

Natalia, her five children, and friends outside their home in Muntii Tatra Street informal settlement in Constanța, Romania, April 2011. Most of the community were moved to the site following evictions in the city centre in 2001. For the last decade, they have lived without security of tenure, access to electricity, water or sanitation and they fear further eviction or possible relocation.





PEOPLE LIVE HERE!

Slums and informal settlements sprawl across the suburbs of most towns and cities in every part of the world. Some inhabitants have lived there for generations, while others have migrated from rural communities in search of work, food and a better life. They live in precarious or poorly built houses. Most lack security of tenure, adequate access to clean water, electricity, sanitation, education and health care.

More than one billion people live in slums. They are often very poor or socially disadvantaged. In some countries, they face being treated as criminals and are often marginalized from the rest of society. Crucially, most of them are denied the right to participate in decisions that will have an enormous impact on their lives.

FORCED EVICTIONS ARE NEVER THE ANSWER

We all have a right to housing and to be protected from forced evictions. The growing number of people living in inadequate conditions, in slums and informal settlements reflects the failure of governments to uphold the right to housing. Far from improving their housing conditions, governments often forcibly evict people living in slums, driving them further into poverty and into more precarious housing and living conditions.

State officials regularly deny that they have any responsibility for the people they force from their homes, claiming that they are squatting or living “illegally”. This ignores the fact that many people are forced to live in slums and inadequate housing because of the lack of other affordable housing options and the failure to implement planning and housing policies which prioritize people living in poverty. Irrespective of whether people are squatting or have legal title to the homes or land that they occupy, under international law, no evictions may be

carried out without due process and basic legal protections. If evictions are carried out without these safeguards, then the government destroys even the little that people have been able to provide for themselves. When people are forcibly evicted, they lose their possessions, their networks and often also access to schools, work and health care. Many residents face homelessness and destitution and have no choice but to live in the ruins of their former homes or move to another slum area.

A woman and her son outside their home in Abonnama Wharf, Port Harcourt, Nigeria – its walls marked for demolition. According to UN-HABITAT, at least 200,000 people who live on the waterfront are at risk of forced eviction if the Rivers State government goes ahead with the demolition of more than 40 communities in Port Harcourt.





Without warning bulldozers and police entered the Dey Krahom community in Phnom Penh, Cambodia, early in the morning of 24 January 2009. Hundreds of families were forcibly evicted and left homeless.



“

They came at night to pull down the houses. We protested all together but the company had tools... I begged them not to destroy my house and to let me move my stuff outside. But they did not agree. All I could salvage was one sewing machine. One of my sisters who had tetanus was upstairs when the tractor pulled down the house.

”

Sophal, forcibly evicted from her home in Dey Krahorm, Phnom Penh, Cambodia, in 2009

FORCED EVICTIONS ARE ILLEGAL

Forced evictions are a violation of human rights. Governments are obliged to prohibit and prevent them.

A forced eviction is the removal of people against their will from the homes, or land, they occupy without due process and other legal safeguards. Because evictions can have such devastating impacts on people's

lives, prior to any eviction, authorities must consult the people who are going to be evicted to identify all feasible alternatives. Evictions may only be carried out as a last resort. People must be provided with adequate notice, legal remedies and compensation for their losses.

Governments must also make sure that no one is made homeless or vulnerable to human rights abuses because of an eviction. Those who are unable to provide for themselves must be given adequate alternative housing.



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A semi-demolished home in the Qianmen district of Beijing, China, 2006. Li Shimin says that his family found their doors locked one day in June 2005. Their water and electricity was cut off. He says that the government did not discuss anything with them in advance or arrange new accommodation.

The banner says: "Do things according to the law without coercion. Eviction or not, this is where I live".



Elizabeth, 49, a resident in Kabete settlement, Nairobi, Kenya, surveys the destruction after Nairobi City Council bulldozers flattened buildings, demolishing around 100 homes and 470 market stalls in a forced eviction on 10 July 2010. No official notice was given of the evictions, leaving residents with only minutes to evacuate their homes.



“

I need a place to live. I have managed to find a shelter for my three youngest children but the older children and I are sleeping out in the open. The government should give me a place where I can live and a place where I can work.

”

Elizabeth, forcibly evicted in July 2010 from her home in Kabete, Nairobi, Kenya

SHATTERED HOMES, SHATTERED LIVES

The effects of forced eviction can be catastrophic, especially for people who are already living in poverty. The right to adequate housing recognizes that homes are much more than just four walls and a roof. When people's dwellings are razed to the ground, their lives are also shattered. People lose not only their homes (which they may have built themselves) but also neighbourhoods, personal possessions, social networks, access to work (often small businesses run within the settlement) and

access to services such as water, sanitation, schools and health care. Women suffer disproportionately from forced evictions and their effects, given the extent of discrimination in relation to property and inheritance. After a forced eviction, women and children are often at greater risk of violence. They, along with people who are elderly or living with disabilities, are also often most disadvantaged by loss of access to services such as water and sanitation.

Although forced evictions are illegal under international human rights law, mass forced evictions are increasingly occurring around the world. Often slums are demolished to make way for urban development or city "beautification" projects or as part of the preparation for international mega-events, such as the Olympics.



A woman and child at the Olga Benário encampment in São Paulo, Brazil, 23 August 2009. Around 800 families were forcibly evicted from the encampment by military police.

Roma residents from 55 Skadarska Street in Belgrade, Serbia, are forcibly evicted and left on the street, 11 August 2011.



SECURITY OF TENURE IS KEY

Tenure arrangements in slums and informal settlements take varied forms, including home ownership, rental agreements, land occupation and other informal arrangements. Each of these provides different levels of control and security.

The vast majority of people living in settlements considered “illegal” or “irregular” by the authorities have little or no security of tenure. This makes them vulnerable to forced eviction and, as a result, many other human rights violations.

Families living without a minimum degree of security of tenure may be excluded from laws and protections that apply to other urban residents (such as rent control or requirements on landlords to provide services). Such laws are often not implemented in slums and informal settlements. In addition, lack of security of tenure, particularly lack of protection from forced eviction, makes it difficult for people to improve their living conditions as they may lose all their investment in constructing or improving their homes. It leads to people

being left out of city planning and budgeting processes and also limits or affects people’s access to public services, including water, sanitation, education and health.

Governments must provide everyone with a minimum degree of security of tenure, which includes legal protection against forced eviction, harassment and other threats.

Residents of Al-Me'adessa street, in Manshiyet Nasser informal settlement, Cairo, Egypt, with an Amnesty International petition urging the authorities to protect the lives and health of people living in "unsafe areas", December 2009.



PROTECT PEOPLE LIVING IN SLUMS

Forced evictions are often accompanied by the use of excessive force by the police or other agents carrying out the evictions. Other violations that have been documented in the process include rape, arbitrary arrests and detention, torture and unlawful killings.

Governments are required to adopt laws prohibiting forced evictions, which limit the circumstances in which evictions can be carried out and provide for safeguards that

must be in place before any eviction takes place. Without such laws, it is very difficult to hold local and other authorities accountable when they carry out forced evictions and for people to have effective remedies.

The requirement for consultation with communities to identify and consider all feasible alternatives prior to any eviction is also a vital step to stopping forced evictions.

Where spaces are opened up for such consultations, communities are often able to suggest solutions which can meet both their needs and those of the authorities. Consultation can also ensure that where people do need to be resettled, resettlement is tailored to the communities' situation and preferences.

KNOW YOUR RIGHTS

You cannot be evicted from your home unless certain procedures are followed and safeguards put in place.

BEFORE ANY EVICTION, THE AUTHORITIES SHOULD:

- Tell you about the eviction and the reasons for it.
- Consult you about alternatives and consider all options put forward.
- Give you adequate notice.
- Give you time to assess any goods or wages you will lose and compensate you.
- Allow you to challenge the eviction in court, tell you about legal remedies and provide legal aid if you need it.
- Make sure that you are not left homeless or at risk of other human rights violations.

- Consult you on the areas and the house you might be moved to.
- Provide you with adequate alternative housing.
- Make sure you can afford to live in the place you are moved to, have access to essential services, and are able to travel to or carry out your work.
- Make sure you are not moved to anywhere that poses a health risk.

IF AN EVICTION TAKES PLACE, THE AUTHORITIES SHOULD:

- Give you time to move your possessions and salvage building materials.
- Send government officials to the eviction, who should show a formal eviction authorization.
- Make sure the eviction is not carried out at night, during holidays or in bad weather.
- Make sure that the eviction is carried out safely, without unnecessary or unreasonable force by police or other officials, and with respect for people's dignity.

You may only be evicted once all other options have been explored. If these steps have not been followed, the eviction is a forced eviction and is illegal under international law.

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Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

Cover image: Riot police in formation during the forced eviction of 800 families at the Olga Benário encampment in São Paulo, Brazil, 24 August 2009.

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HOUSING IS A HUMAN RIGHT

FORCED EVICTIONS MUST END

Governments must be held to account to the standards that they themselves have accepted.

Communities and human rights defenders are at the forefront of struggles to stop forced evictions and to ensure that governments protect rather than violate their right to adequate housing. You can support their struggle.

Stand up for human rights and work with communities who are fighting for their right to adequate housing. Ask governments to prohibit and stop forced evictions.

TAKE ACTION

Visit [amnesty.org](https://www.amnesty.org) or contact your local Amnesty International office to find out how you can help



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