



PRESS RELEASE

New Delhi, February 7, 2011

Report on ‘Forced Evictions and Commonwealth Games’ Released in Delhi; Reveals Continued Suffering and Human Rights Violations of Delhi’s Poor

The Housing and Land Rights Network (HLRN) released a report of a fact-finding mission on forced evictions carried out in Delhi for the 2010 Commonwealth Games. Titled, *Planned Dispossession: Forced Evictions and the 2010 Commonwealth Games*, the report highlights the human rights violations and continued suffering of individuals and families who lost their homes and livelihoods because of the Commonwealth Games (CWG).

Justice A.P. Shah, former Chief Justice of the High Court of Delhi released the report in Delhi. While focusing on the injustice brought upon the displaced families, Justice Shah spoke about the legal provisions for the protection of the rights of the city’s poor and highlighted the consistent violation of national and international law by the government. He also commented on the failure of the political and legal system to investigate, try and prosecute officials who violate human rights.

HLRN undertook a detailed fact-finding mission across 19 sites in Delhi from where the government forcibly evicted families because of the Commonwealth Games, for reasons ranging from construction of infrastructure to ‘security’ and ‘city beautification.’ Based on field work and research, HLRN estimates that since 2004, at least 200,000 people in Delhi have been forcibly evicted as a result of the CWG. The city, however, witnessed many more demolitions and evictions in the run-up to the Commonwealth Games.

The HLRN report uses national and international law and guidelines, in particular the *United Nations Basic Principles and Guidelines on Development-based Evictions and Displacement*, to analyse the forced evictions in Delhi. The major findings, *prior to, during and after evictions*, include:

- 1. Lack of information, participation and consultation:** At none of the sites had people been consulted or included in decision-making processes regarding the demolition of their homes. Authorities also did not conduct any public hearings about the proposed evictions.
- 2. Failure to provide notice:** Authorities did not provide official notice of the demolition in 16 of the 19 surveyed sites. In most instances, police threatened people to vacate their homes the night before or just hours prior to the eviction, and verbally informed them that the demolition was for the CWG.
- 3. Inappropriate timing of the eviction:** Government authorities carried out evictions in extreme weather conditions, during festivals, prior to school examinations, and when people were not in their homes.
- 4. Large police presence:** All slum demolitions took place in the presence of a large police force. Police intimidation and misuse of power was reported at almost all sites.
- 5. Injury and death during eviction:** Several cases of injury and at least three instances of death have been reported during the process of forced evictions in Delhi.
- 6. Loss and destruction of possessions and property:** Evicted persons from all sites were distressed at not being able to salvage their possessions. At some sites, people reported having lost critical documents — ration cards, passports, and voter identity cards.

7. **Failure to provide adequate rehabilitation or compensation:** In the majority of surveyed sites, no compensation or rehabilitation has been provided to the evicted families. In the absence of adequate rehabilitation, many families in Delhi have been rendered homeless, and continue to live in grossly inadequate and insecure conditions.
8. **Violation of the human right to health:** Poor sanitation, lack of access to healthcare and medical facilities, and being forced to live in inadequate conditions, has contributed to the spread of fever, cough, cold, pneumonia, malaria, and dengue amongst displaced persons. The psychological impacts of enduring a forced eviction are also acute and long-term.
9. **Death in the aftermath of evictions / violation of the right to life:** According to HLRN, at least 18 people lost their lives as a result of the forced evictions in Delhi because of the CWG.
10. **Loss of livelihoods and violation of the human right to work:** For most families, demolition of homes has also meant loss of livelihoods. People reported a marked decrease in income after the evictions and stated they were “just managing to survive.” The government also demolished small shops and other enterprises for the CWG.
11. **Stress on household income:** All evicted families reported a marked increase in monthly expenditure on healthcare, transport and rent after the forced evictions.
12. **Violation of human rights of women:** Whether it is the loss of housing, livelihood, security, income or education, women face the worst brunt of forced evictions, and have to endure the adverse consequences for a long time. For instance, after an eviction and in the absence of adequate rehabilitation, young women and adolescent girls are most vulnerable to sexual abuse and violence resulting from exposure to insecure and inadequate living conditions.
13. **Violation of human rights of children:** The psychological impacts on children who witness a demolition and lose their homes are severe and long-lasting. Several children have been forced to drop out of school as a direct result of the forced evictions while many have had to take up work to supplement family income. Government authorities demolished at least three schools in the city for the CWG: *Deepshikha Primary School* in Sector 52, Gurgaon; *Pragati Wheel School* on the banks of River Yamuna; and *Viklang Basti Informal School*.
14. **Violation of the right to return:** Most of the sites from where families were forcibly evicted, continue to lie vacant or unused. The government, however, has not undertaken any measures to assist families to return in conditions of dignity and safety; neither has it assisted with the provision of adequate housing.
15. **Violation of the right to remedy:** Communities displaced from all surveyed sites have no available mechanisms or avenues for complaint, grievance redress or remedy.

The HLRN fact-finding report underlines that in the absence of any government protection, the displaced families have to deal with government insensitivity, police brutality, and bureaucratic hurdles. Despite their best efforts, they continue to be ignored, silenced, and denied their fundamental rights and justice.

Several persons who lost their homes in the build-up to the CWG were present at the release of the HLRN report, and shared their trauma, ongoing plight, and challenges related to survival after the demolition of their homes.

Sher Singh, a sixth grade student of *Pragati Wheel School*, poignantly recounted how he witnessed the demolition of his school, opposite the Commonwealth Games Village. The young boy lamented the loss of education resulting from the demolition of the school and displacement of his family for ‘security’ reasons. **Sheema** of Swatantra Camp questioned why they had been made citizens and given legal documents, such as ration cards, if the state had to destroy their homes and deny them their rights (“*Mujhe naagrik kyu banaaya gaya agar mere adhikaar chheen-ney vaale thhe?*”). She described how her dreams for a better life for her sons had been shattered because of the demolition of their home, situated opposite Thyagaraja Stadium.

Zohra, a young woman from Indira Gandhi Camp II, expressed her fear and insecurity from living in unsafe and vulnerable conditions after the forced eviction. She mentioned that her younger brother has been so traumatised after the demolition of his home that he breaks down and cries whenever he sees a bulldozer.

Anoop of JJ Valmiki Camp, a settlement primarily of Scheduled Castes, spoke about his enduring trauma, as a result of a leg injury he incurred during the demolition process. Even two years after the demolition, the injury has prevented him from resuming work and earning wages. He is forced to depend on his relatives for survival.

Given the extensive and continued suffering of evicted families in Delhi, the grossly inadequate conditions they are forced to live in, and the multiple violations of their human rights, the HLRN report makes several specific and general **recommendations**:

- 1) The Government of Delhi should take immediate measures to provide *adequate housing with security of tenure* for all communities living in inadequate conditions, including in slums and informal settlements.
- 2) Most of the sites of forced eviction covered in the report are currently lying vacant and unused. The *government should make provisions to enable communities to: return to their original sites in safety; to build housing that meets international human rights standards of adequacy; and to live in peace and dignity.*
- 3) Where return to original sites is not possible, the *government must provide adequate restitution, rehabilitation and compensation* to each evicted family in accordance with international human rights standards, including those specified in the *UN Basic Principles and Guidelines on Development-based Evictions and Displacement*.
- 4) Judgements of the High Court of Delhi calling for rehabilitation of evicted families, in particular the case, *Sudama Singh and Others vs. Government of Delhi and Anr.*, must be implemented.
- 5) Special efforts must be taken to ensure that the *human rights of women* are protected.
- 6) The government must provide adequate *mechanisms for grievance redress and access to remedy*.
- 7) The *ongoing investigations on the Commonwealth Games* by the Comptroller and Auditor General of India, Enforcement Directorate, Central Vigilance Commission, Central Bureau of Investigation, and Parliament, *must be expanded to include human rights violations, including forced evictions.*
- 8) All *officials found guilty of violating human rights*, and of breaching local, national and international law *must be tried and prosecuted according to the law.*

The HLRN report holds the government accountable for its acts of commission and omission in violating the human rights of the city's working poor, in particular their human rights to adequate housing and work/livelihood. It also calls for the government to accept responsibility for the intense suffering of Delhi's poor.

Miloon Kothari, Executive Director, HLRN, stressed the urgent need for the state to undertake measures to restore social justice to the thousands of evicted families, as well as the homeless, 'beggars,' street vendors, and construction workers who witnessed the worst violations of their human rights in the name of the Games. He further added that it is only through comprehensive investigations and detailed impact analyses that the true human cost of the Commonwealth Games will be revealed.

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See <www.hic-sarp.org> for HLRN reports on the CWG:

- *Planned Dispossession: Forced Evictions and the 2010 Commonwealth Games* (February 2011)
 - *The 2010 Commonwealth Games: Whose Wealth? Whose Commons?* (May 2010)