Eviction Impact Assessment Tool

Counting *real* costs and losses
Forced Evictions

Committee on Economic, Social and Cultural Rights
General Comment 7: ‘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.”
Forced Evictions

Basic Principles and Guidelines on Development-based Evictions and Displacement

“involves the involuntary displacement of individuals, groups, and communities from their homes and/or lands & common property resources, thus adversely affecting their ability to reside or work in a particular dwelling, residence or location, without the provision of and access to, appropriate forms of legal or other protection” (paragraph 4).
Forced Evictions

UN Commission on Human Rights Resolutions


“... the practice of forced evictions constitutes a gross violation of human rights, in particular the right to adequate housing...”
32. Comprehensive and **holistic impact assessments** should be carried out **prior** to the initiation of any project...

33. Impact assessments must take into account the **differential impacts of forced evictions** on **women**, children, the elderly and marginalised sectors of society.
Need for an ‘Impact Assessment’ Tool

HLRN has developed a human rights-based tool to:

✓ Determine actual costs & losses of eviction.
✓ Document material & non-material costs.
✓ Assess differential impacts of evictions.
Goals:

‘Eviction Impact Assessment’ Tool

✓ Prevent evictions.

✓ Ensure just rehabilitation, compensation & restitution in cases of evictions.


✓ Develop standards for adequate compensation based on human rights assessments.
Human Rights Protection

✓ Restitution:
  ▪ Return
  ▪ Resettlement
  ▪ Rehabilitation;
✓ Compensation;
✓ Non-repetition;
✓ Satisfaction;
✓ Non-refoulement.
Eviction Impact Assessment Tool (Values, Costs, Losses, and Damages)

Before Eviction

During Eviction

Post Eviction
1. **Baseline survey** (inventory of assets under threat).
2. Assessment of losses/costs as a result of *eviction notice*.
3. Assessment of losses/costs at **time of eviction**.
4. Assessment of losses/costs after eviction:
   a) Transit camps or temporary shelter
   b) Resettlement site
   c) No resettlement
   d) Compensation
Assessment of Various Types

1. Economic Assets (household)
2. Expenditures (household)
3. Social Assets (household)
4. Civic Assets (non-material)
5. Public/State Expenditures
I. Costs/Losses Pre-eviction
Values/Assets & Expenditures

Economic Values/Assets (Household):

- Contents
- Environment goods and services/ecology
- Equipment/Inventory
- Infrastructure/Services/Utilities
- Inheritance Prospects
- Inviolate/Priceless Assets
- Land/Plot
- Livestock and Animals
- Structure (dwelling and other)
- Subsidies and Rations
- Trees and Crops
- Vital Documents
- Wells/water Sources
- Work/Livelihood Source
- Other
II. Costs/Losses During Eviction
III. Costs/Losses After Eviction
After Eviction: Losses (1)

Economic Assets Lost (Household):

✓ Contents: Personal & household
✓ Infrastructure/utilities
✓ Environmental goods & services
✓ Priceless assets
✓ Land
✓ Livestock and animals
✓ Plot (commercial enterprise/rental)
Social Assets Lost (Household):

- Community spaces
- Cultural heritage/sacred sites/structures
- Health status
- Identity
- Inheritance status
- Investment (community)
- Life
- Psychological well-being
- Social & institutional capital
- Social status/cohesion/integration
Civic Assets (Non-Material):

- Political participation
- Political legitimacy
- Civil/law and order
- Crime
After Eviction: Losses (4)

Public/State Expenditures:

✓ Bureaucracy & administration
✓ Lawyers/judges/judiciary
✓ Resistance
✓ Services & fees
✓ Equipment
✓ Security
After Eviction: Losses (4)

Public/State Expenditures:

- ✔️ Bureaucracy & administration
- ✔️ Lawyers/judges/judiciary
- ✔️ Resistance
- ✔️ Services & fees
- ✔️ Equipment
- ✔️ Security
Violations

✓ Human rights to adequate housing, education, health, food, security of person and home, water, sanitation.
✓ Basic services
✓ Loss of homes/prohibition against reconstruction
✓ Legal security of tenure: no secure rights
✓ Rights to information and education [regarding land/property ownership, tenure security]
✓ Participation: no consultation/ prior informed consent
Impacts of Evictions on Women

✓ Women are most severely affected by forced evictions, displacement, and the loss of housing and land.
✓ Women suffer disproportionately during and after forced evictions.
✓ Loss of housing and lack of adequate resettlement increases vulnerability of women to gender-based violence, including sexual violence.
✓ Lack of water, electricity, sanitation – also affect women disproportionately, increasing vulnerability to GBV.
✓ Evictions result in multiple violations of women’s rights.
✓ The HLRN EvIA Tool aims to document disaggregated impacts of evictions on different groups, especially women and children.
Uses of the EvIA Tool

✓ Research & documentation
✓ Legal defence – court submission
✓ Compensation for victims
✓ Public information & media advocacy
✓ Policy formulation & standard-setting
✓ Lobbying/law reform
✓ Project implementation
✓ Social mobilization – campaigns against evictions
✓ Human rights education
✓ Enforcing international obligations
EvIA: Baljeet Nagar, Delhi
HLRN EvIA Studies and Reports

From Deprivation to Destitution

The Impact of Forced Eviction in Topsia, Kolkata

www.hlrn.org.in / contact@hlrn.org.in