

QUICK  
GUIDES  
FOR  
POLICY  
MAKERS



# housing the poor in Asian cities



UN-HABITAT



United Nations  
ESCAP

# 4

**EVICTIION:** Alternatives to the whole-scale destruction of urban poor communities

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United Nations Economic and Social Commission for Asia and the Pacific, 2008

ISBN: 978-92-113-1949-1  
HS/962/08E Housing the Poor in Asian Cities, Quick Guide 4

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Cover design by Tom Kerr, ACHR and printed in Nairobi by the United Nations Office at Nairobi

Cover photo by Urban Resource Centre, Pakistan

The publication of the Housing the Poor in Asian Cities series was made possible through the financial support of the Dutch Government and the Development Account of the United Nations.

#### **Published by:**

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# Acknowledgements

This set of seven Quick Guides have been prepared as a result of an expert group meeting on capacity-building for housing the urban poor, organized by UNESCAP in Thailand in July 2005. They were prepared jointly by the Poverty and Development Division of UNESCAP and the Training and Capacity Building Branch (TCBB) of UN-HABITAT, with funding from the Development Account of the United Nations and the Dutch Government under the projects "Housing the Poor in Urban Economies" and "Strengthening National Training Capabilities for Better Local Governance and Urban Development" respectively. An accompanying set of posters highlighting the key messages from each of the Quick Guides and a set of self-administered on-line training modules are also being developed under this collaboration.

The Quick Guides were produced under the overall coordination of Mr. Adnan Aliani, Poverty and Development Division, UNESCAP and Ms. Åsa Jonsson, Training and Capacity Building Branch, UN-HABITAT with vital support and inputs from Mr. Yap Kioe Sheng, Mr. Raf Tuts and Ms. Natalja Wehmer. Internal reviews and contributions were also provided by Ms. Clarissa Augustinus, Mr. Jean-Yves Barcelo, Mr. Selman Erguden, Mr. Solomon Haile, Mr. Jan Meeuwissen, Mr. Rasmus Precht, Ms. Lowie Rosales, and Mr. Xing Zhang.

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The original documents and other materials can be accessed at: [www.housing-the-urban-poor.net](http://www.housing-the-urban-poor.net).

The above contributions have all shaped the Quick Guide series, which we hope will contribute to the daily work of policy makers in Asia in their quest to improve housing for the urban poor.

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*Forced evictions are putting in jeopardy the attainment of the Millennium Development Goals. At the current pace, at least 34 million people — and possibly 70 million — will be evicted between 2000 and 2020: quite a dramatic number when compared to the goal of improving the living conditions of 100 million slum dwellers by 2020.*

AGFE, 2007



PHOTO: ACIR

# Eviction: Alternatives to the whole-scale destruction of urban poor communities

## QUICK GUIDE FOR POLICYMAKERS NUMBER 4

Despite decades of work by housing and human rights organizations, NGOs, multilateral institutions and community organizations, the eviction of poor households and poor communities is increasing in Asian cities, causing displacement, misery and impoverishment for millions of urban citizens. The causes of these evictions are varied, but the underlying theme which links them is the increasing role market forces are playing in determining how urban land is used.

A vast majority of these evictions are unnecessary. This guide looks at the various causes of evictions, and their effect on the lives, livelihoods and housing choices of the urban poor. The distinction between different types of evictions are discussed and the legal context of eviction is examined within the key international human and housing rights covenants.

The guide explores several practical, viable and replicable alternatives to eviction which are being tested, refined and scaled up by governments, community groups and support institutions in Asian countries. In almost all of these cases, poor communities are central, creative partners in the search for lasting solutions to their city's problems of affordable land and housing — solutions which do not require that the poor be pushed out. Finally, the guide presents guidelines to help governments and policy makers to develop better formal procedures to minimize eviction.

This guide is not aimed at specialists, but instead aims to help build the capacities of national and local government officials and policy makers who need to quickly enhance their understanding of low-income housing issues.



*In the four years between 2003 and 2006, 2.14 million people were evicted from their homes, and another 5 million were under immediate threat of eviction in Asian cities.*

*Source: [www.cohre.org](http://www.cohre.org)*

## Eviction is on the increase in Asian cities

The combined forces of urbanization, globalization and commercialization of urban land are increasingly forcing the poor out of their houses and off their land. All cities go through periods of intense development, when things change rapidly and there is a lot of new building activity and large numbers of people tend to get displaced. Evictions always tend to increase during times of economic growth and to decrease during times of economic slow-down. There is no doubt that Asia is in the midst of an economic boom, and that evictions are

increasing, causing displacement, suffering and impoverishment on a large scale.

There are cases where evictions cannot be avoided, but even when evictions are “justified” by being carried out in the public interest, to build roads, public facilities or other urban infrastructure projects, or to protect communities from perceived environmental hazards, they usually do not conform to the rules of international law. Even these evictions are often carried out without legal notice and without due process.

### Defining ‘evictions’

Definitions of evictions, especially ‘forced evictions’, have been an ongoing struggle. The term forced eviction looks only at legal concerns but the term “unfair eviction” is subjective, even if it may capture more of the reality. So what do the words mean in this guide?

**Forced eviction:** ‘The permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection.’ This prohibition on forced evictions does not, however, apply to evictions carried out by force in accordance with the law and in

conformity with the provisions of the International Covenants on Human Rights.

**Eviction and market-driven eviction:** The negotiated removal of individual occupants but when the terms of negotiation are unfair for poor households due to their weak tenure status, or the fact that they may not be complying with planning and development laws or construction norms and standards.

Some evictions are not “forced” in the strictest legal sense, but most of them are disruptive and unnecessary, and are causing the same impoverishment and destruction of housing investments and social support systems as “forced” evictions cause.

# 5 reasons why evictions happen:

**1 INCREASING URBANIZATION:** As the pace of urbanization accelerates and more people and more investment are flowing into cities, informal settlements which used to be tolerated are no longer acceptable, as the formal city increasingly appropriates the space they occupy for development.

**2 LARGE INFRASTRUCTURE PROJECTS:** Most Asian cities are now in competition to host global capital investment. A lot of money is going into improving urban infrastructure to make cities more attractive to this investment, including expressways, bridges, sewers, water supply, electricity grids and mass transit systems. There is no question that cities need these improvements as they grow, but the way they are being planned, financed and carried out is displacing the poor on an increasing scale.

**3 MARKET FORCES:** Market forces are increasingly determining how space is used in cities. Governments are catching on to this and the public land they manage is increasingly being used for profitable rather than social purposes. So the poor, who can't afford housing at market rates, are being evicted from the private and public land they've occupied or rented for generations, to make way for higher-profit uses like shopping malls, superstores and condos. Evictions used to happen in a scattered fashion, but in recent years, globalization, speculation and the availability of international finance have raised the stakes and increased the scale and frequency of evictions.

**4 CITY "BEAUTIFICATION":** Many cities are trying to clean themselves up to attract investment and to market themselves as "world class cities." It's no surprise that unsightly slums and squatter settlements — and poor people in general — do not figure in this new vision of what many feel cities should look like. So city "beautification" drives have become another cause of evictions.



PHOTO: SINGAPORE TOURISM DEPT.

**5 INEFFECTIVE LAWS:** Laws and procedures to protect communities from eviction or to provide tenure security do not exist in most Asian countries. Even where some good laws do exist, they are freely broken, because of the unequal power relationship between poor communities and the governments and developers. Some of the institutions which finance projects which cause eviction maintain that they do not tolerate forced eviction and have admirable resettlement guidelines for project-affected households. But in practice, these guidelines are often ignored.

*Source: Asian Coalition for Housing Rights, Newsletter 15, Special Issue on Evictions, October 2003*

# Some facts about poor people in cities

## FACT: The poor migrate to cities for good reasons

For decades, the flow of population in most Asian countries has been out of rural areas and into cities. This huge tide of mostly-poor migrants is a demographic fact no government has been able to reverse, although many keep trying.

**People are leaving their villages for good reasons.** Changes in how land is farmed and owned and increasingly tied to global markets are leaving more rural people in crippling debt, without land, work, money or any hope of surviving. At the same time, increasing numbers of natural disasters are destroying rural livelihoods and impoverishing more and more households. With TV, cheap mobile phones and easy communications, people in the

most remote villages now know what cities have to offer, and their choice to migrate is usually a well-informed one.

**They are coming into cities for equally good reasons.** In cities they find job opportunities as well as markets for their own informal businesses, making and selling cheap goods and services. And the money they can make in cities can usually be enough to support themselves and their households, as well as send money home to relatives still in the village. In cities they have better access to schools, health care, culture and opportunities for a future no village could ever offer.

## FACT: Cities need the poor to prosper

The enormous capital investment that is flowing into Asian cities and financing their growth is also coming in for good reasons. Periods of industrialization which make countries richer have always relied on huge, low-paid work-forces, whether it be 19th century England or 21st century China. The large supply of cheap labour allows for the develop-

■ **Public sector labour:** It is the poor who sweep the streets, carry away its garbage, maintain its sewer systems and parks, prune its trees and keep the city looking tidy.

■ **Service sector labour:** It is also the poor who are the nannies, house maids, waiters,

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