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**ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

**Written statement\* submitted by Habitat International Coalition (HIC),  
a non-governmental organization in special consultative status**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[2 March 2005]

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\* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

Despite Millennium Development Goal 7.11 and other political commitments to improve slum dwellers' living conditions, housing and land rights violations are increasing worldwide, often denying actual and potential victims legal remedy. The present trend underscores the urgency for the justiciability of ESC rights as an obligation of State. Relegating the matter to nonbinding statements of political will is insufficient without legal consequences.

In Sudan, at least two million people have suffered village destruction and eviction in Darfur. Government-sponsored forces have killed many of Darfur's men, leaving surviving women, children and elderly people internally displaced. Others, fleeing to Khartoum, swell the capital's surrounding slums. By May 2004, just 200,000 Sudanese sought refuge in Chad, facing only further dispossession, harassment and starvation. A far larger problem remains in Sudan's south, where an estimated 4.5 million Sudanese remain displaced. Multilateral efforts have urged a political settlement, but without practical solutions for the displaced victims.

In reaction to demographic manipulation by the old regime, ethnic conflict following the U.S.-led war on Iraq has displaced and dispossessed hundreds of families. In the Makhmur area, 500 displaced Arab families had maintained residence in the area more than 40 years, long before the Anfal campaigns, but Kurdish militias dispossessed and evicted them on the basis of ethnic criteria. Civil courts have not yielded any remedy to date, and face a long roster of potential population transfer and dispossession claims, including those evictions that occupation forces have conducted under Coalition Provisional Authority Order No. 6. Various forces have made one million Iraqis homeless and without the barest means of subsistence, lacking their human rights to housing, water and public services.

In Palestine, shortly after Caterpillar Corporation's annual 2004 stockholders rejected a proposal to review its relationship with the Israeli military for having used Caterpillar products for destructive and colonial purposes, Caterpillar's Israeli clients invaded the Gaza Strip and demolished 100 Palestinian homes, making the inhabiting families of 1,160 people homeless, on 10–14 May alone. Israel's Caterpillar-equipped army has conducted "clearing operations" since 2001 that, by October 2004, destroyed some 2,540 housing units, in which 23,900 newly homeless Palestinians lived. In the Gaza Strip alone, 1 March–12 December 2004, the army destroyed 1,257 homes (including partially demolished homes). Of that total, 1,041 were refugee shelters. During the al-Aqsa Intifada, Israeli forces variously have demolished 4,170 Palestinian homes in 2000–04.<sup>1</sup> In 2004, the Israeli army demolished an average of 120 residential buildings each month, or four each day, which deprivation also conspicuously bears the Caterpillar corporate logo.

Some 1.2 to 1.9 million people have been, or will be displaced to make way for the Three Gorges Dam project, largely funded by European and North American firms and banks, as well as the World Bank. Protests sharply increased in the past three years over low compensations, corrupt and unlawful processes, and lack of legal recourse for affected inhabitants. Rather than address the cause of the problem, central authorities' most recently issued notices on the need to improve management of forced evictions. Protestors, petitioners, lawyers and other housing and land rights defenders face threats, physical attacks, repression, arrest and detention.

In Mexico's Guerrero State, the construction plans of another dam, La Parota, continue with an estimated start date this year. This is despite local and international calls for a thorough impact assessment. The eviction of 25,000 people is expected to accompany the inundation of 14,000 hectares of land. Local authorities have confirmed doubts about any equitable decision-making

process by having arrested and convicted those opposed to the dam and the inhuman treatment of its victims.

In March 2004, India's Narmada Control Authority increased the Sardar Sarovar Dam height to 110 meters, eliminating the habitat of victims of this so-called "development" project. Each 5-meter increase in the dam's height has flooded dozens of villages, without adequately relocating and compensating many of the displaced inhabitants.

Elsewhere in India, the violation of slum dwellers' and all poor and lower castes' housing rights have multiplied dramatically. Between February and May 2004, the Municipal Corporation of Delhi and the Delhi Development Authority demolished 40,000 homes of slum dwellers and forcibly evicted 200,000 people. The authorities accompanied these disposessions with excessive use of force, arrests, detentions and ill-treatment of the inhabitants. Only a quarter of the evictees have been allotted an alternative living space, while three-fourths are stranded and shelterless. Even for the few officially "entitled" to resettlement, living conditions are highly inadequate. Among the reported cases of upper castes' mistreatment of Dalit communities, police have failed to offer protection and have suppressed evidence to favor the wealthier violators. Finally, last December, the Municipal Corporation of Greater Mumbai and the Maharashtra State Government bulldozed 52,000 slum dwellings in Mumbai, forcibly evicting 250,000 people. Another 2 million are under constant threat today.

Several thousand inhabitants of Beijing, Shanghai, Hong-Kong and other Chinese cities have been evicted over recent years for "redevelopment" schemes, including those conducted by tycoons and corrupt local authorities. In these same cities, a "floating population" of an estimated 40–200 million rural-to-urban migrants face institutionalized discrimination, including extreme abuses of the *hukou* registration system that deprives migrants of any decent, affordable housing, and denies migrant children primary education.

In Egypt, the governor in al-Wahayid (al-Duwiqqa), in Cairo's Manshi'at Nasr quarter, mobilized local police on 18 May 2004 to demolish the homes of 17 poor families, as part of a serial practice of eliminating impoverished, informal areas for reconstruction schemes. Only a few al-Duwiqqa inhabitants have received alternative housing, while selective practices have excluded 28 extended families last year. The total 130 newly homeless persons in al-Duwiqqa, include 73 children, four of whom are mentally disabled, 13 women-headed households and nine persons with chronic diseases.

Privatization and concentrating ownership of agricultural land under Egypt's Rural Land Tenancy Law No. 96 (1992) have forced one-quarter of Egypt's farmers off their lands, leaving them destitute and without livelihood, compensation, infrastructure or any viable means of alternative subsistence, despite theoretical safeguards. Egypt's agricultural output also has declined in the process. However, Egypt is not the exception; global patterns of privatization, coupled with institutionalized underdevelopment of rural areas, only compound the urban housing crises in many developing countries, where human habitation on the land is increasingly unviable.

In all tsunami-affected South Asian countries, many thousands of inhabitants have lost their homes. A great—but under-reported—threat faces affected local, indigenous populations who risk losing their land rights during the reconstruction. As aid has flowed through the government budgets, local groups have expressed great fear that certain governments and allied private

interests that always have contested local communities' rights to their lands and natural resources will exploit the situation by definitively evicting the communities to benefit wealthy real estate and tourism developers.

In Great Britain, Germany, The Netherlands and France, among other European countries, privatization of social housing threatens to foreclose the only access to affordable, adequate housing for thousands who have long relied on social housing. Deregulation and European States' convenient deferral to EU decisions are replacing responsible governance and treaty obligations to fulfill the human right to adequate housing. This trend disadvantages low-income families as social housing is sold to private speculators, including such foreign companies as the Carlyle Group.

Similarly in the United States, the Bush Administration has proposed cuts on the Section 8 voucher program, which constitutes the main hope for poor families to avoid homelessness and access affordable housing. When already, at least 840,000 people are homeless daily across the United States, cutting the 2005 housing budget by more than \$1.6 billion, with the aim to reach a level of cuts of \$4.6 billion by 2009, directly threatens over 250,000 families this year alone. Meanwhile, the tax breaks that the wealthiest 1% of U.S. taxpayers already enjoyed under the previous Bush term equal 20 times the cost needed to restore the embattled program.

In these cases, the actors responsible for the violations of millions of people's human right to adequate housing are, alternatively or simultaneously, public and private. The Habitat International Coalition and its members seek to uphold an international human rights system that ensures that all duty-holders are held to account. In this light, we commit to constructive engagement with the treaty bodies and complementary procedures. We also endorse the Special Rapporteur's indivisibility-of-rights approach and urge an integrated understanding of housing rights violations, including the phenomenon of forced eviction, as well as mass exodus, refugees, IDPs and population transfer. The scale of harm to individuals and social development can be addressed only when duty holders are made aware to their obligations. Therefore, we also firmly support the renewal of the mandate of the Working Group on the Optional Protocol to the Covenant on ESCR as a practical instrument to complement efforts at ending housing rights violations, and support the UN Human Rights Norms for Business and to monitoring the Millennium Development Goals—as necessary—within a framework of States' human rights treaty obligations.

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<sup>1</sup> For details, see *Through No Fault of Their Own: Punitive House Demolitions during the al-Aqsa Intifada* (Jerusalem: B'Tselem, November 2004), p. 4.