



General Assembly

Distr.: General
16 February 2012

English only

Human Rights Council

Nineteenth session

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Human Rights Advocates, Inc., 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.

[10 February 2012]

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

Mega-events, urban development, and human rights: Preventing evictions and ensuring the right to adequate housing

Today more than half of the world's population lives in cities, and by the year 2030, that percentage will increase to 81 percent.¹ The trend of mass urbanization has had a devastating impact on the right to housing, as every year hundreds of thousands of men, women, and children are forced from their homes to make room for the development of the next "world class city" or mega-event.² The United Nations must urge state parties to protect urban populations from evictions and ensure the right to adequate housing, especially during rapid urban development projects and mega-events.

A winning bid for a mega-event, as with plans for rapid urban development, often leads to a massive influx of foreign capital and increases in construction projects. These infrastructural aspirations accelerate the process of urban development for the purposes of city beautification, the improvement of sanitation, new housing, and the improvement of existing housing. The experience for low-income communities and informal settlements, however, is largely negative, as residents are forcibly evicted from their homes without compensation to make way for "development." In most cases the poor suffer disproportionately from these evictions.

With the 2012 Olympics taking place this summer in London, the upcoming 2014 Winter Olympics in Sochi, Russia, and the 2014 FIFA World Cup and 2016 Olympics set to take place in Brazil, the Human Rights Council ("HRC") should continue to urge state parties to take steps to uphold the right to adequate housing, outlining the dangers to housing rights and highlighting best practices for mega-events. Creating these obligations will incentivize state parties undergoing rapid urban development to take affirmative steps to protect housing rights.

On 18 December 2009, the Special Rapporteur on adequate housing ("SR") issued a report analyzing the impact of mega-events on human rights. Human Rights Advocates (HRA) commends the HRC for passing a resolution on 25 March 2010 acknowledging the work of the SR on this issue by calling on states to strive to promote the right to adequate housing during mega-events. The upcoming mega-events in London, Russia and Brazil represent a crucial opportunity to call attention to housing rights during rapid urban development and analyze the impact of mega-events from a human rights perspective.

As the SR noted, state parties must be urged to include adequate housing guarantees in their bid proposals to host mega-events, and conduct housing impact assessments before, during, and after mega-events. States should ensure that affected communities receive protection from forced evictions, participate in the decision making process during urban development stages, and receive adequate compensation. These key policy recommendations should become the common practice for all states undergoing rapid urban development.

¹ COHRE, "Right to the City", World Urban Forum, 20 March 2010.

² COHRE, "Global Survey on Forced Evictions", 2008.

The duty to protect the right to adequate housing and prevent forced evictions

Forced evictions constitute gross violations of human rights, and states have an affirmative duty to prevent forced evictions from occurring. This duty obliges state parties not only to respect the right to adequate housing and freedom from forced evictions, but also to actively protect and promote this human right.

The HRC should be commended for enacting the Guiding Principles on Business and Human Rights, especially the foundational principle obliging state parties to “protect against human rights abuse within their territory and/or jurisdiction by third parties, including business enterprises.” States must ensure that mega-events and urban renewal projects are not used as an excuse by private entities to forcefully evict urban populations. States are accountable for monitoring housing practices in their cities, and must take effective steps to prevent, investigate, punish, and redress abuses by private entities.

Mega-events: Past negative impacts

The 2008 Beijing Olympics remains the high-water mark for human rights abuses and forced evictions in the mega-event context. An estimated 1.5 million people were evicted due to the Olympics.³ Marginalized people such as vagrants, street beggars, and unlicensed taxi operators were imprisoned without due process rights in “re-education through labor” camps.⁴

During the 1996 Olympics in Atlanta, an estimated 30,000 poor and marginalized people were evicted or displaced due to the 1996 Olympic games.⁵ The Quality of Life Ordinance criminalized people sleeping in derelict buildings, begging, or walking through parking lots if they did not own a car. An estimated 9,000 homeless people were arrested due to the Olympic games.⁶

The International Olympic Committee (“IOC”) failed to hold Beijing or Atlanta accountable for human rights abuses, demand transparency during infrastructural development, or demand the cessation of evictions and the criminalization of homelessness without due process rights. As an “organ of society”, the IOC has a responsibility to respect and protect the right to adequate housing under the UDHR.

Ensuring adequate housing: Positive developments

Recently the IOC has implemented a policy that represents a best practice with respect to mega-events. The 2012 candidature questionnaire specified that a perspective host city must cooperate with the government and local NGOs towards environmental sustainability.⁷ The IOC should continue to improve the Olympic bidding process by prompting perspective host countries to include housing impact assessments in their bids, along with guarantees to ensure the protection from forced evictions, legal protections for the homeless, as well as plans to improve access to low-income housing after the event.

³ Center on Housing and Eviction (“COHRE”), “One Dream, Whose World: Housing Rights Violations and the Beijing Olympic Games.” July 2008.

⁴ Id. at 6.

⁵ COHRE, “Fair Play and Housing Rights”, June 2007. at 113.

⁶ Id.

⁷ Id. at 50.

All states should take steps to ensure that low-income and marginalized communities are taken into account during the urban development process. In this regard, London has undertaken to utilize the 2012 Olympic infrastructure for low-income social housing after the games. Before the 2004 Olympics in Sydney, Australia enacted a Homeless Ordinance establishing that “unfortunates” would not be criminalized or arrested during the Olympics.⁸

Right to adequate housing and evictions: Future threats

The Millennium Development Goal of improving the lives of 100 million slum dwellers is not on track to be fulfilled by 2020. An estimated 826 million people live in urban slums, and these numbers are growing due to rapid urbanization.

In Brazil, the host country for the 2014 FIFA games and the 2016 Olympic games, 81 percent of the population already lives in cities, and 17 million households have inadequate housing standards.⁹ Heavily armed police have carried out thousands of evictions to make room for Olympic infrastructure.¹⁰ In Sochi, Russia, the host of the 2014 Winter Olympics, hundreds of families lost their homes through state expropriations.¹¹ In order to ensure upcoming mega-events leave a positive legacy for housing rights, the SR should continue to monitor the housing situation in countries undergoing mega-event preparation.

The SR stated with regard to Brazil’s preparation for the upcoming events, “I am particularly worried about what seems to be a pattern of lack of transparency, consultation, dialogue, fair negotiation, and participation of the affected communities in processes concerning evictions undertaken or planned in connection with the World Cup and Olympics.”¹²

Recommendations

HRA urges state parties to:

1. Conduct housing impact assessments before, during, and after mega-events.
2. Adopt measures to protect the homeless, and eliminate practices that displace the homeless from city centers during mega-events and urban renewal.
3. Collaborate with affected communities during all stages of development.
4. Submit UPR reports detailing the legislative measures taken to ensure adequate housing and protection against forced evictions.
5. Analyze the human rights records of potential mega-event sponsors, ensure that private entities respect the right to adequate housing and comply with international law in all contractual agreements pertaining to urban development, and hold private entities accountable for human rights violations.

⁸ Id. at 127.

⁹ COHRE, “Case Studies on Efforts to Implement the Right to Water and Sanitation in Urban Areas: Brazil, Kenya, Sri Lanka and South Africa.” Working Paper prepared for UN-HABITAT, 20 March 2008.

¹⁰ Amnesty International, “Brazil: Forced Evictions Must Not Mar Rio Olympics.” 14 November 2011.

¹¹ Human Rights Watch, “World Report 2012”, 2011, at 486.

¹² OHCHR, “Brazil off-course for World Cup and Olympics – UN housing expert,” 26 April 2011.

HRA urges the Human Rights Council to:

6. Urge relevant treaty bodies to address housing violations in the context of mega-events and urban development, laying out the duties of host countries and the obligations of IOC and FIFA to ensure adequate housing.
 7. Continue to support the SR's visits to states undergoing preparations for mega-events.
 8. Urge the Working Group on human rights and transnational corporations and other business enterprises to conduct country visits to host-countries preparing for mega-events, and disseminate the Guiding Principles on business and human rights to the IOC and FIFA, highlighting the need to protect, respect, and remedy the human rights of affected communities who are jeopardized by corporate activities during mega-events.
-