5. An HRBA gives more attention to exclusion, disparity and injustice, address the basic (structural) causes of problems.
6. An HRBA gives more attention to legal and institutional reforms and national policy review.
7. With an HRBA, there is an international monitoring mechanism in place.
8. An HRBA implies clear accountability, not just promises.
9. An HRBA rules out some trade-offs, (that so called economic theory would allow) which are acceptable in a human development approach.
10. Under an HRBA development assistance no longer means charity, but is an obligation of international community.


He concluded his address with several critical comments suggesting the need for future action. He noted that the right to be protected against forced evictions, is both an ESCR and a civil and political right but that the civil and political rights dimensions of the phenomenon have not been adequately explored and pursued, but should be. He also highlighted that the Millennium Development Goal (MDG) pertaining to housing is problematic and that UN-Habitat must interpret the MDGs in keeping with an HRBA, which would be in keeping with the Millennium Declaration which stipulates that a human rights based process should be used for the achievement of the MDGs. He closed with the following strong assertion: All UN's agencies and staff must adopt an HRBA. This is not a choice. The only choice is with respect to how to do it.

Mr. Jonsson's presentation triggered much discussion.

One participant highlighted the principle of "non-retrogression" as being key to an HRBA. It was also noted that UN-Habitat has failed to implement the Habitat agenda that came out of the 1996 Habitat II conference. It was suggested that the EGM was an opportunity to revive that work. The participant asked that the EGM reflect on why this happened, what were the problems in the leadership, what were the problems in the bureaucracy, why is there reluctance to follow through with the Habitat Agenda and why is UN-Habitat so concerned with the reactions of governments?

Another participant noted that it is important that at every moment we do a reality check with what is happening on the ground. It was suggested that the certainty and the comfort that we take in having these global principles signed off by our governments, has absolutely no relevance to the people who fight this process every day in the local neighborhoods. Such reality check has to come every moment in this discussion.





## **Speaker:** Bahram Ghazi, Office of the High Commissioner for Human Rights United Nations Housing Rights Programme/OHCHR

Mr. Bahram Ghazi of the OHCHR addressed the international expert group meeting on forced evictions offering suggestions as to how UN-Habitat can move forward on human rights as well as how UN-Habitat can complement the work of the OHCHR.

Mr. Ghazi began with an overview of the activities of the OHCHR with respects to housing rights. At several points in this presentation he emphasized the importance of going beyond the most obvious places and spaces within the UN system to have abuses of housing rights addressed. For example, he described how the OHCHR supports Special Procedures (eg: the Independent Experts and Special Rapporteurs appointed by the HRC). He noted that while in the context of the right to housing and forced evictions there is most obviously the work of Ms. Raquel Rolnik, the Special Rapporteur on Adequate Housing, other mandate holders are also working on issues of housing rights and forced evictions or could be, including the Special Rapporteurs on: Indigenous People, the right to food, violence against women, human rights defenders and so on. He also described how the OHCHR provides support to Treaty Monitoring Bodies (TMBs), the bodies responsible for overseeing State party compliance with international human rights treaties, and that while the CESCR is the principle body responsible for monitoring the implementation of the right to adequate housing and forced evictions, other TMBs also look into these issues, including the Committee on the Elimination of Racial Discrimination (CERD) and the HRC. Finally, he noted that the OHCHR has field presences which do ground work on housing and forced evictions.

Mr. Ghazi described the institutional relationship between the OHCHR and UN-

Habitat through the UN Housing Rights Program (UNHRP). He noted that this program was initiated a couple years ago and was originally quite ambitious but recently, due to the lack of resources, has been reduced to specific joint activities between UN-Habitat and the OHCHR. Mr. Ghazi then offered suggestions on how, apart from the UNHRP, UN-Habitat could engage housing rights. He commended the address of the Executive Director, Dr. Joan Clos, and the positive direction of UN-Habitat over the past year with respect to urban planning, security of tenure, slum upgrading, land and water sanitation, social inclusion, governance, safer cities, post disaster and post conflict reconstruction, environment, housing and finance. He suggested that if all these initiatives were framed in the HRBA described by Mr. Urban Jonsson, much progress could be made. He suggested that UN-Habitat could be a fuse for the human rights mechanisms and procedures, including the work of the Special Rapporteurs, the TMBs, or the UPR. For example, the expertise of UN-Habitat would be an asset to the Special Rapporteurs' missions, especially in term of follow-up their recommendations. He suggested that UN-Habitat's technical expertise would be valuable to States, especially where States are attempting to follow-up on recommendations received through various human rights mechanisms. States often need support in order to understand how human rights can be operationalized and integrated in their programs and policies, to fulfill its obligations.

The human rights mechanisms would also benefit from more inputs from UN-Habitat to increase the quality of their work and recommendations. He stated that the OHCHR would be more than happy to receive more collaboration from UN-Habitat and that there




are many examples where the OHCHR has used the expertise of UN-Habitat to good ends.

Mr. Ghazi concluded his address on an optimistic note, commending the Executive Director of UN-Habitat for articulating a strong commitment to integrating human rights into UN-Habitat's institutional structures and work. Mr. Ghazi emphasized that the governing council of UN-Habitat and other inter-governmental forums must show consistency between what they say and what their agencies do. He finished by expressing hope that the dialogue generated at the EGM would produce genuine results on the ground.

A lively discussion followed Mr. Ghazi's presentation, particularly around the efficacy of human rights in the face of imminent eviction. Some participants queried whether human rights resonate with people who are in the midst of experiencing an eviction. The presenter underscored that it is important to assess and determine the most effective ways to engage the UN human rights mechanisms and to then do so in a strategic fashion, using resources wisely.





## **Speaker:** Leticia Osorio, the Ford Foundation Advisory Group on Forced Evictions

Ms. Leticia Osorio presented an overview of the work of the AGFE highlighting both positive and negative aspects of the work of the mandate completed from 2008-2010. She concluded with a series of recommendations and challenges for the next mandate.

The positive aspects of the work conducted by AGFE as presented were:

- i/ Its role in informing the governing council of UN-Habitat.
- ii/ The organization of a database regarding the monitoring of forced evictions.
- iii/ The improvement of relations by the Secretariat of AGFE with UN related activities including progress made in relation to the coordination of activities with the Special Rapporteur on the Right to Adequate Housing. (It was suggested that more could be done to coordinate with other UN mechanisms including the OHCHR, Cities Alliances, the CESCR, and other relevant monitoring human rights bodies).
- iv/ AGFE was very successful in its missions carried out between 2008-2012 in Greater London, New Orleans, Argentina, and Istanbul. The success of these missions was based on the good will and volunteer work of AGFE and local team members, and the reports produced serve as an advisory basis, and a wealth of knowledge and solution.

Ms. Osorio then presented some of the aspects of the work of AGFE that were not as successful. For example, AGFE was not able to complete its primary purpose: to advise the Executive Director of UN-Habitat in addressing unlawful forced evictions and to promote alternative policies to UN-Habitat's normative

work. To date, virtually none of the advice of AGFE has been taken into account by the ED. This is primarily the case with Greater London, Istanbul, and New Orleans missions. In the most recent meeting between AGFE members and the former ED of UN-Habitat during the World Urban Forum (WUF), the ED told AGFE members that 'she did not have time to read the reports generated by AGFE and that she could not advise governments on how to deal with forced evictions as that was out of the scope of UN-Habitat.'

Managerial and financial issues were also noted as problematic. The presenter indicated that funds were managed without consultation with AGFE members, without transparency, and solely at the discretion of UN-Habitat.

Ms. Osorio also noted that there was some ambiguity as to the role of AGFE as a senior advisor to the Executive Director of UN-Habitat. AGFE members were treated more as unpaid consultants rather than advisors and the secretariat to AGFE imposed a top-down management style.

There were also language barriers that were not addressed whereby the working language of the group was English, which of course excluded any non-English speakers from the group.

Ms. Osorio concluded by presenting some of the roles that AGFE could play should its mandate be continued. She suggested:

AGFE should advise where and how eviction related issues should be taken into consideration by UN-Habitat such as with respects to policy making, state of the city reports, human settlement reports, Eviction Impact Assessments (EviA) for technical projects



at the regional level, and mainstreaming eviction issues.

The security of tenure index, the only global indicator that considers eviction, should be reinstated in the UN-Habitat toolbox as without it there is no mechanism to measure tenure insecurity or eviction.

AGFE should establish more regular meetings with the Executive Director of UN-Habitat among other processes to provide a more systematic and constructive two-way dialogue between AGFE and the Executive Director of UN-Habitat.


There should be a more comprehensive and critical evaluation of AGFE missions developed, including criteria to evaluate validity and follow up activities to missions.

Mission reports, executive reports, guidelines, quick assessments, and normative assessments must be made available to the public in a timely and systematically straightforward manner.

Internal workings and structures within AGFE must be developed, including more clearly defined roles of group coordination and organization and the development of decision-making mechanisms.







## **Speaker:** Leilani Farha, Centre for Equality Rights in Accommodation Forced Evictions: Global Crisis, Global Solutions

Ms. Farha's address provided highlights from the research report, 'Forced Evictions: Global Crisis, Global Solutions' of which she was principal author. She began by describing the context and complexities of forced evictions globally. According to some, between 1998 and 2008 forced evictions affected more than 18 million people. Forced evictions occur in both urban and rural contexts and affect the already most marginalized and disadvantaged groups. She stressed that forced evictions are being carried out at an alarming rate with relative impunity. She then described some of the key causes of forced eviction – many of which are interrelated – referred to in the report: urban development, large scale development (eg: dams), natural disasters and climate change, mega events, economic evictions, and discrimination.

Ms. Farha then outlined the 5 principles in a human rights approach to forced evictions:

- i/ Maintain the needs of the group whose rights are at stake at the centre of every conversation, meeting, or policy developed to address the eviction.
- ii/ Ensure the group whose rights are at stake have an opportunity to meaningfully participate in any dialogue, consultation, or discussion about the forced eviction.
- iii/ Measurable timelines, indicators of progress, and goals must be clearly identified.
- iv/ A place or space must exist where rights claimers can address their complaints against duty bearers, noting that this does not have to be a formal court or tribunal, but an accessible space where rights can be claimed.
- v/ All work related to forced evictions must

be articulated using human rights law and principles. While those affected by the eviction need not use formal language, human rights language and obligations must be built into policies aimed at stopping forced evictions.

Ms. Farha highlighted five common strategies used across regions to stop forced evictions, including: community organization and mobilization, international support, international human rights law and mechanisms, the development of an alternative plan, and the use of the media strategically. She stressed that no eviction had ever been stopped without community organization and mobilization.

Ms. Farha noted that the research report assessed the constraints on the effectiveness of AGFE to address forced evictions, including: limited political support for AGFE through UN-Habitat Governing Council, limited financial resources, limited number of missions due to process and resource constraints. She also noted that AGFE lacked a coherent human rights approach to its work and understanding of what such an approach means in practice, and that there was some confusion regarding AGFE's relationship to UN-Habitat.

Ms. Farha also presented research gaps regarding forced evictions that, if addressed, could support the capacity building of AGFE, including:

- The development of definitions to define forced evictions in the context of developed countries,
- Application of international law to determine how a third party can be held accountable,
- Solutions investigating successful strategies to prevent and halt forced evictions,



- Research on what constitutes adequate relocation and compensation,
- The feasibility of the development of an impact assessment toolkit, and
- Longitudinal studies to assess the long-term socio-economic and psychological impact of forced evictions which would assist in the better formulation of appropriate remedies to forced evictions.

Ms. Farha concluded her address by describing what UN-Habitat could do in the context of forced evictions bearing in mind its institutional strengths and constraints. She suggested that UN-Habitat is in a good position to create a global database of forced evictions. Secondly, she suggested UN-Habitat should coordinate further research on issues arising around forced evictions. Thirdly, UN-Habitat should consider ways in which it can integrate eviction prevention policies and human rights

into its urban planning and technical advice to governments. UN-Habitat could offer itself as a resource to States on the technical and practical implementation of human rights. She also suggested that UN-Habitat is in a good position to use the UN system to promote a more global understanding of forced evictions and how they violate human rights, referring to UN-Habitat's intervention during the UPR of the United States as an example.

She closed on a cautiously optimistic note stating that UN-Habitat has made some progress in recent years in terms of institutional capacity building in the area of human rights and housing and she is confident that UN-Habitat could continue to make progress in that regard.





**Speaker:** Jean du Plessis, UN-Habitat

**Keynote address:** Review of existing eviction impact assessment methodologies

“If the Bangkok Municipal Authority (BMA) takes care of the community and allows the community to work with it, there would be lots of good ideas and solutions – not just removing people from their community. But if the BMA follows its original plan to evict, the loss will be more significant than they think”

Mr. Du Plessis used this powerful quotation from a community leader in Bangkok to launch his overview of a research study he conducted between 2009 – 2011 on methodologies that are being used to assess the impact of forced evictions and relocations on individuals, families and communities.

He said the research had once again demonstrated the extent and seriousness of the problem of forced evictions. The numbers of people being evicted as a result of urban and rural development projects are staggering, with estimates of up to 15 million people per year. And those evicted are invariably those who are already the most marginalized.

It is now well understood amongst a variety of actors and agencies – researchers, NGOs, community representatives, multilateral banks, litigators, etc. – that there is a need to understand and predict the cumulative effects of displacement and relocation. This need was underscored by the former Special Rapporteur on Adequate Housing in his 2007 report: “Basic Principles and Guidelines on Development Based Eviction and Displacement”.

Mr. Du Plessis said the aims of the research were to: (1) document progress made in developing and applying EvIA methodologies; (2) Assess their functionality, usefulness and impact; and (3) Explore the feasibility of an “EvIA toolkit”

The research exposed a number of cases, methodologies and innovative EvIA tools that had been used for a number of different purposes in the eviction process including: to provide evidence regarding what constitutes “public interest”, to mobilize against planned evictions, to determine remedies in cases where relocation was unavoidable, and in seeking restitution and reparation through campaigns, litigation, and negotiations.

EvIA tools include:

i/ Once-off, case-specific assessments, for example to support a particular piece of litigation;

ii/ Housing Rights Violation Matrix, as developed by the Housing and Land Rights Network (HLRN), which is rooted in a human rights framework;

iii/ Impoverishment Risks and Reconstruction (IRR) model – adopted by some of the lending institutions. Though the research found only one case where this model was fully applied, it offers potential for the future;

iv/ Participatory Monitoring and Evaluation (UN-Habitat and partners), used in Phnom Penh, which uses a combination of qualitative and quantitative indicators measuring change against detailed baseline studies.

Regardless of the EvIA tool used, several common themes emerge regarding the impact of forced eviction:

- The impact of eviction goes well beyond the individual and family to include the entire community;



- Losses are extensive and extend far beyond property to include lost human, social and physical capital;
- Evictions cast a long shadow that affects the whole of society.

Mr. Du Plessis concluded that much progress is being made in the development and use of EvIA. EvIAs have developed in such a way that they include a broad range of assets including land, housing, property, security of tenure, livelihoods as well as less tangible losses such as those that are cultural. While most EvIAs are initiated externally, there is much to be gained from the active participation of those directly affected.

He closed with the recommendation that a meeting of EvIA practitioners be convened so that they might share, compare and decide on possible ways forward.


To follow-up, Mr. Kothari noted that the HIC-HLRN is in the midst of field-testing their Housing Rights Violation Matrix tool in Cameroon and Kenya. The application of the tool in Delhi demonstrated its usefulness as it revealed very accurately the impact of forced

eviction, documenting for example: the loss of access to housing including documentation regarding security of tenure; significant loss of wages; substantial increase in costs for water, health care; exacerbation of unhealthy living conditions; loss of education for children.

The presenter was asked whether UN-Habitat had followed-up yet on the research or if there has been any discussion on how the research will be used. And also, whether human rights indicators such as transparency and accountability were linked with this research.

It was noted that this sort of tool would be very useful for OHCHR field officers.





## **Speaker:** Leticia Osorio, the Ford Foundation

### Global Eviction Monitoring

This presentation focused on the idea of developing new early warning and urgent procedures within the UN human rights system to better protect individuals, families and communities against forced evictions and to prevent related disputes from arising or escalating. Such procedures would mean that the practice of forced eviction, which results in massive violation of human rights, could be more quickly and easily brought to the attention of international community and the Security Council.

Hakijamii's proposal is for a new procedure that would be based within the Special Procedures of the HRC which is well placed to raise an alarm promptly. The new procedure could also be housed within the UN CESCR, given their expertise on the issue of forced eviction.

The model proposed is based on existing mechanisms that have been used successfully within the UN system. For example, CERD has a formalized urgent action mechanism.

Ms. Osorio suggested the following possible criteria to assess whether a particular forced eviction would qualify under an urgent procedure:

- The presence of serious, massive or persistent pattern of HR violations of forced evictions;
- Lack of adequate legislative basis for defining and criminalizing forced evictions;
- Lack of resources or procedures;
- Presence of a pattern of forced evictions; the criminalization of social movements;
- Discriminatory propaganda being used against groups of people;
- Significant flows of refugees and internally displaced persons (IDPs).

The presenter suggested that UN-Habitat and AGFE could each play an important role in this new procedure. For example, together they could identify emerging conflicts and crises related to forced evictions, monitor such situations and stimulate action by the international community. Monitoring activities could include liaising with different stakeholders, verifying different sources

of information, collecting data in a standardized manner and format, the development of a data management policy to ensure consistency in collection and analysis, and using existing networks to publicize and advocate against forced evictions. Through such activities, UN-Habitat and AGFE can assist the work of the formalized urgent action mechanism on forced evictions.

The presenter concluded her presentations by recommending that UN-Habitat and AGFE:

- Expand existing Global Forced Evictions Monitoring Network;
- Collect, record and analyze comprehensive, quality information on evictions around the world;
- Establish a database for permanent monitoring of forced evictions;
- Continue to build and consolidate current and emerging alliances and partnerships against forced evictions;
- Undertake effective joint actions to prevent forced evictions in at least fifteen key focus countries;
- Develop, promote and publicize viable alternatives to forced eviction

The proposal presented by Ms. Osorio was debated on the floor immediately following her presentation. While it was agreed that an early warning system could, in some circumstances, be useful, there was much discussion on where within the UN system such a mechanism should be housed and how it would function. The criteria of "serious, massive and a persistent pattern" of forced eviction to trigger an early warning mechanism were noted by one participant as too narrow and dismissive of contextual matters that must be considered in determining whether an eviction warrants early warning and international intervention. In answer to these queries and concerns, Ms. Osorio suggested that an international experts meeting be convened to explore the idea further.



## **Speaker:** Ryan Schlieff, WITNESS Videos on forced evictions

WITNESS ([www.witness.org](http://www.witness.org)) is an international nonprofit organization that uses the power of video and storytelling to open the eyes of the world to human rights abuses. They have launched a three year Global Forced Evictions Campaign in partnership with HIC. (More info: <http://blog.witness.org/category/campaigns/forced-evictions/>).

Mr. Schlieff commenced his presentation with a discussion on the ways in which WITNESS uses video as an advocacy tool. In particular he noted that video is a powerful participatory and democratic tool for both advocates and citizens; it helps drive changes in human rights by allowing the communities affected to communicate with audiences – including specific decision-makers; it can complement other advocacy tools and it can create a space for the viewer action after watching the video.

The objectives of WITNESS' forced eviction campaign are to promote the rights of communities affected by forced evictions currently in 5 focal countries (Cambodia, Mexico, Brazil, Egypt and India); incorporate video advocacy into HIC's local, regional and international advocacy to end forced evictions, and leverage local campaigns to impact key policies and decisions regarding forced evictions at regional and international levels. The campaign focuses on forced evictions in four areas: urban and rural areas (including land-grabbing) and as a result of large-scale infrastructure projects and mega-events.

Mr. Schlieff discussed the different ways video can be used to support advocacy to end forced evictions:

- To gather evidence of forced evictions;
- To lobby decision makers;
- Interventions and submissions in formal human rights monitoring;

- Community organizing offline and online;
- Solidarity organizing and mass mobilization across communities and countries; and
- To garner mass and independent media attention.

Video documentation before, during and after a forced eviction strengthens housing and land rights campaigns. When under the threat of a forced eviction, video can help defend rights by documenting family homes and land and by creating an inventory of property to strengthen individual and collective rights claims. Producing an advocacy video can be a mobilizing tool for communities at risk since there should be a community discussion and consensus on messaging, spokespersons, interview questions and target audiences. In the event of the forced eviction, video documentation provides evidence of the conditions and treatment. Also, video can show the details of what happens after a forced eviction – for example the conditions at the relocation site – to campaign for rights and how the abuses which follow a forced eviction.

Two short videos were presented as examples of WITNESS' work. The first was an example of a two-week WITNESS training on forced evictions in Rio de Janeiro, Brazil. The second video was used to provide evidence on forced evictions. This case involved the taking of indigenous lands from the Endorois (indigenous peoples) in Kenya for the establishment of a game reserve. The video was entered into evidence at the African Commission on Human's and People's Rights (ACHPR). Although the Endorois won their case in 2010, they do not yet have their land back.



Mr. Schlieff also provided an example of how technology can be used to document forced evictions and promote local campaigns. WITNESS, HIC and other housing and land rights networks recently created a forced eviction global mapping project for World Habitat Day 2011. Communities affected and advocates from around the world were invited to report on forced evictions, land grabbing and activists at risk for their involvement in resisting forced evictions. The cases were presented visually on an interactive online world map where advocates could upload information and actions in their own languages and share them with others around the world.

Mr. Schlieff's presentation was followed by a lively discussion on the different ways and impacts of using video in advocacy regarding displacement and forced evictions. It was generally agreed that video documentation before, during and after a forced eviction

strengthens campaigns and is an easy-to-learn tool.

Participants discussed how video documentation has been used to successfully counter government denials or mistruths regarding a forced eviction. Several participants highlighted that videos can also be used as a means of exchanging vital information between remote communities and exposes stories that would otherwise not be known by others in the country or region.

It was noted that there are some limitations to technology – the necessary technology may not always be available to capture evictions that happen suddenly, without notice, and many communities have no access to the internet to either stream their videos or watch videos from other communities. In person screenings with these communities is therefore very important.





**Speaker:** Maartje Van Eerd, Institute for Housing and Urban Development Studies  
Guidelines and Practices on Evictions, Acquisition, Expropriation and Compensation

Ms. Van Eerd provided an overview of a research study she conducted on behalf of the IHS.

The research commenced approximately 1.5 years ago, and focused on the following question: *What international laws and guidelines exist related to (forced) evictions, acquisition, expropriation, and compensation, how effective are they, should they be improved, and if so, how?*

To answer this question extensive desk research was undertaken to examine existing international law and guidelines, as well as academic literature on the concepts of evictions/ displacement, acquisition, expropriation and compensation. Also NGOs working in the field of evictions were included in the study

The researcher then examined the application of these laws and guidelines in different regions using 10 case studies: Mexico, Venezuela, Nigeria, South Africa, India, Sri Lanka, China, Cambodia, Philippines, and Indonesia.

Ms. Van Eerd reported that her research uncovered a host of international laws and guidelines pertaining to forced eviction, acquisition, expropriation and compensation, adopted through the UN system as well as by international financial institutions such as the World Bank and Asian Development Bank (ADB).

The case studies showed that while many guidelines are available at the international level to protect the poor against forced evictions, the number of people being evicted due to development and speculation is growing and that the scale of people having to leave their houses because of natural disasters is also accelerating rapidly.

The presenter noted that justifications regarding the need for evictions are very controversial. It is not uncommon for natural disasters, the threat of a disaster or the public interest to be used to justify pushing the poor out of their homes and from their lands. Measures that are supposed to be used to protect inhabitants are actually used to discriminate against the poor. For example, in the post tsunami context of Sri Lanka the government created buffer zones where fisherfolk were not allowed to live, but in the meantime private developers were allowed to build luxury hotels in those very locations.

The research also examined how those affected by eviction, acquisition and expropriation should be compensated, who should be compensated, for what they should be compensated, and what kind of legislation is needed at the national level to deal with compensation.

The report provides 5 conclusions to answer the research question:

**1. Defining public interest: broad agreement is required on a definition of legitimate public interest that may justify expropriation and evictions**

The study concluded that vulnerable groups in society should be key stakeholders in defining public interest at the international and national level.

It was suggested by the presenter that UN-Habitat could play a leading role on this. Guidelines and practical tools are needed that define 'public good' because the term public interest is so widely misused.



## 2. Focus on institution building to implement laws and guidelines at the legal and institutional level

The domestication of international human rights standards at a national level is considered a crucial step in addressing displacement as a result of forced evictions, acquisition, expropriation and compensation.

The presenter suggested that the private sector should be stimulated to sign standards and safeguards and UN-Habitat should stimulate awareness raising through training and provide support to policy makers. For example, UN-Habitat could produce a Quick Guides for Policy Makers on the issue of forced evictions, acquisitions, expropriation, and compensation.

## 3. Delivering adequate inputs to local authorities and civil society in cases of real public interest, threat of disaster or real crisis

Policy makers must design and make available adequate inputs to ensure resettlement and compensation are implemented correctly and justly.

These inputs include a complete set of instruments and tools such as national legal framework and policies based on international guidelines founded on HRBA, agreements with the affected communities, stakeholders on planning, implementation, cost sharing, funding, background research, impact assessments careful implementation and monitoring. UN-Habitat could play role in this by developing tool kits on how to arrange practical and fair compensation.

## 4. Strengthening Civil Society

When civil society is more aware of their rights, they can push for the domestication of international law and guidelines, and more enlightened public policy, so they can better negotiate to avoid forced eviction, or if necessary, for compensation and

resettlement. UN-Habitat could develop training packages that would assist NGOs in further developing negotiation skills.

## 5 Resettlement with Development

If there are no alternatives to prevent evictions, resettlement and compensation should be used to create opportunities for the future rather than reproducing or even worsening past inequalities.

Adequate compensation for households without formal titles should be explicitly included in all international guidelines and policies of International Financial Agencies, and at the national level.

Participants discussed what constitutes “public interest” as this is often used by governments to justify evictions. It was suggested that the international community should better define this concept, using the Basic Principles and Guidelines on Development Based Evictions as developed by the Special Rapporteur on Adequate Housing, Miloon Kothari, as a starting point.

A brief discussion followed about the most useful role that UN-Habitat could play with respect to promoting and enforcing laws and guidelines to address forced evictions. It was generally agreed that UN-Habitat could play a role in awareness raising amongst States regarding the existence, availability and responsibility to enforce existing international human rights laws and guidelines. Any training or development of tools, etc. would have to be done in line with human rights principles. It was felt that any role UN-Habitat might play, should be done in conjunction with other actors, including other UN agencies and civil society.

It was also suggested also that guidelines be developed for national and multi-national developers.



**Speaker:** Esther Kodhek, Center on Housing Rights and Evictions

**Keynote address:** Housing rights in an international perspective (role and responsibilities of relevant actors)

Ms. Kodhek opened with an overview of the objectives, mandate and activities of COHRE. Based on COHRE's work in the area of housing rights and forced evictions, she then offered comments on the role that UN-Habitat could play to advance work to prevent forced evictions.

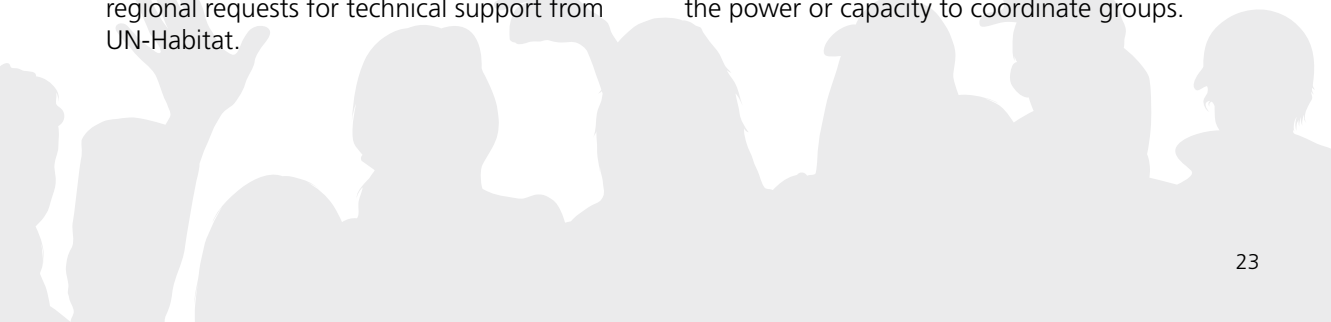
Ms. Kodhek noted that UN-Habitat has provided limited support to governments, and civil society in the national development of legislation codifying the right to adequate housing. She presented the following example: In Kenya a Housing Bill is currently under discussion and, once adopted by Parliament, will be important to the implementation of the right to adequate housing as codified in the Constitution of Kenya. At what point should civil society approach UN-Habitat, and at what point should UN-Habitat become involved in ensuring that the Housing Bill/ legislation adequately captures the right to adequate housing as understood in international law?


The presenter also noted that the UN-Habitat structure is not easily understood by external organizations, whether national or international. She suggested that UN-Habitat reduce its bureaucracy and make it clear to governments, and civil society precisely what is inside and outside the scope of UN-Habitat's mandate. She further suggested that a formalized structure be established within UN-Habitat to better facilitate national and regional requests for technical support from UN-Habitat.

Ms. Kodhek suggested that UN-Habitat focus its efforts in areas where it can most make a difference and that civil society wants UN-Habitat to show leadership and solidarity in the area of forced evictions. In this regard, UN-Habitat could support local, and national governments, and national networks to develop and implement policy related to the right to adequate housing. UN-Habitat is also in a good position to assist national networks to negotiate or dialogue with government to prevent forced evictions, issues of relocation, and post eviction compensation. She also suggested that UN-Habitat could directly in some instances monitor evictions to ensure they are implemented within the scope of human rights.

The presenter also commented on the future of the AGFE. She suggested that an independent group at the international level that has the capacity to speak strongly against forced evictions is established. She indicated that if AGFE is going to play this role, it needs to be restructured, and strengthened so that it might become more of an international mechanism that works closely with local civil society to prevent threatened forced evictions as well as provide support remedy to evictions that have already taken place.

A short discussion followed this presentation. One participant noted that UN-Habitat has the power to convene meetings, but does not have the power or capacity to coordinate groups.





## **Speaker:** Miloon Kothari, Former Special Rapporteur on Adequate Housing Promoting standards to counter forced evictions: The role of UN-Habitat

Mr. Kothari's presentation focused on what UN-Habitat will have to do if it genuinely wants to become a human rights organization. He indicated that before becoming a more human rights oriented organization, the current Executive Director, Dr. Joan Clos, has a tremendous task ahead of restoring the credibility of UN-Habitat with governments, civil society and within the UN system. He noted that UN-Habitat's reputation was marred for its failure to embrace the United Nations Habitat Agenda, for its decision to give awards to both cities and individuals that have violated human rights, and for its unclear mission.

The presenter noted that the Executive Director's comments at the commencement of the EGM seemed to indicate that UN-Habitat may be ready to fully embrace the human rights message. Mr. Kothari noted that if that's the case, there are a tremendous number of resources available to assist and guide UN-Habitat, such as: the international human rights treaties, interpretive instruments such as guidelines and General Comments, and well articulated principles such as: non-discrimination, inclusive participation of those affected by housing rights violations, and the principle of non-retrogression. He also noted that there are a number of mechanisms and bodies within the UN human rights system upon which UN-Habitat could rely for support and develop stronger partnerships such as: the Special Rapporteurs (eg: on adequate housing, indigenous people, extreme poverty, food, violence against women, and internally displaced people), the OHCHR, the HRC, the UPR, and TMB's. He also noted that national and regional mechanisms and instruments could be of assistance to UN-Habitat.

Mr. Kothari suggested that there are a number of activities that the UN-Habitat Secretariat

could do with these UN mechanisms to become a more human rights oriented organization, UN-Habitat could, for example, regularly monitor (including assisting in implementation) of recommendations made by TMB's, Special Rapporteurs and through the UNHRC Universal Periodic Review, regarding housing and forced evictions in particular countries.

He concluded by naming a number of actions and positions UN-Habitat would have to take following the EGM in order for it to become more human rights oriented and to restore its reputation.

1. UN-Habitat will have to articulate what it understands the right to adequate housing to mean drawing on existing legal interpretations, guidelines and what UN-Habitat has learned through its work. It has to move beyond a narrow understanding of the right to adequate housing, limited, for example, to security of tenure or good governance. UN-Habitat must challenge itself to understand and then act upon the differentiated meaning of the right to adequate housing for women, men, youth, children and different communities?
2. UN-Habitat should embrace the work being done around the world on the right to the city, and bring to it a human rights perspective – whereby the rights to the city are based in international human rights law.
3. UN-Habitat is in a good position to challenge governments that are misusing the MDG's "cities without slums" as a justification for the eviction of slum dwellers.



4. Finally, UN-Habitat must start challenging the economic policies of government and global institutions particularly with respect to land speculation, privatization, and uncontrolled rent increases. UN-Habitat must find and suggest best practices on how states can control land and property speculation and, in the event of increasing housing costs ensure protective measures for vulnerable groups.


Mr. Kothari's presentation generated lively discussion on a number of themes. There was much interest in the idea that UN-Habitat could challenge governments on their economic policies and international financial institutions. Questions were raised as to how this could be done practically. It was suggested that the "Arab Spring" offers UN-Habitat an opportunity to engage these issues in a meaningful way.

A number of participants commented on the difficulty of controlling land speculation. Mr. Kothari mentioned a good practice in Sao Paulo where a graduated tax policy was being implemented – where the taxes from richer neighborhoods were being used to subsidize poorer neighbourhoods.

A number of participants indicated that UN-Habitat would have to make sure that they integrate a gender perspective as well as the rights of other marginalized groups like children in all of their work.

Though it was agreed that the right to city is a concept that lends itself to mobilizing communities, one participant challenged the efficacy of using the right to the city to move UN-Habitat toward a more rights based approach to their work given that the right to the city has not been defined using human rights. UN-Habitat's own report on the right to the city does not adopt a human rights approach.





**Speaker:** Claudio Acioly Jr., UN-Habitat Housing Policy Section

**Keynote address:** Potential role and possible ways forward for UN-Habitat on forced evictions

After providing background on the evolution of human rights, and more particularly the right to adequate housing in international law, Mr. Acioly indicated that housing needs to be understood as an important part of the economic sector; to understand housing we need to understand markets and what influences supply, and demand.

In contemplating the way forward for UN-Habitat in terms of its work on forced evictions, he noted that though UN-Habitat and others remind States of their obligations under treaties, General Comments and general UN guidelines, urban planning rules and decisions continue to be the deep rooted causes of forced evictions. The presenter also suggested that there is great disparity of knowledge about housing policy, programs and laws and expertise around the world by stakeholders. As a result, a lot of policy and decision making in the area of housing is based on anecdote rather than on evidence.

The presenter disputed the notion that the role of UN-Habitat is to implement the Habitat Agenda, remarking that the implementation of the Habitat Agenda requires many actors, and partnerships between governments, civil society and UN-Habitat among other UN agencies. He asserted that the proper role of UN-Habitat should be to hold countries accountable to the right to adequate housing, and to call upon their commitments and obligations in this regard and provide advice and recommendations for improvement.

The presenter also noted that there are a number of trends in the housing sector about which UN-Habitat must be mindful. For example, cities are rapidly expanding, especially in the developing world, and as cities expand so do informal settlements. This means it is essential that urban planners and policy makers generally understand that every person in the city has the right to sanitation, water, secure tenure, and other rights. As cities continue to grow, UN-Habitat's

ability to map, and to collect data and then use this information to determine potential policy implications will be essential. In this way UN-Habitat can support government, civil society, and other partners in developing evidence based housing and urban planning.

### **Where is UN-Habitat going from here?**

Mr. Acioly concluded by saying that he believed that in future years there will be more of a rights based approach to development. UN-Habitat is undergoing its own internal strategic planning. There are many meetings and conferences on the horizon that require momentum: Global Urban Campaign (GUC), two WUFs, the Rio+ Conference and Habitat III in 2016. Each of these presents an opportunity to put urban issues on the forefront of political discussion.

The presenter suggested that there is much work for UN-Habitat to do to be an effective presence, including, enhancing its knowledge of what is going on in the field of housing, and in the cities. A rights based approach could provide an interesting framework for UN-Habitat's Adequate Housing for All Programme, which consists of three areas of work:

- 1. Housing Sector Reforms.**
- 2. Global Eviction and Monitoring Prevention.**
- 3. Slum Upgrading and Prevention.**

The discussion that followed focused on the important role of government in ensuring the right to adequate housing is enjoyed by the most vulnerable populations, in light of their legal responsibilities as well as the resources they have available.

Others discussed the difficulties and barriers that UN-Habitat might encounter in creating models that integrate rights components, and UN-Habitat's ability to influence decision-making.



### 3. ROUNDTABLE ON HOUSING RIGHTS





This roundtable provided an opportunity for EGM participants to learn about interesting work and developments on the housing rights front being led by organizations and municipalities in different parts of the world.

Ms. Joanna Levitt described the IAP's involvement in the development of the new single Safeguard Policy of the ADB regarding involuntary resettlement, environmental policy and policy pertaining to indigenous peoples. An international campaign, coordinated by the NGO Forum on ADB, was launched in 2006 to push the ADB to take on board new best practices around human rights and environmental protection. IAP was at the centre of this campaign undertaking a variety of activities including: policy analysis; advocacy with ADB and U.S. government representatives; media and communications work; and regional organizing and skill-sharing events with partners in Asia. As a result of their efforts, international human rights language regarding forced evictions was included in the Safeguard policy.

Ms. Sheela Patel discussed the work of SPARC to address forced evictions. She highlighted SPARC's strategy of organizing and mobilizing large groups of people threatened with eviction to demonstrate their right to live in a certain place. Over time, State officials have begun to accept that informal settlements can become formalized. She noted that for the first time in the history of the Indian government there is now a discussion around creating inclusive spaces. There are increasing opportunities to allow the poorest groups to enjoy the right to the city.

Mr. Joe Schechla discussed the history of HIC, its maturation over time and the biggest challenge for the Coalition: operationalizing the right to adequate housing. Using the Habitat Agenda as its guiding framework, HIC has engaged in many activities: advocacy, monitoring of housing rights violations,

education and operationalizing the right to adequate housing. It is now engaged in a process of developing methodologies for monitoring forced evictions and quantifying losses suffered by victims of forced eviction. This process is based in HIC's experiences dealing with forced evictions on a grand scale such as in Zimbabwe, Lebanon, and Gaza.

Ms. Fides Bagasao presented the work of the Huairou Commission – a grassroots women's organization focused on women's rights to land, property and housing. The Huairou Commission was established after the World Conference on Women in 1995 and consolidated support from grassroots women at Habitat II, the following year. The Huairou Commission was active in developing the Global Land Tool Network with UN-Habitat. They are now working on mapping grassroots women's strategies for stopping forced evictions.

The Mayor of Bobigny (in France), Ms. Catherine Peyge, gave a fascinating presentation about her municipalities' approach to evictions. Mayor Peyge explained that she, along with dozens of Mayors in the country, enforces local regulations that have declared Bobigny and other territories as "eviction-free". Civil society is well organized in Bobigny and a volunteer committee has been established to intervene when the police try to evict tenants. Mayor Peyge indicated that this policy regarding forced eviction has been effective because of a strong and sincere political will with the backing and support of civil society. The Mayor suggested that her municipality could work more closely with the international community to promote the right to adequate housing using creative means. The Mayor's presentation prompted a lively discussion about the role of mayors and municipalities in preventing and addressing forced evictions. One participant noted that the Mayors of Asian cities support the world class city and are responsible for more



evictions in cities in the last decade than we saw in the previous three decades. This new image of the city propagated by Asian Mayors does not have place for informal settlements. Another participant noted that the obligations of municipal governments or sub-national governments with respect to implementing the right to adequate housing remains an under-explored area in international human rights law.










## 4. WORKSHOP PRESENTATIONS





## **Presenter:** David Pred, Bridges Across Borders Cambodia Prevention and alternatives to forced eviction: Cambodia

This workshop was facilitated by Mr. David Pred to discuss prevention and alternatives to forced evictions, using his experiences in the municipality of Phnom Penh as an example.

Mr. Pred reviewed the historical dynamics informing the current land tenure system and housing rights situation in Cambodia as context to the discussion on forced evictions in the Phnom Penh Municipality. This was followed by recommendations to UN-Habitat on how it should respond in a timely manner to the situation in Cambodia. He concluded with recommendations on how UN-Habitat can be a global leader in the prevention of forced evictions.

In Cambodia, there is still no security of tenure for many and there continues to be an influx of foreign investment. With this investment comes forced eviction. As an example, Mr. Pred presented information about a Chinese-backed private investment, which has led to forced eviction of more than 3000 families around Boeung Kak Lake in central Phnom Penh. The community affected, with support, was able to organize and respond to the eviction with a sustained campaign of mass action and by developing their own alternative plan, which included the provision of land and onsite upgrading for residents, rather than cash compensation. They also filed a complaint to the World Bank Inspection Panel alleging that they were harmed by a Bank-funded land-titling project, which deprived them of due process in having their land rights assessed and helped to facilitate their dispossession. The Panel found that there was non-compliance with World Bank policies on project appraisal and supervision. It also held that the Policy on Involuntary Resettlement had been breached. This policy was triggered when the Boeung Kak area was adjudicated by the titling project and

declared State land, with resident being forcibly evicted thereafter.

In response to World Bank pressure following the release of the Inspection Panel report, Prime Minister Hun Sen issued a sub-decree that allocated 12.44 hectares of land in the Boeung Kak area to the remaining nearly 800 families, allowing them to remain in their homes and granting them land titles. This was an unprecedented housing rights victory in Cambodia. However, one condition of this concession was that these families had to build their homes in keeping with urban construction regulations. Many of the families are very poor and have no means to meet this condition. Moreover, 96 families were excluded from the original allocation and 8 families were forcibly evicted in late 2011, while the rest face forced eviction at any time.

Before the Prime Minister's sub-decree was issued, the community approached UN-Habitat to assist with negotiations. While UN-Habitat expressed general support, they took no action. With this new spate of evictions, the community is, again, calling on UN-Habitat to assist. At the EGM, many participants signed a petition drafted by Mr. Pred which requested that UN-Habitat respond urgently to the recent evictions in Phnom Penh by:

- i/ Contacting the Municipality of Phnom Penh without delay to send a clear message that the violent evictions that took place were a violation of international human rights, unnecessary and counter-productive;
- ii/ Welcoming the government's decision to excise 12.44 hectares of land from the development zone to prevent further evictions;




iii/ Offering its support to the Municipality of Phnom Penh to implement the Prime Minister's sub-decree by assisting residents to progressively upgrade their housing in compliance with regulations and to find human rights-compliant solutions for those not included.

Mr. Pred concluded with eight of recommendations on how UN-Habitat can be a global leader on the prevention of forced evictions. These include:

- Being proactive in the face of threatened evictions by encouraging States to consider alternatives before conflicts become intractable;
- Conducting targeted interventions in strategic cases, in coordination with the OHCHR and the Special Rapporteurs;
- Mobilizing and coordinating other development partners to support alternatives to eviction;
- Establishing a global fund for alternatives to eviction;
- Mediating and facilitating dialogue in land disputes between government and affected communities, within a human rights framework;
- Promoting a human rights approach to urban development through cooperation with city governments and civil society; and
- Developing and operationalizing a security of tenure campaign targeting vulnerable groups.





## **Presenter:** Victoria Ohaeri, Social and Economic Rights Action Centre **Normative Tool development:** Enumeration in Port Harcourt

This workshop was facilitated by Victoria Ibezim-Ohaeri, the Program Coordinator of the Social and Economic Rights Action Center (SERAC), to present the enumeration method as employed after the 2009 SERAC/UN-Habitat mission to investigate alleged government-led forced and demolitions in Port-Harcourt, Nigeria.

Ms. Ohaeri contextualized the threat of eviction of the Abonnema Wharf Community in Port-Harcourt, Nigeria by providing some details regarding the community. Abonnema Wharf community is comprised of about 63,000, mostly low-income residents, and approximately 600 housing structures each of which accommodates approximately 50 - 80 people. In August 2007 the Abonnema Wharf community learned (through the radio) about government plans to carry out a process of urban renewal as part of an urban development policy which allegedly sought to respond to public interest needs. Shortly thereafter demolitions were carried out in the neighbouring Njemanze community resulting in the displacement of an estimated 40,000 people. Relentless community opposition to the planned demolitions attracted the attention of international organizations including SERAC and UN-Habitat. In March 2009 a multi-stakeholder mission was undertaken by the UN-Habitat, SERAC, Women Environmental Programme, and the Federal Ministry of Urban Development to investigate the allegations of government-led forced evictions and demolitions in Port Harcourt.

The most significant finding of the mission was the difficulty in estimating the number of affected populations as there had never been an enumeration or census of the area to establish baseline information about the total number of residents who

lived in the waterfront settlements. The mission recommended the undertaking of a participatory social and settlement mapping, including community-based enumeration. In November 2010 the community-based enumeration process in the Abonnema Wharf community was initiated and closely guided by SERAC. This process included transparent community consultations, meaningful participation (including in meetings held with other stakeholders), and the training of local women to carry out the enumeration process as support service providers, information keepers, and logistical organizers, and of local youth as researchers learning how to administer questionnaires and gather data, as well as learning how to identify socio-economic indicators of community well-being.

Alongside the enumeration activities, SERAC filed a suit on November 25, 2009 challenging the planned demolition of Abonnema Wharf community, and seeking to restrain the State and its agents from carrying out the scheduled demolitions.

The positive outcomes to-date of the community lead enumeration process include:

- i/ publicizing major housing rights violations, and reducing the scale and intensity of evictions targeting waterfront communities;
- ii/ members of the target community were equipped with the skills and information required to enable them to strategize and act towards acquiring secure tenure and defend their community against forced evictions;
- iii/ the enumeration process has helped to promote a culture of citizen participation in larger community affairs and has provided a platform for building and deepening solidarity



and collective action in community rebuilding efforts;

iv/ the process helped to expose the various ways in which forced eviction impacts upon vulnerable groups in the community;

v/ it has provided a basis and opened up the space for engaging and sensitizing the State governments to the inhuman and degrading experiences and losses of residents when forced eviction is implemented without regard to due process;

vi/ the enumeration process strengthened SERAC's campaign for the enactment of an eviction moratorium in the State and underscored the need for the State's interventions to be informed by adequate and reliable information; and

vii/ the enumeration processes offered avenues for residents to receive training and education about their housing rights and how these rights can be claimed using social action and other formal mechanisms such as the courts.

Ms. Ohaeri concluded with six recommendations regarding UN-Habitat's role in strengthening the enumeration process.

- UN-Habitat can strengthen the capacity of governments and human rights organizations at state, national and regional levels to conduct community-wide enumeration exercises, and increase their capacity to use the data generated to deliver tenure security, promote sustainable human settlement planning and improve urban management.
- Establish a multi-stakeholder expert group with the specific mandate to monitor and ensure coherence between urban development programs and human rights.

- Institutionalize a participatory approach to sustainable urban development through the documentation and development of standardized tools and methodologies.
- Use knowledge and expertise from the field to heighten awareness about enumeration/community mappings, and identify the ways in which governments, development NGOs, and other public interest groups can use it as an additional tool in their work to promote tenure security for millions of people living in threat of forced evictions.
- UN-Habitat should undertake (with the active participation of human rights and development NGOs) pilot projects in selected cities for the collection, analysis and subsequent dissemination of urban data, including environmental impact analysis, at the local, state/provincial, national and international levels and the establishment of city data management capabilities.
- UN-Habitat should mobilize resources and provide technical support for local-level enumeration initiatives geared towards acquiring secure tenure and defending communities against forced evictions.

In the discussion that ensued it was agreed that participatory enumeration is very valuable tool – empowering community members, providing another means of assessing tenure status, and ensuring communities are fully engaged in their housing struggles. UN-Habitat was very much encouraged to continue to support participatory enumeration projects.





**Presenter:** Joseph Schlechla, Housing and Land Rights Network Middle East and North Africa

**Normative tool development: HIC-HRLN Toolkit**

This workshop was facilitated by Mr. Joseph Schechla of HIC-HLRN. The workshop focused on guidelines on the right to remedy and reparation for victims of violations of international human rights, and an overview of the HIC-HLRN toolkit for methodological enumeration of potential/losses, using a case study of the Muthalath Maspero (Maspero Triangle) community in Cairo, Egypt.

Mr. Schechla began by commenting on how the global scene has changed in the last year, now that there are revolutions and uprisings, which seriously challenge evictions, land grabbing and other violations of human rights. The uprising in Bahrain began with youth protests over employment, housing and royal land grabbing, while housing and land rights violations through forced eviction, real-estate fraud (e.g., Tunisia, Yemen, Libya) and other government confiscations (e.g., Syria) at the heart of the opposition. In Egypt, for instance, the former minister of housing is currently serving a prison term for corruption.

Mr. Schechla presented a set of guidelines on the right to remedy and reparation for victims of gross violations of international human rights law. Victims of forced eviction are entitled to the following combined remedies as established by the UN General Assembly (A/RES/60/147):

- The right to restitution, which is defined as restoring the affected individual and properties back to the status quo prior to the occurrence of the violation, including the right of return;
- The right to resettlement, where return is not physically possible;
- This relates also to rehabilitation in all senses of term, including economic,

- physical, psychological, social and cultural;
- The right includes an entitlement of victims to fair compensation applied to incurred costs and lost values that cannot be materially returned or restored;
- The guarantee that the violation will not occur again; and
- Satisfaction that justice has been done, which often includes recognition of the violation and/or prosecution of the perpetrator.
- To pursue reparations, human rights defenders and experts need to undertake a methodological enumeration of losses. Mr. Schechla described the HIC-HLRN toolkit (which is consistent with the UN Basic Principles and Guidelines on Development Based Displacements and guided by the aforementioned reparations framework) used to enumerate the costs and losses associated with major rights violations. The toolkit provides for a baseline survey, which accounts for economic assets, household expenditures, social assets of the household, civic assets, and public costs. From there it calls for an assessment of losses/costs as result of the eviction notice, at the time of the eviction, and assessment of losses/costs after the eviction.

Mr. Schechla then presented a case study a community facing eviction - the Muthalath Maspero (Maspero Triangle) community in Cairo, Egypt, where the HIC-HLRN toolkit was used successfully to monitor and prioritize violations and guide the quantification of losses.

A lively discussion followed the presentation. The concept of social capital was introduced and the presenter indicated that the loss of social capital (human relationships) was very



difficult to measure, but still constitutes a value at stake and, thus, deserves reckoning. He mentioned that, in developing the tool, it was very difficult to quantify more abstract values, for example, the separation wall in Palestine obviously has created costs, damages and losses, but the related environmental damage, opportunity costs and loss of self-determination are examples of values for which a realistic method to quantify has not yet been determined.


The presenter was also asked if the costs of eviction shouldn't be weighed against the public good and value gained as a result of the eviction, and whether any long-term analysis of the costs to the State of forced eviction had ever been undertaken. He replied that the method, as developed, takes note of the costs and losses of declining legitimacy and civic order arising from forced evictions and other gross violations of housing and land rights. The discussion concluded with the following

advice and recommendations to UN-Habitat by workshop participants:

- UN-Habitat should use its resources strategically, and not conduct the same research that universities, academics and civil society are already undertaking;
- UN-Habitat should nonetheless support and contribute to techniques and tool production, or a more tool-oriented network to prevent, remedy and deter forced evictions and related crimes;
- UN-Habitat should look for competencies of its partners and use these strategically to facilitate such action; and
- UN-Habitat should discuss both as an integral component of reparations as an indivisible package of entitlements for victims of gross violations of their housing and land rights.







**Presenter:** Thea Gelbspan, International Network for Economic, Social and Cultural Rights

## Strategic human rights support for organizations challenging development-induced displacement: the role of networks and partnerships

This workshop was facilitated by Ms. Thea Gelbspan on strategic human rights support for organizations challenging development-induced displacement: the role of networks and partnerships. Ms. Gelbspan focused her comments on a mapping exercise she conducted regarding how social movements, NGOs and others understand the human rights issues at stake with development-induced displacement, the strategies that are being employed and the gaps that exist within the human rights field working to address the issue.

The mapping exercise was conducted over a 5 month period, and consisted of interviews with over 40 participants from different movements, NGOs and experts. The goal was to understand how various stakeholders recognize human rights approaches. The results showed that there are multiple ways in which actors are framing forced evictions as rights violations (eg: housing rights, the right to food, right to be free from discrimination, humanitarian law, criminal law, cultural rights, etc.). The drivers behind development based displacement were found to be largely economic, but not exclusively, as illustrated by the reputational motivations behind, for example, forced evictions and displacements leading up to mega events such as the Olympic Games. It was concluded that international standards that exist are insufficient, both due to the normative gaps and the lack of implementation of these standards. In response to this challenge, a number of civil society movements, are responding at multiple levels, including grassroots community activism, policy, advocacy and litigation, among other strategies.

The mapping process suggested that organizations challenging development-induced displacement could be more effective in the work that they do if they were to take into consideration the development of mechanisms of accountability, non-discrimination, community engagement and meaningful participation in the consultation and negotiation process. Affected communities should have access to experts and advisors and more emphasis needs to be placed on prevention, and the proactive implementation of effective strategies before the eviction happens.

The main themes of discussion after Ms. Gelbspan's presentation were:


- i/ The importance of networking, and the benefit of linking groups working on common cases, so as to develop supportive relationships and solidarity, and sharing innovative strategies, tools, and mechanisms to challenge and work on prevention of development based evictions;
- ii/ Challenges and assumptions about addressing development based evictions including the issue of top down approaches not based in human rights principles, mega projects, and how to adequately address States at fault; and
- iii/ How to address the issue of messaging to package messages in a way that is not reductionist.

The session concluded with two main recommendations on what the role of UN-Habitat could be vis-à-vis other networks/ coalitions:



UN-Habitat could contribute to the existing work by civil society groups and networks by assisting in outreach to other sectors (including economists and geographers, for example). UN-Habitat could also continue to contribute resources to efforts to bring organizations working on development-induced displacement together to deepen their collaboration and strengthen their autonomous networks.





## **Presenter:** Justus Nyang'aya, Amnesty International Kenya Housing Coalition

This workshop was facilitated by Mr. Justus Nyang'aya, the Country Director of Amnesty International. The purpose of the presentation was to give an overview of the Kenya Housing Coalition, a coalition of organizations that work on adequate housing rights and forced evictions in Nairobi, and to discuss how UN-Habitat can play a role in advancing the work of coalitions like the Kenya Housing Coalition. The coalition is not a formal entity but a network of like-minded organizations that have chosen to work together for a common purpose. The NGO Coalition on Housing can be traced back to 1997 when a group of NGOs working with community groups in Nairobi's informal settlements came together and formed a network to address the inhuman conditions and housing rights violations facing residents. The Coalition now brings together national and international organizations based in Kenya working with community groups to promote the right to adequate housing. The Coalition is founded on the simple but universal principle of justice and dignity, particularly for the deprived. The objectives of the coalition are to:

- strengthen and consolidate networking among non state actors working on housing rights in Kenya,
- improve coordination among non state actors in advocacy campaign actions, and
- create a common platform to engage in policy advocacy on the right to housing especially with people living in poverty.

The coalition works to attain these objectives by supporting community groups to demand and claim their housing rights, influencing the development of national policy on housing based human rights standards, and monitoring government compliance with human rights standards especially with regards to right to adequate housing, as well as by networking

locally and internationally. The main challenges experienced by the group are the slow pace at which managing networks and coalitions occurs, the challenge of achieving consensus on messaging and actions in time and competition for scarce resources.

The achievements of the coalition to date are:

- The inclusion of the right to housing in the constitution;
- Drafting the Eviction and Resettlement Bill and the Housing Bill;
- The prevention of evictions through litigation and collective action;
- Influencing UN Human Rights monitoring bodies to issue concluding observations on evictions in Kenya; and
- Creating linkages with key international bodies working on housing rights.

Mr. Nyang'aya provided a series of recommendations that would guide UN-Habitat in supporting the coalition and other similar entities. He suggested that UN-Habitat provide visible leadership in assisting in the implementation of the constitution, especially with regards to the Bill of Rights UN-Habitat must exert pressure on the Kenyan government to immediately adopt and implement the Eviction, Resettlement and Housing Bill, as well as provide proactive assistance in the development of a human rights based slum upgrading policy and legislative framework.

UN-Habitat should provide technical assistance to non-state actors including the housing coalition in the development of a national eviction monitoring tool.




Recommendations made by the session participants include:

- UN-Habitat should support NGO's in how to advise on infrastructure issues, as most groups are skilled in humanitarian aid and advocacy efforts and do not have the capacity to do so.
- UN-Habitat should support the development of an eviction monitoring fund, as in many cases there is early detection of the issue but no funds to help halt the eviction or carry out the process of enumeration.
- UN-Habitat should develop a comprehensive tool that evaluates both the material and moral impact of evictions.

There is a critical need for rapid response task force and UN-Habitat could facilitate and help share this knowledge.

Mr. Nyang'aya concluded by stating that the housing coalition shares the view that UN-Habitat should now begin playing a leading role in giving visibility to human rights standards as contained in the UN international human rights instruments under which it operates. The Special Rapporteur on the right to adequate housing remains the lead monitor within the UN system on forced evictions and AGFE should feed into the mandate of the Special Rapporteur.





## **Presenter:** Arif Hasan, Chairperson, Urban Resource Centre, Karachi, ACHR Asian Coalition of Housing Rights

This workshop was facilitated by Mr. Arif Hasan. The purpose was to provide an overview of the ACHR, the work of the coalition to date, and to discuss how UN-Habitat can support the work of coalition.

Mr. Hasan commenced with a description of ACHR's work, noting that it was founded in 1998 by communities and leaders who acknowledged there were problems with the existing housing system. The primary focus of the group was human rights violations. During ACHR's first phase, the emphasis was on fact finding missions, with no involvement with UN entities or mechanisms. ACHR's second stage between 2007 – 2008 was an intensive period, and involved connecting with community projects with a strong focus on urban poor and the need for technical support.

Despite many achievements made by ACHR, evictions have continued. Mr. Hasan suggested that one of the principle causes is the neo-liberalism paradigm shift promoted by the academic and finance world which defined a new world vision of urban development. This new image of the cities replaced informal settlements with high-rise structures, and has prioritized recreation and entertainment over housing. A shift in planning has also taken place where projects based on foreign direct investment have replaced a planning process that was based, at least in theory, on environmental and sociological aspects. Also, a very powerful nexus between the banking, oil and automobile sectors is increasingly determining urban development in Asia.

Mr. Hasan identified four principles that could be employed to evaluate the feasibility of a development or urban planning project: (1) the project will not destroy the ecology, (2) land use will be decided on the basis of social and environmental value, (3) projects are acceptable if they serve the interest of the majority of the population, (4) projects will not destroy tangible and intangible heritage of populations. Mr. Hasan concluded by commenting that only

when the issue is brought to scale can change happen. ACHR has started a community action program, whereby small grants are given for improving community neighbourhoods and bigger grants for housing and land projects. ACHR is currently working in 132 cities, and 66 large scale housing projects. United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP) and UN-Habitat have both been involved in this new phase of the program.

In the ensuing discussions, a number of comments were made regarding UN-Habitat's role and functioning. UN-Habitat was criticized for promoting the ideology of 'world class cities', without being mindful of the impact of this ideology on the urban poor and the natural environment. It was also noted that UN-Habitat has supported Mayors of cities who have favoured the rich in terms of land use. Participants in this session named a number of positive activities that UN-Habitat could undertake:

- UN-Habitat should promote alternative media to demystify anti-poor prejudices that exist and are a major barrier to housing the urban poor in many Asian countries.
- UN-Habitat could support the work of local groups by providing figures and data to prove that there is no shortage of land in cities in Asia.
- UN-Habitat should help micro initiatives and promote the 4 principles of project feasibility as proposed by Mr. Hasan.
- UN-Habitat should support and help build the capacity of the citizen watch movements (against corruption) in order to help create a more equitable economic and social climate.
- UN-Habitat should discuss seriously land and property rights and acknowledge the need for change in power dynamics.



## 5. ANNEXES



## ANNEX A

### AGENDA

#### TUESDAY 20 SEPTEMBER

Time	
8:30	Registration of participants (main gate)
9:00	Welcome address by UN-Habitat Executive Director and the UN Special Rapporteur on Adequate Housing (webcast)
9:30	a) UN-Habitat Housing Policy Section, b) Overview of EGM objectives and discussion topics, c) Participants  Axumite Gebre-Egziabher, UN-Habitat Global Division
	<b>1. The UN and housing rights - the way forward</b> <b>Chair: Axumite Gebre-Egziabher</b>
9:45	Keynote address: The human rights based approach Urban Johnsson  Independent expert
10:15	United Nations Housing Rights Programme/Office of the High Commissioner for Human Rights Bahram Ghazi  OHCHR
<b>10:45 Coffee Break</b>	
11:15	Advisory Group on Forced Evictions  Leticia Osorio  Ford Foundation
11:45	Forced Evictions: Global Crisis, Global Solutions  Leilani Farha  Centre for Equality Rights in Accommodation
<b>12:15 Lunch Break</b>	



**Time**

**Workshops**

**A. The UN and housing rights - the way forward**

	<b>CR3</b>	<b>CR9</b>	<b>CR10</b>
13:30	UNHRP: The human rights based approach (the right to adequate housing and the right to water)	OHCHR and Special Rapporteurs	Forced evictions and UN-Habitat policy and programme development (Special Rapporteur, AGFE, etc.)
	Facilitator: Joanna Levitt	Facilitator: Bahram Ghazi	Facilitator: Paul Taylor
	How can UN-Habitat mainstream housing rights into its programming on sustainable urban development/slum upgrading?	How can UN-Habitat increase the effectiveness of formal relationships with other UN institutions/actors?	Lessons learned and potential ways forward to UN-Habitat policy and programme development
	Rapporteur Ana Sugranyes	Rapporteur Ryan Schlieff	Rapporteur Urban Jonsson

**14:30 Coffee Break**

15:00 Presentation by rapporteurs of workshop groups

15:30 Plenary

16:15 Summary of discussions, recommendations, conclusions

**16:30 Cocktail, UN Recreation Centre**

**WEDNESDAY 21 SEPTEMBER**

9:00 Presentation of provisional recommendations for priority action from previous day

9:30 Comments and formal objections to draft recommendations

Plenary

**2. Strategic priorities for action**

**Chair: Mohamed El-Sioufi**

9:45 Keynote address: Description and review of existing eviction impact assessment methodologies

Jean du Plessis

UN-Habitat

10:15 Global Eviction Monitoring

Leticia Osorio

The Ford Foundation

**10:45 Coffee Break**

11:15 Videos on forced evictions

Ryan Schlieff

Witness



**Time**

11:45 Guidelines and Practices on Evictions, Acquisition, Expropriation and Compensation  
Maartje Van Eerd  
Institute for Housing and Urban Development Studies

**12:15 Lunch Break**

**B. Strategic priorities for action**

	<b>CR3</b>	<b>CR9</b>	<b>CR10</b>
13:30	Prevention and alternatives to forced eviction: Cambodia  Presenter: David Pred  Facilitation and negotiation on forced eviction dispute - any role for UN-Habitat ?  Facilitator-Rapporteur Joanna Levitt	Normative Tool development: Enumeration in Port Harcourt  Presenter: Victoria Ohaeri  Lessons learned and potential ways forward to UN-Habitat policy and programme development  Facilitator-Rapporteur Ana Sugranyes	Normative tool development: HIC-HRLN Toolkit  Presenter: Joseph Schlechla  Lessons learned and potential ways forward to UN-Habitat policy and programme development  Facilitator-Rapporteur Thea Gelbspan

**14:30 Coffee Break**

15:00 Presentation by rapporteurs of workshop groups

15:30 Plenary

16:15 Summary of discussions, recommendations, conclusions

16:30 End of day

**THURSDAY 22 SEPTEMBER**

9:00 Presentation of provisional recommendations for priority action from previous day

9:30 Comments and formal objections to draft recommendations

Plenary

**3. Housing Rights Networks and UN-Habitat**

**Chair: Claudio Acioly**

9:45 Keynote address: Housing rights in an international perspective (role and responsibilities of relevant actors)

Esther Kodhek

COHRE

10:15 Promoting standards to counter forced evictions: The role of UN-Habitat

Miloon Kothari

Former Special Rapporteur on Adequate Housing, UN Human Rights Council

**10:45 Coffee Break**



Time			
11:15	Roundtable: Housing Rights		
	Representatives from ACHR, SPARC, HIC, IAP, COHRE, Mayor of Bobigny		
12:15	Lunch Break		
	C. Housing Rights Networks and UN-Habitat		
	CR3	CR9	CR10
13:30	Strategic human rights support for organizations challenging development-induced displacement: the role of networks and partnerships	Kenya Housing Coalition	Asian Coalition of Housing Rights
	Presenter: Thea Gelbspan	Presenter: Justus Nyang'aya et al.	Presenter: Arif Hasan
	What is UN-Habitat's role vis-a-vis other networks/ coalitions?	What is UN-Habitat's role vis-a-vis other networks/ coalitions?	What is UN-Habitat's role vis-a-vis other networks/ coalitions?
	Rapporteur Allison Corkery	Rapporteur Odindo Opiata	Rapporteur Fides Bagasao
14:30	Coffee Break		
15:00	Presentation by rapporteurs of workshop groups		
15:30	Plenary		
16:15	Summary of discussions, recommendations, conclusions		
16:30	End of day		
<b>FRIDAY 23 SEPTEMBER</b>			
9:00	Presentation of provisional recommendations for priority action from previous day		
9:30	Comments and formal objections to draft recommendations		
	Plenary		
	<b>The way forward</b>		
	<b>Chair: Paul Taylor</b>		
9:45	Keynote address: Potential role and possible ways forward for UN-Habitat on forced evictions		
	Claudio Acioly Jr		
	UN-Habitat Housing Policy Section		
10:15	Discussion and formal endorsement of key recommendations for priority action		
	Plenary		
10:45	Coffee Break		
11:15	Discussion of key recommendations for priority action with the Executive Office of UN-Habitat		
12:15	Closing Lunch		



## ANNEX B

### CONCEPT NOTE: INTERNATIONAL EXPERT GROUP MEETING

#### Preventing, Monitoring and Assessing Forced Evictions Worldwide



This concept note briefly outlines the objectives and expected outcomes of the International Expert Group Meeting on Forced Evictions, which will be hosted by UN-Habitat's Housing Policy Section at its global headquarters in Nairobi from 20-23 September 2011.

In the context of the elaboration of the Global Housing Strategy to the year 2025 and within the framework of UN-Habitat's Adequate Housing for All Programme, some 40 experts will exchange views and contribute knowledge and ideas to the discussions on the future role of UN-Habitat with respect to preventing, monitoring and assessing the impact of forced evictions globally. Its synergies with the

planning, managing and financing of cities in this new millennium will also be explored.

Unlawful forced evictions are on the increase worldwide in frequency, in number, in scale, and in the level of violence. In many countries, they have become common practice in lieu of urban planning and inclusive social policies.

They affect the lives of millions of people, many of them the most vulnerable and poor who live on the margins of society. In recognition of what has been described as a relentless rise in forced evictions worldwide, UN-Habitat has pro-actively responded through, inter alia, the building of a comprehensive body of normative knowledge and practical experience related to the prevention, monitoring and assessment of instances of forced evictions in all corners of the world.

UN-Habitat is uniquely placed to ensure that many unlawful and forced evictions are prevented through the provision of advice and guidance to governments, cities and communities.

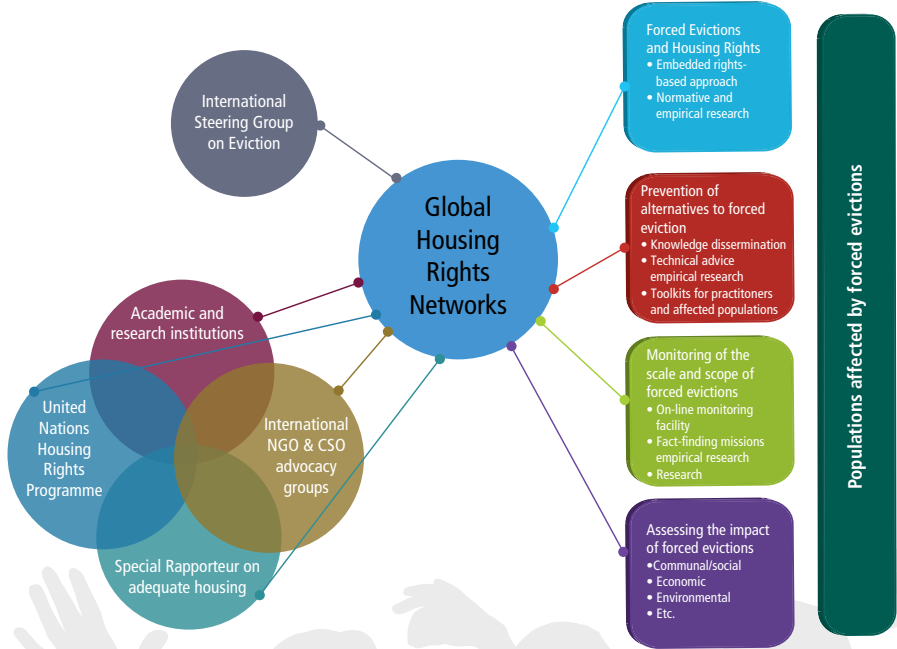


Where forced evictions take place, the scale and scope need to be accurately and effectively monitored. Such monitoring ensures that the impacts of displacement are appropriately and accurately assessed, which in turn paves the way for the creation of relevant and realistic policy options. Alternatives can then be presented to those with the power to change the status quo through resettlement and compensation to the victims of unlawful forced evictions.


The upcoming Expert Group Meeting of technical experts, academics and practitioners is expected to shape and build the kind of momentum, which is necessary for a further push forward in elaborating the future role of UN-Habitat in the area of forced evictions.

Experts will be expected to provide suggestions and recommendations on HABITAT’s future institutional collaborations (with the United Nations High Commissioner for Human Rights under the United Nations Housing Rights Programme), on the potential re-branding of the Advisory Group on Forced Evictions (AGFE) into an “International Steering Group on Evictions” as well as the feasibility and desirability of establishing a Global Housing Rights Network. This includes, on the one hand, elaboration on UN-Habitat’s modes of interaction with a variety of relevant actors and, on the other hand, definition of its priority activities within the strategic framework of UN-Habitat’s emerging priorities and a mapping of other actors’ activities in the area of forced evictions.

**Global Housing Rights Network**



*Draft structure and modes of interactions of the proposed Global Housing Rights Network*  
*The terminology around an International Steering Group on Evictions and the Global Housing Rights Network is tentative. It has not been decided to establish neither the Steering Group nor the Global Network. The reference to “network” is made to create connotation to a community of housing rights organizations, professionals, and activists to share best practices and lessons learned on a platform where synergies in research, policy, and program implementation are facilitated, possibly by UN-Habitat or the UN Housing Rights Programme.*



More than 50 participants converged in Nairobi in September 2011 to exchange views, knowledge and ideas on the future role of UN-Habitat with respect to preventing, monitoring and assessing the impact of forced evictions globally.

Drawn from across the globe, the participants included experts, observers, representatives of governments, and representatives of Permanent and Observer Missions to UN-Habitat.

Organized in close collaboration with the Office of the High Commissioner for Human Rights, the meeting sought to shape and adopt common strategies to address the problem of global evictions and ways to promote and realize the full and progressive realization of the right to adequate housing.

The exponents of the global housing and human rights community who had gathered at the UN-Habitat headquarters were asked to elaborate on the future role of UN-Habitat in the area of housing rights, including the right not to be forcibly evicted.

Experts at the meeting affirmed their readiness to provide UN-Habitat with recommendations on the issue of UN-Habitat's role in this field in the context of the Global Housing Strategy to the year 2025 and within the framework of UN-Habitat's Adequate Housing for All Programme and the UN Housing Rights Programme.

These recommendations are based on information and experience that experts and their organizations attending the meeting have accumulated over many years, in many capacities, and with many varied constituencies from Asia, Latin America, Africa, Europe and North America.

A number of formal and consensus-based observations and recommendations to UN-

Habitat were presented at the end of the meeting. The experts recognized UN-Habitat's progressive engagement on and commitment to socially inclusive and sustainable urban development and slum prevention and upgrading. It was suggested that UN-Habitat has a unique role to play in its engagement with governments at both national and local levels and with other state actors, development actors, and multinational actors.

While reaffirming that the practice of forced evictions, and the lack of respect for the right to adequate housing, is a gross violation of human rights, the experts called upon UN-Habitat to articulate its human rights mandate as an UN organization, especially the right to adequate housing and the right not to be forcibly evicted. This should be an integral part of UN-Habitat's reports, programme work, and technical/financial support to states by, inter alia, clarifying the human rights perspective of current UN-Habitat concepts, such as "public purpose", "illegality of slums", "cities without slums", "right to the city", and "socially produced property values".

The meeting provided an opportunity for all to share experience related to evictions and housing rights in various parts of the world and how different organizations report and implement alternatives to forced evictions. It was also a moment for UN-Habitat to launch two studies focusing on the phenomenon of eviction, its impacts, modalities and motivations. There was a consensus amongst the participants of the meeting that the Habitat Agenda provides a genuine rights-based approach to urban development and that various elements of that agenda should be revisited and be reassessed in the context of contemporary challenges.

## ANNEX C

### FORMAL AND CONSENSUS-BASED OBSERVATIONS AND RECOMMENDATIONS TO UN-HABITAT

Miloon Kothari, Executive Director, Housing and Land Rights Network in India, was nominated by the group of experts to formally present the following formal and consensus-based observations and recommendations to the Executive Office of UN-Habitat on 23 September 2011.

#### The right to adequate housing in the Habitat Agenda


The right to adequate housing (as a component of the right to an adequate standard of living) is enshrined in many international instruments,

and in particular the Universal Declaration of Human Rights (art. 25.1) and the International Covenant on Economic, Social and Cultural Rights (art. 11.1). During the 1990s, the right to adequate housing gained increasing recognition among the human rights community, and many governments adopted or revised housing laws and policies to include various dimensions of human rights.

The Second United Nations Conference on Human Settlements (Habitat II) in 1996 harnessed this momentum. The outcomes of the Conference, the Istanbul Declaration and



*Participants at the International Expert Group Meeting on Forced Evictions, held in Nairobi in September 2011  
Photo: UN-Habitat /Julius Mwelu*



the Habitat Agenda, constitutes a framework where human settlements development is linked with the process of realizing human rights in general and housing rights in particular. 33 out of the 241 paragraphs in the Habitat Agenda specifically refer to human and/or housing rights.

The Habitat Agenda, particularly in its para. 61, clarifies actions and commitments of governments and other stakeholders in order to promote, protect and ensure the full and progressive realization of the right to adequate housing.

#### General observations by EGM participants

**Stressing** the importance for all UN organizations, agencies and programs to comply and promote international human rights law, and recognizing the role and work of UN-Habitat within the UN system to uphold the values of the UN Charter, including the realization of human rights for all;

**Recognizing** UN-Habitat's progressive engagement on and commitment to socially inclusive and sustainable urban development and slum prevention/upgrading;

**Recognizing** the importance of HABITAT Agenda partners and other housing rights stakeholders;

**Recognizing** the need to understand and uphold the principles of self-determination, non-discrimination, gender equality, rule of law, non-retrogression, the use of the maximum of available resources by states, and international cooperation by states in the context of UN-Habitat's work on the right to adequate housing and the protection from forced evictions;

**Recognizing** the importance of engaging with distinct groups at risk, in particular women, children, older persons, people with disabilities, and minority and indigenous groups;

**Regretting** that UN-Habitat has not adopted an explicit policy on the integration/mainstreaming of human rights into its policy development and project programming despite its strong commitments as stated in the HABITAT agenda;

**Regretting** the lack of leadership and consequent inaction of UN-Habitat in promoting its mandate with respect to the right to adequate housing, as elaborated in the Habitat Agenda, international human rights instruments, and other relevant documents;

**Recalling and reaffirming** that the practice of forced evictions, and the lack of respect for the right to adequate housing, is a gross violation of human rights;

**Noting** with concern the direct links between the violations of human rights - and in particular the right to an adequate standard of living - with social unrest;

**Emphasizing** the need for UN-Habitat to pro-actively engage in preventing forced evictions and promoting alternatives thereto, in an effective, efficient, clear, transparent and results-oriented manner;

**Suggesting** that UN-Habitat has a unique role to play in its engagement with governments at both national and local levels and in engaging other state actors, development actors, and multinational actors;



Adopt a formal human rights policy and a conceptual framework for how to embed the human rights based approach in all of its programming, and in all specific projects in which it is engaged, and build the capacity of its staff to implement it.

**(FORMAL RECOMMENDATIONS)**

**The participants convening for the International Expert Group Meeting on Forced Evictions formally recommends to UN-Habitat the following:**

**The Human Rights based approach**

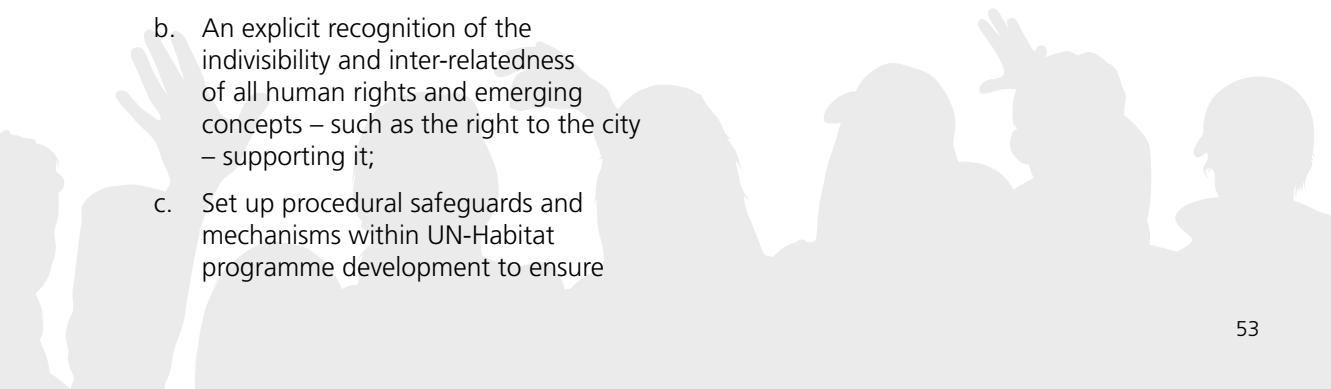
1. Articulate its human rights mandate as a UN organization, especially in regard to the right to adequate housing and the right not to be forcibly evicted, in its reports, programme work, and technical/financial support;
2. Adopt a formal human rights policy and a conceptual framework for how to embed the human rights based approach in all of its programming, and in all specific projects in which it is engaged, and build the capacity of its staff to implement it. This includes, but is not limited to:
  - a. An explicit recognition that development is not just a technical process; political issues, social disparities and power imbalances must be addressed, and good governance must be strongly encouraged;
  - b. An explicit recognition of the indivisibility and inter-relatedness of all human rights and emerging concepts – such as the right to the city – supporting it;
  - c. Set up procedural safeguards and mechanisms within UN-Habitat programme development to ensure

that a rights-based approach has been upheld;

- d. Ensure the meaningful consultation and participation of affected people in the design and implementation of UN-Habitat programs and processes;
3. Clarify current UN-Habitat concepts within the human rights framework, such as “public purpose”, “illegality of slums”, “cities without slums”, “right to the city”, and “socially produced property values” (plusvalia)
4. Undertake a comprehensive human rights evaluation of all of UN-Habitat’s programs, plans, projects, partnerships, initiatives and outputs in order to assess their conformity with and uphold human rights principles

Fully and meaningfully engage with human rights mechanisms, including Special Procedures, Treaty Bodies, the Universal Periodic Review (UPR) and the Human Rights Council, as well as regional human rights mechanisms.

**(FORMAL RECOMMENDATIONS)**





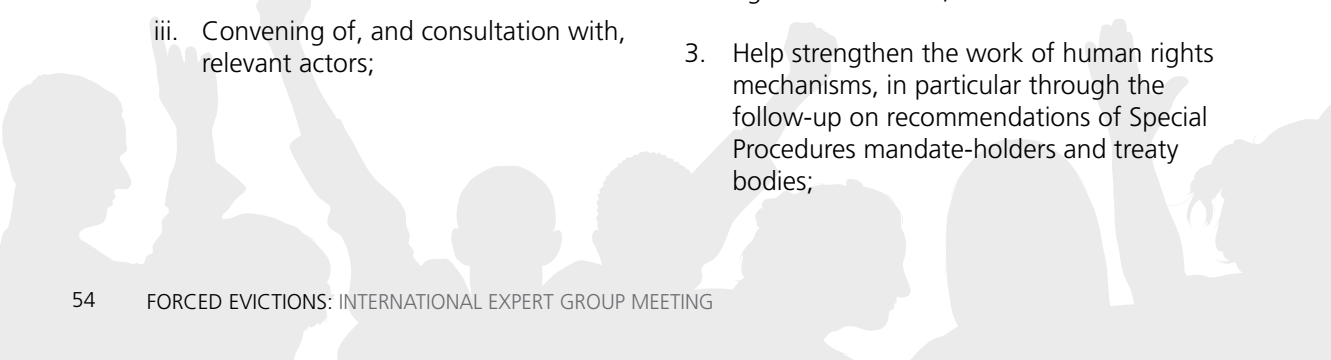


and identify changes required in order to ensure that they promote human rights, including the right to adequate housing;

5. Explicitly acknowledge that people living in poverty and other vulnerable and marginalized groups are UN-Habitat's core constituency and that its programs and projects must retain a primary focus on empowering those who are marginalized, or at risk of being marginalized, in the development process;
6. Strengthen its utilization of the Basic Principles and Guidelines on Development based Eviction and Displacement (A/HRC/4/18) in its work related to forced evictions, including in all its operational activities;
7. Make robust recommendations to and assist states on how their legislation and policies comply with international standards on evictions;
8. In addition to specific recommendations as elaborated in section 4 below, focus its activities on the right to adequate housing and protection against forced evictions, in the following priority areas:
  - i. Capacity building, including of its staff and management;
  - ii. Facilitating, compiling and aggregating data in the exchange of information and dissemination of tools between duty-bearers, right-holders, and other relevant stakeholders;
  - iii. Convening of, and consultation with, relevant actors;
9. Use and disseminate existing tools, such as the human rights indicators framework developed by OHCHR, in its work with states, local authorities, civil society organizations, communities and other partners;
10. Take stock of its progress by regularly convening a forum for discussion, possibly on an annual basis;
11. Actively participate in the UN Development Group's Human Rights Mainstreaming Mechanism;
12. Engage with the humanitarian community and provide technical advice and expertise, notably through its chairmanship of the Geneva-based Housing, Land and Property Group of the Global Protection Cluster, to support durable solutions for refugees and internally displaced people with respect to urban planning, adequate housing and security of tenure in conflict and disaster-contexts;

### **Collaboration with OHCHR, human rights institutions and mechanisms**

1. Further engage and collaborate with OHCHR, including through the United Nations Housing Rights Programme;
2. Fully and meaningfully engage with human rights mechanisms, including Special Procedures, Treaty Bodies, the Universal Periodic Review (UPR) and the Human Rights Council, as well as regional human rights mechanisms;
3. Help strengthen the work of human rights mechanisms, in particular through the follow-up on recommendations of Special Procedures mandate-holders and treaty bodies;





## **Advisory Group on Forced Evictions to the Executive Director of UN-Habitat**

1. Carry out an evaluation in collaboration with former AGFE members and other interested parties to ascertain the reasons why the challenges that AGFE faced have outweighed its successes;
2. Consider the establishment of an independent mechanism to advise UN-Habitat and, when appropriate, take action on issues related to the right to adequate housing and forced evictions within UN-Habitat;
3. Carry out its General Assembly and UN-Habitat Governing Council mandate in respect of the request to “establish an advisory group to monitor and identify, and, if so requested, to promote alternatives to unlawful evictions” (Resolution 19/5 adopted at the 58th session of the General Assembly on 9 May 2003, pt. 7);
4. Further define, in close collaboration with OHCHR, the constitution of an advisory mechanism on forced evictions based on inputs received at this Expert Group Meeting;
5. Stress that formal mechanisms to ensure the accountability of UN-Habitat to the recommendations received be established, and their implementation be monitored, in a time-bound manner;

Establish as standard practice a participatory approach towards ensuring legal security of tenure, including when engaging in slum upgrading, with an emphasis on supporting and building the capacities of local communities to be aware of their rights and be able to claim them.

**(FORMAL RECOMMENDATIONS)**

6. Share the final resolutions or consensus-based recommendations of any future advisory mechanism with UN-Habitat's Governing Council;

## **Additional Strategies for Action**

**Recognizing** the role of UN-Habitat to establish preventive strategies, including early warning systems when necessary on forced evictions in select focus countries;

**Within the context** of the realization of the right to adequate housing, encourage and support States to develop and operationalize policies and programs that are explicitly focused on securing the tenure of vulnerable and marginalized groups who are excluded from formal land administration systems;

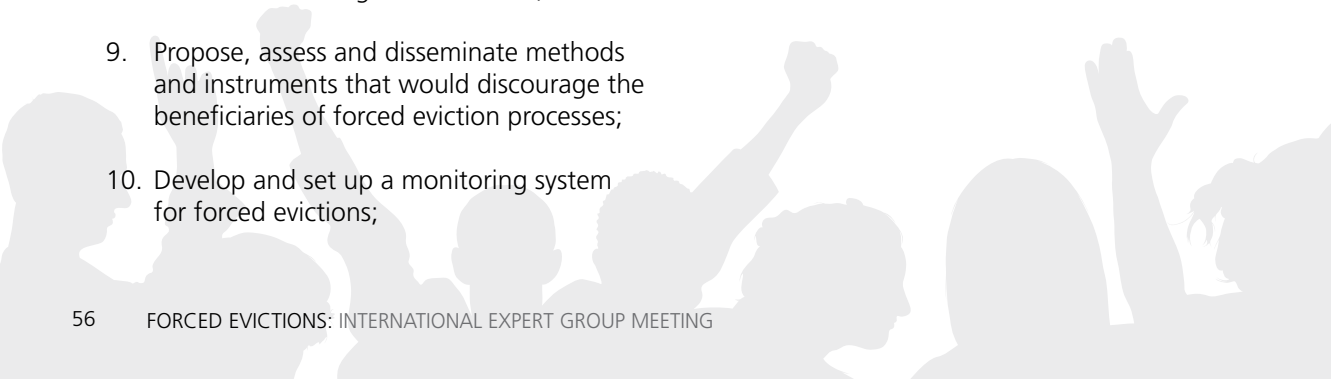
**Stressing** the urgency of UN-Habitat to act as a facilitator with respect to the exchange of information and dissemination of tools among relevant stakeholders;

**Acknowledging** the work of OHCHR and others in developing and applying eviction impact assessments;

1. Facilitating exchange of information as well as the collection and dissemination of tools amongst relevant stakeholders in order to support the capacities of multi-stakeholder groups at local and national levels;
2. Establish as standard practice a participatory approach towards ensuring legal security of tenure, including when engaging in slum upgrading, with an emphasis on supporting and building the capacities of local communities to be aware of their rights and be able to claim them;
3. Reinstate the security of tenure index in the State of the World's Cities Report;



4. Demonstrate leadership in the area of forced evictions when focusing on specific country contexts (support to governments who have taken decisive steps towards promoting alternatives to forced evictions, and/or focus on countries where critical violations and inadequate policies are in place and therefore in greater need of policy support, technical assistance and capacity building);
5. Encourage the use of early warning methods based on information gathering/generation of indicators and fact finding to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur;
6. Provide funding and technical support for alternatives to eviction, possibly through the creation of a Global Fund for alternatives to forced evictions;
7. In situations of forced evictions, in particular the practice of forced mass evictions, adopt a proactive approach in the face of communities threatened by evictions by encouraging States to consider alternatives, before displacement becomes the only option, and by mobilizing other UN agencies and development partners to support alternatives to eviction;
8. Facilitate dialogue in land disputes between government, private interests and third parties and affected communities within a human rights framework;
9. Propose, assess and disseminate methods and instruments that would discourage the beneficiaries of forced eviction processes;
10. Develop and set up a monitoring system for forced evictions;
11. Encourage an understanding of the issue of compensation, for all those affected by evictions, as but one component of the larger framework of reparations as a matter of law (A/RES/60/147);
12. Adopt an approach to the evaluation and assessment of the impact of forced evictions that takes into consideration existing evaluation methodologies, including those quantifying victims/affected persons/households/communities' losses and costs, as well as addressing the material and non-material losses incurred in forced eviction processes;
13. Continue its work on enumerations through committing resources to implement pilot projects in cities that conduct enumerations and impact assessments and effectively use such analysis to promote alternatives to forced evictions.



## ANNEX D

### LIST OF PARTICIPANTS

#	Last Name	First Name	Position	Organization/Institution	E-mail
1	Abisai	Nancy	Country Program Officer	Centre on Housing Rights and Evictions	nancy@cohre.org
2	Agum	Pamela	Programme Officer	Eastern Africa Collaboration for Economic, Social and Cultural Rights	po@eacornet.org
3	Bagasao	Fides	Regional Organizer for Southeast Asia	Huairou Commission	fides_bagasao@yahoo.com
4	Baysal	Cihan Uzuncarsili	Coordinator	Sulukule Platform - Istanbul, Kucukcekmece-Ayazma Tenants' Association	cihanbaysal@yahoo.com
5	Bugalski	Natalie	Independent consultant		natalie.bugalski@gmail.com
6	Burrows	Bridget	Regional Slum Campaigner	Amnesty International Kenya	Bridget.Burrows@amnesty.org
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8	Davies	Mike	IAI Convenor – Southern Africa	International Alliance of Inhabitants	iai.southernafrica@habitants.org
9	Farha	Leilani	Executive Director	Centre for Equality Rights in Accommodation (CERA)	leilani@equalityrights.org
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11	Gelbspan	Thea	Programme Officer	International Network for Economic, Social and Cultural Rights	tgelbspan@escr-net.org
12	Hasan	Arif	Chairperson	Urban Resource Centre (URC), Karachi Asian Coalition for Housing Rights (ACHR)	arifhasan@cyber.net.pk
13	Jonsson	Urban	Independent Expert		urban@urbanjonsson.com
14	Kamaru	Antony	Coordinator – Advocacy, Governance and Community Partnerships Programme	Kituo Cha Sheria (The Centre for Legal Empowerment), Kenya	kamaru@kituochasheria.or.ke
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16	Kodhek	Esther	Director - Africa	COHRE	esther@cohre.org
17	Kothari	Miloon	Former Special Rapporteur on Adequate Housing, UN Human Rights Council	Housing and Land Rights Network, India	miloon.kothari@gmail.com
18	Lamba	Davinder	President	Habitat International Coalition	davinderlamba@gmail.com

#	Last Name	First Name	Position	Organization/institution	E-mail
19	Lemee	Annick	Office Director for the Mayor of Bobigny	Bobigny, France	djamel.sandid@ville-bobigny.fr
20	Levitt	Joanna	Executive Director	International Accountability Project	joanna@accountabilityproject.org
21	Makokha	Eric	Chief Executive Officer	Shelter Forum	eric.makokha@shelterforum.or.ke
22	Matheka	Margret	Senior Program Officer	Pamoja Trust	mmatheka2002@yahoo.com
23	McCallin	Barbara	Senior Advisor on housing, land and property	Internal Displacement Monitoring Centre, Norwegian Refugee Council	barbara.mccallin@nrc.ch
24	Molokoane	Rose	Coordinator	Shack Dwellers International (SDI)	rose@utshani.org.za, wilma@sdi.net.org
25	Nyang'aya	Justus	Country Director	Amnesty International Kenya	justus.nyangaya@amnesty.org
26	Ohaeri	Victoria	Program Coordinator	Social and Economic Rights Action Center (SERAC)	vikkytims@yahoo.co.uk, Victoria@serac.org
27	Opiata	Odindo	Director	Economic and Social Rights Centre	odindo@hakijamii.com
28	Osorio	Leticia	Human Rights Programme Officer for Brazil	The Ford Foundation	ticia.osorio@gmail.com
29	Ottolini	Cesare	Coordinator	International Alliance of Inhabitants	cesare.ottolini@libero.it
30	Patel	Sheela	Director	Society for the Promotion of Area Resource Centers (SPARC)	sparc1@vsnl.com, sparcssns@gmail.com
31	Peyge	Catherine	Mayor	Bobigny, France	catherine.peyge@ville-bobigny.fr
32	Pred	David	Executive Director	Bridges Across Borders Cambodia	david@babcbombodia.org, davidpred@gmail.com
33	Schechla	Joseph	Housing and Land Rights Network Middle East and North Africa Coordinator	Habitat International Coalition	jschechla@hic-mena.org
34	Schlieff	Ryan	Program Manager	WITNESS	ryans@witness.org
35	Smolka	Martim	Senior Fellow and Director of the Latin America and the Caribbean Program	Lincoln Institute of Land Policy	msmolka@lincolninst.edu
36	Sugranyes	Ana	General Secretary	Habitat International Coalition	general.secretary@hic-net.org, asugranyes@gmail.com
37	van Eerd	Maartje	Housing and Social Development Expert	Institute for Housing and Urban Development Studies (IHS)	m.vaneerd@ihs.nl



## ANNEX E

### PARTICIPANT PROFILES

#### **Pamela Wanjiru Agum**



- Country of Nationality: Kenya
- Language/s spoken: English, Kiswahili
- Organizational affiliations (past/present): CHF International Kenya, EACOR
- Role/function at organization: Programme Officer
- Professional focus area: Economic, Social and Cultural Rights
- University/Degrees: Bachelor of Arts and Post Graduate Diploma
- Email: [po@eacornet.org](mailto:po@eacornet.org)
- Website/Blog/Twitter: [www.eacornet.org](http://www.eacornet.org)

#### **1. What is your main interest/regional focus related to the topic of forced evictions?**

EACOR's main focus is on building the capacity of civil society organizations in Eastern Africa (Kenya, Uganda, Tanzania, Rwanda and South Sudan) to address the economic, social and cultural rights of rights holders through lobbying, advocacy and policy analysis. It also focuses on rights based approaches in development. With housing being one of the ECOSOC rights, EACOR works by addressing housing issues in the capacity building strategy, advocacy for rights' holders and even working with duty bearers on policy analysis and formulation.

#### **2. How has your work on forced evictions interacted with that of UN-Habitat?**

EACOR is a member of the Housing Coalition in Kenya that addresses issues on housing, such as inhuman conditions facing residents of informal settlements, lack of services, amenities, poor housing and evictions.

#### **3. What are your main expectations for this Expert Group Meeting?**

- Working with governments and multi-national companies to prevent forced evictions
- Policy frameworks to prevent forced evictions



## Maria Fides F. Bagasao



- Country of Nationality: Philippines
- Language/s spoken: Filipino, English
- Organizational affiliations (past/present): Leaders and Organizers of Community Organizations in Asia (LOCOA)-past/Huirou Commission (present)
- Role/function at organization: Member, Execom, Organiser for Southeast Asia
- Professional focus area: Community Organization/Gender equality
- University/Degrees: BS Social Work/MA Sociology
- Email: bagasao@gmail.com, fides\_bagasao@yahoo.com

### 1. What is your main interest/regional focus related to the topic of forced evictions?

- As member of Huirou Commission Execom, I am interested in the global perspective of forced evictions, its impact on grassroots women/girls on their multiple burdens, as well as women's role and contributions in community solutions/leadership engaging with local authorities to prevention, halting of evictions, and fair resettlement.
- As representative of a global coalition supporting the work of grassroots women, it is also priority interest for Huirou Commission how UN-Habitat and its network of international housing rights networks can identify a few but specific countries considered hot spots of forced/violent evictions and establish concrete unified action on policy and action on the ground to stop evictions and establish processes for mutually acceptable solutions for key stakeholders.
- As Huirou Commission's regional organizer for Southeast Asia, this region is a priority focus personally.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

- Huirou Commission has organised regional mapping of organised grassroots women strategies in Southeast Asia to address forced evictions of urban poor families. The mapping involved at least almost 2,000 community leaders in about 60 communities across Philippines, Indonesia, Cambodia, Thailand, and South Korea. Results have been presented during the recent Asia Pacific Urban Forum in Bangkok last June 22-25, 2011 during sessions co-organised by UN-Habitat, Huirou Commission and Seoul Foundation of Women and families.
- Huirou Commission has supported the work of grassroots women in poor communities in Brazil to regularize their informal settlement, a commitment by Brazilian local authorities on occasion of 5<sup>th</sup> WUF, Rio March 2010.

### 3. What are your main expectations for this Expert Group Meeting?

- Provide forum to illustrate the various approaches/pre-requisites to addressing forced evictions, towards its reduction/elimination, specifically, its prevention and how these can be advised /conveyed to state agencies.



- Provide forum to share/underscore negative impact of forced evictions on multiple burdens on women/children and vulnerable groups /how these should be addressed in prevention/mitigation.
- Development of a long term strategy that UN-Habitat, international housing rights advocates and urban grassroots movements can unify around a global covenant/agreement (for instance: like carbon emission reduction rates... evictions globally/ regionally have to be reduced in x percent by year 2016, etc. (presently the MDG statement is around reduction of slums... but some governments would even use reduction of slums as pretext to eviction and distant relocation of poor families).

### **Bio**

Maria Fides F. Bagasao was born and educated in the Philippines. Since the late 70's while Philippines was under martial law, she began working as community organizer helping rural/urban poor communities develop independent people's organizations and coalitions in various parts of the country as well as serving as trainer for young community organizers. She has worked with PECCO, COPE, Urban Poor Associates, Community Organizers Multiversity. She served as Regional Secretariat Coordinator of the Leaders and Organizers of Community Organizations in Asia (LOCOA), based in Seoul, South Korea from 2006-2010. She has worked with Huairou Commission since its founding years during the 1995 Beijing Conference and Habitat 2 in Istanbul in 1996 where she served as one of the four Co-Chairs for the NGO Forum. She is presently Execom member of Huairou Commission and undertakes tasks as regional organizer for Huairou Commission's work with grassroots women organizations and their support groups in Southeast Asia. In May 2011, Fides co-convened with long time Philippine organizers and community leaders, the first national assembly of grassroots women leaders and NGO support groups affiliated with the GROOTS, the global grassroots coalition under the Huairou Commission to support grassroots women.





## Claudio Acioly Jr.



- Country of Nationality: Brazil, Netherlands
- Language/s spoken: English, Portuguese, Dutch, Spanish
- Organizational affiliations (past/present): IHS (1993-2008), UN-Habitat (2008-onwards)
- Role/function at organization: Chief of UN-Habitat's Housing Policy Section and Coordinator of the UN Housing Rights Programme
- Professional focus area: Housing and slum upgrading
- University/Degrees: Architect and Urban Planner (University of Brasilia, 1983; MSc Delft University of Technology, 1992).
- Email: Claudio.Acioly@unhabitat.org
- Website/Blog/Twitter: [www.claudioacioly.com](http://www.claudioacioly.com)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

- Policies to enable access to adequate housing, housing rights, and self-management & cooperative housing processes.

### 2. How has your work on forced evictions interacted with that of UN-HABITAT?

- Coordinating the UN Housing Rights Programme, supporting the Advisory Group on Forced Evictions to the Executive Director of UN-Habitat, and acting as the main liaison person for matters pertaining to the position of UN-Habitat on housing rights violations around the world.

### 3. What are your main expectations for this Expert Group Meeting?

- To leverage the issue of housing rights and forced evictions to a higher level within UN-Habitat and to create a support network with our partners on these issues.

### 4. Please share any main publications of relevance to this EGM.

- Factsheet 21 on the right to adequate housing, and the two most recent UN-Habitat publications on evictions ("Losing your home. Assessing the impact of eviction" and "Forced Evictions. Global Crisis, Global Solutions"). For a full list of our range of publications, please visit our website at [www.unhabitat.org/unhrp](http://www.unhabitat.org/unhrp)

## Bio

Claudio Acioly Jr. is chief Housing Policy Section of the United Nations Human Settlements Programme (UN-Habitat) and coordinator of the United Nations Housing Rights Programme jointly implemented with the Office of UN High Commissioner of Human Rights. He also coordinated the work of the Advisory Group on Forced Evictions to the Executive Director of UN-Habitat-AGFE. He has 30 years of experience and has worked in more than 20 countries as practitioner, technical advisor, development consultant and training and capacity building expert in the field of housing, slum upgrading and urban management and development. He has worked with governments, civil society organizations and community-based organizations throughout his career. He is the author of books and articles dealing with informal settlements and slum upgrading, urban densities and participatory urban management. He has lectured extensively on these themes and worked as consultant to the World Bank, United Nations Development Programme (UNDP), United Nations Economic Commission for Europe (UNECE), UN-Habitat and bilateral organizations.



## Natalie Bugalski



- Country of Nationality: Australia
- Language/s spoken: English
- Role/function at organization: Independent consultant/human rights lawyer
- Professional focus area: Housing, land and natural resource rights
- University/Degrees: Monash University (Australia) PhD in law
- Email: Natalie.bugalski@gmail.com

### **1. What is your main interest/regional focus related to the topic of forced evictions?**

- Human rights approach to development particularly vis a vis access to affordable city housing, services and facilities (urban) and access to and control over land and natural resources (rural)
- Land tenure systems that move beyond ownership rights
- Asia Pacific regional focus

### **2. How has your work on forced evictions interacted with that of UN-Habitat ?**

- Minor interaction during research on housing rights in Timor-Leste and Cambodia

### **3. What are your main expectations for this Expert Group Meeting?**

- The development of concrete recommendations on how UN-Habitat can be a more effective actor in the prevention of forced evictions including through policy and programmatic support on HRBA to development and alternatives to forced evictions.

### **4. Please share any main publications of relevance to this EGM.**

- Donor aid and assistance to Cambodia's land sector: Towards a human rights approach, (Author) (forthcoming discussion paper, Heinrich Boll Foundation and Bridges Across Borders Cambodia, 2011)
- Land titling in Cambodia: Lessons from the Land Management and Administration Project, (Co-author) (forthcoming book chapter, P. Hirsch ed, Silkworm, 2011)
- A Community Guide to the ADB Involuntary Resettlement Safeguards (2011), (Author) Bridges Across Borders Cambodia
- A Cambodian Guide to Defending Land and Housing Rights (2009) (Co-author and Co-editor), COHRE,
- Bridges Across Borders South East Asia, International Accountability Project



## Bio

Dr. Natalie Bugalski is a human rights lawyer and consultant with expertise in housing, land and natural resource rights. Natalie has advocated at the local and international level, including at UN human rights bodies, the World Bank and Asia Development Bank, on land tenure policy and displacement issues and on behalf of communities threatened with forced eviction. She has authored and edited reports and articles on housing and land rights issues and produced human rights analyses of draft laws, policies and eviction cases. She has facilitated numerous training sessions, workshops and conferences on housing rights and forced evictions, especially in Cambodia and Timor-Leste. Natalie has extensive experience developing popular education curriculum on housing and land rights, including on relevant international and domestic laws, advocacy, negotiation and IFI safeguard policies. Previously Natalie was the Legal Officer at the Centre on Housing Rights and Evictions (COHRE)'s Asia Programme. She has practiced law in Australia in the areas of refugee law and public interest litigation. Natalie has completed a PhD on the impact of the policies of the World Bank and other international development institutions on security of land tenure and access to water with a focus on Cambodia, Timor-Leste and Vanuatu. She has also taught Constitutional law at the Faculty of Law, Monash University, Australia.





## Allison Corkery



- Country of Nationality: Australian
- Language/s spoken: English, French
- Organizational affiliations (past/present): Center For Economic And Social Rights
- Role/function at organization: Researcher
- Professional focus area: Economic And Social Rights Monitoring, National Human Rights Institutions
- University/Degrees: B.A./LL.B. (UNSW, Australia); LL.M. (Columbia, USA)
- Email: [acorkery@cesr.org](mailto:acorkery@cesr.org)
- Website/Blog/Twitter: [www.cesr.org](http://www.cesr.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

A primary focus of my work is on developing the Center's methodological approach for monitoring governments' compliance with their economic, social and cultural rights obligations—including the right to adequate housing—and it is in this context that the topic of forced evictions is of interest. Although I am currently based in Kenya, this work has a global focus.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

To date, my work with the Center has not interacted directly with UN-Habitat, although it has made reference to UN-Habitat's housing rights indicators and urban indicators in projects focused on monitoring the realization of the right to adequate housing and related rights such as the right to water and sanitation and right to health in the context of informal settlements.

### 3. What are your main expectations for this Expert Group Meeting?

To learn more about the current institutional structures driving the housing rights agenda at the global level and to hear participants' perspectives on how such structures can more effectively contribute to housing rights issues; particularly in the area of monitoring and assessment.

### 4. Please share any main publications of relevance to this EGM.

In its Visualising Rights series, CESR has produced a number of short fact sheets on the status of economic and social rights in particular countries. For a number of countries (e.g. Bangladesh, Cambodia and Kenya) this has included the right to adequate housing. These are available at <http://www.cesr.org/article.php?list=type&type=11>.

## Bio

Allison Corkery is a researcher with the Center for Economic and Social Rights (CESR). Prior to joining CESR she was the recipient of the 2010-2011 David W. Leebron Human Rights Fellowship from Columbia Law School, under the auspices of which she collaborated with CESR and the Kenya National Commission for Human Rights on a project on "Enhancing the Capacity of National Human Rights Institutions in Monitoring Economic, Social and Cultural Rights". In previous positions she has worked with the Australian Human Rights Commission in Sydney and the National Institutions Unit of the Office of the High Commissioner for Human Rights in Geneva. Allison holds an LL.M. from Columbia University Law School and a B.A./LL.B. from the University of New South Wales.

## Michael Davies



- Country of Nationality: Zimbabwe
- Language/s spoken: English
- Organizational affiliations (past/present): Current: International Alliance of Inhabitants – IAI (Convener, Southern Africa);, Advisory Group on Forced Evictions -AGFE (Country Representative, Zimbabwe) Previous: Combined Harare Residents Association (Chair 2002-2008)
- Role/function at organization: Developing a regional network in Southern Africa
- Professional focus area: Community Organisation; Civil rights
- University/Degrees: B.A. (Pol), University of Cape Town
- Email: [iai.southernafrica@habitants.org](mailto:iai.southernafrica@habitants.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Community responses to ensure equitable outcomes.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

As Chair of CHRA, I was active in responding to the forced evictions in Zimbabwe during Operation Murambatsvina in 2005 and made a presentation during the visit of the ED, Anna Tibaijuka.

### 3. What are your main expectations for this Expert Group Meeting?

- To develop a more robust strategy to counteract forced evictions and defend the rights of affected communities.
- To develop more effective international linkages to provide solidarity for communities facing forced evictions.



## Jean du Plessis



- Country of Nationality: South African
- Language/s spoken: Afrikaans, English
- Organizational affiliations (past/present): Matatiele Advice Centre, Association for Rural Advancement, National Land Committee, Department of Land Affairs (South Africa), UN Land and Property Unit (East Timor), International Organisation Development, Centre on Housing Rights and Evictions, Advisory Group on Forced Evictions, UN-Habitat
- Role/function at organization (present): Capacity building expert (land)
- Professional focus area: Capacity building, land, tenure security, development
- University/Degrees: Masters in Political Philosophy

## Bio

Jean du Plessis is based in the Training and Capacity Building Branch of UN-Habitat. He has over 20 years of experience in the land, housing and development sectors. He worked closely with South African communities in resisting forced removal under apartheid and, after 1994, in promoting land rights, reconstruction and development. He was chief director of the South African land restitution program from 1997-2000. In 2000-2001 he worked in the UN Land and Property Unit in East Timor, after which he joined the Centre on Housing Rights and Evictions in Geneva. From 2008 he worked as an independent researcher, trainer and facilitator. He joined UN-Habitat in June 2011. Jean has published variously on land, housing, restitution, forced evictions and development issues.



## Edesio Fernandes



- Country of Nationality: Brazil/UK
- Language/s spoken: English, Portuguese, French, Spanish
- Organizational affiliations (past/present): DPU Associates
- Role/function at organization: Legal consultant
- Professional focus area: Law
- University/Degrees: Ph.D. in Law, University of Warwick
- Email: edesiofernandes@compuserve.com

### 1. What is your main interest/regional focus related to the topic of forced evictions?

My work is about the main sociolegal implications of land and housing rights internationally, especially within the context of informal development processes.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Among other things I have been a member of UN-Habitat's AGFE-Advisory Group on Forced Evictions

### 3. What are your main expectations for this Expert Group Meeting?

Clarify how the matter of housing/shelter fits into UN-Habitat's overall mandate and current agenda, as well as the roles, if any, of AGFE.

## Bio

Edesio Fernandes is a Brazilian lecturer, researcher and legal consultant based in the UK. He is currently a member of DPU Associates and of the Teaching Faculty of the Lincoln Institute of Land Policy in Cambridge MA/USA; as well as a Visiting Lecturer at several universities. Before moving to the UK in 1988, he worked as a lawyer, city planner and as a lecturer in Brazil (1980-86) and as a legal advisor during the national Constitution-making process (1986-88). His main research interests include land, urban and environmental law; land and housing rights; land and urban planning, policy and management; informal land markets, urban land regularisation and land registration; local government and metropolitan administration; and constitutional law and human rights in developing and transitional countries. For over 15 years, he has also been a consultant to many governmental and national and international non-governmental organisations, such as UN-Habitat, UNDP, Unesco, OSCE, World Bank, FAO, DfID, IHS, WYG and Urbaplan, having regularly worked in Brazil and most of Latin America, South Africa, Kosovo, Albania, Bulgaria, Syria, Russia, Cape Verde and elsewhere. In 2003, he was Director of Land Affairs at the Ministry of Cities in Brazil, and in that capacity he formulated the National Programme to Support Sustainable Land Regularisation in Urban Areas.



## Leilani Farha



- Country of Nationality: Canada
- Language/s spoken: English / French
- Organizational affiliations (past/present): Centre for Equality Rights in Accommodation
- Role/function at organization: Executive Director
- Professional focus area: Human Rights Law
- University/Degrees: LLB/MSW
- Email: [Leilani@equalityrights.org](mailto:Leilani@equalityrights.org)
- Website/Blog/Twitter: [www.equalityrights.org/cera](http://www.equalityrights.org/cera)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

- North America
- Global

### 2. How has your work on forced evictions interacted with that of UN-HABITAT?

I was a member of the Advisory Group on Forced Evictions and have been a consultant with UN-Habitat to assist in writing relevant reports on housing rights for Indigenous peoples, women and forced evictions broadly.

### 3. What are your main expectations for this Expert Group Meeting?

Hoping to gain clarity on the future role of AGFE and to encourage UN-Habitat to remain involved in preventing forced evictions using a human rights framework in its work.

Hoping to connect with colleagues to touch base on where to go from here.

### 4. Please share any main publications of relevance to this EGM.

Forced Evictions: Global Crisis, Global Solutions





## Thea Gelbspan



- Country of Nationality: United States of America
- Language/s spoken: English, Spanish, Portuguese
- Organizational affiliations (past/present): Current: International Network for Economic, Social and Cultural Rights (ESCR-Net). Prior: The Fletcher School, Tufts University; Oxfam America
- Role/function at organization: Program Officer
- Professional focus area: Social Movements and Grassroots Organizations: human rights to land; development-induced forced displacement
- University/Degrees: Masters of Law and Diplomacy, The Fletcher School (Tufts University, May 2010)
- Email: [Tgelbspan@escr-net.org](mailto:Tgelbspan@escr-net.org)
- Website/Blog/Twitter: [www.escr-net.org/](http://www.escr-net.org/) <http://twitter.com/#!/ESCRNet>

### 1. What is your main interest/regional focus related to the topic of forced evictions?

ESCR-Net has undertaken a new initiative focused on situations of forced displacement resulting from projects carried out in the name of “development” in both urban and rural settings. The project aims to strengthen the capacity of social movements and grassroots groups to more effectively promote their human rights and prevent displacement and the loss of lands and livelihoods.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

To-date there has not been substantial overlap with UN-Habitat.

### 3. What are your main expectations for this Expert Group Meeting?

To offer recommendations for UN-Habitat about how to build upon existing work by civil society groups and contribute through technical support and dialogues with various actors; share the preliminary findings of ESCR-Net’s mapping exercise on development-induced forced displacement, collect feedback and identify new opportunities for collaboration.

### 4. Please share any main publications of relevance to this EGM.

[http://www.escr-net.org/actions/actions\\_show.htm?doc\\_id=1614993](http://www.escr-net.org/actions/actions_show.htm?doc_id=1614993)

## Bio

Thea Gelbspan is a program officer with the International Network for Economic, Social and Cultural Rights, where she coordinates the Working Group of Social Movements and Grassroots Organizations. For the past fifteen years, she has worked in the field of international development and human rights. Most recently, she has worked as an independent consultant for development and environmental NGOs, human rights experts and companies while earning her Master’s degree at the Fletcher School for Law and Diplomacy at Tufts University. During the course of this program she also worked for a semester with the Special Procedures branch of the UN Office of the High Commissioner for Human Rights in 2009. Previously, she managed Oxfam America’s programs in Latin America and the Caribbean for over six years. Thea is fluent in English, Spanish and Portuguese.



## Bahram Ghazi



- Country of Nationality: Iran/Switzerland
- Language/s spoken: English/Farsi/French/Spanish
- Organizational affiliations (past/present): Office of the High Commissioner for Human Rights
- Role/function at organization: Human Rights Officer
- Professional focus area: Right to adequate housing, Right to water, Economic, Social and Cultural Rights, Land and Human Rights
- University/Degrees: Ph.D.
- Email: bghazi@ohchr.org
- Website/Blog/Twitter: www.ohchr.org

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Global mandate for the protection and promotion of the right to adequate housing and protection against forced evictions.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

Through the UN Housing Rights Programme, work of the Special Rapporteurs, country missions, trainings, publications, ...

### 3. What are your main expectations for this Expert Group Meeting?

Identification of areas where UN-Habitat will concretely be able to complement the work of OHCHR and the human rights mechanisms.

### 4. Please share any main publications of relevance to this EGM.

All OHCHR publications (see OHCHR web site: [www.ohchr.org](http://www.ohchr.org))  
More specifically, Fact Sheet on the right to adequate housing (n° 21), ESCR Bulletin and tools such as Forced evictions Assessment Questionnaire (see <http://www2.ohchr.org/english/issues/escr/escr-general-info.htm>)

## Bio

A Doctor in international relations and international law, Mr. Bahram Ghazi has extensive experience in human rights and has closely worked with various thematic experts appointed by the Human Rights Council, in particular the Rapporteurs on adequate housing. He is currently working at the United Nations Office of the High Commissioner for Human Rights (OHCHR) on economic, social and cultural rights, focusing on the right to adequate housing, the right to water and land issues. His work includes conducting human rights fact-finding and assessment missions; providing expert advice; and developing of tools, trainings and publications. As an author, his publications and contributions include "The IMF, the World Bank Group and the Question of Human Rights" (Transnational Publishers, 2005) and "Attacking the Root Causes of Torture: Poverty, Inequality and Violence, An Interdisciplinary Study" (OMCT, 2006).

## Ricardo Gouvêa



- Country of Nationality: Brazil
- Language/s spoken: Portuguese/ English/ Spanish
- Organizational affiliations (past/present): Bento Rubião Human Rights Foundation
- Role/function at organization: executive director
- Professional focus area: architect/ urban planner
- University/Degrees: Universidade Federal do Rio de Janeiro/ Graduation
- Email: ricardo@bentorubiao.org.br

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Legal assistance to groups threaten of eviction; local groups/ community empowerment; prevention and political negotiation with different actors involved.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

As we have similar principles and approaches, sometimes we use these contents of UN-Habitat as reference in order to obtain major legitimacy.

### 3. What are your main expectations for this Expert Group Meeting?

To achieve a broader view of the issue, both at conceptual as at intervention levels. Networking.



## Arif Hasan



- Country of Nationality: Pakistan
- Language/s spoken: English and basic French
- Organizational affiliations (past/present): Urban Resource Centre, Orangi Pilot Project, Department of Architecture and Planning, NED University, Karachi
- Role/function at organization: Chairperson of both. Development of informal settlements, advocacy, community empowerment
- Professional focus area: Architecture, Planning, Research into urban issues, Advocacy
- University/Degrees: Licensing examination of the Karachi Development Authority
- Email: arifhasan@cyber.net.pk

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Finding and implementing options to forced evictions.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

Our interaction has been with Habitat on the issue of the Lyari Expressway in Karachi. Also, I was a member of the AGFE Mission to Istanbul

### 3. What are your main expectations for this Expert Group Meeting?

I expect that the meeting will be able to come to a consensus on developing an effective role for the implementation of the recommendations of AGFE missions to various countries

### 4. Please share any main publications of relevance to this EGM.

The Unplanned Revolution, Oxford University Press, 2009; Participatory Development, Oxford University Press, 2010; Migration and Small Towns in Pakistan, Oxford University Press, 2010; Planning for High Density in Low Income Settlements, IIED UK, 2010; Understanding Karachi, City Press, Karachi; 2000; Working with Communities, City Press, Karachi; 2000;

## Bio

Currently, Chairperson of the Federal Government Task Force on Urban Development; Visiting Professor, Department of Architecture and Planning, NED University, Karachi; Visiting Fellow of the International Institute for Environment and Development, UK; One of the founding members, Asian Coalition for Housing Rights, Bangkok.

## Urban Jonsson



- Country of Nationality: Sweden
- Language/s spoken: Swedish/English/German/Swahili
- Organizational affiliations (past/present): UNICEF (past); The Owls (present)
- Role/function at organization: Executive Director, The Owls
- Professional focus area: Human rights, democracy and development
- University/Degrees: Ph.D. Food Science and Nutrition
- Email: urban@urbanjonsson.com

### 1. What is your main interest/regional focus related to the topic of forced evictions?

My main interest in relation to forced eviction is that 'forced eviction' is one of the most clear human rights violations.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

Only as a subject/example in my training on human rights.

### 3. What are your main expectations for this Expert Group Meeting?

That we keep a clear distinction between what is 'executive' and what are 'advisory' responsibilities in the review of AGFE and the planning of future work.

### 4. Please share any main publications of relevance to this EGM.

None of any importance.

## Bio

Dr Urban Jonsson is currently the Executive Director of The Owls, an international consultancy company in the area of Human Rights and Development. During the last four years he has provided support to a number of organizations, including UNDP, UNHCHR, UNICEF, UNAIDS, Sida and African Child Policy Forum (ACPF).

Dr Jonsson retired from UNICEF in June 2004 as Senior Adviser to the Executive Director of UNICEF on Human Rights-Based Approach to Programming. During this period he further operationalized HRBAP for UNICEF globally.

Dr Jonsson worked as the Regional Director for UNICEF, Eastern and Southern Africa (ESARO) between July 1998 and June 2003. During this period he led the work on the operationalization of a human rights approach to development. Between March 1994 and May 1998 Dr Jonsson served as Regional Director for UNICEF in South Asia (Kathmandu). During this period he focused on nutrition and child labour issues.



## Priscilla Nyokabi Kanyua



- Country of Nationality: Kenyan
- Language/s spoken: English/French/Kiswahili, Kikuyu
- Role/function at organization: Executive Director
- Professional focus area: Housing/Forced Eviction
- University/Degrees: Masters in Law
- Email: [nyokabi@kituochasheria.or.ke](mailto:nyokabi@kituochasheria.or.ke)
- Website/Blog/Twitter: [www.kituochasheria.or.ke](http://www.kituochasheria.or.ke)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

- International evictions guidelines
- How international eviction guidelines can be localized or converted to Kenyan Law
- Security of tenure for informal settlement/slum dwellers and Reduced Forced Evictions

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

- Slum Upgrading
- Eviction and resettlement Guidelines

### 3. What are your main expectations for this Expert Group Meeting?

To learn more and share experiences on forced evictions and to finally come up with practical solutions that will provide guidance to forced evictions/security of tenure for informal settlement to reduce forced evictions.

### Bio

- Priscilla Nyokabi Kanyua is an advocate of the High Court.
- She was admitted to the Bar in July, 2004. She studied law at the University of Nairobi LLB and Kenya School of Law.
- Currently she is the Executive Director of Kituo cha Sheria. Before joining Kituo in August 2009, she worked for International Commission of Jurists (ICJ Kenya Chapter) for 6 years where she championed for the FOI Campaign.
- She is also a member of the Media Commission of Kenya where she serves as Complaints Commissioner. She is a mother of one and loves football and reading.



## **Esther Damar Kodhek**

- Country of Nationality: Kenyan
- Language/s spoken: English, Kiswahili, French
- Organizational affiliations (past/present): CCF, PLAN, CORDAID, COHRE
- Role/function at organization: Director
- Professional focus area: Urban Manament & Development
- University/Degrees: Nairobi University/Masters in Urban Management
- Email: esther@cohre.org; e\_kodhek@yahoo.com
- Website/Blog/Twitter: www.cohre.org

### **1. What is your main interest/regional focus related to the topic of forced evictions?**

The right to adequate housing and prevention of forced eviction targeting poor communities found in urban slums. How rights can be turned into reality with target groups experiencing a products of housing policies.

### **2. How has your work on forced evictions interacted with that of UN-Habitat?**

COHRE's work on right to adequate housing and forced eviction has led to joint research, publication of information on global report on forced eviction. COHRE has participated in UN-Habitat governing council session organizing side events with GEAP that led to influencing resolutions of the UN-Habitat GC.

### **3. What are your main expectations for this Expert Group Meeting?**

To review past interventions on housing rights, prevention of evictions, learn lessons on what has worked well, challenges faced and be ready to define and propose proactive strategies that contribute towards meeting the changing needs of people living in slums.

Candidly speak about experiences of networks and partnership among national NGOs, international NGOs, UN-Habitat, grassroots organizations and social movements and how to strengthen that partnership

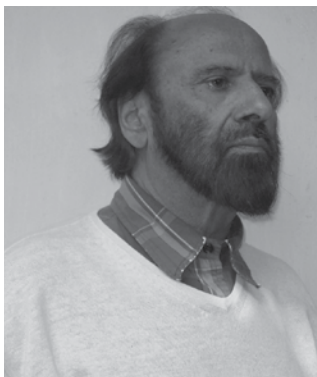
### **4. Please share any main publications of relevance to this EGM.**

International and National standards for housing rights COHRE 2000  
Nigeria Community Guide on the right to adequate housing COHRE 2011  
Forced Eviction violation of human Rights 2003-2006 COHRE 2006  
Global survey reports on forced evictions no 1-7  
Cambodia guide to defending land and housing rights





## Davinder Lamba



- Country of Nationality: Kenya
- Language/s spoken: English
- Organizational affiliations (past/present): Mazingira Institute. Habitat International Coalition (HIC)
- Role/function at organization: Executive Director, Mazingira Institute. President, HIC.
- Professional focus area: Integration of knowledge and practice to advance human dignity and human rights, participatory governance, and sustainable habitat and environment.
- University/Degree: B.Arch. MES
- Email: [davinderlamba@gmail.com](mailto:davinderlamba@gmail.com), [davinderlamba@gmail.com](mailto:davinderlamba@gmail.com)
- Website/Blog/Twitter: [ww.mazinst.org](http://ww.mazinst.org). [www.hic-net.org](http://www.hic-net.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Forced evictions as a violation of human rights, monitoring and urgent action, and impact assessment and reparations.

### 2. How has your work on forced evictions interacted with that of UN-Habitat ?

My work on forced evictions precedes that of UN-Habitat, but the interaction on forced evictions has been minimal.

### 3. What are your main expectations for this Expert Group Meeting?

Strategies for advancing adoption and implementation by governments of standard measures for prevention and reparation of forced evictions.

## Bio

Part of the campaign since 1987, initiated by Habitat International Coalition (HIC) for the Right to Adequate Housing and against Forced Evictions; the design team for the Evictions Assessment Tool of HIC—Housing and Land Right Network (HLRN); the consultations for the drafting of the General Comments No.4 and 7 of CESCR; advocacy coalition led by HIC that contributed to the inclusion of the Right to Adequate Housing in the Habitat Agenda of Habitat II.

Served as member, Expert Group of the Charter-Agenda of Human Rights in the City of UCLG/Spidh. Organized country wide consultations for the fact finding mission to Kenya of Miloon Kothari, UN Rapporteur on the Right to Adequate Housing. Co-chair, CSOs Roundtables, WUF 4 (Nanjing), and WUF 5 (Rio)—on the Right to the City with Social Justice. Served as chair of 5<sup>th</sup>. and 6<sup>th</sup> Global Civil Society Forum of major groups allied to UNEP. 1999 UN-Habitat Scroll of Honor for promoting secure tenure and transparent land allocation in Kenya, awarded to Operation Firimbi (Blow the Whistle) Campaign, coordinated by myself and operated by Mazingira Institute. Coordinator, erstwhile African Research Network for Urban Management (ARNUM). Editor, Settlements Information Network Africa (SINA) Newsletter.





Served as Commissioner, Presidential Commission of Inquiry into the Illegal/Irregular of Public Land Allocation in Kenya. Served as member of the Task Force for the establishment of a Truth, Justice and Reconciliation Commission (TJRC) for Kenya, to investigate the gross violations of human rights and economic rights between 1963 and 2008. Prepared the organizational design and management plan of TJRC in operation since 2009. A co-convenor of the reform movement that contributed to the change from authoritarianism to democratization and the realization of a new constitution for Kenya.





## Joanna Levitt



- Country of Nationality: United States
- Language/s spoken: English & Spanish
- Organizational affiliations (past/present): International Accountability Project
- Role/function at organization: Executive Director
- Professional focus area: development-forced evictions & environmental justice
- University/Degrees: Stanford University, 2003, BA in Human Biology and Development Studies
- Email: [Joanna@accountabilityproject.org](mailto:Joanna@accountabilityproject.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Development-forced evictions due to mega-projects, particularly dirty energy projects such as coal, large hydro, oil & gas, etc. Most of my work with International Accountability Project (IAP) has focused on Southeast Asia, South Asia and the Andean-Amazon region.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

To date, IAP's work has not directly interacted with UN-Habitat, though we regularly reference and advocate for implementation of UN standards such as the Guiding Principles of Development-forced Evictions prepared by Miloon Kothari during his tenure as Rapporteur on the Right to Adequate Housing.

### 3. What are your main expectations for this Expert Group Meeting?

Becoming much more aware of global efforts to set standards and create new tools for challenges injustices of forced evictions. My work with IAP often feels falsely isolated from the broadened community working to advance these human rights issues, since much of our work focuses on specific campaigns to stop specific mega-projects and associated evictions. This meeting will provide my organization and myself with important new contacts and context for ensuring our work advances a coordinated global effort to stop unjust evictions.

## Bio

Joanna Levitt is the Executive Director of International Accountability Project (IAP). IAP works with communities in the Global South to challenge projects that threaten local people's human rights and ecosystems, with a focus on stopping unjust land-grabbing and forced evictions in the name of development. Under Joanna's leadership, IAP has won stronger protections for communities impacted by projects financed by the World Bank, International Finance Corporation and Asian Development Bank; launched programs in popular education and video advocacy; and established IAP's reputation as an effective advocate for development finance that respects local people's rights.



Prior to joining IAP in 2006, Joanna worked with the Centro de Derechos Económicos y Sociales (CDES) in Ecuador, where she conducted research on implementing the right to free, prior informed consent (FPIC) through a Fulbright grant. At CDES Joanna also assisted with the Amazon School for Human Rights and Environment, a capacity-building program run jointly by CDES and EarthRights International. Prior to her work in Ecuador, Joanna was a Gardner Fellow at the Center for International Environmental Law (CIEL) in Washington, DC. Joanna graduated from Stanford University in 2003 with a BA in Human Biology with a concentration in International Conservation and Development.





## Eric Makokha



- Country of Nationality: Kenya
- Language/s spoken: Kiswahili; English
- Organizational affiliations (past/present): Shelter Forum
- Role/function at organization: Chief Executive Officer
- Professional focus area: Sociology/Community Development
- University/Degrees: BA (University of Nairobi); MA (University of Guelph)
- Email: [eric.makokha@shelterforum.or.ke](mailto:eric.makokha@shelterforum.or.ke)
- Website/Blog/Twitter: [www.shelter@shelterforum.or.ke](http://www.shelter@shelterforum.or.ke)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Our main interest in Shelter Forum is to contribute to the protection and fulfillment of housing rights, especially of marginalized and vulnerable groups. As a membership organization, majority of our members live in informal settlements where evictions is not just a threat but a reality. Shelter Forum's specific interest therefore is to try and get security of tenure for them, so that they do not leave in perpetual fear of evictions. Our work is at two levels: policy/legislative and community mobilization and sensitization. We work to get policy and legislative frameworks that either prevents forced evictions or, where forced evictions cannot be avoided, then they are done in observance of international agreements and without violating housing rights of the residents.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Shelter Forum has been partnering with UN-Habitat over the years in influencing policy (e.g. participating in national and international debates, such as through World Urban Forum) and regularization of informal settlements (such as the Kenya Slum Upgrading Programme in which both UN-Habitat and Shelter Forum participated in the initial design processes (Joint Programme Planning Team)

### 3. What are your main expectations for this Expert Group Meeting?

That there will be sharing of lessons and experiences and that participants will be able to take away practical ideas that can be implemented.

## Bio

Eric Makokha: Chief Executive Officer, Shelter Forum, Sociologist (BA, University of Nairobi, MA, University of Guelph)



## Margaret Matheka



- Country of Nationality: Kenya
- Language/s spoken: English, Kiswahili, Kikamba and Kikuyu
- Organizational affiliations (past/present): Member of Community Organizing and Practitioners Association (Copa-K)
- Role/function at organization: Mobilize communities to come together in order to leverage resources, to tease out issues affecting them and discuss on how to tackle them, linking the communities with the relevant authorities to discuss on how they can be given the land they are squatting on and discuss modalities on how to regularize the land. Also mobilize community groups to come together to collect information which they will use to negotiate with ministries and municipalities for services or secure tenure.
- Professional focus area: Community Organizing and Capacity Building
- Community Organizing and Capacity Building
- University/Degrees: BA in Government and Public Administration
- Email: mmatheka2002@yahoo.com

### 1. What is your main interest/regional focus related to the topic of forced evictions?

To come up with ways in which evictions can be stopped and government comes up with ways of regularizing the informal settlements as they are more vulnerable to evictions.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Shared tools used for data collection with UN-Habitat and discussed on ways to work together, especially when doing data collection in the informal settlements.

### 3. What are your main expectations for this Expert Group Meeting?

To deliberate on ways of ensuring that evictions are reduced to zero.

### 4. Please share any main publications of relevance to this EGM.

**A Case Study Of The Kibera And Mukuru Railway Dwellers.**

In the year 2005, the ministry of transport gave notice to all the people who had encroached the railway reserve to vacate. This was necessitated by the fact that the Kenya Government had contracted the services formally provided by Kenya Railways Corporation to a private company which was to start operations on 1 Nov 2006. The Kibera and mukuru people who were using the reserve as residential and for carrying out business activities approached Pamoja trust for assistance. The encroachment had several shortcomings



- a. Risk to human safety during normal train operation due to proximity to active line, as the trains were to fly at a high speed
- b. Risk to lose of life and property in case of de-railments
- c. Delays as trains could only move at low speed
- d. Impadement of track drainage and stability of the track due to human traffic and businesses operated there
- e. Maintainace personnel being exposed to health risks due to waste disposal in the track which includes faecal waste.

These factors meant that a clear corridor of operation is established in Kibera and mukuru for the smooth running of the railway line. To achieve the above, it meant that all the people who were either residing or carrying out businesses in the area had to be relocated to another area. It was upon this basis that the ministry of transport and CSOs came together to develop a Relocation Action Plan. This is a plan of action on how to relocate the railway dwellers harmoniously rather than evicting them. It contains the number of the residents, the type of businesses they carry out, the number of institutions in the area, flexible engineering solutions, potential impacts and mitigation measure, community proposals and social economic studies.

With consorted efforts it is possible to stop or reduce evictions as it is clearly demonstrated in this case.



## Barbara McCallin



- Country of Nationality: France
- Language/s spoken: French, English, Spanish (less fluent than first two languages)
- Organizational affiliations (past/present): Equilibre (French NGO), UNHCR Mali and Bosnia, OSCE, Internal Displacement Monitoring Centre of the Norwegian Refugee Centre
- Role/function at organization: Senior Advisor on Housing, Land and Property
- Professional focus area: Protection of informal/customary housing and land rights
- University/Degrees: Master on International Law, Undergraduate degree on political science

### 1. What is your main interest/regional focus related to the topic of forced evictions?

My interest on forced evictions is at the global level to better understand how it relates to internal displacement (my organization is monitoring internal displacement related to conflict, generalized violence and Human Rights violations, as well as more recently, natural disasters). I am also particularly interested to learn from housing specialists about the solutions they put in place to address forced evictions in conflict not affected by conflict to see to what extent some of it could be used to find durable solutions for those displaced by conflict.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Most of my interactions with UN-Habitat are within the Geneva Housing, land and property group which is part of the Global Protection Cluster. The HLP group has so far not focused on forced evictions so we have had limited interaction on the topic.

### 3. What are your main expectations for this Expert Group Meeting?

See question 1 but also determine to what extent IDMC can contribute to the work the existing housing network and the one to be created by UN-Habitat

### 4. Please share any main publications of relevance to this EGM.

Beyond Squatters rights: durable solutions and development induced displacement in Monrovia, Liberia, Norwegian Refugee Council, May 2011 [http://www.nrc.no/arch/\\_img/9568756.pdf](http://www.nrc.no/arch/_img/9568756.pdf)



## Bio

Barbara McCallin is Senior Advisor on housing, land and property (HLP) at the Geneva-based Internal Displacement Monitoring Centre (IDMC) of the Norwegian Refugee Council where she has worked since 2004. Her work has focused on housing, land and property issues in contexts of internal displacement with a particular attention to countries where informal land tenure and legal pluralism prevails. Before becoming Advisor on HLP, she worked as Country Analyst for the Balkans for the IDMC, reporting on and advocating for the protection needs of internally displaced persons. Prior to this she worked for United Nations High Commissioner for Refugees (UNHCR) in Mali and Bosnia and Herzegovina from 1997 to 2004) and for the Organisation for Security and Cooperation in Europe (OSCE).







## Rose Molokoane



- Country of Nationality: South African
- Language/s spoken: English & Xhosa
- Organizational affiliations (past/present): Shack Dwellers International/Federation of the Urban Poor
- Role/function at organization: SDI Co-Ordinator/Community Leader

### 1. What is your main interest/regional focus related to the topic of forced evictions?

My main interest is to mobilize and organizing communities using savings as a tool and as a leverage to attract more resources and focusing on women as a backbone of the process of development and empowering communities around self-reliant. Creating partnerships with the formal world (e.g. government, private sector, other organizations) in order to collectively address the issue of forced evictions.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

By attending the UN National Governing Council and having the space to participate and share our community experiences by presenting and giving a proposal of having this kind of committee which was agreed upon by UN-Habitat.

### 3. What are your main expectations for this Expert Group Meeting?

- To review and revive the AGFE, more inclusive participation especially from civil societies and community based organization that have regular evictions in their countries, regular meeting for AGFE.
- AGFE to be prioritised by UN-Habitat as an important platform to address the issue of forced evictions.
- AGFE to be institutionalised by UN-Habitat.
- UN-Habitat to formally embrace the AGFE platform in their global agenda.





## Justus Nyang'aya



- Country of Nationality: Kenya
- Language/s spoken: Swahili, English and Luo
- Organizational affiliations (past/present): Amnesty International-Kenya
- Role/function at organization: Country Director
- Professional focus area: Human Rights
- University/Degrees: MA Applied Linguistics – University of London; Studies in Peace and conflict transformation – United Nations University, International Leadership Academy
- Email: Justus.nyang'aya@amnesty.org

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Amnesty International Kenya's focus is based on working to empower the voices of poor people in the slums on housing rights and forced eviction issues.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Housing Coalition and Amnesty International have had minimal interaction with UN-Habitat.

### 3. What are your main expectations for this Expert Group Meeting?

- To develop network among the organizations working on housing rights and forced eviction issues.
- Develop action plan on how the network can intervene on forced evictions.

### Bio

I am currently working with Amnesty International in Kenya as the Country Director. I am passionate about issues of social justice, leadership, governance, peace and conflict transformation. I have had the opportunity to work on these same areas with several organization in Eastern Africa region such as SNV, Lead Africa and Inter Sudanese Consultations on Peace and Justice (ISCOP).



## Victoria Ohaeri



- Country of Nationality: Nigeria
- Language/s spoken: English
- Organizational affiliations (past/present): Social and Economic Rights Action Center (SERAC)
- Role/function at organization: Program Coordinator
- Professional focus area: Land and Housing Rights
- University/Degrees: LAW, LLB, BL
- Email: Victoria@serac.org, vikkytims@yahoo.co.uk

### 1. What is your main interest/regional focus related to the topic of forced evictions?

I am interested in normative tool development, adoption and implementation of country and regional guidelines that aim at reducing the threat and scale of forced evictions for slum communities.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

SERAC participated in the March 2009 UN-Habitat led multi-stakeholder fact-finding mission to Port Harcourt that enquired into complaints of forced evictions and gross human rights violations arising from the Urban Renewal Programme of the Rivers State Government

### 3. What are your main expectations for this Expert Group Meeting?

I expect that the EGM will provide a collegiate environment to learn, share and disseminate national, regional and international best practices and strategies that would inform the development of pan-African solutions to the realization of housing rights for slum dwellers.

### 4. Please share any main publications of relevance to this EGM.

- July 2011: Pre-enumeration Consultations in Abonema Wharf, Port Harcourt, Rivers State;
- May 2011: THEY MUST GO: Land Dispossessions in Nigeria's Federal Capital Territory

## Bio

Victoria Ohaeri is a lawyer, researcher and pro-poor development activist absolutely dedicated to the struggle for the legal recognition of adequate housing as a fundamental human right in Nigeria and beyond. She finds fulfillment in applying her legal and advocacy skills to the benefit of marginalized and excluded groups, especially slum communities constantly threatened with forced evictions. Her involvement in a range of actions - from litigating, organizing and building capacity at the level of communities, to contributing to the development of national, regional and international norms on economic, social and cultural rights – has helped uncover and address key human rights violations, specifically concerning housing of the urban poor in Nigeria. With a strong dose of optimism, she looks forward to a “world where everyone can live in a safe home with the promise of a decent life of dignity, good health, safety, happiness and hope”.



## **Odindo Opiata**

- Country of Nationality: Kenya
- Language/s spoken: English, Swahili
- Organizational affiliations (past/present): Economic and Social Rights Centre
- Role/function at organization: Executive Director
- Professional focus area: Housing Rights
- University/Degrees: LL.B
- Email: [odindo@hakijamii.com](mailto:odindo@hakijamii.com)
- Website/Blog/Twitter: [www.hakijamii.com](http://www.hakijamii.com)

### **1. What is your main interest/regional focus related to the topic of forced evictions?**

We work with urban poor community groups and other stakeholders in developing national legal framework to govern evictions.

### **2. How has your work on forced evictions interacted with that of UN-Habitat?**

We collaborate with UN-Habitat in the development of Global Land Tool Network project and have published a book titled Count Me In.

### **3. What are your main expectations for this Expert Group Meeting?**

I expect the meeting to come up with more practical ways of assisting member countries to develop uniform standards on evictions based on human rights standards, a global eviction rapid response tool and an eviction impact assessment tool.

### **4. Please share any main publications of relevance to this EGM.**

- Count Me In: UN-Habitat
- Litigating Housing Rights in Kenya: COHRE
- Manual on Regulation of Slums in Kenya: World Bank.
- Progress Assessment of Realization of the Rights to Housing in Kenya 2009/10

## **Bio**

Odindo Opiata the Executive Director of the Economic, Social Rights Centre (Hakijamii) a national human rights organization in Kenya. He is a regular advisor to UN-Habitat especially on forced evictions and the Global Land Tool Network and the national government on land policy matters. He has previously been Coordinator of the Legal and Community Partnership Program at Kituo cha Sheria. He is a member of the legal Technical Working Group for the implementation of the National Land Policy. As a member of the National Task Force on Evictions, he was instrumental in drafting the "Draft Eviction and Resettlement Guidelines" that is currently awaiting presentation to the cabinet for approval. Previously he was a member of the National Slum Upgrading Policy Task Force that developed a Slum Upgrading Policy Paper. He is recognised as a leading expert in the field of policy and legislative formulation on slum upgrading and evictions. He is a member of the Law Society of Kenya, the East Africa Law Society and a founding member of the International Network on Economic and Social Rights (ESCR –NET)

## Leticia Osorio



- Country of Nationality: Brazil
- Language/s spoken: Portuguese, English, Spanish
- Organizational affiliations (past/present): Housing Secretariat of the State Government of Rio Grande do Sul, Brazil (1999-2002), Centre on Housing Rights and Evictions (2002-2009), the Human Rights Clinic of the University of Essex, UK (2009-2011), the Ford Foundation/Brazil Office (current date)
- Role/function at organization: Programme officer for Human Rights in Brazil
- Professional focus area: Lawyer of International Human Rights Law and Urban Planner
- University/Degrees: Graduated in Law (Federal University of Rio Grande do Sul, Brazil), Master degree in Urban and Regional Planning (same university) and PhD candidate in Law at the Essex University, UK

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Main areas of interest: strategic litigation and advocacy on forced evictions; monitoring and urgent responses; indigenous and tribal peoples, slum dwellers, Gypsies and Travellers and other minorities. The regional focus is worldwide.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

I am a former member of the Advisory Group of Forced Evictions, and have served the group from 2004 to 2010. Under this capacity I have coordinated and participated in AGFE fact-finding missions and have attended a range of expert meetings aimed at discussing issues related to monitoring, preventing and tackling forced evictions.

### 3. What are your main expectations for this Expert Group Meeting?

Discuss the way forward for AGFE work and the role of AGFE and the UN-Habitat in preventing, monitoring and halting forced evictions. Interact and learn from the experience of other participants.

### 4. Please share any main publications of relevance to this EGM.

The Human Rights Clinic of the University of Essex produced a guide on 'Legal Observing of Forced Evictions', which is being printed.



## Bio

Leticia Osorio works on human rights and minority rights issues in the Ford foundation's Rio de Janeiro office. Before joining the foundation in 2011, she worked in a variety of capacities with NGOs and governments in the defense of land and housing rights of vulnerable groups worldwide. From 1998 to 2002, Leticia coordinated the Department of Land Regularisation and Resettlements of the State Government of Rio Grande do Sul and in 2002 established the Americas Programme of the Centre on Housing Rights and Evictions in Porto Alegre. Most recently, she directed the Human Rights Clinic of the University of Essex, where she also coordinated a project on Roma rights. Leticia has worked on human rights issues in Brazil, Argentina, Guatemala, Mexico, Suriname, Colombia, Nicaragua, Honduras, the United States, United Kingdom, Northern Ireland, Cambodia, Serbia, and Kosovo. She has written articles and books on land, property and housing rights as well as on rights for Roma and indigenous populations.



## Cesare Ottolini



- Country of Nationality: Italy
- Language/s spoken: Italiano, Français, Espagnol, English
- Organizational affiliations (present): International Alliance of Inhabitants
- Role/function at organization: Global Coordinator
- University/Degrees: Graduated from Padua University, with a degree in Political Science
- Email: [cesare.ottolini@libero.it](mailto:cesare.ottolini@libero.it)
- Website/Blog/Twitter: [www.habitants.org](http://www.habitants.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

We are supporting the Zero Evictions Campaign in all continents on various issues, with an approach multifaceted in the urban and rural sectors. To emphasize the results obtained: blocked evictions in Nairobi and gained the debt swap of 40 millions Euro between Kenya and Italy, some of these resources are allocated for the participated upgrading of the slum Korogocho; anti-evictions decrees and requisitions by mayors in France and Italy; anti-eviction law in Venezuela; law to upgrade the slums of Buenos Aires without evictions. More on [www.habitants.org](http://www.habitants.org).

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

As IAI we have always invited UN-Habitat to intervene in support of Zero Evictions Campaigns, often yielding attention (sending missions, position papers, documentation). I worked with proposals and initiatives at various levels: drafting datacards, reports and documentation, coordinating AGFE missions in Rome and in Argentina, supporting more AGFE missions, participating as speaker in workshops, etc.

### 3. What are your main expectations for this Expert Group Meeting?

I hope that we can set up a group capable of taking action effectively against evictions implementing the security of tenure by a multilevels approach, dialoging with all stakeholders, with special attention to the proposals and initiatives of the inhabitants' organizations and local authorities. UN-Habitat should encourage this coordination.

### 4. Please share any main publications of relevance to this EGM.

- Mission to Rome, in Forced Evictions – Towards Solutions, UN-AGFE, UN-Habitat, 2005
- Forced Evictions – Towards Solutions, Second Report of the UN-AGFE (contribution), UN-Habitat, 2007, Nairobi, Kenya
- A grass-roots approach to the MDGs. The Zero Evictions Campaign and the Millennium Development Goal's Target 7-11, in Barefoot & Prada, Università la Sapienza di Roma, DIPTU, Centro PVS, Roma, Italy, 2008.



- Les coopératives d'habitants. Les figures de l'habitants et du constructeur réunifiées, in Les coopératives d'habitants, Méthodes pratiques et formes d'un autre habitat populaire, Bruylant, Bruxelles, Belgique, 2009.
- Advisory Group on Forced Evictions (AGFE) - Report Mission to Argentina - 2-9 August 2009, on <http://www.unhabitat.org/list.asp?typeid=3&catid=674>
- Housing in Europe: The Impact of Globalisation on a Once Local Issue, Cesare Ottolini, Jason Nardi, European Social Watch 2011

## Bio

Graduated from Padua University, with a degree in Political Science, presenting a dissertation on "Fair Rent Norms and Social Conflicts". He was the coordinator of Habitat International Coalition and the national secretary of Unione Inquilini (Tenants Union). Currently, Cesare is world coordinator of the International Alliance of Inhabitants, a global network of residents' associations and urban social movements. As an active member of the International Council of the World Social Forum, he has organized initiatives during the Social Forums. He actively supports campaigns against evictions and violations of housing rights (the Zero Evictions Campaign) at global level. As member of the Advisory Group of Forced Evictions of UN-Habitat he coordinated missions to Rome, Italy and to Argentina. Besides, he has participated in meetings with local and national governments and with international agencies. He has published numerous articles and research paper on habitat rights and urban studies related issues.





## Sheela Patel



- Country of Nationality: India
- Language/s spoken: English
- Organizational affiliations (past/present): Director
- Professional focus area: Urban poverty, housing and sanitation
- University/Degrees: Masters in Social Sciences, Tata Institute of Social Sciences, Mumbai, India
- Email: [sparc1@vsnl.com](mailto:sparc1@vsnl.com)
- Website/Blog/Twitter: [www.sparcindia.org](http://www.sparcindia.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

India – participatory and community led processes for resettlement and rehabilitation.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

We have worked on a project in partnership with GLTN – which is facilitated by UN-Habitat – with the objective of achieving secure tenure for the urban poor and implementing pro-poor and policies.

### Bio

Ms. Sheela Patel is the founder Director of Society for Promotion of Area Resource Centres, an NGO that has been working since 1984 to support community organizations of urban poor in their efforts to access secure housing & basic amenities & seek their right to the city. SPARC has been working in alliance with two Community Based Organizations – National Slum Dwellers Federation (NSDF) and Mahila Milan (women’s collectives in slums) that are active in 70 cities in different states of India. She is a founder of Slum/Shack Dwellers International (SDI), an international network of poor people’s organizations and the NGOs that support them in Asia, Africa and Latin America, and is currently its Chairperson.

She is presently on the Technical Advisory Group of the Min. of Urban Development of the Govt. of India for Jawaharlal Nehru National Urban Renewal Mission and also a member of the Prime Minister Review Committee on JNNURM. She has been associated or is currently involved as Chair or Board Member/Trustee of many organizations such as PRIA, Council member of Water and Sanitation Program of World Bank, International Institute of Environment and Development, UK. She was also a member of the MDG Task Force on improving the lives of slum dwellers and advisor to the UNDP Commission for the Legal Empowerment of the Urban Poor. She received the United Nations Habitat Award in 2000 and the David Rockefeller Bridging Leadership award in 2009. In 2011 he has been honored with Padmashree award on the eve of Republic day of India.



## Catherine Peyge



- Country of Nationality: France
- Language/s spoken: French
- Organizational affiliations (past/present): City of Bobigny
- Role/function at organization: Mayor
- Email: [catherine.peyge@ville-bobigny.fr](mailto:catherine.peyge@ville-bobigny.fr)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Every year in France there are more than 100,000 forced evictions. In Bobigny (suburban of Paris), the economical crisis for families is really high and they are at risk of eviction. In Bobigny, to struggle against this wrong method of forced evictions, I took a local decree to prevent all the evictions. Others solutions are possible to avoid these practices which put families out into the street.

Also, the Roma population coming from Romania or Bulgaria arrive in France and in Bobigny, are living in inhumane conditions and are victims of evictions. This is a reality in Europe and it is hard to find solutions to help those families with kids.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Bobigny was one of the first local authority to take an administrative and political decision to prevent forced eviction. For this, UN-Habitat invited me to take part of the Advisory Group on Forced Evictions.

### 3. What are your main expectations for this Expert Group Meeting?

It is really important to understand the realities around the world regarding forced evictions. Also, I think that UN-Habitat can propose initiatives with national governments to prevent forced evictions. We have to reflect and define the role of an organization as UN-Habitat in the implementation of a housing rights policy for everybody, everywhere in the world.

## Bio

In September 2006, Catherine Peyge succeeded Bernard Birsinger, abruptly deceased during a national meeting about housing rights. She is one of the few female mayors in a city with more than 20,000 habitants in France.

During her mandate as vice mayor, she took an active part on the local, national and international actions like the fact-finding mission in Roma in 2005 and as well during the European and World Social Forums.



On a famous TV political program, Catherine Peyge directly requested the French Prime Minister to create a national public service of housing to reduce inequalities. The City of Bobigny, with Catherine Peyge, has always worked for better housing rights and proposed alternative policy to guarantee housing for all.

In January 2007, she succeeded to obtain, after negotiations with the government, the housing of inhabitants of a township.

After her election as mayor of Bobigny, her first act was to take a municipal decree which declare the city territory without evictions. Following that and based on this example, many French cities took the same decree as Bobigny.

Catherine Peyge starts a “human chain” of citizens, effective against evictions in the city.





## David Pred



- Country of Nationality: USA
- Language/s spoken: English, Khmer
- Organizational affiliations (past/present): Bridges Across Borders Cambodia, Bridges Across Borders Southeast Asia, Housing Rights Task Force
- Role/function at organization: Support people’s led advocacy for human rights, social justice and inclusive development
- Professional focus area: Executive Director, Advocacy on land, housing and natural resource rights
- University/Degrees: University of Essex, Masters Degree, Human Rights; University of Florida, Bachelor Degree, Political Science.
- Email: david@babcbodia.org

### 1. What is your main interest/regional focus related to the topic of forced evictions?

- Research and policy advocacy on housing, land tenure administration, and resettlement.
- Holistic support to communities resisting eviction, emphasizing community organizing and empowerment, strategic advocacy and collective action.
- Post-eviction humanitarian support and livelihood restoration.
- Regional focus – Southeast Asia

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Very little due to limited/non-existent role of UN-Habitat in Cambodia on forced evictions in last 6 years.

### 3. What are your main expectations for this Expert Group Meeting?

My hope is that this meeting will propel UN-Habitat into adopting and mainstreaming a human rights approach to its work, particularly on the prevention of forced evictions in focus countries. It should produce concrete recommendations on how UN-Habitat can fill existing gaps at the global and country levels on the promotion of alternatives to forced eviction, TA for human rights compliant resettlement and security of tenure onsite, monitoring of forced evictions, and impact assessment.

### 4. Please share any main publications of relevance to this EGM.

David Pred is the founder and Executive Director of Bridges Across Borders Cambodia (BABC), an international solidarity organization working to support people’s action for social justice, inclusive development and human rights in Cambodia. Since 2005, David has directed BABC’s community development, legal empowerment and advocacy programs, which aim to transform the national development model into one that respects, protects and progressively fulfills the human rights of the Cambodian people. David has been a vocal advocate - nationally and internationally - for land, housing and natural resource rights in Cambodia. He co-founded the Housing Rights Task Force (HRTF), a coalition of local and international organizations working to end forced evictions and



promote the right to adequate housing in Cambodia, and he served on its Core Committee from 2007-2009. He is inter alia a co-author and general editor of the Cambodian Guide to Defending Land and Housing Rights (2009) and a co-author of the chapter, “Land Titling in Cambodia: Lessons from the Land Management and Administration Project,” in the forthcoming publication: Land Titling in Southeast Asia, Silkworm Press.





## Joseph R. Schechla



- Country of Nationality: United States
- Language/s spoken: English, Arabic, French, German, Portuguese
- Organizational affiliations (past/present): HIC-HLRN, OHCHR-Tunisia
- Role/function at organization: Representative, OHCHR Tunisia
- Professional focus area: Human rights
- University/Degrees: Oregon State University, Universität Stuttgart, Georgetown University: BA, MA
- Email: jschechla@ohchr.org; jschechla@hlrn.org

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Monitoring, quantification and adjudication of housing and land rights violations

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Through EGMs, Global Land Tools Network, Housing Rights Program

### 3. What are your main expectations for this Expert Group Meeting?

Exchange of information on latest trends and techniques in monitoring and advocacy; greater familiarity with UN-Habitat program and AGFE activities.

### 4. Please share any main publications of relevance to this EGM.

Closing the Human Rights Gap in MDG 7: Ensure Environmental Sustainability [Tools & Techniques Series, No. 3] (Cairo: HIC-HLRN, 2007);

Housing and Land Rights "Toolkit" Tools and Techniques Series No. 2 [methodology in CD form] (Cairo: HIC-HLRN, Global Program, 2005);

The Goldberg Opportunity: A Chance for Human Rights-based Statecraft in Israel [Solutions for Applying the Recommendations of the Commission for Regulating Bedouin Settlement in the Naqab/ Negev], Fact-finding Report No. 13 (Cairo: HLRN MENA, 2010);

The Summer War on Habitat in Lebanon: Addressing Housing Rights Violations as War Crimes, Fact-finding Report No. 11 (Cairo: HIC-HLRN, Middle East/North Africa Program, November 2006); Restoring Values: Institutional Challenges to Providing Restitution and Compensation for Iraqi Housing and Land Rights Victims [analysis of the Iraq Property Compensation Commission] (Cairo: HLRN Middle East/North Africa. 2005);



## Bio

Joseph Schechla currently serves as Representative of the Office of the High Commissioner for Human Rights (OHCHR Tunisia). He specializes in managing economic, social and cultural rights (ESCR) and democratic development programs. He has coordinated the Cairo-based Housing and Land Rights Network (HLRN) of the Habitat International Coalition (HIC), which links over half of the 400 HIC Member organisations promoting the human right to adequate housing in over 100 countries. HLRN serves members, providing capacity building for monitoring and reporting; an Urgent Action system; resources for legal defense of economic, social and cultural rights; strategy exchanges; and opportunities to cooperate with the UN Human Rights System. Joseph served on the HIC Board (2002–10), and taught “Land and Housing Rights in International Law and Practice” and ESCR in the Master of Laws program, The American University in Cairo Law Department. Joseph has served as program coordinator of OHCHR (Gaza, Palestine), managed democratic-development programs (AMIDEAST, Washington DC), and held research and editorial positions, publishing on institutionalized discrimination, population transfer and ESC rights. Joseph’s teaching experience has concentrated on methods of monitoring and quantifying housing and land rights violations, as well as means for determining remedy, including reparations.





## Ryan Schlieff



- Country of Nationality: USA
- Language/s spoken: English, German
- Organizational affiliations (past/present): WITNESS
- Role/function at organization: Program Manager
- Professional focus area: Human Rights
- University/Degrees: MA International Law
- Email: ryans@witness.org
- Website/Blog/Twitter: [www.witness.org](http://www.witness.org), [blog.witness.org](http://blog.witness.org), [twitter: witnessorg](https://twitter.com/witnessorg)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

I lead the global campaign on forced evictions for WITNESS. WITNESS works with activists and communities affected by human rights abuse to integrate video and technology into their human rights campaigns. I am particularly interested in the role video and technology plays not only in documenting human rights abuses but allowing communities affected to communicate their development alternatives, demands and stories directly to decision-makers, allied organizations or the general public more broadly.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

As WITNESS developed and continues to implement the global campaign of forced evictions, we count on several experts working with UN-Habitat as collaborators and advisors.

### 3. What are your main expectations for this Expert Group Meeting?

Beyond contributing to the discussions on the future role of UN-Habitat on forced evictions, I am interested in the new ways the respective UN bodies could document, advocate and communicate with each other, the broader movement on the right to adequate housing and communities affected.

### 4. Please share any main publications of relevance to this EGM.

- WITNESS' 'publications' are the videos we co-produce with our partners. Here is a sample, but for more visit [blog.witness.org](http://blog.witness.org), [youtube.com/witnessryan](https://youtube.com/witnessryan) and [youtube.com/priscilawitness](https://youtube.com/priscilawitness).
- Our work in Rio on forced evictions from mega events:  
<http://blog.witness.org/2011/08/forced-evictions-training-in-rio-de-janeiro/>  
<http://blog.witness.org/2011/06/new-videos-four-communities-on-forced-evictions-in-rio/>
- Our training in Phnom Penh on forced evictions from urban projects:  
<http://blog.witness.org/2010/10/licadho-training/>
- A video produced by persons who took part in a WITNESS training on forced evictions from dams in Mexico:  
<http://blog.witness.org/2011/05/act-now-to-stop-the-eviction-of-25000-people-in-mexico/>





## Bio

Ryan Schlieff leads the global campaign on forced evictions at WITNESS. The global campaign trains communities facing forced evictions, and the organizations supporting them, how to use video and technology to document human rights abuses and amplify personal stories directly to the key decision-makers. The campaign currently has 15 video advocacy projects on forced evictions in 5 countries: Cambodia, Brazil, Egypt, India and Mexico. Ryan is a life-long activist and campaign strategist. Throughout his career Ryan has led local and global human rights campaigns in all regions of the world - primarily involving economic, social and cultural rights. Ryan received his MA in international law from the University of London, School of Oriental and African Studies, where he focused on economic, social and cultural rights and comparative constitutional law in Africa and Asia. He worked on international human rights at the US Senate and the Amnesty International, International Secretariat in London where he managed the global campaigns on human rights in India and Southeast Asia. Ryan recently was named the 2011 Humanitarian of the Year by the University of St. Thomas.





## Martim Smolka



- Country of Nationality: USA
- Language/s spoken: Portuguese, Spanish and English
- Organizational affiliations (past/present): Lincoln Institute of land policy
- Role/function at organization: Senior Fellow, Director of the Latin American Program and C-Chairman of the International Dept.
- Professional focus area: Urban land Policy
- University/Degrees: PhD Regional Science at the University of Pennsylvania 1980
- Email: msmolka@lincolninst.edu

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Preventive policies to address informality.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Concerns with calculating fair compensations.

### 3. What are your main expectations for this Expert Group Meeting?

A challenge to Highest and Best Use as a criteria legitimizing evictions.

### 4. Please share any main publications of relevance to this EGM.

Martim O. Smolka and Ciro Biderman Housing Informality: an Economist's Perspective on Urban Planning Chapter 35 in: Brooks, N., K. Donaghy and J. G. Knaap eds. (2011) Oxford Handbook of Urban Economic and Planning, Oxford University Press, NY. Slight modified version can be downloaded in © 2011 Lincoln Institute of Land Policy Lincoln Institute of Land Policy Working Paper

## Bio

Senior Fellow and Director of the Latin American and the Caribbean Program and co-chairman of the International Department at the Lincoln Institute of Land Policy. Mr. Smolka graduated from the Pontifical Catholic University of Rio de Janeiro (1971), MA. and PhD in Regional Science from the University of Pennsylvania, USA, 1980. Since 1995, he has been a senior staff of the Lincoln Institute of Land Policy and director of the institute's Latin American Program working and supporting land policy debates in nearly all countries of Latin America, ranging from Mexico to Argentina. He directs research and educational programs on issues relating to land markets and land policies. He was a faculty member and professor of the Urban and Research and Planning Institute (IPPUR) at the Federal University of Rio de Janeiro, a co-founder and president for 2 terms of the Brazilian National Association for Research and Graduate Studies on Urban and Regional Planning (ANPUR). He was also a Fellow of the Brazilian National Council for Research (CNPq).



Mr. Smolka is the author of many publications on the functioning of urban land markets and in particular informal land markets and their consequences to regularization policies, on intra-urban structuring and the dynamics of property markets in Latin American cities. His work has also focused on improvements of existing property tax systems including issues associated to the mobilization of land value increment (plusvalías) to finance and promote urban development. He has advised national and local governments in the Latin American region and trained many senior staff who are responsible for urban land policy making and implementation. He has been keynote speaker in many conferences in the region and is a regular contributor to Land Lines, the Lincoln Institute bi-monthly journal.





## Ana Sugranyes



- Country of Nationality: Chile
- Language/s spoken: Spanish, English, French. Catalan, Dutch, German
- Organizational affiliations (past/present): Habitat International Coalition (HIC)
- Role/function at organization: General Secretary
- Professional focus area: Right to Habitat, Right to the City
- University/Degrees: Architect, PhD
- Email: [gs@hic-net.org](mailto:gs@hic-net.org) [asugranyes@gmail.com](mailto:asugranyes@gmail.com)
- Website/Blog/Twitter: [www.hic-net.org](http://www.hic-net.org)

### 1. What is your main interest/regional global focus related to the topic of forced evictions?

Human Dignity and Sustainable Mother Earth

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

It has not. We have now the challenge and the opportunity to change the situation.

### 3. What are your main expectations for this Expert Group Meeting?

Articulate global strengths to avoid forced evictions.

### 4. Please share any main publications of relevance to this EGM.

Rodríguez, Alfredo; Sugranyes, Ana (editores). Los con techo. Un desafío para la política de vivienda social. [Libro]. Ediciones SUR. Santiago de Chile : Ediciones SUR, 2005

Sugranyes, Ana; Mathivet, Charlotte (editors). Cities for All. Proposals and Experiences towards the Right to the City. Habitat International Coalition, HIC. Santiago, 2010 and 2011 (in English, Spanish, French and Portuguese)

## Bio

Ana Sugranyes is an architect and the General Secretary of Habitat International Coalition (HIC) since 2003. She is Catalan, Chilean and global citizen. Her PhD on Housing Policies in Latin America from the Delft University of Technology (TU-Delft) culminates more than 30 years of expertise including long-term field work in Guatemala and in Chile. Her work on par with urban social movements and social organizations has focused on formulating, implementing, monitoring and evaluating housing programs and policies and local development, in a rights and gender approach, articulating international cooperation with local and national governments, public and private agencies, professional and academic entities, and international networks.

## Cihan Uzuncarsilioglu



- Country of Nationality: Turkish Republic
- Language/s spoken: Turkish, English
- Organizational affiliations (past/present): Sulukule Platform, Imece, Ayazma Tenants
- Role/function at organization: Coordinator
- Professional focus area: Urban Transformation/Renewal vis-a-vis The Right to Adequate Housing and the Right to the City
- University/Degrees: Political Science (BA)-Human Rights Law (MA)
- Email: cihanbaysal@yahoo.com

### 1. What is your main interest/regional focus related to the topic of forced evictions?

I have been studying human rights violations during and after the evictions in the field. Preventing forced evictions by giving advocacy to communities or in cases where there is no way of prevention, negotiating with the authorities to mitigate the adverse effects have been my focus areas and have been working with urban movements to accomplish these.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

My Master's thesis is on the violations of The Right to Adequate Housing during and after urban renewal/urban transformation projects in Istanbul. I have been working as an activist in the field for the rights of the communities and for anti-eviction measures. I served as an AGFE member in the Istanbul Mission 2009 and also contributed to the Report. I have been lecturing and writing on the issue. Consequently, most of what I have been doing overlaps with the works of UN-Habitat.

### 3. What are your main expectations for this Expert Group Meeting?

To return home with something hopeful to say to the communities and neighbourhood residents awaiting forced evictions. After the EGM Meeting, I expect to see HABITAT getting more involved with housing rights to prevent forced evictions and also hope to find HABITAT getting more in touch with the affected communities for the amelioration of their pains and for the empowerment of their rights.

### 4. Please share any main publications of relevance to this EGM.

'From Ayazma to Bezirganbahçe - The Aftermath of Relocation', Istanbul, Rotterdam Biennale 2009 Booklet ISTANBUL REPORT 2009-AGFE <http://www.UN-Habitat.org/content.asp?cid=10008&catid=281&typeid=3&subMenuId=0>



## Bio

Born in Istanbul, Turkey. 1956.

Housing Rights activist, member of Sulukule Platform, IMECE and Ayazma Tenants.

In her thesis, 'From Ayazma to Bezirganbahçe: Urban Transforming Istanbul into a Global City', she studied urban transformation projects in Istanbul and the national and global aspirations and motives behind these projects while pointing out to the human rights violations and the injustices experienced by the urban transformation neighbourhood residents with a special focus on the Ayazma-Bezirganbahce relocation process. These projects were analyzed vis-a-vis international human rights standards, conventions and treaties on the right to adequate housing.

In 2009, she was assigned by UN-Habitat as local expert and participated in AGFE Istanbul Mission (June 8-11 2009). Contributed to the AGFE Istanbul Report presented to UN-Habitat in September 2009. Has been writing in various papers and periodicals, lecturing in seminaries, conferences, talking on TV programmes and documentaries on the right to adequate housing and the injustices and human rights violations triggered by urban transformation/renewal processes.



## Maartje van Eerd



- Country of Nationality: Dutch
- Language/s spoken: English
- Organizational affiliations (past/present): Institute for Housing and Urban Development Studies - IHS
- Role/function at organization: Housing and social development expert
- Professional focus area: Housing rights, resettlement
- University/Degrees: PhD
- Email: vaneerd@ihs.nl

### 1. What is your main interest/regional focus related to the topic of forced evictions?

Housing rights, resettlement, alternatives to forced evictions. I have been working in India on resettlement (for my PhD) but currently I am more focussing on Kenya and Nigeria in particular.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

IHS has been collaborating with UN-Habitat in some of our courses on housing rights, evictions and resettlement in Nairobi and Abuja. IHS, in collaboration with Cordaid and COHRE, has also collaborated with UN-Habitat in a joint project on stimulating linkages between NGOs, CBOs and the government in developing alternatives to forced evictions in Abuja. Also we have been contracted to develop a scoping paper on guidelines and practises on evictions, acquisition, expropriation and compensation.

### 3. What are your main expectations for this Expert Group Meeting?

My expectations is that it will provide a good opportunity for networking and opportunities to explore the possibilities to develop more courses with others on housing rights, and alternatives to evictions. I also hope it will provide me with constructive comments on how to improve and finalise our scoping paper.

### 4. Please share any main publications of relevance to this EGM, and short bio.

Atiyaye, B., & M. van Eerd (2010). Forced evictions: international guidelines and local realities: the case of Abuja, Nigeria. Paper presented at the International Resettlement Conference in The Hague, Oct 2010.

Eerd, M. van. (2008). Access of the poor to housing, land and basic services in Abuja, Nigeria. Process Mapping Report for Cordaid.

Eerd, M. van. (ed.) (2008). Alternatives to forced evictions: sustainable settlement strategies. Training manual for World Urban Forum IV Nanjing, China, Nov 2008.

Eerd, M. van, (2008). Local initiatives in relocation: the state and NGOs as partners. From research to action. Manohar Publishers, New Delhi, India.

van den Dool, L., M. van Eerd & S. Ruijsink (2011) Supporting Local Urban Knowledge Arenas. LAP Lambert Academic Publishing, Saarbrücken, Germany.



## Bio

At IHS I am involved in developing, coordinating and facilitating accredited courses on housing rights, forced evictions and alternatives for NGOs, CBOs and local government globally (Africa, Asia, Latin America and Europe), as well as training courses on gender and tenure security for local NGOs in East Africa, and several trainings on alternatives to forced evictions in Africa and resettlement (Nigeria and Kenya). I conduct research on resettlement, forced evictions, acquisition, expropriation and compensation, and the role of NGOs and CBOs in developing alternatives to forced evictions. I am also involved in slum upgrading project in Abuja.





## Jackson Makau



- Country of Nationality: Kenyan
- Language/s spoken: English
- Organizational affiliations (past/present): Shack/ Slum Dwellers International
- Role/function at organization: Research and Documentation
- Professional focus area: Research
- University/Degrees: BA
- Email: [jackmakau@sdinet.org](mailto:jackmakau@sdinet.org)
- Website/Blog/Twitter: [www.sdinnet.org](http://www.sdinnet.org)

**1. What is your main interest/regional focus related to the topic of forced evictions?**

Support of slum dwellers federations in africa.

**2. How has your work on forced evictions interacted with that of UN-Habitat?**

Currently implementing a project with GLTN in Uganda.

**3. What are your main expectations for this Expert Group Meeting?**

To share information and network.



## Elmard Omello



- Country of Nationality: Kenya
- Language/s spoken: English, Kiswahili
- Organizational affiliations (past/present): Shelter Forum, Kenya Land Alliance, Hakijamii, Landesa & Research Triangle Africa
- Role/function at organization: Research Assistant
- Professional focus area: Policy Formulation, Analysis & Advocacy on Evictions, Land Reforms, Urban Planning & Natural Resource Management
- University/Degrees: Law (LLB)
- Email: omollookil@yahoo.com
- Website/Blog/Twitter: [www.rta-africa.org](http://www.rta-africa.org)

### 1. What is your main interest/regional focus related to the topic of forced evictions?

My areas of interest include: Policy formulation & Analysis (Eviction & Resettlement Guidelines and Bill etc), Environmental Easements as an Option to Evictions, Urban and Peri-Urban Agriculture (UPA) & Youth Unemployment, Land Grabbing & Evictions by Multinationals, Urban Safety and the Right to Adequate Housing among others.

### 2. How has your work on forced evictions interacted with that of UN-Habitat?

Research Triangle Africa, UN-Habitat and the City Council of Nairobi are jointly implementing the Safer Cities Project.

Shelter Forum, Kenya Land Alliance, Hakijamii and the CSOs Coalition on Housing have been pushing for the enactment of Eviction & Resettlement Guidelines, implementation of the Constitution (Art. 43) and the National Land Policy, slum upgrading and related issues in concert with UN-Habitat. These initiatives also feed into the wider UN-Habitat agenda and mandate

### 3. What are your main expectations for this Expert Group Meeting?

- Getting to know the compliance levels by different countries to the international, regional and national instruments on the practice of forced evictions & constraints thereof.
- Exposure to best practices and innovative ways (alternatives) of mitigating forceful evictions.
- Efforts by UN-Habitat (or other UN agencies) aimed at tackling forceful evictions that occur outside the urban centers (e.g. Mau Forest, Tana Delta and the Post Election Violence).
- Networking and creating useful linkages and contacts in the sector.

## Bio

A dynamic young lawyer with practical experience gained from working on human rights and development, policy and legislative advocacy in the urban context and with a demonstrable passion to empower the indigent in the society. My areas of interest include: formulation of the Eviction & Resettlement Guidelines and Bill, Environmental Easements as an Option to Evictions, Urban and Peri-Urban Agriculture (UPA) & Youth Unemployment, Land Grabbing & Evictions by Multinationals, Urban Safety and the Right to Adequate Housing among others.



## OTHER PARTICIPANTS

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Sivieude	Marceau	International Federation for Human Rights (FIDH)	msivieude@fidh.org

## OBSERVERS

Last Name	First Name	Organization/institution	E-mail
Burrows	Bridget	Amnesty International Kenya	-
Omello	Elmard	Research Triangle Africa	omollookil@yahoo.com
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Makau	Jackson	Shack Dwellers International (SDI)	jackmakau@sdinet.org





## ANNEX F

### **GUIDANCE NOTE: THE UN AND HOUSING RIGHTS – THE WAY FORWARD**

#### GUIDANCE NOTES

Guidance notes are intended as a one-stop reference for every substantive day at the International Expert Group Meeting on Forced Evictions. Three guidance notes will be issued, on 1) the UN and housing rights – the way forward; 2) strategic priorities for action; 3) Housing rights networks and UN-Habitat.

The guidance notes provide background information and key references/links to support the issues for discussion/specific objectives, including the agenda for the day. Proposed strategies are included in incomplete and provisional formulations only as the meeting is expected to formally endorse and put forward a number of recommendations for priority areas of actions. Formal objections are also welcomed with respect to content, scope, and methodology of the guidance notes and the EGM at large.

#### INTRODUCTION

Collaboration between UN-Habitat and all other key actors with a stake in the issue of housing rights is a fundamental vehicle towards achieving the progressive realization of the right to adequate housing, as elaborated in the Habitat Agenda and international instruments.

Stakeholders include the UN Office for the High Commissioner for Human Rights (and UN-Habitat's collaboration with OHCHR under the United Nations Housing Rights Programme), relevant UN Special Rapporteurs (particularly Adequate Housing, IDPs), the Advisory Group on Forced Evictions (AGFE) to the Executive Director of UN-Habitat, international NGO and

CSO advocacy groups, and academic/research institutions. An increasing collaboration, if effective, may indeed succeed in making a significant contribution to building, as the Istanbul Declaration asserts – “a world where everyone can live in a safe home with the promise of a decent life of dignity, good health, safety, happiness and hope”.

UN-Habitat's work of housing rights has to date had a strong advocacy character. It focuses on security of tenure and on developing knowledge, capacity and technical tools that will enable UN-Habitat to assist a select number of countries to develop alternatives to forced evictions and displacements, and to promote the right to adequate housing, as outlined in the Habitat Agenda.

The elaboration of a Global Housing Strategy to the year 2025, and – within this broader framework – how the issue of preventing forced evictions relate to the broader objectives of sustainable urban development is one of the emerging priorities for UN-Habitat. Now is thus an opportune time for UN-Habitat to reflect on its mandate and role related to forced evictions, as well as to forge closer partnerships with a broader range of housing rights organizations.

The housing rights community may benefit from strengthening their various inter-locking institutional relationships at both formal and working levels in order to further coordinate on the areas where mandates can be most readily integrated and to leverage the coordinated efforts with respect to more effectiveness, impact and fundraising.

It is within this context that the EGM will provide guidance on the feasibility and desirability of establishing Global Housing Rights Network, possibly overseen by an International Steering Group on Evictions

(ISGE). Such a Global Housing Rights Network (GHRN) would comprise of organisations involved in evictions and housing rights issues sharing information, developing synergies, and forming communities of practices so that each player realizes their mission in a collaborative but equally independent and autonomous manner.

#### ISSUES FOR DISCUSSION: THE WAY FORWARD

Against this background and at a minimum, participants at the EGM are expected to provide advice and guidance within the following framework:

- Review priority areas
  - Area 1: Research and tool development
  - Area 2: Capacity-building and technical cooperation
  - Area 3: Advocacy and mainstreaming of housing rights
- Coordinate further normative research on issues arising as a result of forced evictions?
- Provide guidance and advice of the development of an eviction impact assessment toolkit?
- Monitor forced evictions globally? If so, how?
- Coordinate joint knowledge and awareness activities, including through joint trainings?
- Increased cooperation and support to the UN Special Rapporteur on the Right to Adequate Housing?
- AGFE re-branded into an International Steering Group on Evictions, overseeing a Global Housing Rights Network?
- This arrow indicates an area of possible formal endorsement by participants at the EGM

“Everyone has the right to a standard of living adequate for the health and well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”  
**Universal Declaration of Human Rights (Article 25.1)**

#### 1. UN-HABITAT/UN-OHCHR JOINT UNITED NATIONS HOUSING RIGHTS PROGRAMME (UNHRP)

The United Nations Housing Rights Programme (UNHRP) is a joint initiative of the United Nations Human Settlement Program (UN-Habitat) and the United Nations Office of the High Commissioner on Human Rights (OHCHR) mandated and endorsed by their respective governing bodies and the GA, and launched in 2002 by the Executive Director of HABITAT and the High Commissioner of Human Rights. The initiative’s objective is to support the efforts by governments, civil society and national human rights institutions to realize the right to adequate housing as described in international human rights declarations and reaffirmed in the Habitat Agenda.

To achieve this objective the UNHRP is involved in the following actions at the global level:

- Development of standards and guidelines;
- Elaboration of existing international legal instruments and support for enhanced compliance by governments; and
- Development of a system to monitor and evaluate progress in the realization of housing rights.

One of the most important successes of the UNHRP is the collaboration and coordination between the two UN Agencies responsible for



promoting the right to housing. Moreover, many publications on housing rights have been produced by UN-Habitat, OHCHR, and partners, and a website maintained by UN-Habitat to document all of the Program's activities and mandate. Housing Rights trainings have been delivered, and work has been done to establish indicators for the Right to Housing. Important challenges, however, remain. These include a lack of sufficient resources, an outdated website, and the lack of a management framework that enables both partners to actively implement their programme activities.

While both agencies are mandated to achieve their objective to assist States with the implementation of their commitments to ensure the full and progressive realization of the right to adequate housing, insufficient human and financial resources have been committed to this end. Each agency has a specific coordinator (a Human Settlements Officer in the Housing Policy Section of UN-Habitat, and a Human Rights Officer in the Human Rights and Economic and Social Issues Unit of OHCHR) who allocates time to planning, coordinating, implementing activities and producing publications, on an ad hoc basis.

When the UNHRP was officially launched in 2002, it was framed in a Program Document that outlined specific roles, responsibilities, activities and outputs over a two year period. A necessary budget was identified, but only 10% of it was raised. The UNHRP could benefit from an updated formal programme document/workplan as well as a budget dedicated to the implementation of its activities.

- A more streamlined approach to collaboration and collective action may be developed through re-sharpening the role and remit of AGFE towards the creation of a well-represented International Steering

Group on Evictions (ISGE) overseeing the activities of the Global Housing Rights Network, and providing policy briefs and advice to the Global Housing Rights Network as well as to the Executive Director of UN-Habitat. The UNHRP may act as a Secretariat for such a network.

- OHCHR, UNHRP, and the Special Rapporteurs may have an increasingly formalized, institutional relationship with the International Steering Group on Evictions (ISGE) as well as with a Global Housing Rights Network.
- Monitoring the “the full and progressive realization of the human right to adequate housing, as provided for in international instruments” and especially in Habitat Agenda, needs to be more effective.

## 2. UN SPECIAL RAPPORTEURS (RIGHT TO ADEQUATE HOUSING, RIGHTS OF INTERNALLY DISPLACED PERSONS)

The UN Special Rapporteur on Adequate Housing was created in 2000. The mandate granted by the United Nations to Special Rapporteurs has been to “examine, monitor, advise and publicly report” on human rights problems through “activities undertaken by special procedures, including responding to individual complaints, conducting studies, providing advice on technical cooperation at the country level, and engaging in general promotional activities.” (see special procedures of the Human Rights Council).

The main activities of the Rapporteur on Adequate Housing are:

- To receive information on individual cases of violations against the right to adequate housing;
- To request explanations from governments by means of urgent appeals and allegation letters;

- To perform official missions to specific countries to investigate the status of the right to housing and present the respective report to the UN Human Rights Council;
- To submit an annual report to the UN Human Rights Council in Geneva, and one to the UN General Assembly in New York, which address specific themes relating to the right to housing or specific reports on country missions performed by the Rapporteur.

Within the framework of increasing collaboration with OHCHR under the UNHRP, the UN Special Rapporteur on the Right to Adequate Housing is the third block of collaboration that UN-Habitat may create an increasingly fruitful and mutually beneficial relationship with. It is worth noting that the mandate of the Special Rapporteur is independent in nature, thus granting the Rapporteur the relative freedom to name countries that do not live up to their international obligations as it relates to the protection of housing rights.

Apart from statements in support of the right to adequate housing at the Human Rights Council, UN-Habitat may also provide in-depth knowledge for the use of the Special Rapporteur, and increasingly cooperate on particularly human rights legal issues, for example related to the development and use of an eviction impact assessment toolkit. Moreover, closer collaboration might also include agreement on focus areas for policy attention, concentration on particular country contexts (support to governments who have taken decisive steps towards promoting alternatives to forced evictions, and/or focus on countries where critical violations and inadequate policies are in place and therefore

in greater need of policy support, technical assistance and capacity building).

UN-Habitat may also interact with other Special Rapporteurs. The mandate of the Special Rapporteur on Internally Displaced Persons has centered some work on the issue of forced evictions from camps and informal settlements housing IDPs.

### 3. ADVISORY GROUP ON FORCED EVICTIONS TO THE EXECUTIVE DIRECTOR OF UN-HABITAT

UN-Habitat launched the Advisory Group on Forced Evictions to the Executive Director of UN-Habitat (AGFE) in 2004. AGFE is mandated to undertake a variety of activities including to:

- monitor, identify and, if so requested, promote alternatives to unlawful eviction<sup>1</sup>;
- facilitate learning through exchange and dialogue between stakeholders involved in forced evictions; and
- advocate and support research, training and capacity building.

The mandate of the most recently appointed members to AGFE expired in September 2010, and no new group has been re-constituted. This is partly due to a lack of funding but also because there has been an evident need and opportunity to re-shape the group and its modus operandi. The EGM is part and parcel of the effort to ensure that AGFE, or its successor plays its role most effectively, possibly through the re-branding of AGFE into a broader International Steering Group on Evictions formed by key institutions with an active global engagement in this field.

<sup>1</sup> Resolution 19/5 adopted at the 58th session of the General Assembly "...requests the Executive Director [of UN-Habitat], in line with the recommendations of the World Urban Forum at its first session, to establish an advisory group to monitor and identify, and, if so requested, to promote alternatives to unlawful evictions" (pt. 7, 9 May 2003).



Recommendations to the Executive Director of UN-Habitat should be made increasingly on the basis of consensus amongst all members of the group, against a clear understanding and backdrop of what recommendations UN-Habitat is best and uniquely placed to action, and what recommendations may best be followed up on and/or implemented by other actors within a Global Housing Rights Network. In order to make the most strategic and efficient use of any group whose remit it is to advise the Executive Director of UN-Habitat, it is also regarded as key that members of the group provide advice in their institutional capacity, with a mandate from their respective constituencies.

Increasingly, an advisory group would seek – by means of its institutional and expert nature – leverage and add legitimacy to the voice with which UN-Habitat could speak out on issues related to forced evictions. UN-Habitat should look to the advisory group for the strategic and technical advice needed for UN-Habitat to move forward. As an example of a specific issue where future advice and support is critical could be in the formulation on how one may formulate and apply the human rights based approach to development (the right to adequate housing and the right to water) in a pragmatic manner, related to sustainable urban development.

The importance of an advisory body like AGFE is undisputed. Within this context, the issue for discussion is how AGFE, or its re-branded successor (possibly the International Steering Group on Evictions), can be used more effectively towards preventing, monitoring and assessing the impact of forced evictions while becoming increasingly synchronized with UN-Habitat programming and activities as well as with other organizations working in the broader field of the human right to housing, right to water, right to the city, etc.

The composition and mandate of such an International Steering Group on Evictions

would need to be elaborated in details following the meeting but would at a minimum be expected to have a broad institutional composition and representation (regional, thematic, etc.); providing technical advice with an understanding of the constraints and resources available at UN-Habitat and network partners to implement any recommendations; and possibly to act as a convener for a Global Housing Rights Network.

- Recognize the need to further integrate and more holistically approach the relationship between the UN Special Rapporteur on the right to adequate housing, OHCHR and UN-Habitat (and the UN Housing Rights Programme), the Advisory Group on Forced Evictions/ International Steering Group on Evictions, and Habitat's relationships with various academic institutions, civil society grassroots and advocacy organizations.
- Re-brand AGFE as an International Steering Group on Evictions (ISGE) that will work in an advisory capacity to the Global Housing Rights Network and its Secretariat, guiding the work at the institutional, political and normative level. Fact-finding missions will thus be carried out in exceptional cases in a professional and not voluntary manner, within the constraints of a limited financial resource based.
- Empower local experts, making them more effective and productive. Expect them to initiate fact finding when a real and grave threat of forced evictions exist and to supply AGFE/ISGE with the necessary documents( photos, press news, press releases from NGOs, and affected communities, regressive laws-by laws enacted, announcement of mega-projects etc.). Through such a method, AGFE/ISGE would be informed well in advance and thus would be able to intervene in the pre-eviction stage.



#### 4. THE HUMAN RIGHTS BASED APPROACH TO DEVELOPMENT (HRBA) AT THE LEVELS OF STRATEGY AND POLICY, PROGRAMME DEVELOPMENT AND IMPLEMENTATION (RIGHT TO ADEQUATE HOUSING AND WATER)

“The human right to adequate housing is the right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and dignity”. This definition is in line with the core elements of the right to adequate housing as defined by General Comment No. 4 of the United Nations Committee on Economic, Social and Cultural Rights (the body in charge of monitoring the implementation of the International Covenant on Economic, Social and Cultural Rights in the States which are party to it). According to the Committee, while adequacy is determined in part by social, economic, cultural, climatic, ecological and other factors, it is nevertheless possible to identify certain aspects of the right that must be taken into account for this purpose in any particular context. They include the following: a) Legal security of tenure; b) Availability of services, materials, facilities and infrastructure; c) Affordability; d) Habitability; e) Accessibility; f) Location; and g) Cultural adequacy. For the definition of these elements, please refer to General Comment No. 4. (Source: OHCHR).

... UN-Habitat’s institutional response to the practice of forced evictions has been muted, and inadequately resourced... if UN-Habitat is going to play a leading and an effective role in the monitoring and prevention of forced evictions it will need to embrace the right to adequate housing as an overarching framework and methodology for its work, and commit its own institutional resources to this area of work.

**(FORCED EVICTIONS: GLOBAL CRISIS, GLOBAL SOLUTIONS)**

Action related to sustainable urban development at large must run parallel with actions that specifically address and focus on the human rights aspects. Rights-based approach to development in the housing sector can:

- Protect and empower the poor and the homeless, particularly in the context of development and post-conflict and post-disaster reconstruction and prevention
- Promote security of tenure and residential stability;
- Promote access to housing resources;
- Combat homelessness;
- Stop forced evictions and discrimination in the housing sector;
- Facilitate access to remedies in cases of violations of these rights; and
- Eliminate gender inequalities and promote women’s rights to housing, land and property.

UN-Habitat has not as yet elaborated an institutional strategy with respect to what a rights based approach implies in practical terms. The right to adequate housing has been considered as a stand-alone issue related to housing policy rather than firmly placed within a broader human rights framework of the right to an adequate standard of living (right to adequate housing and right to water).

While a human rights based approach is indeed a must in every issue, it needs to incorporate the relevant socio-economic background and dynamics, motives, the paradigm of Global City aspirations, emphasize the urban entrepreneurialism of local governments, etc.

Participants have suggested that the concepts of “development” and “sustainability” need to be further clarified, e.g. when defending the right to water entails defending the rights of the communities and peoples whose water



supplies are under risk of power plants/dams in the name of 'development'. The experiences and tactics of neighbourhood communities and grassroots in their resistances against forced evictions and for the right to 'habitat' need also be analyzed and mainstreamed if possible. It is against this background that participants have suggested UN-Habitat to increasingly engage with affected communities by establishing networks, not only with government authorities, the academic community, and NGOs, but also with those populations directly affected.

- A validation of the wider human rights framework within which the right to adequate housing and the legal prohibition against forced eviction is placed.
- Endorsement of the need to fully integrate issues of forced evictions within the Global Housing Strategy to the year 2025
- Reconsider the term 'relocation' and further strengthen its definition to meet international standards related to the prevention of evictions. Impact assessments of 'relocation' cases would be a critical element in this process.

## BACKGROUND NOTES

### 1. JOINT UN-HABITAT/UN-OHCHR HOUSING RIGHTS PROGRAMME (UNHRP)

The Programme was established in April 2002 jointly by the United Nations High Commissioner for Human Rights and the Executive Director of HABITAT.

- Resolution 16/7 of the Commission on Human Settlements
- Resolution 2001/28 of the Commission on Human Rights

The right to adequate housing (as a component of the right to an adequate standard of living) is enshrined in many international

human rights instruments. Most notably among these are the Universal Declaration of Human Rights (art. 25.1) and the International Covenant on Economic, Social and Cultural Rights (art. 11.1). During the 1990s, the right to adequate housing gained further increasing recognition among the human rights community, and many governments adopted or revised housing policies to include various dimensions of human rights. The Second United Nations Conference on Human Settlements (Habitat II) in 1996 harnessed this momentum. The outcomes of the Conference, the Istanbul Declaration and the Habitat Agenda, constitutes a framework where human settlements development is linked with the process of realising human rights in general and housing rights in particular. Subsequently, the Commission on Human Settlements (today the Governing Council of UN-Habitat) adopted resolution 16/7 on 'the realization of the human right to adequate housing' in May 1997. The resolution recommended that UN-Habitat and OHCHR elaborate a joint programme to assist States with the implementation of their commitments to ensure the full and progressive realization of the right to adequate housing. More recently, the Commission on Human Rights in April 2001 adopted resolutions 2001/34 and 2001/28. The latter, on adequate housing as a component of the right to an adequate standard of living, requested the two agencies to strengthen their cooperation and to consider developing a joint housing rights programme. These resolutions constitute the main mandate for the establishment of the United Nations Housing Rights Programme.

‘ We reaffirm our commitment to the full and progressive realization of the right to adequate housing, as provided for in international instruments.

**THE ISTANBUL DECLARATION (PARA.8)  
THE HABITAT AGENDA (PARA. 39).**

## 2. UN SPECIAL RAPPORTEURS (RIGHT TO ADEQUATE HOUSING, RIGHTS OF INTERNALLY DISPLACED PEOPLE)

Special procedures of the Human Rights Council: <http://www2.ohchr.org/english/bodies/chr/special/index.htm#code>

UN Special Rapporteur on the right to adequate housing: <http://righttohousing.org/>  
<http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

## 3. THE HUMAN RIGHTS BASED APPROACH TO DEVELOPMENT (HRBA) AT THE LEVELS OF STRATEGY AND POLICY, PROGRAMME DEVELOPMENT AND IMPLEMENTATION (RIGHT TO ADEQUATE HOUSING AND WATER)

### International instruments on housing rights

The right to adequate housing (as a component of the right to an adequate standard of living) is enshrined in many international instruments. Most notably among these are the Universal Declaration of Human Rights (art. 25.1) and the International Covenant on Economic, Social and Cultural Rights (art. 11.1). During the 1990s, the right to adequate housing has gained increasing recognition among the human rights community, and many governments have adopted or revised housing policies to include various dimensions of human rights.

The Second United Nations Conference on Human Settlements (Habitat II) in 1996 harnessed this momentum. The outcomes of the Conference, the Istanbul Declaration and the Habitat Agenda, constitutes a framework

where human settlements development is linked with the process of realising human rights in general and housing rights in particular. 33 out of the 241 paragraphs in the Habitat Agenda specifically refer to human and/or housing rights.

The Habitat Agenda, particularly in its para. 61, clarifies actions and commitments of governments and other stakeholders in order to promote, protect and ensure the full and progressive realization of the right to adequate housing. In this context, it is important to clarify that the 'housing rights framework' does not in any way mean or imply an obligation for governments to immediately provide free housing to all their citizens and/or residents. Yet, as is clearly articulated in the Habitat Agenda, governments are responsible for establishing and facilitating an enabling environment where the potential and capacity of individual households and all other stakeholders.

A wide variety of international instruments address the different dimensions of the right to adequate housing<sup>2</sup>. Article 11 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), one of the key international instruments, indicates that States parties "recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions".

UN declarations have affirmed the right including United Nations Declaration on Social Progress and Development (1969) and the United Nations Vancouver Declaration on Human Settlements (1976).

<sup>2</sup> Article 5 (e) (iii) of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), article 14 (2) of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), article 27 (3) of the Convention on the Rights of the Child (CRC), article 2 and 28 of the Convention on the Rights of Person with Disabilities (CRPD), article 43 of the International Convention on the Protection of the rights of all Migrant Workers and Members of their Families (CMW), article 21 of the Convention relating to the Status of Refugees (CSR), article 21 (1) of the Declaration on the Rights of Indigenous People, articles 49 and 85 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War, article 21.1 of the Declaration on the Rights of Indigenous Peoples, article 10 of the Declaration on Social Progress and Development, section III (8) of the Vancouver Declaration on Human Settlements (1976), article 8 (1) of the Declaration on the Right to Development and the ILO Recommendation No. 115 Concerning Workers' Housing (1961).



The characteristics of the right to adequate housing are clarified mainly in general comments No. 4 (1991) on the right to adequate housing and No. 7 (1997) on forced evictions of the UN Committee of Economic, Social and Cultural Rights.

In the Committee's view, the right to housing should not be interpreted in a narrow or restrictive sense (the shelter provided by merely having a roof over one's head or shelter exclusively as a commodity). Rather it should be defined as, "the right of every woman, man, youth and child to gain and sustain a safe and secure home and community in which to live in peace and dignity" (the first UN Special Rapporteur on Adequate Housing). A number of conditions must be met before particular forms of shelter can be considered to constitute adequate housing. It is important to emphasize these core elements of the right to adequate housing:

## STATE PARTIES' OBLIGATIONS

Under the International Covenant on Economic, Social and Cultural Rights, States have the obligation to achieve progressively the full realization of the right to adequate housing. In other words, the Covenant acknowledges that States have resource constraints and that it may take time to ensure the right to adequate housing to everyone. Some components of the right to adequate housing are, therefore, deemed subject to progressive realization.

State Parties have specific obligations to (i) respect, (ii) protect, and (iii) fulfill the rights contained in the conventions. Failure to perform these obligations constitutes a violation of such rights.

i) The obligation to respect requires States to refrain from interfering directly or indirectly with the enjoyment of the right to adequate housing.

States should refrain from;

- carrying out forced evictions and demolishing homes;
  - denying security of tenure, housing, land and property restitution to particular groups;
  - imposing discriminatory practices that limit women's access to and control over housing, land and property;
  - infringing on the right to privacy and protection of the home;
- ii) The obligation to protect requires States to prevent third parties from interfering with the right to adequate housing.

States should adopt legislation or other measures to ensure that private actors (e.g., landlords, property developers, landowners and corporations) comply with human rights standards related to the right to adequate housing.

iii) The obligation to fulfil requires States to adopt appropriate legislative, administrative, budgetary, judicial, promotional and other measures to fully realize the right to adequate housing

States must:

- adopt a national housing policy or a national housing plan (with a focus on disadvantaged and marginalized groups);
- progressively, and to the extent allowed by their available resources, prevent and address homelessness;
- provide the physical infrastructure required for housing to be considered adequate (involve steps towards ensuring universal and non-discriminatory access to electricity, safe drinking water and adequate sanitation);

- ensure adequate housing to individuals or groups unable, for reasons beyond their control, for instance in cases of natural disasters, to enjoy the right to adequate housing (through housing subsidies and other measures).
- the right to access information; and
- the right to justice and the right not to be subjected to arbitrary interference with one's privacy, family, home or correspondence.

State Parties' obligations of immediate effect;

- Guarantee that the right to adequate housing is exercised on the basis of non-discrimination.
- Give due priority to those social groups living in unfavorable conditions by giving them particular consideration.
- Adopt a national housing strategy (an almost invariable requirement).
- Ensure effective monitoring of the situation with respect to housing.
- Prohibit forced evictions.
- Ensure coordination between ministries and regional and local authorities in order to reconcile related policies (economics, agriculture, environment, energy, etc.) with the obligations under article 11 of the Covenant.

The following are underlying determinants of the right to housing:

- the right to human dignity;
- the principle of non-discrimination;
- the right to an adequate standard of living;
- the right to freedom to choose one's residence;
- the right to freedom of association and expression (such as for tenants and other community-based groups);
- the right to security of person (in the case of forced or arbitrary evictions or other forms of harassment);

## REFERENCES AND LINKS

Committee on Economic, Social and Cultural Rights (CESCR), general comment n°7 on forced evictions and general comment N°4 on adequate housing: <http://www2.ohchr.org/english/bodies/cescr/index.htm>

Special Rapporteur on adequate housing, "Basic principles and guidelines on development-based evictions and displacement", Annex to report A/HRC/4/18: <http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

The human right to adequate housing:

- United Nations Fact Sheet N° 21 on the right to housing;
- United Nations Committee on Economic, Social and Cultural Rights General Comment No. 3 on the nature of States parties' obligations (art.2 (1));
- United Nations Committee on Economic, Social and Cultural Rights General Comment No. 4 on right to adequate housing (art.11 (1)) (English, French, Spanish, Russian, Arabic, Chinese);
- United Nations Committee on Economic, Social and Cultural Rights General Comment No. 7 on the right to adequate housing: forced evictions (art.11 (1)) (English, French, Russian, Spanish, Chinese and Arabic).



## ANNEX G

### **GUIDANCE NOTE: STRATEGIC PRIORITIES FOR ACTION**

#### INTRODUCTION

All Expert Group Meeting participants, but in particular presenters and workshop facilitators at the Expert Group Meeting were given the opportunity to provide input to the drafting of this guidance note related to the specific area of their presentations. The input received at the time of the finalization of the first draft was mainly received from Victoria Ohaeri, Program Coordinator at the Social and Economic Rights Action Center (SERAC).

This guidance note outlines key areas for strategic priorities for action, as viewed by presenters and workshop facilitators at the Expert Group Meeting. Normative tool development as well as operational roles in prevention, monitoring and impact assessment of forced evictions are the primary areas of discussion throughout the Expert Group Meeting. This guidance note, therefore, is not exhaustive and will be further developed during and after the EGM to reflect the full range of strategic priorities for action that experts will put forward at the meeting. Most weight will be given to the issues that achieve the highest level of consensus.

#### ISSUES FOR DISCUSSION

- This arrow indicates an area of possible formal endorsement by participants at the EGM

#### **Prevention of forced evictions/early warning**

In a context where the practice of forced evictions is increasing worldwide although they are unlawful and unjust, it is necessary to establish a dialogue with relevant stakeholders,

including the UN Office of the High Commissioner for Human Rights (OHCHR), the UN Special Rapporteur on Adequate Housing, AGFE and UN-Habitat, on the role that they can and should play in preventive action and urgent responses. Forced eviction is a global crisis, requiring global solutions through heightened and qualified attention and action, particularly by the international community. Preventing human rights violations before they occur is of primary relevance in the case of forced evictions, considering its far-reaching implications for the human rights of those usually affected, the most marginalised and at risk populations. In this regard, the UN-Habitat must be able to identify situations which could degenerate into violations and to take preventive measures.

Abuses and violations must be appropriately distinguished. Regularly, an uninformed community first learns of a possible forced eviction through threats, intimidation, harassment and abuse by external or internal parties wanting to move families out. These actions themselves may constitute at least abuses if not violations of human rights.

It is often these abuses and violations that raise a situation to the level where it can be identified for action by UN-Habitat. Therefore these actions may degenerate into further abuses or violations, not necessarily represent the first instances. UN-Habitat may then need to address past as well as present abuses and work to prevent future abuses and violations.

Early warning based on information gathering and fact-finding is needed to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur. In situations of forced evictions, in particular the practice of forced mass evictions, intervention based on widely accepted standards could dissipate misunderstandings



and help build a framework for protection against forced evictions and other threats.

Early warning tools and urgent mechanisms could and should be developed within the UN Human Rights system for the protection of persons, families and communities against forced evictions, which could be used independently by them. Relevant bodies such as the UN Committee on Elimination of Racial Discrimination (CERD) and the Special Procedures have established formalised urgent action mechanisms to act in some urgent situations so we can refer to and learn from such tools in order to develop a specific system for early prevention of and protection from forced evictions.

The Human Rights Council is mandated by resolution 60/251 “to respond promptly to human rights emergencies<sup>1</sup>” and the Special Procedures are well-placed within the system to raise the alarm promptly<sup>2</sup>.

In this context, UN-Habitat and AGFE could/should play a relevant role in identifying emerging conflicts and crises related to forced evictions, monitoring such situations and stimulating action by the international community. Such a monitoring role can assist UN human rights bodies and other organisations in identifying at the earliest possible stage situations that could produce conflict, so the sources of danger can be removed before violence results.

Monitoring helps preventing forced evictions and helps conflicts from escalating, and it can take place in the all phases of the displacement process: before, during and after.

Maintaining a focus of these three areas throughout this report is important. It may be necessary to divide monitoring system into these three areas since each may require different tactics, mechanisms, messages and allies. It requires:

- articulation with different stakeholders;
- checking of different sources;
- collecting data in a standardised and timed way (need to define categories, sources and methodology, as well as consider geographic and thematic issues);
- dealing with a range of different languages;
- data gathering, analysis and recording; and
- policy for data management and use.

With respect to the analysis of data, attention must be paid to forging links among seemingly separate situations. As with mining projects, these often act as the epicenter of other forms of developments which may move communities. As mega-events, for example, are perhaps a more publicly assessable form of development across continents (Commonwealth Games 2010 in Delhi, World Expo in Shanghai, World Cup 2014 in Brazil, etc) which represent a trend – a structured, accepted process – which leads to forced evictions in the name of sport and national pride. The analysis of collected data must identify such trends to show the globalized nature of processes which lead to forced evictions. Such relevant data and analysis could be made publicly available and easily accessible not only by the direct community affected, but others who may experience similar actions whether from the same parties (same governments, same companies, same funders) or others which can be transferred and related

<sup>1</sup> A/RES/60/251, paragraph 5(f).

<sup>2</sup> See Amnesty International, *United Nations Special Procedures – Early Warning and Emerging Issues*, Amnesty International Publications, London, 2010.



to situations elsewhere. The collected data can add to community and NGO campaigns on forced evictions.

Sources for monitoring can be: media vehicles (various), social movements, NGOs, communities, governments, other UN HR monitoring bodies – especially UN Rapporteurs and the OHCHR.

UN-Habitat and AGFE should gather information about planned, implemented and averted evictions, and use already existing networks to publicise and advocate against the practice. It can also assist UN human rights bodies and other organisations to undertake rapid response actions.

In this sense, UN-Habitat and AGFE should:

- Expand the existing global forced evictions information network, including academic experts as well as skilled activists, campaign strategists, media specialists, IT and social media specialists, legal advisors and development experts.
- Collect, record and analyse comprehensive, quality information on evictions around the world;
- Continue to build and consolidate current and emerging alliances and partnerships against forced evictions;
- Undertake effective joint actions to prevent forced evictions in at least fifteen key focus countries;
- Develop, promote and publicise viable alternatives to forced eviction.

The procedural measures and guidelines that could be adopted by the UN Office of the High Commissioner of Human Rights with a view to establish an Early Warning and Urgent Mechanism to deal with human rights

violations arising from forced evictions are indicated and discussed in the concept note attached, proposed by Hakijamii Trust – Centre for Economic and Social Rights.

## BACKGROUND NOTES

### Prevention of forced evictions/early warning

On 1-2 September 2008 an AGFE meeting was held in Nairobi, where it was proposed the creation of a database on evictions worldwide. This database would have to add value to existing data bases, maintained by other non-governmental and grassroots organisations. It should provide linkages within regions or between countries with similar contexts/problems. It was agreed that it would be necessary to organise a meeting, inviting all players in the field of eviction monitoring, to tease out the way to go, what to link, and how to avoid any unnecessary duplication.

To assist with this proposal, email inquiries were sent to confirm who the key evictions monitoring organizations are, and to get more details from them on the data gathered, the methodology used, and the nature of the database that they maintain. The following organisations were identified by AGFE former member Jean Du Plessis and approached for information: Asian Coalition for Housing rights - ACHR, Centre on Housing Rights and Evictions -COHRE, International Alliance of Inhabitants - IAI, Habitat International Coalition -HIC, Human Rights Watch - HRW, Slum Dwellers International – SDI, Amnesty International – AI. Contacts in each organization were identified, and each was asked a set of questions:

1. What types / categories of eviction do you monitor?
2. What regions / countries do you cover?



3. What are your main sources of information?
4. Do you verify reported evictions before recording them, and if so how?
5. Do you record the information in an electronic database? If yes, what programme do you use, and can you list the fields?
6. Do you publish or publicise the results of the monitoring? If yes, in what format and how regularly?
7. Do you have a guideline or handbook which describes your monitoring work, and if yes can this be shared with other organisations?
8. Are you aware of any other organisations doing evictions monitoring. If yes please list (and provide contact details if you can).

The summary of responses received until January 2009 is systematized in a document elaborated by Jean Du Plessis, and circulated to all AGFE members. From the responses received it was clear that a number of organisations are recording forced evictions at a regional or global level, for closely related yet differing reasons. Three of these organisations (COHRE, HIC and IAI) informed at that time that they were storing the information on specially designed databases. The extent of compatibility between these systems is not known

### **Enumeration (Social and Economic Rights Action Center (SERAC) and the members of the Abonnema Wharf community)**

The Social and Economic Rights Action Center (SERAC) and the members of the Abonnema Wharf community are carrying out an enumeration exercise and mapping of the community in order to establish credible

information about the people who live there, their physical property – including, but not limited to, their homes – and their livelihoods. The enumeration will provide a legally founded basis for community residents to demand reparation based on evidence-based assessment of their realities and possessions.

Before the neighbouring Njemanze waterfront community was demolished in August 2009, house owners were not told how much they would receive until shortly before the demolition took place, when they were invited to collect their money. The value placed on properties following the State imposed valuations was not disclosed to house owners. Some of the house owners were never paid at all. House owners who do not want to sell their houses receive nothing while tenants

Early warning based on information gathering and fact-finding is needed to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and to limit the spread of the latter when they occur. In situations of forced evictions, in particular the practice of forced mass evictions, intervention based on widely accepted standards could dissipate misunderstandings and help build a framework for protection against forced evictions and other threats.

Early warning tools and urgent mechanisms could and should be developed within the UN Human Rights system for the protection of persons, families and communities against forced evictions, which could be used independently by them. Relevant bodies such as the UN Committee on Elimination of Racial Discrimination (CERD) and the Special Procedures have established formalised urgent action mechanisms to act in some urgent situations so we can refer to and learn from such tools in order to develop a specific system for early prevention of and protection from forced evictions.

**(EGM GUIDANCE NOTE)**



were totally excluded from the compensation arrangements.

The completion of this enumeration process will serve six interrelated purposes:

1. To present verifiable data and legal foundation for contesting and correcting inaccurate information and misconceptions about their settlement, and to meet specific legal requirements related to an ongoing adjudication challenging the planned demolition and eviction of residents.
2. To equip members of the target community with the skills and information that enable them strategize and act towards acquiring secure tenure and defend their community against forced evictions.
3. To promote a culture of citizen participation in larger community affairs and help in building a platform for deepening solidarity, and enabling collective action and participation in community rebuilding.
4. To establish the scale of human losses and suffering that any demolition action in Abonema Wharf community would bring about, and ascertain the various ways in which forced eviction impacts vulnerable groups in the community especially women, young people and children. The report will serve as a tool for sensitizing the federal and state governments to the inhuman and degrading experiences and losses of residents when forced eviction is implemented without regard to due process.
5. To provide evidence-based justification for the enactment of an eviction moratorium and present useful information that would aid future urban planning, especially the establishment of a participatory and

sustainable city development strategy, including the upgrading and rehabilitation of the waterfront and other informal settlements.

6. To offer the enumeration processes as avenues for community residents to receive training and education about their housing rights and how these rights can be claimed using social action and other formal mechanisms such as the courts.

In August 2008, demolition notices were served on Abonema Wharf community residents, following which the government commissioned a private agency, Ideozu & Partners and Utchay Okorji & Associates, to conduct an enumeration to value the houses situated along the only road in the community. During the process, the valuers allegedly demanded, extorted money, and attempted to induce property owners to make clandestine arrangements with them to inflate the values of some properties. In unwavering response, members of the Abonema Wharf community petitioned the government decrying the massive irregularities and due process breaches that transpired throughout the enumeration exercise. They complained that their community did not participate in the selection of those commissioned to value their properties, and that the proposed enumeration arrangements were not crafted in a way that would benefit the affected community.

When the level of opposition became too difficult for the government to contend with, it introduced a “buy out” arrangement under which house owners are compelled to give up their houses and properties for sale to the government. Homeowners who didn’t want to sell their homes were surprised by the government’s plan to forcefully buy-out their houses and properties, in order to subsequently demolish the buildings and transfer the newly vacant land to the Silverbird Group.



In February 2009, several houses in Abonema Wharf community were marked for demolition for the second time. At this time, the government also began to make efforts to contact the owners of the properties slated for demolition. SERAC's research findings and advocacy helped draw local and international attention to the gross housing rights abuses directly arising from the urban renewal programme. Between March 12-16, 2009, SERAC, UN-Habitat, and other concerned agencies conducted a multi-stakeholder fact-finding mission to Port Harcourt in response to the several complaints of massive displacement of poor families resulting from government-led forced evictions and demolitions in Port Harcourt.

During the mission, the four-member team conducted an objective visit to different sites where demolitions had occurred as well as locations marked for demolition. Additionally, the team reviewed the available documentation, met with government officials and members of the agencies under their control, and carried out interviews and group discussions with the widest possible range of stakeholders including non-governmental organizations (NGOs), civil society representatives and members of waterfront communities. Through this effort, it was revealed that the demolitions were being carried out in the absence of the appropriate institutional framework and in arbitrary application of the provisions of the State's

planning legislation. The team accordingly published a set of recommendations that encourages government to initiate "a sustainable urban development process in Port Harcourt that is based on a balanced recognition of the need to re-establish development control and to respect the basic right of all city dwellers to adequate housing and protection from forced eviction."

The main aim of the proposed enumeration exercise is to provide verifiable data and tools that can be used both by the community and the state authorities to set in motion a sustainable urban development action that overturns the problems of soaring poverty, tenure insecurity, social exclusion, inadequate housing, water and sanitation which residents face on a daily basis.

#### REFERENCES AND LINKS

- SERAC: Abonema Wharf Pre-enumeration Consultations: July 2011
- Demolitions and Evictions in Port Harcourt City: Report of the Fact-finding Mission to Port Harcourt, 12-16 March 2009 by UN-Habitat, SERAC, Federal Ministry of Works and Housing and Women Environmental Programme, p.9 (August 2009).
- UN-Habitat: Count me In: Surveying for Tenure Security and Urban Land Management (2010)





1. Monitoring, Research And Publications	Expected Outcomes
Create and extend UN-Habitat/AGFE information base and monitoring activities, via key partners and community-based groups	Growing network of organisations and individuals working to monitor and protect housing rights and prevent forced evictions around the world
Intensive monitoring, recording and analysis of public reports of evictions from all sources, including newspapers, journals, bulletins, newsletters, legal notices, social media, communication and networking with information base	Collect and record comprehensive information of cases of forced evictions around the world in database. Produce reports for public dissemination
Create and develop an assessable global forced evictions database with a visual component (Crowdmap, infographic) for recording and updating information on cases of forced evictions	Online database created and completed and in full use by UN-Habitat, AGFE, UN human rights bodies and non-UN-Habitat users.
Produce presentations, research papers, video documentation and interviews, and photo essays indicating the scope and effects of forced eviction, and the ways in which evictions can be halted, averted and replaced with alternatives	Presentations, research papers and photo essays
Collect detailed information on successful community-initiated alternatives to forced eviction	Regular collection of information on averted evictions. Publication on successful strategies for averting evictions and attaining secure tenure to be produced and released
Publish incidents of threatened, implemented and prevented forced eviction in regular editions of UN-Habitat newsletters and bulletins.	Information on evictions presented and analysed in regular publications.
<b>2. Capacity Building, Networking &amp; Training</b>	
Build networks of support organisations, communities and other groups working on the problem of forced evictions	Growing network of organisations and individuals working to halt, prevent, and remedy forced evictions around the world. Finalise the 2010 AGFE report and present it at the UN-Habitat Governing Council and other relevant meetings.
Practical training programmes for community groups, NGOs, human rights bodies, governments and other institutions on presenting alternatives and preventing and halting forced evictions	In collaboration with the OHCHR and the UN Special Rapporteur on Adequate Housing, bring lawyers, judges, governmental officials, NGOs and activists together in order to analyse causes and consequences of forced evictions, share legal and advocacy strategies used in similar situations around the world, and strategise to halt and remedy ongoing forced evictions.
Building an effective coalition against forced evictions in all regions	Collaborate with NGOs and grassroots organisations to strengthen emerging coalitions against forced evictions, by undertaking fact-finding missions and advocacy campaigns directed towards facilitating a change of mindset among governments on the use of forced evictions as a development and governance tool.

## ANNEX H

### **GUIDANCE NOTE: HOUSING RIGHTS NETWORKS AND UN-HABITAT**

#### INTRODUCTION

This survey was designed as a preview analysis for the International Expert Group Meeting on Forced Evictions, 20-23 September 2011. In the context of the elaboration of the Global Housing Strategy to the Year 2025 (GHS2025) and within the framework of UN-Habitat's Adequate Housing for All Programme, experts will exchange views and contribute knowledge to discussions on the future role of UN-Habitat in preventing, monitoring and assessing forced evictions globally.

The Expert Group Meeting is expected to shape and build the momentum necessary for a further push forward in elaborating the future role of UN-Habitat in the area of forced evictions.

Accordingly, this survey seeks to identify, on the one hand, an elaboration on UN-Habitat's modes of interaction with a variety of relevant actors and, on the other hand, a definition of its priority activities within the strategic framework of UN-Habitat's emerging priorities and a mapping of other actors' activities in the area of forced evictions.

Out of the forty five (45) participants whose responses were solicited for the survey, twenty eight (28) participated and twenty four (24) completed the survey, i.e. a 62.2 percent response rate.<sup>1</sup> Out of the twenty eight participants (28), 89.3 percent (twenty five, 25) identified themselves as directly "affiliated with an organization or institution." 81.8 percent of

this group (eighteen, 18, out of twenty two, 22, respondents) saw themselves as "representing" the affiliated organization/institution. Overall, a fairly even distribution of participants contributed in either an individual capacity or on the part of a professional affiliation.

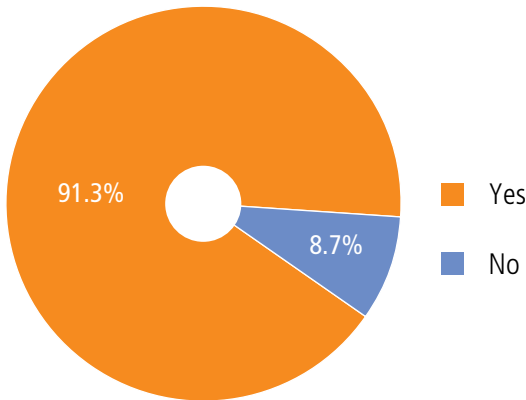
A wide range of organizations and institutions are represented in the survey, with a slight majority 57.1 percent from NGOs and a significant presence from "Networks and Alliances" (19 percent). 14.3 percent of respondents affiliate themselves with "International Organizations" and 4.2 percent with "Local Government" (Figure 14). Within organizations, individuals identified with a balanced and varied range of roles, with each function area selected by between 30 percent and 50 percent of respondents (Figure 15). A vast majority of respondents thus cover a variety of roles in day to day tasks, with 72.7 percent seeing "advocacy" as an important overlap with other tasks/functions.

Across organization types, there is a fairly balanced representation of regional operation areas. All regions are represented by between 14 percent and 30 percent of respondents, with the large deviating exception of "Arab States" selected by only one respondent (Figure 12).

While 42.9 percent of respondents selected a "Global" focus area, whether the relatively low representation from "Arab States" is a question of sample size or an indicator of the proportional distribution of forced evictions regionally remains to be addressed.

Across all respondents, a majority saw their organization's strategic role on the issue of forced evictions as focusing on "prevention" and "advocacy and campaigning" (both 80 percent, Figure 16).

<sup>1</sup> An incomplete response rate, at 62.2 percent, may be attributable to a variety of factors including, but not limited to: questionnaire length, a relatively short timeframe of two-weeks, and out of reach participants on holiday during the month of August. In order to gather as many responses as possible, several reminders were posted and the survey deadline was extended from August 15 to August 17, 2011.



*Can UN-Habitat play a unique role related to the prevention of forced eviction?*

The same trend was noted in questions identifying both organization’s mandate and operational role, with “advocacy,” “training and capacity building,” “research,” and “networking” all receiving the highest amount of responses. At the same time, “pilot projects” and “tool development” both received particularly low responses (Figures 17 and 18).

In order to establish whether there are grounds for mutually beneficial and supportive relationships, the following question seeks to identify the time-frame of work: “at what stage of a forced eviction does your organization work (select all that apply)?” (Figure 2). While the pre, during, and post categories all received majority reply rates, a very significant majority (95.2 percent) directly associated their work with the “Pre- eviction” stage.

Preliminary data thus suggests that the “Pre- eviction” stage seems to be a common focus point across participants, and a possible entry- point for collaboration with UN-Habitat.<sup>2</sup> This trend emerges with further support in the context of respondent-identified constraints to implementing goals; “Human resources,”

“training and capacity,” “legal assistance,” and “media relations” all produced significant majority votes as either “no obstacle” or “minor obstacle,” while categories involving “political will” (at local, national, and inter- national scales) all received over 50 percent respondent identification as “substantial” or “major obstacle.” 84.2 percent of respondents see “national political will” as either a “substantial” or “major” constraint.

Robust trends emerge, across a broad sample of regional areas, organization types, and individual functions, highlighting the importance of the pre- eviction stage, prevention/advocacy roles, and the strong barriers of political will. At the same time, 91.3 percent of participants believe that UN-Habitat has a unique role to play in the “prevention of forced evictions.” The correlation, therefore frames subsequent questions on the relevance, scale of engagement, and collaborative framework for a Global Housing Rights Network, as well as UN-Habitat’s potential support- role at large.

## ISSUES FOR DISCUSSION

### 1. What emerges as UN-Habitat’s added value and unique role on housing rights and forced evictions?

When questioning the role that UN-Habitat can have in an external organization’s work on forced evictions, the survey seeks to differentiate between where there is a belief that HABITAT has a “unique role” (a political, knowledge, and capacity base of particular influence), where it can simply provide “added value” (an ability to facilitate the carry-through of existing efforts), and where little can be added.

<sup>2</sup> Participants have suggested that there may be a hidden gap in this field related to the post- eviction situation of a community due to the challenges it poses once a community has been scattered.

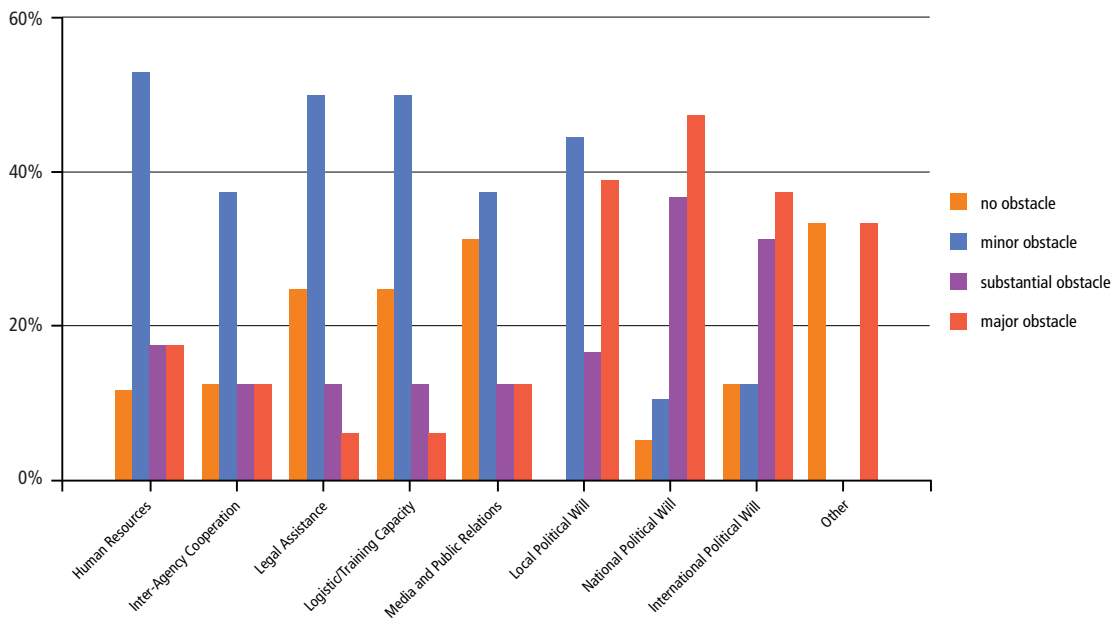


Figure 1: Political will, at all scales, is seen as constraint by a large majority of respondents

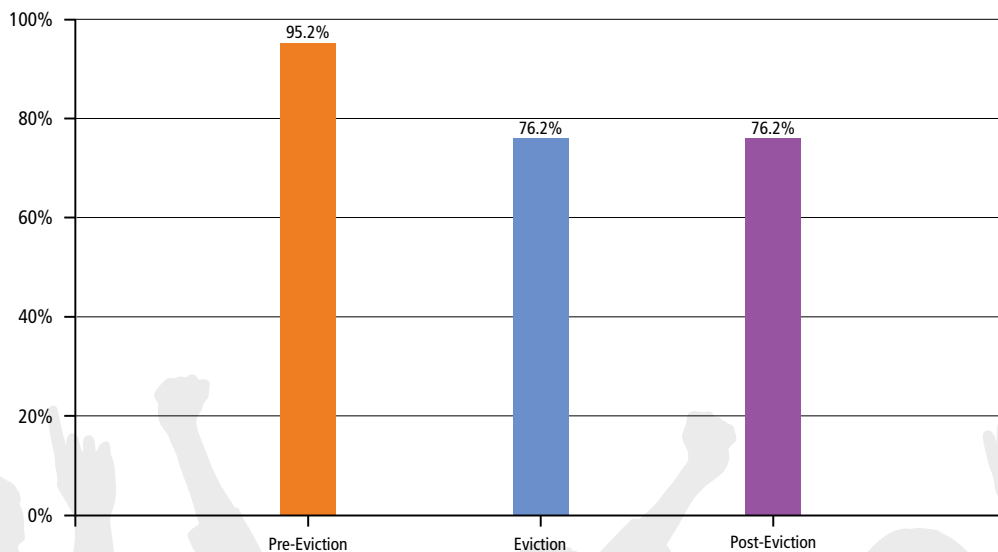


Figure 2: The pre- eviction stage emerges as a priority for nearly all respondents



In evaluating broader opinions of UN-Habitat entry-points for support with regards to forced evictions, and where there was agreement on a unique role, topics were broken down between a respondent's organizational "mandate" and "everyday operations." "Mandate" is defined as a strategic methodological approach, policy stance, and broader area of work. "Everyday operations" are defined as a range of specific results-based outputs and deliverables.

While responses varied greatly, particularly when solicited for additional commentary (annex: questions 28, 29), respondents identified that value can be most added in the "Convener for Multiple Stakeholders" mandate area (84.2 percent respondents selected "substantial" or "crucial" added value – Figure 3). Significant support was also shown for "Knowledge" (60 percent) and "Policy Development" (71.7 percent). The "Convener" role, however, also far outweighed other categories purely in terms of "crucial" votes (42.1 percent). This strong skew in qualitative support suggests a broad belief that, while significant value may be added to an organizations "Knowledge" and "Policy Development" mandates, UN-Habitat is in a unique position to convene stake-holders.

“UN-Habitat can mobilize other development partners to support alternatives to forced eviction and provide leadership on the issue in the countries where it works. - UN-Habitat can play mediation role in disputes between governments and communities resisting eviction. “

“An endorsed tool to measure the human, social and cultural impact of a proposed development project, would enable governments, lenders and development professionals to better represent projects. Finalizing such a tool and making it usable for business and governments, requires shepherding by a credible organization like UN-Habitat.”

#### **SURVEY RESPONDENTS**

Results for everyday operation categories were more evenly distributed, obscuring any clear identification of "unique role." Overall, the "prevention/alternatives" stage emerged with the strongest qualitative support (63.2 percent respondent selected "substantial" or "crucial" added value – Figure 4) as did "impact assessment" (67.4 percent), however with a significantly lower proportion of "crucial" votes. Though with a much lower net total proportion of "substantial" and "crucial" selections, the most frequently cited "crucial" value addition were in "early warning" and in "negotiation with government," indicating strong points of contention.

It is of note that within the context of indications that UN-Habitat has a unique role to play as a "convener," a relatively even proportion of respondents (52.6 percent) believe that either "no value" or only "some value" can be added to everyday operations in "dispute resolution", most likely due to the many local nuances that would complicate a dispute resolution process being led by UN-Habitat.

#### **Key Questions**

1. At what stage or scale of support is HABITAT most suited to assist your organization?
2. Should its role focus on promoting your organization's mandate or its everyday operations?
3. What does assistance as a "convener" towards "prevention" mean on the ground?
4. How might a network operate towards prevention?
5. Is a network the best format for "convening multiple stake holders?"
6. What material and results-based collaborations can happen with your organization?



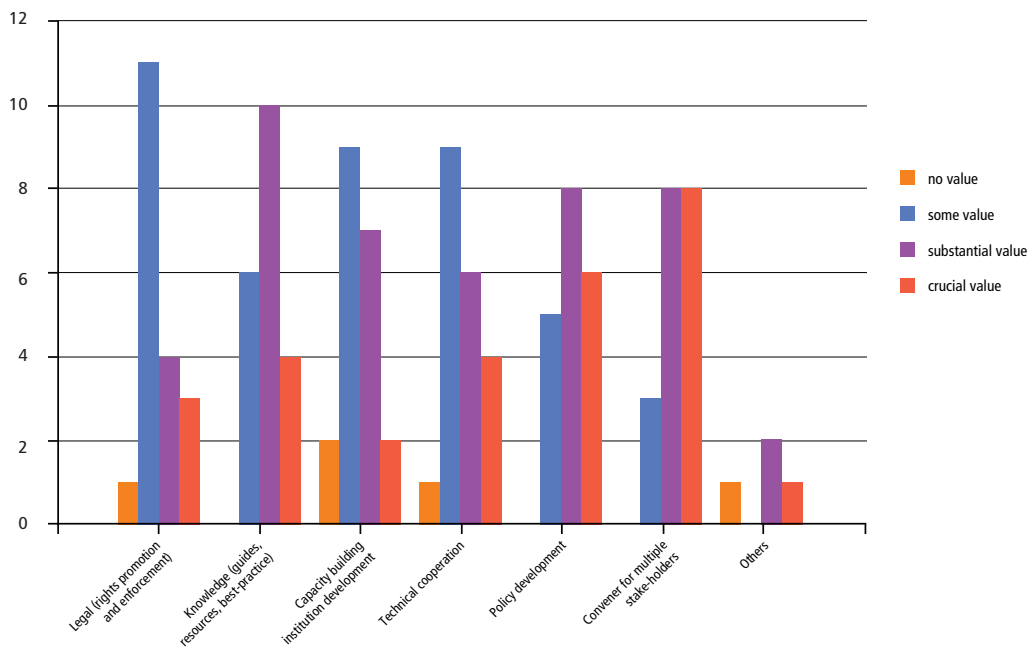


Figure 3: “Convener of multiple stakeholders,” “Policy development,” and “Knowledge” emerge as key contributions to mandate areas.

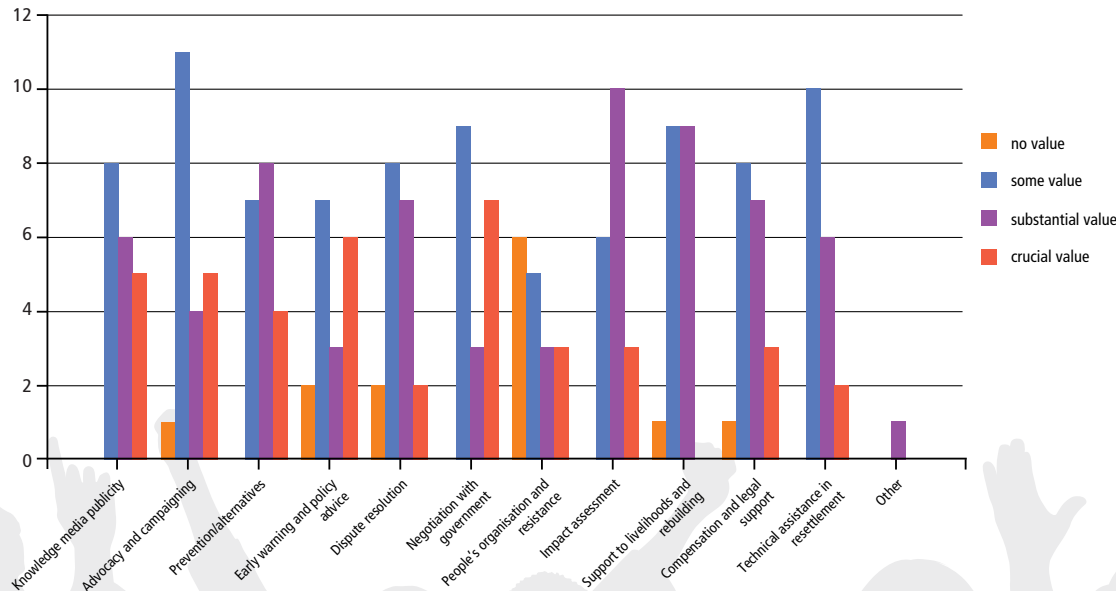


Figure 4: “Prevention/Alternatives,” “Impact assessment,” emerge as contribution points to operation areas, but distribution is less skewed.

## 2. What is UN-Habitat's role vis-à-vis other networks/coalitions?

There is consensus among survey respondents that a UN-Habitat facilitated "Global Housing Rights/Forced Evictions Network" can add to existing alliances, to at least "some" degree. While zero respondents believe that the contribution vis-à-vis other networks/coalitions would add "no value," about two-thirds believe that it can provide a "substantial" or "crucial" contribution (63.7 percent, Figure 5).

At the same time, when asked "Do you believe that there is a benefit to be gained from the establishment of a network between you, your organization, your co-participants and their organizations?" (Figure 6) the proportion of people recognizing a "crucial" value contribution increased from 27.3 percent to 45.5 percent, as compared to the aforementioned question (Figure 5). While there are still zero respondents who see "no value," the total who see "substantial" or "crucial" value increased to a very significant majority, at 81.9 percent.

The higher identification of "crucial" value added by a network between participants, as opposed that added by a UN-Habitat facilitated network between existing networks/alliances raises an important point for discussion. The gap may be due to a perception that UN-Habitat interaction with existing networks and alliances may result in redundancy or to a strong representation by currently non-aligned/independent participants seeking a network to position their own work in a broader context. Participants have suggest that uncertainty may arise because the respondents do not know what the UN-Habitat supported network would look like or how it really functions.

Identifying ways for UN-Habitat to support and promote the deep capacity and experiences of existing alliances/networks is of central importance. Reactions to Question 32 (How

useful would support from a UN-Habitat coordinated "Global Housing Rights/Forced Evictions Network" be to you and/or your organization in the following areas?) may provide relevant information (Figure 7). Very strong support ("substantial" or "crucial" value) is attributed to a UN-Habitat facilitated "Global Housing Rights/Forced Evictions Network" in the following areas: "Legal/Rights-based support" (76.2 percent), "Prevention" (76.2), and "Monitoring" (81 percent). "Impact assessment" and "funding" are seen as least relevant (each with 50 percent finding "no" or "some" value). Overall, the strongest recognition of value added by a new network is in pre-eviction roles.

“...to be successful, the proposed network must give significant attention to engaging with broader constituencies outside of the existing networks. The proposed network needs to reach out to persons, organizations and communities not directly within the housing, land rights, forced evictions sphere... We must make it an absolute among the general public that development should support human rights - not cause human rights abuses.” (reply to question 36)

“UN-Habitat would be well advised to first take stock of existing networks and alliances and explore how it might best help build capacity and otherwise strengthen these pre-existing efforts, before attempting to create something new.”

“A body is needed which unites how the local and national causes of forced evictions are part, not only of a global narrative, but also of a moving global process favoring a particular type of development. To do this, UN-Habitat needs data, images, video, audio and mapping from local communities facing forced evictions to feed into larger thematic and country-based portfolios to help unpack the true essence of what causes forced evictions.”

### SURVEY RESPONDENTS

## Key Questions

1. What factors may account for difference between a very high desire for a collaborative network between participants, and more balanced support for UN-Habitat facilitating that network?
2. How can these factors be addressed in the context of existing alliances/networks to avoid redundancy?
3. Do responses for “legal assistance,” “prevention,” and “monitoring” suggest that UN-Habitat’s role vis-à-vis other networks/coalitions would be most effective at the pre-eviction stage?

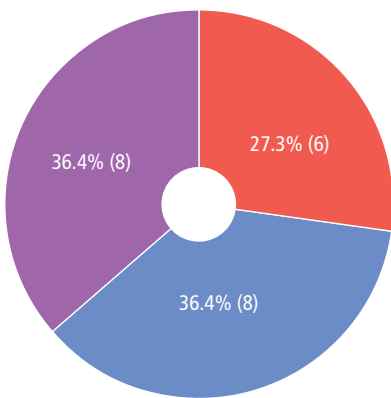


Figure 5: All respondents see a degree of value added to existing alliances/networks, while a third see only “some

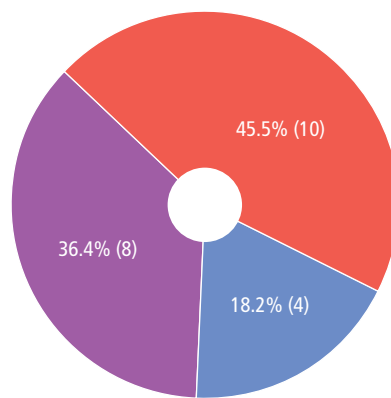


Figure 6: A significant majority believe there is at least “substantial” value to be gained from a network between participants

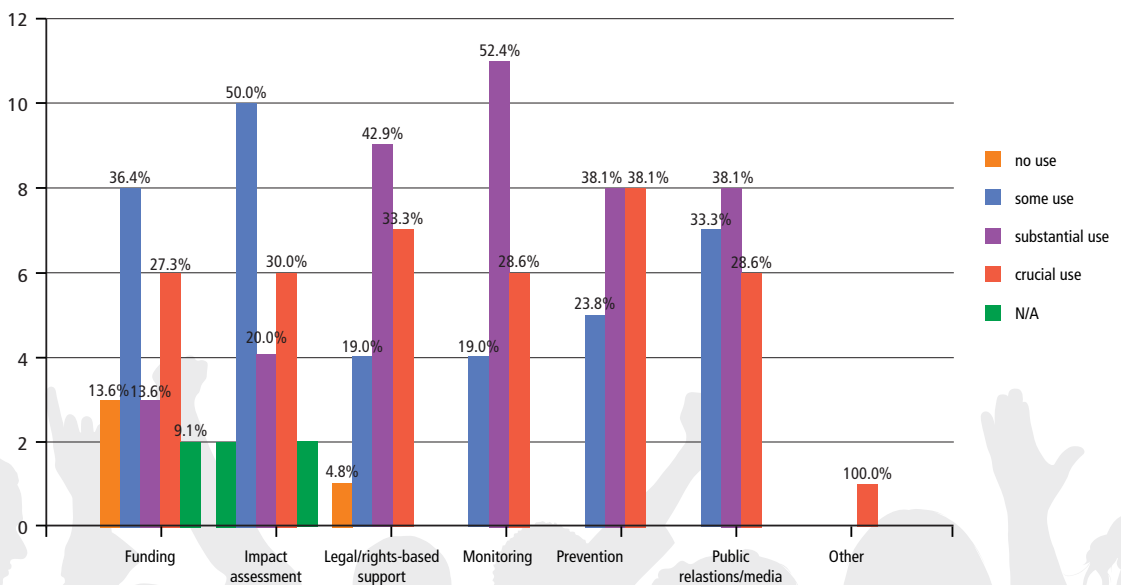


Figure 7: The strongest recognition of benefit accrued by a new network is in pre- eviction areas.



### 3. What other relevant actors could be engaged in housing rights networks to make it more effective?

The wide variety of stake-holders involved with forced evictions suggests that a central aspect of a network involves first identifying the true variety of stake-holders, and then both the need and the shape of a collaborative forum within this variety.

In this survey, a high majority of respondents identify their organization as an NGO or as a Network/Alliance (76 percent, Figure 14), while significant minority (14.3 percent) identified with International Organizations.

For the purposes of improving collaboration between organizations working across a range of institutional contexts, the survey categorizes organizations into three scale groups: Community/Local groups, City/National institutions, and International Organizations/

Donors. It then seeks to solicit input on improved collaboration by differentiating between the need for facilitated collaboration within and across these scale groups.

When asked about the need for a coherent global forum within scale groups, in no category is there seen to be “no need.” There is very significant recognition of need for a forum within groups operating at the “City/national institution” and the “International organization” scale (85 percent and 80 percent, respectively, Figure 8). This may indicate that while local alliances have gained considerable traction, there is need for more coordination at higher levels, particularly between international organizations (60 percent see “crucial” need).

Across scales, the distribution of perceived need for collaboration is very even. All categories see over 60 percent believing that

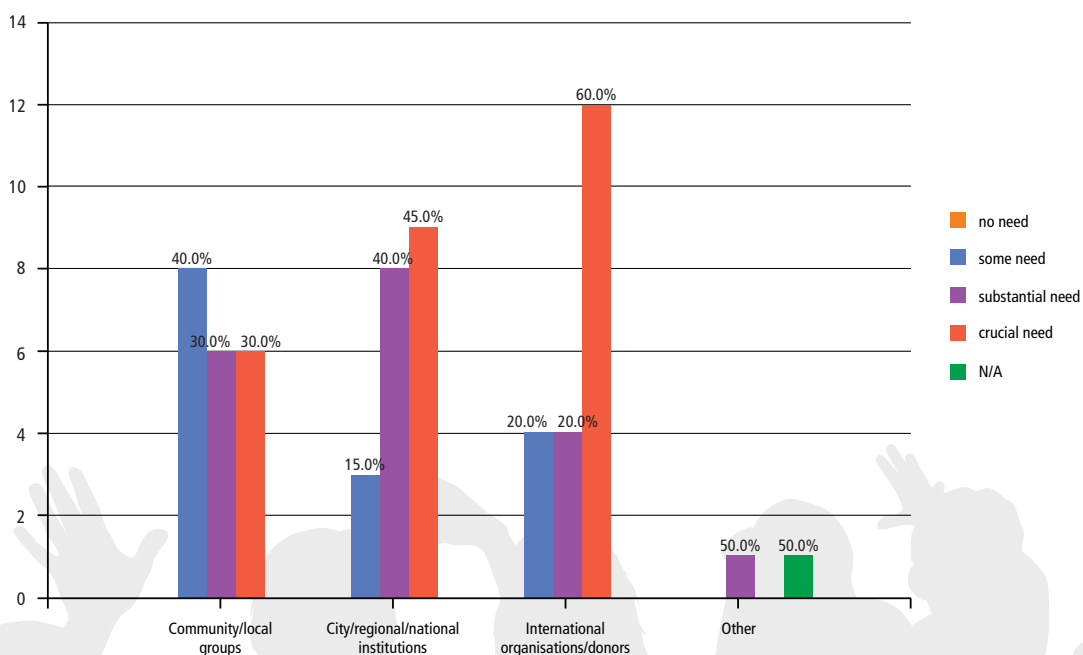


Figure 8: Particular need for a coherent global forum is identified within the “city/national” scale and within the “international organization” scale.

there is either “substantial” or “crucial” need for facilitated collaboration. The greatest amount of people seeing a “crucial” need for facilitated collaboration was between the biggest jump in scales, the “community/local group” with the “international organization/donor” (38.1 percent, Figure 9).

**Key Questions**

1. What are key obstacles to fluid collaboration both within and across the three organizational scales of “local groups,” “city/regional/national institutions,” and “international organizations/donors?”
2. What types of groups/organizations/institutions can most effectively be brought together to address issues of collaboration within and across scales and contexts?
3. Can a network help align scale groups to hold others accountable? For example, can a network help align local groups

“Once good partnerships are established with governments, UN-Habitat can lobby for alternatives to eviction and conduct targeted interventions in individual evictions cases, in coordination with OHCHR and Special Rapporteur on Adequate Housing.”

“By supporting relevant government agencies to develop city/ master plans and housing policies, etc. that allow for various forms of secure tenure, community-driven housing and infrastructure upgrading, access to affordable housing and human rights-compliant resettlement where necessary.”

**SURVEY RESPONDENTS**

and international organizations (loans/ aid/technical assistance) to hold national governments to account on human rights obligations? If so, how?

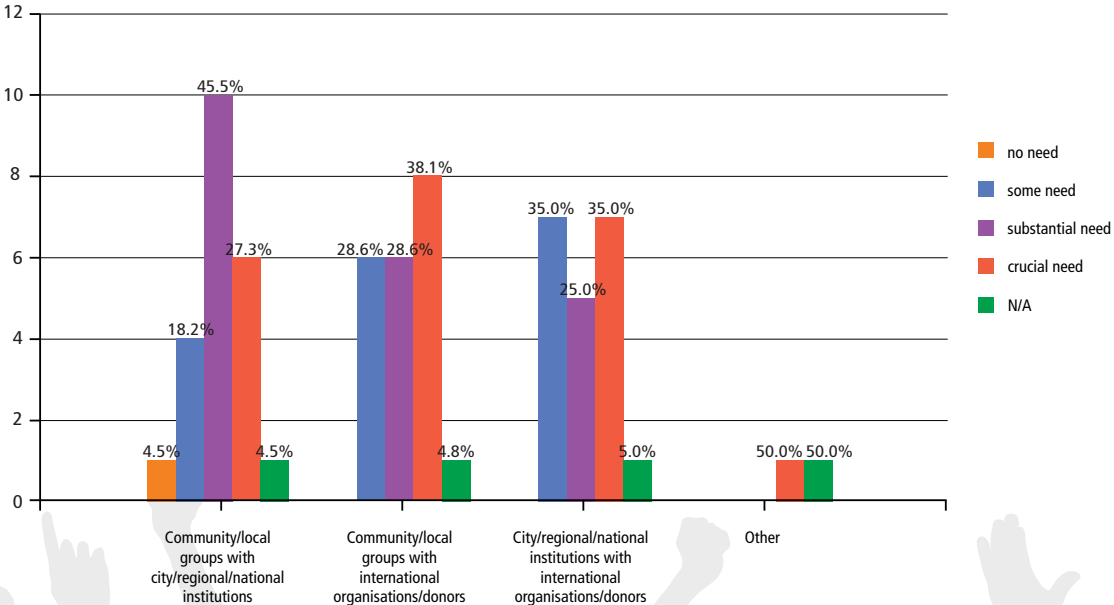


Figure 9: The need for a coherent global forum is identified across pairings of all three major scale groups



**4. How do we generate and sustain commitment if a Global Housing Rights Network is established? What are ways that such a network directly addresses the issue of political will?**

Participants have suggested that it may be helpful to think if the network is “more a creator or more a fixer”. Will it primarily exist in current structures with current mechanism, tactics and methods and work to change/adapt these for the better (“fixer”) or will it primarily be engaged in constructing/introducing new thoughts, methodologies, tools, mechanisms (“creator”)?

Generating and maintaining an effective Global Housing Rights Network requires sustained commitment from a wide range of parties and stake holders. Out of many challenges to sustained commitment, the following points are worth highlighting in the context of this survey:

1. A significant majority of respondents agree that political will, at all levels, is a major constraint for their organization (Figure 1). In this context, focus emerges

2. While data shows very significant support by Expert Group Meeting respondents for prioritizing human rights based approaches across nearly all thematic areas in the realm of urban policy (Figure 11), survey results also indicate a need to elaborate and clarify the relationship between sustaining political will and leveraging established human-rights frameworks.
3. Maintaining commitment from multiple partners requires a clear understanding of the operation and mandate areas that are most likely to permit and promote a sustained and effective collaboration between a network and various stakeholders. The forms of contributions and the contributions themselves, no matter how large or small, must be robust and coherent to avoid redundancy, to promote a growth in results, and therefore also to enfranchise continued participation.

When assessing potential areas that a respondent would “seek to be involved in”

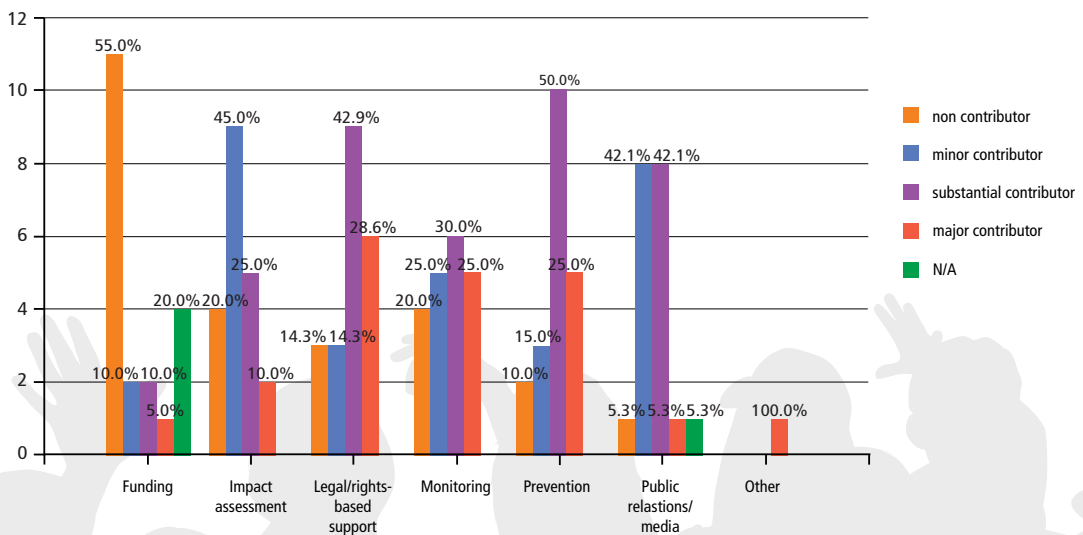


Figure 10: Significant concentration of desired contribution occurs in “Legal/Rights based support” and in “prevention.”

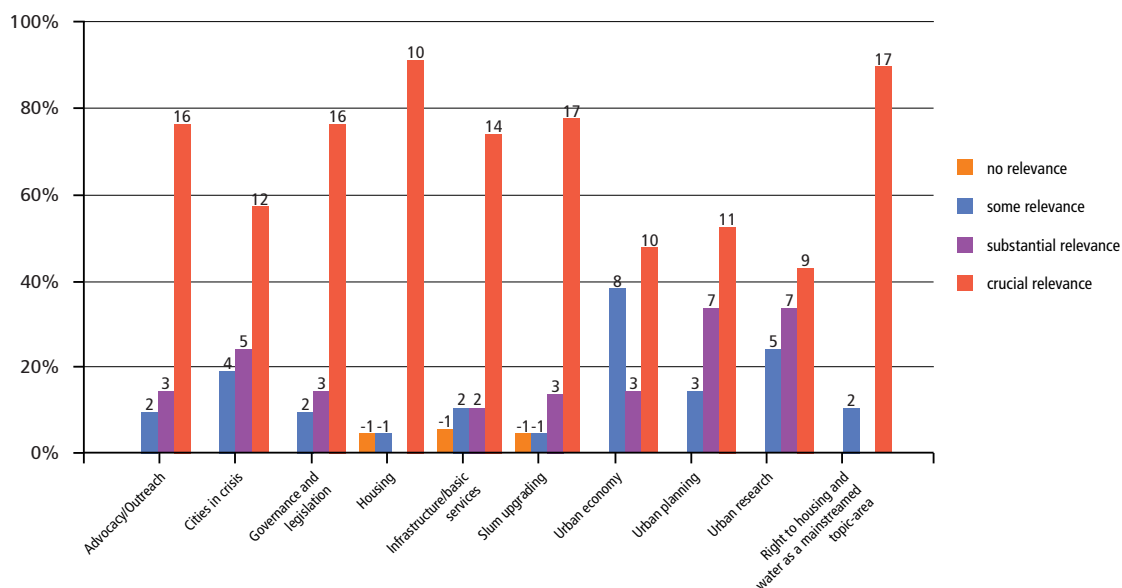


Figure 11: Significant respondent agreement on the role of a human rights based approach.

if a network were to be established, clear focus areas emerge. Approximately 70 percent of respondents specify that in the area of “Funding” and “Impact Assessment” they would either be a “non contributor” or a “minor contributor” (Figure 10). Equally strong qualitative agreement occurs in the opposite direction, with over 70 percent of respondents specifying that “Legal/ Rights-based support” and “Prevention” are areas where the respondent would seek to be either a “substantial contributor” or a “major contributor.” Opinion on involvement in “Monitoring” and “Public relations” remains unclear, with each sustaining an even distribution in degrees of desired contribution.

Contextualized within the larger survey, two key points emerge: 1) There is a growing trend that a network might be most useful and able to sustain commitment if it emphasizes pre-

eviction; 2) Correlation between “Rights-based support” and “Prevention” may indicate that mobilizing political will in the context to human rights frameworks is also most feasible at the pre-eviction stage.

### Key questions

1. How can HABITAT help address the issue of political will (technical assistance and advice, showing good and practical examples, alternatives to evictions, aligning stake-holders, etc)?
2. What are entry points for city governments, national governments, and international organizations in this potential network? How can their engagement and interest be sustained in the context of existing human rights frameworks?
3. What other key focus areas are important to sustaining committed participation, at large?





**BACKGROUND NOTES: SURVEY ANALYSIS**

Key graphs on the distribution of participant information as provided by survey respondents.

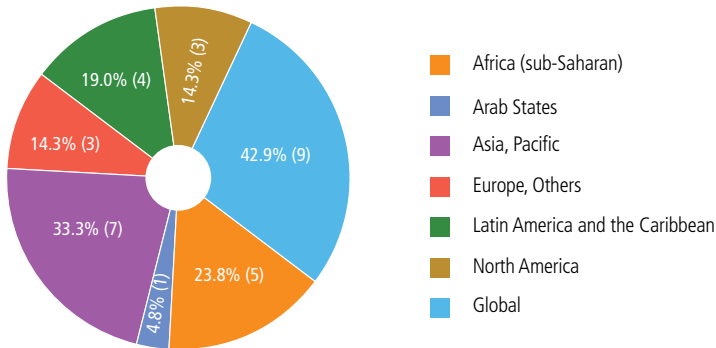


Figure 12: What is the regional focus of your organisation (select all that apply)?

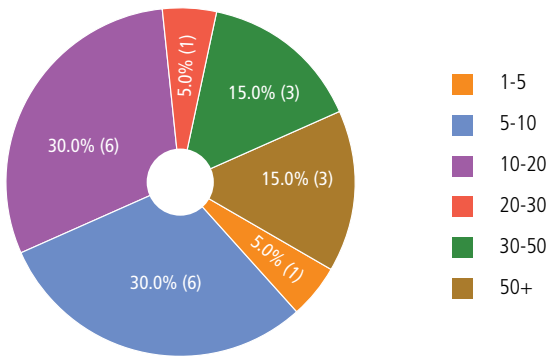


Figure 13: How many people are employed by your organisation (including part-time paid employees)?

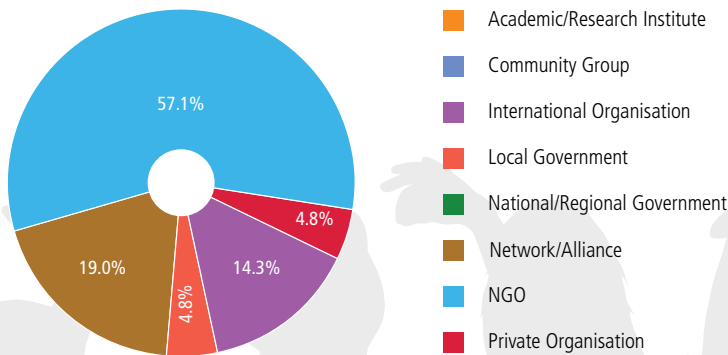


Figure 14: How would you best describe your organisation/institution?



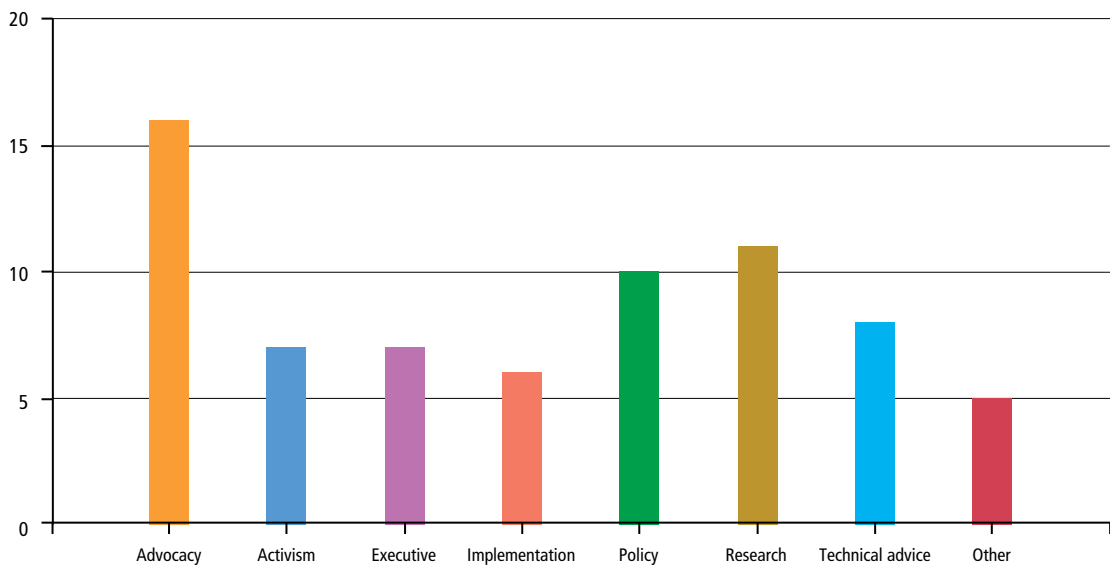


Figure 15: What is your function/responsibility at your organisation (select all that apply)?

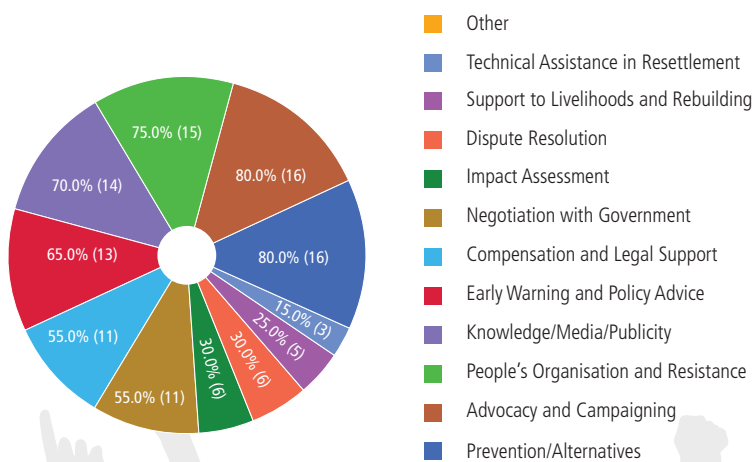


Figure 16: What is the main scope of your organisations work regarding forced evictions (select all that apply)?



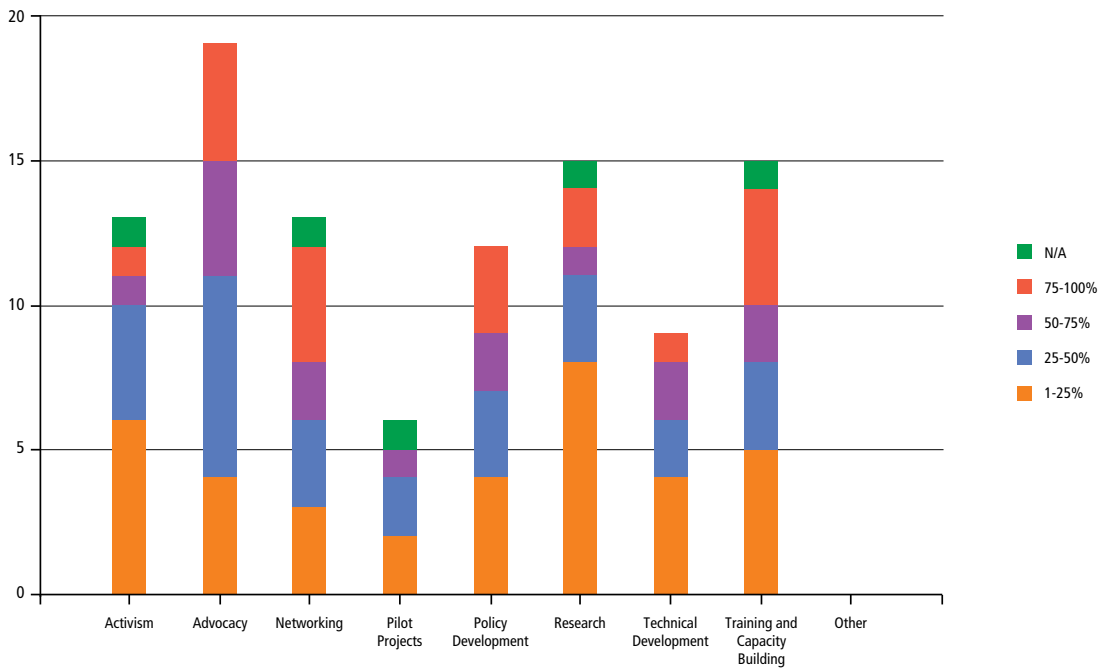


Figure 17: Please rank the mandate of your organisation/institution

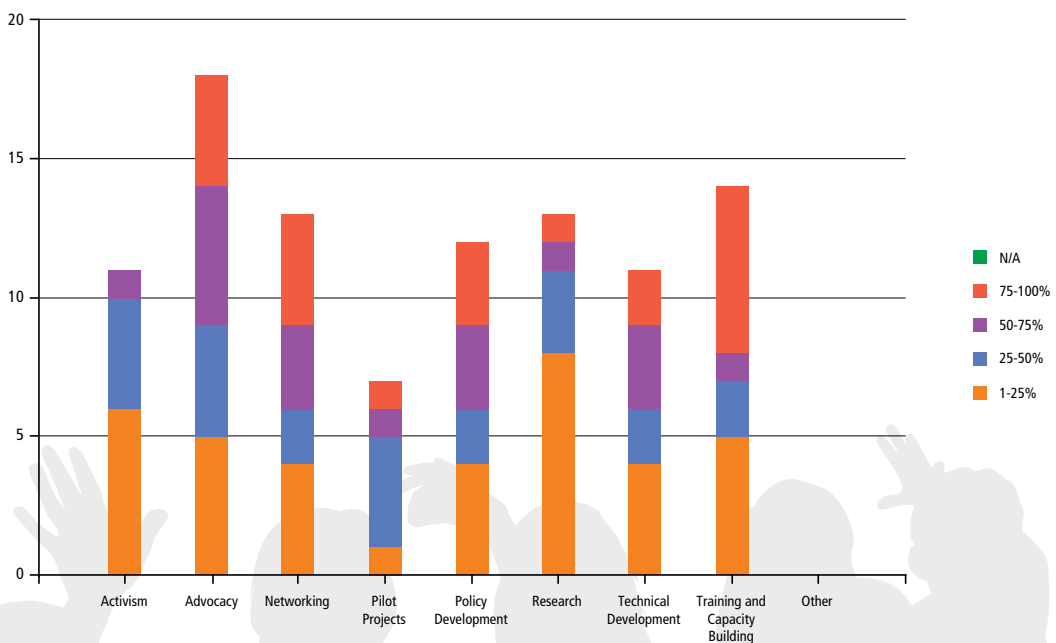


Figure 18: Please rank the actual role/capacity of your organisation/institution

## HOUSING RIGHTS NETWORKS AND UN-HABITAT

### Section 1: Participant/Respondent on behalf of institution/organisation

2. Are you currently affiliated with an organisation/institution?

answered question		28
skipped question		0
	Response Percent	Response Count
Yes	<b>89.3%</b>	<b>25</b>
No	10.7%	3
If yes, please state the name of the organisation/institution:		25

### Section 2: Institution - Detailed Information

3. Are you representing your affiliated institution?

answered question		22
skipped question		6
	Response Percent	Response Count
Yes	<b>81.8%</b>	<b>18</b>
No	18.2%	4

4. Please provide your organisation's/institution's contact details:

answered question		21
skipped question		7
		Response Count
		21

5. How would you best describe your organisation/institution?

answered question		21
skipped question		7
	Response Percent	Response Count
Academic/Research Institute	0.0%	0
Community Group	0.0%	0
International Organisation	14.3%	3



Local Government		4.8%	1
National/Regional Government		0.0%	0
Network/Alliance		19.0%	4
NGO		57.1%	12
Private Organisation		4.8%	1

6. What is your function/responsibility at your organisation (select all that apply)?

answered question			22
skipped question			6
		Response Percent	Response Count
Advocacy		72.7%	16
Activism		31.8%	7
Executive		31.8%	7
Implementation		27.3%	6
Policy		45.5%	10
Research		50.0%	11
Technical advice		36.4%	8
Other		22.7%	5
If Other, please specify:			10
<ul style="list-style-type: none"> <li>• Manager</li> <li>• Litigation</li> <li>• PUBLICATION</li> <li>• Community organizing and empowerment</li> <li>• Standard settings, tools,...</li> <li>• Networking</li> <li>• Organization of inhabitants</li> <li>• Negotiator between neighbourhoods &amp; local authorities</li> <li>• Mayor</li> <li>• Education and research</li> </ul>			



7. What is the regional focus of your organisation (select all that apply)?

answered question		21
skipped question		7
	Response Percent	Response Count
Africa (sub-Saharan)	23.8%	5
Arab States	4.8%	1
Asia, Pacific	33.3%	7
Europe, Others	14.3%	3
Latin America and the Caribbean	19.0%	4
North America	14.3%	3
Global	42.9%	9

8. How many people are employed by your organisation (including part-time paid employees)?

answered question		20
skipped question		8
	Response Percent	Response Count
1-5	5.0%	1
5-10	30.0%	6
10-20	30.0%	6
20-30	5.0%	1
30-50	15.0%	3
50+	15.0%	3

9. What percentage of your services are rendered by volunteers?

answered question		22
skipped question		6
	Response Percent	Response Count
1-25%	50.0%	11
25-50%	9.1%	2
50-75%	9.1%	2
75-100%	9.1%	2
None	22.7%	5

10. Please select the range of your organisation's annual operation budget (USD):

answered question		20
skipped question		8
	Response Percent	Response Count
10,000 - 100,000	0.0%	0
100,000 - 500,000	35.0%	7
500,000 - 1,000,000	15.0%	3
1,000,000 - 10,000,000	25.0%	5
10,000,000 +	25.0%	5

11. Please select the percentage of funding that your organisation receives from the options provided:

answered question							19
skipped question							9
	1-25%	25-50%	50-75%	75-100%	no funding	Rating Average	Response Count
Bilateral Donor Institution	9.1% (1)	27.3% (3)	9.1% (1)	0.0% (0)	54.5% (6)	1.00	11
Foundation	6.3% (1)	12.5% (2)	12.5% (2)	56.3% (9)	12.5% (2)	1.00	16
Local/Regional Government	25.0% (2)	0.0% (0)	0.0% (0)	0.0% (0)	75.0% (6)	1.00	8
Multilateral Organisation	12.5% (1)	12.5% (1)	0.0% (0)	0.0% (0)	75.0% (6)	1.00	8
National Government	22.2% (2)	0.0% (0)	22.2% (2)	0.0% (0)	55.6% (5)	1.00	9
Private Funding	33.3% (2)	33.3% (2)	0.0% (0)	0.0% (0)	33.3% (2)	1.00	6
Other	40.0% (2)	0.0% (0)	0.0% (0)	20.0% (1)	40.0% (2)	1.00	5
If Other, please specify: <ul style="list-style-type: none"> <li>Municipal government</li> <li>Membership contributions</li> </ul>							2

12. At what stage of a forced eviction does your organisation work (select all that apply)?

answered question		21
skipped question		7
	Response Percent	Response Count
Pre-Eviction	95.2%	20
Eviction	76.2%	16
Post-Eviction	76.2%	16

13. What is the main scope of your organisations work regarding forced evictions (select all that apply)?

answered question		20
skipped question		8
	Response Percent	Response Count
Knowledge/Media/Publicity	70.0%	14
Advocacy and Campaigning	80.0%	16
Prevention/Alternatives	80.0%	16
Early Warning and Policy Advice	65.0%	13
Dispute Resolution	30.0%	6
Negotiation with Government	55.0%	11
People's Organisation and Resistance	75.0%	15
Impact Assessment	30.0%	6
Support to Livelihoods and Rebuilding	25.0%	5
Compensation and Legal Support	55.0%	11
Technical Assistance in Resettlement	15.0%	3
Other	0.0%	0
If Other, please specify:		1
<ul style="list-style-type: none"> <li>The Ford Foundation supports the work of grassroots organisations, NGOs and social movements working on any aspect of forced evictions or other violations of human rights.</li> </ul>		

14. Please rank the mandate of your organisation/institution:

	answered question						20
	skipped question						8
	1-25%	25-50%	50-75%	75-100%	N/A	Rating Average	Response Count
Activism	46.2% (6)	30.8% (4)	7.7% (1)	7.7% (1)	7.7% (1)	1.00	13
Advocacy	21.1% (4)	36.8% (7)	21.1% (4)	21.1% (4)	0.0% (0)	1.00	19
Networking	23.1% (3)	23.1% (3)	15.4% (2)	30.8% (4)	7.7% (1)	1.00	13
Pilot Projects	33.3% (2)	33.3% (2)	16.7% (1)	0.0% (0)	16.7% (1)	1.00	6



Policy Development	33.3% (4)	25.0% (3)	16.7% (2)	25.0% (3)	0.0% (0)	1.00	12
Research	53.3% (8)	20.0% (3)	6.7% (1)	13.3% (2)	6.7% (1)	1.00	15
Tool Development	44.4% (4)	22.2% (2)	22.2% (2)	11.1% (1)	0.0% (0)	1.00	9
Training and Capacity Building	33.3% (5)	20.0% (3)	13.3% (2)	26.7% (4)	6.7% (1)	1.00	15
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.00	0
If Other, please specify:							0

15. Please rank the actual role/capacity of your organisation/institution:

	answered question						19
	skipped question						9
	1-25%	25-50%	50-75%	75-100%	N/A	Rating Average	Response Count
Activism	54.5% (6)	36.4% (4)	9.1% (1)	0.0% (0)	0.0% (0)	1.00	11
Advocacy	27.8% (5)	22.2% (4)	27.8% (5)	22.2% (4)	0.0% (0)	1.00	18
Networking	30.8% (4)	15.4% (2)	23.1% (3)	30.8% (4)	0.0% (0)	1.00	13
Pilot Projects	14.3% (1)	57.1% (4)	14.3% (1)	14.3% (1)	0.0% (0)	1.00	7
Policy Development	33.3% (4)	16.7% (2)	25.0% (3)	25.0% (3)	0.0% (0)	1.00	12
Research	61.5% (8)	23.1% (3)	7.7% (1)	7.7% (1)	0.0% (0)	1.00	13
Tool Development	36.4% (4)	18.2% (2)	27.3% (3)	18.2% (2)	0.0% (0)	1.00	11
Training and Capacity Building	35.7% (5)	14.3% (2)	7.1% (1)	42.9% (6)	0.0% (0)	1.00	14
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.00	0
If Other, please specify:							1
<ul style="list-style-type: none"> <li>It is not clear what is meant by ranking system, and doesn't make sense to rank. These are the things our organization does well.</li> </ul>							





16. Apart from financial constraints, please rank the degree to which the following issues prevent your organisation from delivering and implementing its goals related to action on forced evictions:

	answered question						19
	skipped question						9
	no obstacle	minor obstacle	substantial obstacle	major obstacle	N/A	Rating Average	Response Count
Human Resources	11.8% (2)	52.9% (9)	17.6% (3)	17.6% (3)	0.0% (0)	1.00	17
Inter-Agency Cooperation	12.5% (2)	37.5% (6)	12.5% (2)	12.5% (2)	25.0% (4)	1.00	16
Legal Assistance	25.0% (4)	50.0% (8)	12.5% (2)	6.3% (1)	6.3% (1)	1.00	16
Logistical/Training Capacity	25.0% (4)	50.0% (8)	12.5% (2)	6.3% (1)	6.3% (1)	1.00	16
Media and Public Relations	31.3% (5)	37.5% (6)	12.5% (2)	12.5% (2)	6.3% (1)	1.00	16
Local Political Will	0.0% (0)	44.4% (8)	16.7% (3)	38.9% (7)	0.0% (0)	1.00	18
National Political Will	5.3% (1)	10.5% (2)	36.8% (7)	47.4% (9)	0.0% (0)	1.00	19
International Political Will	12.5% (2)	12.5% (2)	31.3% (5)	37.5% (6)	6.3% (1)	1.00	16
Other	33.3% (1)	0.0% (0)	0.0% (0)	33.3% (1)	33.3% (1)	1.00	3
If Other, please specify:							2
<ul style="list-style-type: none"> <li>Lack of available resources</li> <li>knowledge how to deal with all the anticipated eviction problems beforehand. 2. substantial resources and policy for alternative solutions 3. the needs for capacity and development process beyond fire-fighting</li> </ul>							

17. Please provide your organisation's/institution's website and other forms of online communication (blog, facebook page, twitter profile, etc), if applicable:

	answered question	22
	skipped question	6
		Response Count
		22



### Section 3: Individual Participant - Detailed Information

19. In what capacity do you identify your role as an independent participant (select all that apply)?

answered question			2
skipped question			26
		Response Percent	Response Count
Advocacy		50.0%	1
Activism		0.0%	0
Policy		100.0%	2
Research		50.0%	1
Technical advice		0.0%	0
Implementation		0.0%	0
Executive		0.0%	0
Other		0.0%	0
If Other, please specify:			0

20. Please select the organisation(s)/institution(s) with which you primarily work (select all that apply)?

answered question			2
skipped question			26
		Response Percent	Response Count
Academic/Research Institute		0.0%	0
Community Group		0.0%	0
International Organisation		100.0%	2
Local Government		0.0%	0
National/Regional Government		50.0%	1
NGO		100.0%	2
Network/Alliance		0.0%	0
Private Organisation		0.0%	0

21. What, if any, is your primary regional focus (select all that apply)

answered question		2
skipped question		26
	Response Percent	Response Count
Africa (sub-Saharan)	50.0%	1
Arab States	0.0%	0
Asia, Pacific	100.0%	2
Europe, Others	0.0%	0
Latin America and the Caribbean	0.0%	0
North America	0.0%	0
Global	0.0%	0

22. At what stage of the eviction process do you see the main scope of your work (select all that apply)?

answered question		2
skipped question		26
	Response Percent	Response Count
Advocacy for prevention	100.0%	2
Early warning/Monitoring	0.0%	0
Dispute resolution	50.0%	1
Impact assessment	0.0%	0
Advocacy for the evicted	0.0%	0
Government lobbying	50.0%	1
Other	0.0%	0
If Other, please specify:		1
<ul style="list-style-type: none"> <li>Also looking at land sector development programs and how they can be designed and implemented in a manner that gives households and especially most vulnerable groups secure tenure.</li> </ul>		



23. Please rank your own overarching mandate as an independent participant:

	answered question						2
	skipped question						26
	1-25%	25-50%	50-75%	75-100%	N/A	Rating Average	Response Count
Activism	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
Advocacy	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
Networking	0.0% (0)	0.0% (0)	50.0% (1)	0.0% (0)	50.0% (1)	1.00	2
Pilot Projects	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
Policy Development	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
Research	0.0% (0)	0.0% (0)	50.0% (1)	0.0% (0)	50.0% (1)	1.00	2
Tool Development	0.0% (0)	0.0% (0)	50.0% (1)	0.0% (0)	50.0% (1)	1.00	2
Training	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	0.00	1
If Other, please specify:							0

24. Please rank your actual role/capacity as an independent participant:

	answered question						2
	skipped question						26
	1-25%	25-50%	50-75%	75-100%	N/A	Rating Average	Response Count
Activism	50.0% (1)	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	1.00	2
Advocacy	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	0.0% (0)	1.00	2
Networking	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
Pilot Projects	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
Policy Development	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	0.0% (0)	1.00	2
Research	0.0% (0)	50.0% (1)	50.0% (1)	0.0% (0)	0.0% (0)	1.00	2
Tool Development	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
Training	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	0.0% (0)	1.00	1
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	0.00	0
If Other, please specify:							0

25. Apart from financial constraints, please rank the degree to which the following issues prevent you from delivering and implementing your goals related to action on forced evictions:

	answered question						2
	skipped question						26
	no obstacle	minor obstacle	substantial obstacle	major obstacle	N/A	Rating Average	Response Count
Human resources	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
Inter-agency cooperation	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
International political will	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
Legal issues	0.0% (0)	0.0% (0)	50.0% (1)	0.0% (0)	50.0% (1)	1.00	2
Local political will	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
Logistical/training capacity	0.0% (0)	50.0% (1)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
Media and public relations	50.0% (1)	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	1.00	2
National political will	0.0% (0)	0.0% (0)	50.0% (1)	0.0% (0)	50.0% (1)	1.00	2
Other	0.0% (0)	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	0.00	1
If Other, please specify:							0

#### Section 4: UN-Habitat's Role

27. Can UN-Habitat play a unique role related to the prevention of forced eviction?

answered question	23	
skipped question	5	
	Response Percent	Response Count
Yes	91.3%	21
No	8.7%	2
How so?		21



- I see UN-Habitat as having a unique role as a coordinating body in bringing together key actors to share information and develop coherent approaches to advocacy and standard-setting efforts around forced eviction.
- A body is needed which unites how the local and national causes of forced evictions are part, not only of a global narrative, but also of a moving global process favoring a particular type of development. To do this, UN-Habitat needs data, images, video, audio and mapping from local communities facing forced evictions to feed into larger thematic and country-based portfolios to help unpack the true essence of what causes forced evictions. With these larger portfolios, communities affected can navigate where they sit within the constellation of development planning, in order to have a better footing when claiming their rights and the broader society can see a proposed project and any alternatives from more than one angle. Much work needs to be done to inform (through images, media) who is really affected by forced evictions and what forced evictions mean to a community. Also, since it is in the making, an endorsed tool to measure the human, social and cultural impact of a proposed development project, would enable governments, lenders and development professionals to better represent projects. Finalizing such a tool and making it usable for business and governments, requires shepherding by a credible organization like UN-Habitat.
- I hope it does but I am not sure how and this is why I am attending this conference. UN-Habitat's role as lead of the Housing, Land and Property group of the Global Protection Cluster, gives the organisation a good position to promote the issue at both field and global level.
- Global database, monitoring, facilitating other international organizations, technical cooperation
- By developing tools for early warning and providing governments with technical assistance and advise on how to prevent evictions.
- In the development of international guidelines that can be adopted by all countries.
- Formulating principles and procedures, lobbying and difundig them internationally, monitoring their aplication and formulating constrains against violations.
- By offering robust advice and technical support to governments aimed at reminding them of their obligations to uphold the human rights of people affected by evictions and to exhaust all alternatives prior to executing the forced removal of residents from their homes and lands.
- Offer technical support to national governments developing housing policies to influence inclusion of alternatives to evictions. Increase accessibility to knowledge on prevention of forced eviction through distributing existing publication on forced eviction. increase capacity of National NGOs on prevention of forced eviction.
- Monitoring, capacity building, fact-finding, training, preventing.
- The fact that HABILAT is a UN organization, makes it obligatory to adopt a human rights-based approach (HRBA) to ALL its activities, including forced evictions. Based on the UDHR and specific General Comments, HABILAT, should and can operationlise a HRBA.
- By taking up this issue with national governments and by promoting alternative to evictions.



28. Please select degree of added value that your mandate could gain from UN-Habitat support in the following capacity-areas:

	answered question					21
	skipped question					7
	no value	some value	substantial value	crucial value	Rating Average	Response Count
Legal (rights promotion and enforcement)	5.3% (1)	57.9% (11)	21.1% (4)	15.8% (3)	1.00	19
Knowledge (guides, resources, best-practice)	0.0% (0)	30.0% (6)	50.0% (10)	20.0% (4)	1.00	20
Capacity Building and Institution Development	10.0% (2)	45.0% (9)	35.0% (7)	10.0% (2)	1.00	20
Technical Cooperation	5.0% (1)	45.0% (9)	30.0% (6)	20.0% (4)	1.00	20
Policy Development	0.0% (0)	26.3% (5)	42.1% (8)	31.6% (6)	1.00	19
Convener for Multiple Stake-holders	0.0% (0)	15.8% (3)	42.1% (8)	42.1% (8)	1.00	19
Other	25.0% (1)	0.0% (0)	50.0% (2)	25.0% (1)	1.00	4
If Other, please specify: Country level cooperation creating space for alternative action on the ground						2

29. Please select degree of added value that your every-day operations could gain from UN-Habitat support in the following operation-areas:

	answered question					21
	skipped question					7
	no value	some value	substantial value	crucial value	Rating Average	Response Count
Knowledge/Media/Publicity	0.0% (0)	42.1% (8)	31.6% (6)	26.3% (5)	1.00	19
Advocacy and Campaigning	4.8% (1)	52.4% (11)	19.0% (4)	23.8% (5)	1.00	21
Prevention/Alternatives	0.0% (0)	36.8% (7)	42.1% (8)	21.1% (4)	1.00	19
Early Warning and Policy Advice	11.1% (2)	38.9% (7)	16.7% (3)	33.3% (6)	1.00	18
Dispute Resolution	10.5% (2)	42.1% (8)	36.8% (7)	10.5% (2)	1.00	19
Negotiation with Government	0.0% (0)	47.4% (9)	15.8% (3)	36.8% (7)	1.00	19
People's Organisation and Resistance	35.3% (6)	29.4% (5)	17.6% (3)	17.6% (3)	1.00	17
Impact Assessment	0.0% (0)	31.6% (6)	52.6% (10)	15.8% (3)	1.00	19
Support to Livelihoods and Rebuilding	5.3% (1)	47.4% (9)	47.4% (9)	0.0% (0)	1.00	19



Compensation and Legal Support	5.3% (1)	42.1% (8)	36.8% (7)	15.8% (3)	1.00	19
Technical Assistance in Resettlement	0.0% (0)	55.6% (10)	33.3% (6)	11.1% (2)	1.00	18
Other	0.0% (0)	0.0% (0)	100.0% (1)	0.0% (0)	1.00	1
If Other, please specify:						2
<ul style="list-style-type: none"> <li>Not applicable because the Ford Foundation does not work directly on these issue but instead support the work of other organisations in this fields.</li> <li>Upholding recommendations of human rights mechanisms</li> </ul>						

30. How much of a priority do you believe that a human rights based approach to development (the human right to adequate housing, the human right to water) should be given in the thematic areas that UN-Habitat will focus on in the coming years?

	answered question					22
	skipped question					6
	no relevance	some relevance	substantial relevance	crucial relevance	Rating Average	Response Count
Advocacy/Outreach	0.0% (0)	9.5% (2)	14.3% (3)	76.2% (16)	1.00	21
Cities in Crisis	0.0% (0)	19.0% (4)	23.8% (5)	57.1% (12)	1.00	21
Governance and Legislation	0.0% (0)	9.5% (2)	14.3% (3)	76.2% (16)	1.00	21
Housing	4.5% (1)	4.5% (1)	0.0% (0)	90.9% (20)	1.00	22
Infrastructure/Basic Services	5.3% (1)	10.5% (2)	10.5% (2)	73.7% (14)	1.00	19
Slum Upgrading	4.5% (1)	4.5% (1)	13.6% (3)	77.3% (17)	1.00	22
Urban Economy	0.0% (0)	38.1% (8)	14.3% (3)	47.6% (10)	1.00	21
Urban Planning	0.0% (0)	14.3% (3)	33.3% (7)	52.4% (11)	1.00	21
Urban Research	0.0% (0)	23.8% (5)	33.3% (7)	42.9% (9)	1.00	21
Right to housing and water as a mainstreamed topic-area	0.0% (0)	10.5% (2)	0.0% (0)	89.5% (17)	1.00	19

#### SECTION 5: Networks and Alliances

31. Do you believe that there is a benefit to be gained from the establishment of a network between you, your organisation, your co-participants and their organisations?

answered question		22	
skipped question		6	
		Response Percent	Response Count
None		0.0%	0
Some		18.2%	4



Substantial		36.4%	8
Crucial		45.5%	10

32. How useful would support from a UN-Habitat coordinated "Global Housing Rights/Forced Evictions Network" be to you and/or your organisation in the following areas?

	answered question						22
	skipped question						6
	no use	some use	substantial use	crucial use	N/A	Rating Average	Response Count
Funding	13.6% (3)	36.4% (8)	13.6% (3)	27.3% (6)	9.1% (2)	1.00	22
Impact Assessment	0.0% (0)	50.0% (10)	20.0% (4)	30.0% (6)	0.0% (0)	1.00	20
Legal/Rights-based support	4.8% (1)	19.0% (4)	42.9% (9)	33.3% (7)	0.0% (0)	1.00	21
Monitoring	0.0% (0)	19.0% (4)	52.4% (11)	28.6% (6)	0.0% (0)	1.00	21
Prevention	0.0% (0)	23.8% (5)	38.1% (8)	38.1% (8)	0.0% (0)	1.00	21
Public Relations/Media	0.0% (0)	33.3% (7)	38.1% (8)	28.6% (6)	0.0% (0)	1.00	21
Other	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	0.0% (0)	1.00	1
If Other, please specify:							2
<ul style="list-style-type: none"> <li>• Campaign, activism and advocacy - crucial. Uniting the local with the global: crucial.</li> <li>• Although getting and protecting housing rights for people is very important work to do, it is important not to only look at only dimension of "legal rights" or "human rights" approach alone. UN-Habitat need to explore more proactive development roles. A forward looking kind of roles or leading roles more than following the problems kind of roles</li> </ul>							

33. If a network on housing rights and forced evictions were created, to what degree would you seek to be involved in the following areas?

	answered question						22
	skipped question						6
	non contributor	minor contributor	substantial contributor	major contributor	N/A	Rating Average	Response Count
Funding	55.0% (11)	10.0% (2)	10.0% (2)	5.0% (1)	20.0% (4)	1.00	20
Impact Assessment	20.0% (4)	45.0% (9)	25.0% (5)	10.0% (2)	0.0% (0)	1.00	20
Legal/Rights-based support	14.3% (3)	14.3% (3)	42.9% (9)	28.6% (6)	0.0% (0)	1.00	21
Monitoring	20.0% (4)	25.0% (5)	30.0% (6)	25.0% (5)	0.0% (0)	1.00	20
Prevention	10.0% (2)	15.0% (3)	50.0% (10)	25.0% (5)	0.0% (0)	1.00	20



Public Relations/Media	5.3% (1)	42.1% (8)	42.1% (8)	5.3% (1)	5.3% (1)	1.00	19
Other	0.0% (0)	0.0% (0)	0.0% (0)	100.0% (1)	0.0% (0)	1.00	1
If Other, please specify:							3
<ul style="list-style-type: none"> <li>WITNESS, with the support and advice of many who are part of the AGFE and the broader EGM, established its global work on forced evictions because of the desperate need for communities themselves to SHOW what their homes, families, livelihoods, culture, development and human rights mean to them in the face of a forced evictions. Forced evictions are so misunderstood - we need to SHOW how people are affected.</li> <li>I would be interested in developing policy on a human rights approach to development of cities/ land tenure systems, etc.</li> <li>Negotiator between Government and communities</li> </ul>							

34. Please describe the degree that you believe a coherent global forum is needed within the following scale groups to leverage funding, capacity, and accountability:

	answered question						20
	skipped question						8
	no need	some need	substantial need	crucial need	N/A	Rating Average	Response Count
Community/local groups	0.0% (0)	40.0% (8)	30.0% (6)	30.0% (6)	0.0% (0)	1.00	20
City/regional/national institutions	0.0% (0)	15.0% (3)	40.0% (8)	45.0% (9)	0.0% (0)	1.00	20
International organisations/donors	0.0% (0)	20.0% (4)	20.0% (4)	60.0% (12)	0.0% (0)	1.00	20
Other	0.0% (0)	0.0% (0)	50.0% (1)	0.0% (0)	50.0% (1)	1.00	2
If Other, please specify:							0

35. Please describe the degree that you believe a coherent global forum is needed across the following scale groups to leverage funding, capacity, and accountability:

	answered question						22
	skipped question						6
	no need	some need	substantial need	crucial need	N/A	Rating Average	Response Count
Community/local groups with city/regional/national institutions	4.5% (1)	18.2% (4)	45.5% (10)	27.3% (6)	4.5% (1)	1.00	22
Community/local groups with international org's/ donors	0.0% (0)	28.6% (6)	28.6% (6)	38.1% (8)	4.8% (1)	1.00	21
City/regional/national institutions with international org's/donors	0.0% (0)	35.0% (7)	25.0% (5)	35.0% (7)	5.0% (1)	1.00	20

Other	0.0% (0)	0.0% (0)	0.0% (0)	50.0% (1)	50.0% (1)	1.00	2
If Other, please specify:							1

36. Based on your experiences, how much value would a UN-Habitat facilitated “Global Housing Rights/Forced Evictions Network” add to existing alliances and networks?

answered question		22
skipped question		6
	Response Percent	Response Count
None	0.0%	0
Some	36.4%	8
Substantial	36.4%	8
Crucial	27.3%	6

Please briefly elaborate on your selection:

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- To my knowledge, there is no existing global network of groups who are active on housing rights and forced evictions broadly. Instead, my sense is that many groups tend to build networks around sectors--whether it's group fighting against large dams, or groups working on evictions in urban slums. But I do not get the sense that there has been a coming-together around the fundamental issue of people's rights to their home and a voice in determining what happens to that home, regardless of the specific threat to those rights. I think it would be powerful to create a much more unified understanding and call to action among groups working on these diverse threats, and that it would serve to better establish aware of housing rights and accountability to upholding them.
- Yes, definitely. But, to be successful, the proposed network must give significant attention to engaging with broader constituencies outside of the existing networks. The proposed network needs to reach out to persons, organizations and communities not directly within the housing, land rights, forced evictions sphere. More work needs to be done engaging with broader populations - often who are oblivious or unconcerned about the forced evictions happening around them. We must make it an absolute among the general public that development should support human rights - not cause human rights abuses.
- I cannot really elaborate as I am not working so closely with other existing housing networks.
- Of course it would depend on the role played by UN-Habitat, how well resourced the network is. Networks have their own inherent structural difficulties, and there can be difficult resource issues to contend with.
- It would use its comparative expertise and linkages to bring greater attention to the needs of such networks and in particular will assist the networks to create sustainable relationships with national governments and international organizations.
- A UN-Habitat facilitated global housing rights network is crucial because it would: 1. Bring the most concerned/affected groups (community) together with the national institutions and international organizations in getting information on how livelihoods are destroyed, resolving conflicts between the two majorly concerned groups (community & national institutions), 2. Develop strategies to prevent forced evictions without compensation. Strategies to be implemented by both national and multi-national organizations. 3. Monitoring implementation of these strategies at all levels. 4. Report violations of these.



- UN-Habitat could play three strategic roles: 1. A gathering and facilitator role 2. A legitimacy role (due to its international credibility) 3. An empowerment role of the local institutions in their relations with both local and national governments.
- UN-Habitat would be well advised to first take stock of existing networks and alliances and explore how it might best help build capacity and otherwise strengthen these pre-existing efforts, before attempting to create something new.
- It would add some value as local network can forge wider alliances and secure international, global recognition when evictions occur at local, National network level. UN-Habitat would facilitate the emergent of such a global network but members have to be active to keep it alive.
- Such a network would contribute to the reduction of the gap between theory and practice, and between science and ethics.
- As a number of informal and more formal alliances/ networks already exist this would really depend on the activities and constituents of such a network. The question is too broad to respond to here in a meaningful way and needs to be fleshed out through dialogue with and inputs from a wide range of groups as to what would be useful/ add value.
- No elaboration.
- Depends on the capacity and resources and the format of such a network.
- I believe that it will become the umbrella for the existing alliances and networks, collecting them all under an international human-rights approach for the issue. This will not only act as an empowerment mechanism for the alliances in their confrontation with governmental authorities but will also act as a unifying agent, bringing together those groups which otherwise may not, and thus helping the establishment of solidarity.
- To be really effective, this work is much more than just meeting or workshops. Habitat will need to employ new international effective tools, develop good high quality of information in most countries, or effective diplomatic process to help intervene and to help resolve the problems. It is very doubtful that the high administration of Habitat will really care to be involve in these difficult issues of eviction in cities and people.
- Thank you for the survey.
- UN-Habitat could be the coordinator of this group as the resource place and advice for prevention. Alliances and networks are also useful to create dynamic.



## ANNEX I

### PARTICIPANT EVALUATION

This survey was designed as a participant evaluation for the International Expert Group Meeting on Forced Evictions held in Nairobi from 20-23 September 2011. The survey asked questions relating to participants' motivations for attending the Expert Group Meeting, and asked whether the event and outcomes/recommendations of the meeting satisfied the expectations of participants. The survey also sought specifically to obtain feedback on the event content (relevance of topics, event structure, event content, presenters' knowledge of and ability to clearly convey topic, session length, and time allocated for discussion). The survey asked participants to rank arrangements and facilities (papers/documentation, venue/facilities, chairing of morning presentations/afternoon workshops, and overall facilitation), and asked whether participants would be interested in participating in future similar UN-Habitat organized events, and what other relevant topics this event could have covered.

Out of the forty five (45) participants whose responses were solicited for the survey, twenty eight (24) completed the survey, i.e. a 53.3% response rate.

Participants provided various motivations for attending the EGM on forced evictions, including knowledge sharing, learning,

It was gratifying to see UN-Habitat embrace criticisms gracefully and accept to engage with other organizations working on housing rights and evictions, and to also accept to work with recommendations arising from this meeting.

**Justus Nyangaya**

Very stimulating conference and debate with open and frank discussions. Conference extremely well prepared in terms of substance and process which contributed to come up with very strong and comprehensive recommendations.

**Barbara McCallin**

networking, and advocacy on issues around housing rights/forced evictions.

*"My motivation for participating in the EGM was the opportunity to influence institutional reform at UN-Habitat so that it adopts a human rights approach to its work and is better prepared to proactively act on opportunities to engage with communities, civil society groups and governments to prevent forced evictions". (Natalie Bugalski)*

While the expectations of all participants were satisfied (62.5% were fully satisfied, 37.5% were somewhat satisfied), the positive rate of response increased in relation to the degree of satisfaction with the outcome/recommendations of the meeting (79.2% were fully satisfied):

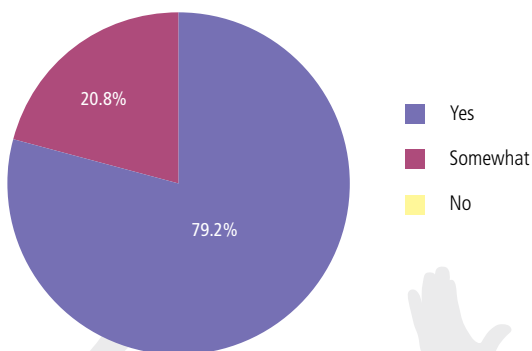


Figure 1. Question 5: Are you satisfied with the outcome of the meeting?



Mostly I was attracted to the reconfiguration of AGFE and UN-Habitat’s interest to gather substantial input to inform its review process. Of course, since I work with many of the people in the room, it was great to be in the same space for once, and to share work and ideas. At least for myself, many points of collaboration are coming out of the EGM.

**Ryan Schlieff**

(78.3%) that participants appreciated. Only one or two participants found the session length/time for discussion “poor” or “below” expectations.

Arrangements and facilities were also largely satisfactory to participants. No participants found any arrangements “poor” or “below” expectations. Participants were particularly pleased with the venue/facilities (100% found this “excellent” or “very good”), the overall

Most participants (82.6%) were attracted to the event because of the agenda content, although this was closely followed by networking opportunities (for 73.9% of participants).

Participants were mostly “very satisfied” with the event content, with most participants finding the event content “very good” or “excellent” (on average 80% for these two categories). It was particularly the “relevance of topics” (75%) and overall event content

I applaud the organizers of the meeting for putting forced evictions back on the agenda at UN-Habitat by convening this meeting. It is a first step towards restoring the credibility of the institution on this long neglected critical housing rights issue. I am looking forward to seeing our most fundamental recommendations (eg application of a human rights based approach), taken up and implemented.

**David Pred**

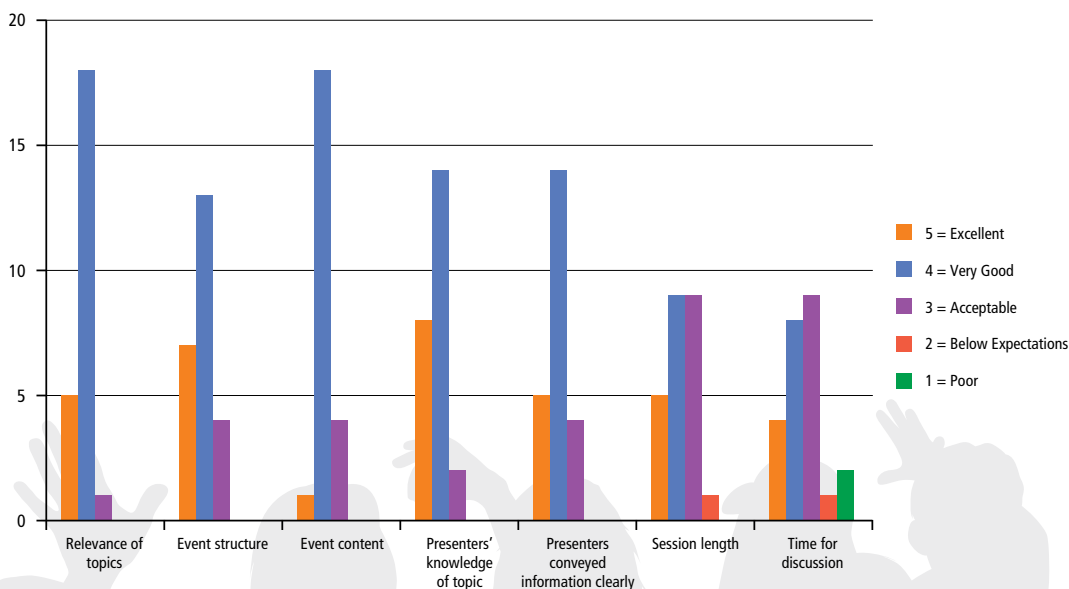


Figure 2. Question 9: Event content...Using the scale, please rate the following items



‘ Civil society networks on the right to habitat, human dignity and social justice, we commit ourselves to support the revival of the Habitat Agenda within UN-Habitat

**Ana Sugranyes**

‘ I cannot understand why UN-Habitat is not more aggressive in relation to ‘forced eviction’ as a severe violation of human rights.

**Urban Jonsson**

facilitation (91.3% found this “excellent” or “very good”), and the papers/documentation (83.4% found this “excellent” or “very good”):

All participants, except for one, was “very interested” (79.2%) or “interested” (16.7%) to participate in future UN-Habitat organized events related to more specific and detailed issues around forced evictions/housing rights.

Participants suggested other relevant topics they thought this event should have/could have covered, including the role of the state in the realization of the Right to Adequate Housing, forced evictions from land in small areas (leading to urban exodus and increase of informal settlements), land grabbing and forced evictions, internal displacement arising from armed conflict and post-disaster contexts, etc.

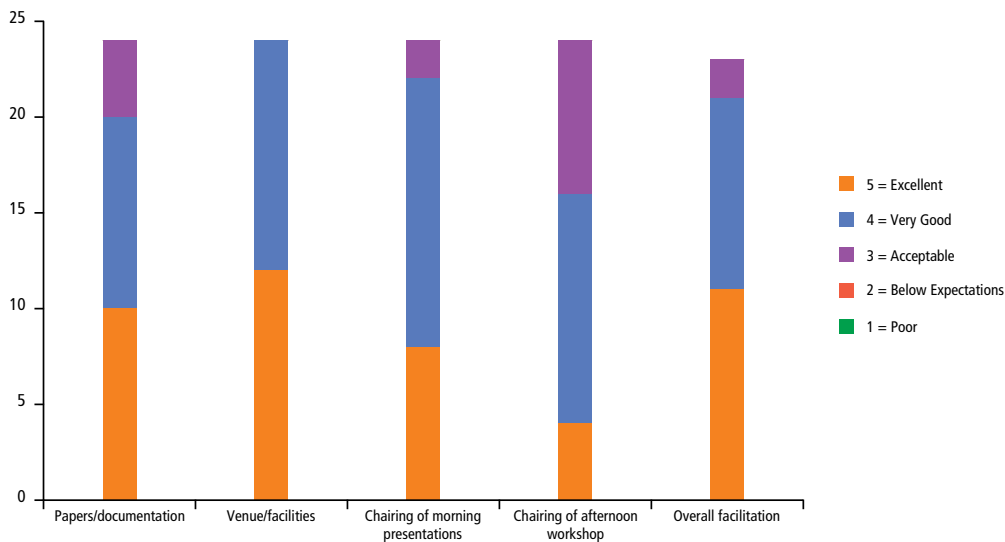
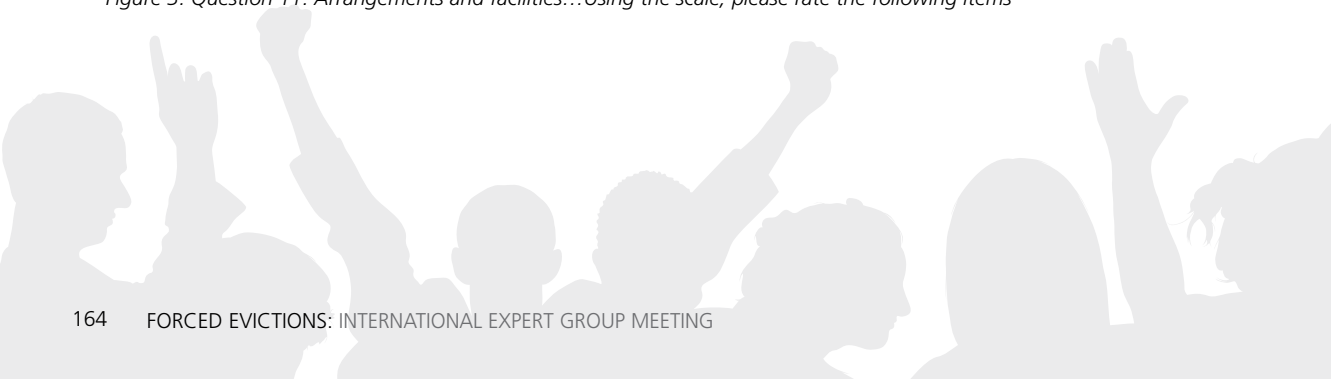


Figure 3. Question 11: Arrangements and facilities...Using the scale, please rate the following items



More than 50 participants converged in Nairobi in September 2011 to exchange views, knowledge and ideas on the future role of UN-Habitat with respect to preventing, monitoring and assessing the impact of forced evictions globally. Drawn from across the globe, the participants included experts, observers, representatives of governments, and representatives of Permanent and Observer Missions to UN-Habitat.

Experts at the meeting affirmed their readiness to provide UN-Habitat with recommendations on the issue of UN-Habitat's role in this field in the context of the Global Housing Strategy to the year 2025 and within the framework of UN-Habitat's Adequate Housing for All Programme and the UN Housing Rights Programme. These recommendations are based on information and experience that experts and their organizations attending the meeting have accumulated over many years, in many capacities, and with many varied constituencies from Asia, Latin America, Africa, Europe and North America.

The meeting provided an opportunity for all to share experiences related to evictions and housing rights in various parts of the world and how different organizations report and implement alternatives to forced evictions. It was also a moment for UN-Habitat to launch two studies focusing on the phenomenon of eviction, its impacts, modalities and motivations. There was a consensus amongst the participants of the meeting that the Habitat Agenda provides a genuine rights-based approach to urban development and that various elements of that agenda should be revisited and reassessed in the context of contemporary challenges.



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