



PRESS RELEASE

HLRN Releases a Handbook on “How to Respond to Forced Evictions”

Independent Experts Condemn State Impunity and Complicity

16 April 2014, New Delhi

At an event organised in New Delhi on 16 April 2014, Housing and Land Rights Network (HLRN) launched its new publication titled, *How to Respond to Forced Evictions: A Handbook for India*.

Justice A.P. Shah, former Chief Justice of the High Court of Delhi and Chairperson, Law Commission of India, released the Handbook and strongly criticised the Indian state for its inability to control forced evictions, which are carried out across the country without due process and adherence to the law. He stressed that, “Those living in informal settlements help the rest of the city to live a decent life. They deserve protection and respect of the right to life and dignity, which the Constitution of India guarantees them.”

Explaining the rationale behind the publication, **Shivani Chaudhry**, Executive Director, HLRN, said: “The fact that we need to publish a book on how to deal with forced evictions, indicates a glaring failure of the Indian state to protect the human rights of its people, especially the most marginalised. Since independence, at least 70 million people have been displaced across India. A large majority of them have no access to remedy and have to contend with perpetual homelessness and insecure living conditions. Recognising the human rights violations inherent in acts of forced eviction and the virtual impunity of the state, often in collusion with the private sector, HLRN has produced this Handbook to assist affected persons and to help end the widespread practice of forced evictions.”

The HLRN Handbook provides information on national and international laws and policies, which protect the human right to adequate housing as well as other human rights in the event of a forced eviction. It explains the international guidelines that must be followed by state and non-state entities to protect human rights before, during, and after evictions. It also suggests strategies, mechanisms, tools, and actors to engage with, in order to prevent forced evictions and seek justice. The Handbook can be used by communities threatened with evictions, displaced persons, human rights organizations, human rights defenders, and academic and independent institutions.

The book release was followed by a panel discussion on **Evictions in India: Rule of Law and Role of the State**. Independent experts discussed various dimensions of the issue of forced evictions, including state acts of commission and omission, and solutions to curtail the occurrence of demolitions and evictions. Though several progressive provisions exist in Indian law, the state flagrantly violates them. It also does not implement court orders that have upheld the human right to adequate housing as an extension of the right to life and protected the rights to resettlement, land and property.

Mr Satyabrata Pal, former diplomat and former member of the National Human Rights Commission (NHRC), mentioned that through his experience at NHRC, he had realised that in cases of evictions, “The State was usually complicit, the judiciary often helpless and society largely indifferent. The victims were therefore left without shelter, succour or support.”

Ms Kalyani Menon-Sen, feminist activist and independent researcher, while speaking about the disproportionate impacts of evictions on women, asserted that, “Eviction is a political issue. It has to be tackled politically.”

Mr indu prakash singh, Convenor, National Forum for Housing Rights, stated that, “The government works in a default mode, as far as housing is concerned. How else do you explain the growing housing deficit to the tune of 24 million houses in urban areas, 99.8 % of which is for Economically Weaker Sections (EWS) and Low Income Groups (LIG) sections, and the government still calling residents of informal settlements as ‘illegal’ and ‘encroachers’? Why don’t we call the complicity of the government in perpetrating and perpetuating this situation as ‘illegal’ and as an affront to the Constitution of India, various landmark High Court and Supreme Court of India orders, and UN Charters, Covenants and Conventions?”

Shivani Chaudhry of HLRN stated that government officials and private actors responsible for acts of forced eviction in contravention of the law must be investigated and tried for multiple violations of human rights.

HLRN has translated the Handbook on Forced Evictions into Hindi, Tamil, Gujarati and Marathi, and will be translating it in other India languages as well. HLRN hopes that the Handbook will be used across the country to advocate for the cessation of forced evictions; for the protection of human rights; for the implementation of national and international human rights law, and court judgements; and, for improved state accountability.

To download the publication “**How to Respond to Forced Evictions: A Handbook for India**” and translations in other languages, please see: www.hic-sarp.org

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