



**Declaration of the International Tribunal on Evictions - Asia Session at WSF  
A powerful weapon of the Zero Evictions Campaign  
A contribution to building another possible world. Now.**

The [International Tribunal on Evictions](#) gathered for its [Asia Session](#) in the framework of the WSF at St. Xaviers College, Kathmandu, Nepal, from the 15<sup>th</sup> to 18<sup>th</sup> of February, 2024.

This 11th session since ITE was created by the [International Alliance of Inhabitants](#) in 2011 as a tool of the [Zero Evictions campaign](#), underly the different causes of evictions that affect millions of people on a continent of 5 billion, strategic for the future of humanity: the rapid development of the market economy and the resulting, often chaotic, urbanization from the countryside, the unsustainability of the housing market in the face of inadequate public policies, the financialization of the housing market and the mortgage crisis, the mega-infrastructure, urban planning (including smart cities), dams and mining projects that also involve entire regions, the tourism industry, war (foreign occupation, building military bases, etc.), the lack or the implementation of policies on climate crisis or post-disaster (risk prevention, resilience, among others), the social, racial, gender, casteism discrimination. Artificial Intelligence, as underlined by the international conference in the framework of the ITE session, is a tool of neoliberalism that is the source of an exponential growth in human rights violations, in particular evictions.

Thanks to the collaboration between the ITE Steering Committee and the India and Nepal Asia Organizing Committee together with the participation of local organizations and international networks, the collaboration of the UNSpecial Rapporteur on the Right to Housing, the collaboration of Professors and Students from Kathmandu School of Law - Asia-Pacific Master's Degree in Human Rights and Democratization, and the Master's Degree in Human Rights and Multilevel Governance (HRG) International law of human rights University of Padua, Italy, it was possible to give voice to witnesses/victims of evictions in Nepal, India, Philippines and Taiwan.

Relying on thorough due process, ITE has ruled that the authorities of these countries are responsible for multiple violations of the human rights treaties they have ratified, as are economic actors such as IMF, WB, ADB, engines of projects that cause evictions. Among the supranational bodies, UN Habitat is responsible for seriously underestimating the eviction issue, since, having deleted the eviction indicator from its Observatories, with the New Urban Agenda it can point without a qualm to the positivity of unlimited urban development, which, on the contrary, is among the main causes.

The verdict and the general preliminary recommendations are now a powerful weapon in the hands of the social organizations that have promoted appeals to ITE to resist evictions on the grounds of

strengthening the recognition of the right to housing and related human rights, including the rights of human rights defenders and their organizations

The first step must be a moratorium on all evictions, for whatever reason, to enable the opening of dialogue tables on an equal footing between the parties, with the aim of finding solutions that respect all human rights including the security of land and housing tenure.

The verdict and general recommendations will be sent quickly to the authorities in charge of evictions for them to make their observations, after which they will be made unappealable along with case-specific recommendations.

These recommendations will be taken forward for genuine implementation from the local to the global level by ITE promoting organizations and their allies as part of the Zero Evictions campaign. They will first be posted on the doors of houses under eviction and monitored with a first stop in October 2024 in the framework of World Zero Evictions Days

ITE is the concrete contribution of the International Alliance of Inhabitants to relaunching the impact of the FSM: an instrument that has already proven capable of building another world possible, starting with the defense of housing security.

Therefore, we call on all organisations participating in this WSF 2024 to support the ITE Asia recommendations and to develop further similar, independent and solidary tools to demonstrate and implement the vision of another world possible from below. Now.

- International Alliance of Inhabitants
- Montfort Social Institute, Hyderabad, India
- Opportunity Village Nepal, Kathmandu, Nepal
- Nepal Jesuit Social Institute, Nepal
- Habitat for Humanity, Nepal
- Nepal Little Flower Society, Director of Social Work, Nepal
- Habitat and Livelihood Welfare Association, India
- Good Shepherd International Foundation, Nepal
- Self Reliance Centre, Nepal
- Justice and Rights Institute (JuRI-Nepal), Nepal
- Kathmandu School of Law, Bhaktapur, Nepal
- Information and Resource Centre for the Deprived Urban Communities, India
- Habitat et Participation, Belgium

**Contact and Info:**

Soha Ben Slama, ITE Coordinator <[ite.coordinator@habitants.org](mailto:ite.coordinator@habitants.org)>

FB ITE Asia <https://fb.me/e/4WkmdPg7I>

Kathmandu, 18/02/2024

## Annex 1:

### Summary of the Verdict and Preliminary Recommendations session Asia of International Tribunal on Evictions - WSF, Kathmandu, 18/02/2024

The ITE reaffirms the principles and recommendations established in its preceding sessions. From the analysis of the cases, which included presentations by witnesses and documentary evidence, the International Tribunal on Evictions (ITE) found that there is a significant failure of state and non-state actors to respect, protect, fulfill, and promote human rights, particularly the right to housing, of people and communities. The ITE observed with great concern that forced evictions have been arbitrarily used as tools of urban planning and housing policies to prioritize absolute private property regimes, disregarding their social and ecological function. These policies often serve the so-called development of economic interests rather than the rights of the inhabitants, especially the most vulnerable ones. Recognizing the urgent need to address the challenges posed by forced evictions and displacements, **the ITE issues the following Recommendations based on the cases examined during its 11th Session:**

1. **Recognition of Inhabitants' Rights:** States must recognize inhabitants and their organizations, as well as affected communities, as rights holders. Their voices and needs must be taken seriously and meaningful consultations with them, and their informed participation must be guaranteed in all projects affecting their security of tenure.
2. **Moratorium on Forced Evictions:** States must establish a moratorium on all forced evictions and displacements. This moratorium is essential to pave the way for a meaningful dialogue between the parties to find solutions that respect human rights.
3. **Access to Information and Justice:** States must ensure access to adequate information, allowing community participation and control of public actions including through adopting necessary policy measures. They should remove every form (administrative, procedural and economic) of obstacles and guarantee adequate resources for ensuring access to justice and legal defense.
4. **Climate Change and Housing Policies:** States must advance the recognition and development of sound laws, policies and strategies as appropriate to protect, promote and realize the right to housing. This includes incorporating housing rights into climate change mitigation and adaptation strategies.
5. **Resettlement Policies:** Resettlement policies should be the last resort for any government action and must comply with international human rights law. States should prioritize alternative design and planning practices with the participation of affected communities.
6. **Corporate Responsibility:** Companies must respect human rights in all their activities and address any impacts on human rights through the due diligence process in which they participate or to which they are linked or have contributed.
7. **Addressing the Climate and Housing Crisis:** States and the private sector must recognize the climate and housing crisis and radically change the current development system that unfairly distributes its costs among the most vulnerable populations.

8. **Ratification and Adherence to Human Rights Mechanisms:** States should ratify the Optional Protocols of CESCR and adhere to human rights mechanisms to improve the execution of human rights.
9. **Affirmative Policies for Community Rights:** States should adopt and implement special affirmative policies to guarantee the protection and realization of the rights of communities and groups that are especially violated.
10. **Coordination of Government Levels:** Different levels (national and sub-national) of government should coordinate to guarantee the right to housing and land to the population, ensuring that internal administrative organization does not violate human rights.
11. **Observation and Control of Evictions Worldwide:** There should be a UN-sanctioned system to observe, count, and control cases of evictions worldwide, with the aim of ensuring that States and all economic and social agents involved do not proceed, encourage, or tolerate forced evictions.
12. **Eviction Indicator in UN Systems:** The UN system should introduce a mandatory "eviction indicator" on monitoring of Sustainable Development Goals, in Urban Observatories and socio-environmental impact assessments of any project or policy.
13. **Dialogue with Civil Society:** There should be a resumption of dialogue between the United Nations and civil society on evictions, expanding the work of the United Nations Special Rapporteur on the right to adequate housing.
14. **Compliance by Multilateral Organizations:** Multilateral organizations of credit should ensure strict compliance with environmental and social rules to avoid forced evictions and carry out adequate resettlements within the framework of financed projects.
15. **Democratic Decision-Making:** Decision-making on habitat management and planning should prioritize democracy, recognizing the social and ecological function of the territory.
16. **Protection of Human Rights Defenders:** States and the UN should urgently and adequately protect human rights defenders, as collaborators of public powers, not as criminals, because they are involved in protecting and promoting rights of the inhabitants in the context of eviction processes.
17. **Role of Inhabitant Organizations:** Highlight the essential roles played by organizations and networks of inhabitants, encouraging solidarity and convergence of actions at the national and international level.
18. **Oversight and monitoring:** NHRIs and Parliaments at national and sub-national levels should carry out their oversight and monitoring functions to protect inhabitants from violations of human rights.
19. **Media Responsibility:** The media must prioritize the voices of those affected by conflicts, giving space to their words and avoiding their stigmatization.

**The ITE calls on States, organizations, and individuals to uphold these Recommendations and work towards ensuring the right to housing and preventing forced evictions.**

## **The Jury of the International Tribunal on Evictions**

- Paolo De Stefani
- Geeta Pathak Sangroula
- Raju Prasad Chapagai
- Medha Patkar
- Agustin Territoriale

## **Annex 2:**

### **Cases Examined:**

#### **Nepal:**

- Case of Eviction Birendranagar-7, Surkhet, Nepal
- Case of Eviction Dhangadhi Metropolitan City-1 Sudurpashchim Province, Nepal
- Case of Eviction Thapathali Kathmandu, Jhapa, and Bardiya, Nepal

#### **India:**

- Case of Eviction Narmada Valley, India
- Case of Eviction Chennai, India
- Additional cases in Mumbai, Koshi Basin, and Patna, India

#### **Philippines:**

- Case of Eviction Sitio San Roque, Quezon City, Philippines

#### **Taiwan:**

- Case of Eviction Taouyan City, Taiwan. Green Line MRT G12-13a Station Peri-Urban Land Development Project.
- Case of Eviction New Taipei City, Taiwan. Lu Gong Canal Case.

### **The ITE also raised the complaints of threats and evictions occurred submitted in the open hearing:**

- Case of eviction at Ambujwadi. Mumbai, INDIA.
- Case of evictions Koshi Basin, India.
- Case of evictions Patna, India.
- The violent eviction of families from Banhado, Brazil, illustrating the global extent of evictions.

The ITE expresses extreme concern and commits to a detailed analysis of these cases, issuing specific recommendations for the previously admitted cases.