



Report on the evictions cases presented to the 4th Session of the International Tribunal on Evictions *

Presentation

This text does not attempt to summarise the contents of the dossiers presented to the International Tribunal on Evictions (ITE) in 2014. Its aim is rather to encourage readers to go further and act, faced with the scale and gravity of these situations.

Where they are taking place: Countries and Cities

The ITE listened carefully to the testimonies and analysed the dossiers on 32 cases of eviction located in 24 cities in 11 countries in Africa, Asia, Latin America and Europe¹. Some of the eviction cases are located from capital cities such as Rome, New Delhi, Bucharest, Lima, Bogota, Mexico City and Kinshasa, and therefore attract more media exposure. But they arise in villages and small and medium-sized towns and regional capitals. These sample cases, strictly limited to recent or ongoing evictions, indicate that evictions happen everywhere. The seven Italian cases, for example, come from both the North and South (Milan, Naples, Palermo, Rome, Santa Maria a Monte, Monza), as do the eight cases from Cameroon (Bamenda, Bandjoun, Douala, Maroua, Yaoundé) and the cases from Romania show that the evictions not only take place in Bucharest, but also in Cluj-Napoca and Eforie.

Three typical eviction situations

The ITE has analysed three typical situations:

- Those where the evictions have already taken place, involving the displacement of families, the eviction from people's homes, the demolition of houses, but also, in several cases, the destruction of whole neighbourhoods, most of them consolidated. [Half of the cases, 16, belong to this category].
- Those where the process of eviction is under way and eviction is imminent [13 cases out of 32].
- Those involving threatened evictions [3 cases], represented by a first threatening letter due to unpaid rent or by an alleged landlord threatening the inhabitants of a neighbourhood by asserting a right which was acquired through dishonest means [Cameroon].

These three situations refer to different questions and therefore to different possibilities for action and defence.

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¹ EUROPE: Milan, Naples, Palermo, Rome, Santa Maria a Monte, Monza (Italy), Calais (France), Charleroi (Belgium)
Bucharest, Cluj-Napoca, Eforie-Constanța (Romania)

LATIN AMERICA: Bogota, Medellin, Chipaque (Colombia), Federal District of Mexico, Lima (Peru)

AFRICA: Lamtar (Algeria); Bamenda, Bandjoun, Douala, Maroua, Yaoundé (Cameroon), Kinshasa (Democratic Republic of Congo)

ASIA: New Delhi (India)

- When the evictions have taken place, requests and testimonies are submitted for reparations / compensations that depend on court judgements which often take many years, and compensation is often never paid, despite repeated promises. They also cover subsequent and repeated evictions, which inflict suffering on thousands of families who lose their homes and are condemned to live in the street with a total lack of security. They also underline the lack of security caused by temporary rehousing with no future prospects. These evictions and need to move from one place to the next to survive are not usually included in the rare statistics on evictions. The ITE takes them into account.
- The analysis of the evictions under way sheds light on the irregularities in the eviction process and procedures by authorities, institutions or people who are responsible for them. The violation of existing policies, norms and national legal frameworks is frequent. Generally, the eviction proceedings violate the international right to adequate housing. It questions the efficacy of international regulations and the available means to ensure that they are respected. It highlights the flaws in the judicial system in implementing domestic law.
- The threats of eviction allow us to think about preventive measures that have a different nature from the possible solutions to the previous two situations. They must encourage the fight against the repetition of the negligence shown by local and national authorities.

The ITE's work becomes more complex due to the diversity of the eviction cases

Number of people concerned and size of the cases

Around **160,000 people are affected by the eviction cases analysed by the ITE**, the majority of them women and children. This dramatically high number points out the importance of the ITE for thousands of voiceless people who are living in situations of human and material distress,

This figure is an approximate value and was suggested by the organisations working on the ground, based on real situations concerning people and families, and as a result these numbers serve to give an idea of the state of affairs. However, they mirror fairly well the dramatic international situation which has moved the ITE to take action to study and analyse the cases and put together a number of general recommendations, based on the analysis of the 32 situations reported cases.

Seven of the cases concern situations with, for each one of them, over 8,000 people directly affected: Delhi [23,000 in one case and another 8,000 in a dozen neighbourhoods located in central neighbourhoods]; Medellin [two cases, each affecting 10,000 people]; Douala [20,000 in one case, and around 50,000 in another]; Kinshasa [around 30,000 Congolese evicted from the DRC].

Another category deals with several cases where evicted people are in the hundreds: Cluj-Napoca, Romania [300]; Calais, France [600 immigrants from several different nationalities on their way to England and asylum seekers]; Lima, Peru [300 families, around 1,500 people in total]; Bamenda [300], Bandjoun [450], Maroua [around 260], Yaoundé-Etoa Meki [300], Yaoundé-Mokolo [4,000] and Yaoundé-Mvog Ebanda [300] in Cameroon; Milan [250 Romanian Roma], Italy.

In a third category, we find smaller cases, each affecting less than 200 people. Altogether these concern hundreds of people, often in situations that are less "visible" but with extremely high vulnerability: Bucharest [145] and Eforie, Romania [101]; Mexico D.F. [150]; Charleroi, Belgium [150]; Itagui / Medellin [50].

One of the tasks of the ITE is to not only consider situations where "groups" or entire neighbourhoods are evicted, as in the examples, mentioned above, but also to listen to and examine the individual cases of isolated families, happening for example in places such as Bogota and Chipaque, Cundinamarca in Colombia; Lamtar, Algeria; Naples [2 cases], Rome, Palermo, Santa Maria a Monte in Italy. These testimonies make up an important part of the problem, but are often invisible, on the face of it, due to their small numbers, and are therefore less important to the media.

The ten cases of the evictions of individual nuclear or extended families, tenants of public or private housing, de facto occupants, farmers and private land owners lift the veil on the facts of these extremely complex situations, but still relate to a limited number of causes. These testimonies are often dramatic, even desperate,

They highlight the inhumane and traumatising nature of evictions that come in the form of threats, concealed or in the open, short or long processes, or eviction with or without the demolition of the home which often represents all that the people have built in a lifetime.

For a full account of the testimonies, the ITE recommends you read the dossiers.

This very large range of situations has made the work of the ITE much more difficult.

Extent of damage

Demolitions and material damage

The extent of material damage in the cases where evictions have taken place is immense. Even in the few cases where some families have been compensated, the amount received is lower than the actual commercial value of the demolished housing. The value of equivalent housing, services and land in the demolished areas represents, according to our estimates, at least **1 billion euros, and is probably closer to 1.5 billion euros**, which comes to an average of 15,000 euros per demolished home in the 16 cases which include eviction and demolition.

This alarming amount at a time when most governments are unable to decently house their citizens should be reflected upon. These demolitions are insane, as they are a dead loss of a fixed capital built over time, and in most cases over generations. On-site relocation and no demolitions should be the common practice.

Destruction of livelihoods and wealth creation

This loss of hundreds of millions of euros of people's money and sometimes of public resources is unfortunately only one side of the coin. Examining these cases and listening to testimonies has clearly shown us that the material losses most felt by the inhabitants are also their working tools and means for survival. In effect, homes and the space that surrounds them are essentially a place of work which is linked to a local market or established commercial circuits. Losing your home and your place means losing your livelihood and means of survival. Four examples to illustrate this are extracts from depositions. They show the immensity of the economic damage linked to losing one's home.

- For the Socha Pinilla family from Chipaque, in the Province of Cundinamarca in Colombia, losing their rural home also means *"losing 2,700 mulberry trees in full production for which the family is in debt because of a loan only partly reimbursed."* Who are the losers? The father of a family, 67 years old who has had two road traffic accidents, his wife who appealed in court, a young girl of 11 of age with nowhere to live and who was taken in by the family, a young couple of 27 and 29 and their two young children. [Case 29]
- Around 300 people from the district of Lurin, Lima Metropolitan Area, had acquired land which is now being sold illegally by third parties. Losing their home and land means losing *"agricultural land, plants, animals, etc. which would also impact negatively the natural ecosystem of the Lurin Valley."* [Case 10]
- The 450 people from Bandjoun in Cameroon displaced by the construction of a highway in 1982, highlight that *"31 years later, 45% of the displaced people are now deceased, without ever having received any cent", despite the fact that "72 million CFA francs was officially made available for the displaced people."* [Case 13]
- The eviction of around 250 people, mainly Romanian Roma from the Campo di Via San Dionigi in Milan, meant the loss of their livelihoods, simply because *"the compound was also the place of work for almost all the families. In addition to losing their homes, they also lost their work."* [Case 21]

Reason and common sense call for solutions that do not limit housing to just a roof over people's heads, but that also consider housing and its immediate surroundings as a central asset for employment and income generation. It is a relevant issue not only in the "Global South" but in Europe as well.

At first glance, human and humanitarian damages, even if difficult to fully assess, remain incommensurable

The poignant and profoundly moving testimonies that came out of the majority of these cases clearly point out that evictions that have already taken place or are underway are traumatising and humiliating

experiences for the inhabitants: "We are living, but psychologically dead" [Case 29]; "A widespread trauma" [Case 14]

The long list of damages suffered by the tenants and owners of the Marécages blocks 4, 5, 6 of the Dibom district of the town of Douala following the destruction of their homes illustrates the enormity of the damage [Case 14]:

- *Loss of human life, since on 20 August 2014 a family head member passed away, aged around sixty.*
- *Over 1,334 buildings have been destroyed including places of worship; 5 education facilities; A dozen social and cultural centres; and health centres.*
- *Dismantled families.*
- *Major loss for families, both socially and economically.*
- *Shattered lives for many families as more than 50% of family heads were over 60 and their children were unemployed.*
- *The hope of a peaceful retirement was broken.*
- *Parents and children' traumatised with consequences on the parents' professions which then in turn affects the children's education, and most of them are wandering in the streets at the moment.*
- *Humiliation.*

The damages suffered in Calais [case 32] by around 600 asylum seekers and migrants heading for England, as a result of the brutal forced eviction on 2 July 2014, sheds more light on the situation in Europe. Here is an extract from the testimonies of the evicted:

- *Destruction of personal belongings.*
- *Destruction of tools for survival and livelihoods.*
- *People left wandering for days following the eviction and completely destitute in Calais, chased by the police every time they stop. Some placed in detention centres, those restrained in Paris left vagrant.*
- *Attempted returns to Calais by foot by those who were evicted and released.*
- *Most of the people evicted from the site were left in a state of psychological distress. Women and minors were left out on the street without any protection once they could escape or were released from detention centres.*

Comments

Almost all the causes included in "Popular Guide for Zero Evictions and the Defense of Territory"² - see list in annex - are illustrated by the 32 cases presented to the Tribunal. However, **poverty and loss of employment** leading to unpaid rent and tenants being forced out onto the street should be added as it appears in several of the testimonies.

The brutality reported by various testimonies and dossiers, leading to death in certain cases, deserves special and immediate attention. Legal pursuits are necessary.

Several of the cases report "official" reasons put forward by those responsible for evictions to justify them. However, much more realistic "unofficial" reasons which are the underlying causes were reported

² [The Popular Guide for Zero Evictions and the Defense of Territory](#) , Coproduction of inhabitants' organisations, Ed. The Urban and Communitarian Way, International Alliance of Inhabitants, 2013

as well. Hygiene, protection of the environment, security, improvement of living conditions, reduction of exposure to risks, or plans for development and rules on town planning are among the official reasons that often conceal the truth.

The evictions that took place in Ville Haute district of Charleroi in Belgium affected 103 adults and 20 children between April and December 2013 [Case 27]. The dossier clearly distinguishes between the official and real reasons:

"Officially: These are administrative evictions following a decree for closure for reasons of hygiene, overcrowding and fire safety signed off by the Bourgmestre [Mayor]. The Bourgmestre argued that he was responsible for raising the level of public hygiene. To achieve this, the department in charge has already inspected almost 500 homes and 160 of them have been closed. The aim is officially to establish a level of standards in the interest of the occupants.

Unofficially: An attempt to bring wealth back to the city centre through the social and upper classes. Closing homes can be a good way of "chasing away" the inconvenient less fortunate of whom there are too many living in the city centre. We are clearly witnessing a phenomenon of social and spatial segregation, which leads to gentrification in certain neighbourhoods. When we challenge the local authorities on this matter, they refuse any of our arguments. As far as they are concerned, "all is going well, they are not leaving anyone behind!"

Who is responsible? Who should be condemned? The violence linked to evictions, which appears as institutionalised violence throughout the cases, is associated with political power, judicial institutions and part of the administration in the majority of cases analysed. However, beyond the role of the State, specific individuals who are sometimes corrupt and often have an official mission, are behind the evictions. Several of the cases clearly show the role of individuals in these three areas [political, judicial and administrative]. It would be important to draw lessons from this.

The different cases in which resettlement [*recasement* in African cases] took place clearly point out the limits and difficulties linked to what seems to be a comfortable, but unrealistic, solution from the point of view of the right. This is the case in Delhi [Cases 1 and 2] and other places. These clear failures justify the need to search for solutions that avoid moving people far away from their original location, but rather favour the right to the land and on-site or close-by rehousing.

When the law is against rights . Many of the forced evictions reported take place within the national legal framework using "official reasons". This being said, in the majority of cases this legality constitutes a breach or a clear violation of national or international rights. This contradiction raises questions about the limits of such rights, or more specifically, about the conditions of their application.

List of the cases of eviction received and analysed by the ITE in 2014

[BELGIQUE, CHARLEROI, Locataires de la ville-haute](#)

[CAMEROUN, BAMENDA, Populations Mbororos de Mamada Hills](#)

[Cameroun, Bandjoun, Communautés de Poumougne](#)

[Cameroun, Douala, COLLECTIF DES HABITANTS des BLOC Marécages 4, 5 et 6 du Quartier Dibom I](#)

[Cameroun, Douala, Plusieurs communautés y vivaient](#)

[Cameroun, Maroua, Moudang-toupouri](#)

[Cameroun, Yaoundé-Etoa Meki, Communauté pluri ethnique](#)

[Cameroun, Yaoundé-MOKOLO, Moudang, toupouri](#)

[Cameroun, Yaoundé-Mvog Ebanda, Communauté pluri ethnique](#)

[Colombia, Bogotá, Casa Cultural 18 de Diciembre y Familia Torres Moreno](#)

[Colombia, Bogotá, MARIA INES LAGOS SERRANO Y FAMILIA](#)

[Colombia, Medellín, El morro, antiguo basurero municipal](#)

[Colombia, Medellín, Familias en condicion de desplazamiento rural-urbano e intraurbano](#)

[Colombia, Medellín, El Morro, antiguo basurero municipal](#)

[Colombia, CHIPAQUE CUNDINAMARCA, FAMILIA SOCHA PINILLA](#)

[India, New Delhi, Kathputli Colony](#)

[India, New Delhi, Several hundred families evicted from a dozen sites in the inner city](#)

[Italia, Milano, Insediamento spontaneo di via San Dionigi - comunità di rom rumeni](#)

[Italia, Napoli, Famiglia Delfino](#)

[Italia, Napoli, Gerasymchuk Tetyana e Gagliano Lucio](#)

[Italia, Palermo, Famiglia Bugliesi](#)

[Italia, Roma, Famiglia UTTICE'](#)

[Italia, Santa Maria a Monte, Famiglia Erramdani](#)

[Italia, Monza, Famiglia Dettori](#)

[México, D.F., casetas Cooperativa Poder Popular](#)

[PERU, Lima, 300 FAMILIAS, NIÑOS, ANCIANOS, TIERRAS AGRICOLAS, ANIMALES, PLANTAS, ECOSISTEMA NATURAL](#)

[Rép. Dém. du Congo, Kinshasa, Expulsion des Congolais de la Rép. Dém. du Congo à Brazzaville](#)

[Romania, Bucharest, Community of 27 families evicted. 15 families remain in the street](#)

[Romania, Cluj-Napoca, approximately 300 Roma](#)

[Romania, Eforie-Constanta, Roma families living in the area, some of whom had been living there for 40 years](#)

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