

**GET TOGETHER WITH YOUR NEIGHBOURS, SEEK HELP, ORGANIZE, MOBILIZE, TAKE ACTION AND CALL ON PUBLIC ATTENTION TO DEFEND YOUR RIGHTS!**

**IF YOU NEED ASSISTANCE, GET IN TOUCH WITH:**

- Professional associations, legal clinics at universities, public bodies that provide legal aid or any other entity that provides assistance and counseling available in your region
- Citizen's associations, human rights activists, housing rights movements, trade unions, among others



**IF YOU HAVE QUESTIONS OR WANT TO KNOW MORE, CONTACT:  
UNITED NATIONS SPECIAL RAPPORTEUR ON ADEQUATE HOUSING**



[www.righttohousing.org](http://www.righttohousing.org)  
[www2.ohchr.org/english/issues/housing/index.htm](http://www2.ohchr.org/english/issues/housing/index.htm)  
[www.unhabitat.org/unhrp](http://www.unhabitat.org/unhrp)

APOIO:



FAU-USP



PRÓ-REITORIA DE CULTURA E EXTENSÃO DA USP



Consulado Geral da República Federal da Alemanha São Paulo

**THEY WANT TO EVICT US. WHAT NOW?**

**ADEQUATE HOUSING IS A HUMAN RIGHT IS A RIGHT OF EVERYONE, IN ANY SITUATION**

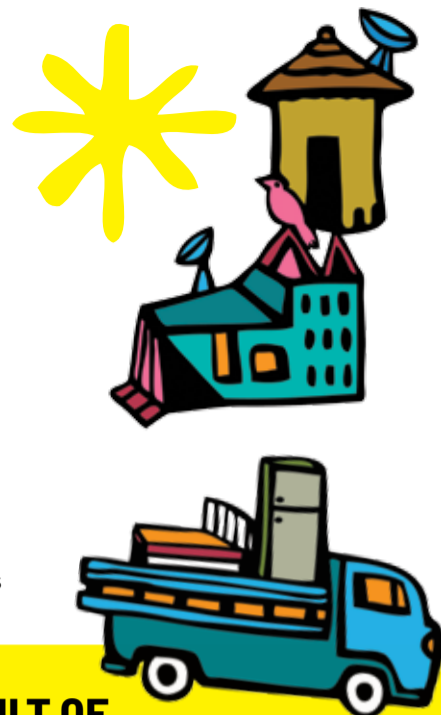
→ Even if you don't own the land or house where you live

→ Even if the relocation is for your own good and for the good of your community, city or region

# ADEQUATE HOUSING IS MORE THAN A ROOF AND FOUR WALLS!

**IN URBAN OR RURAL ENVIRONMENTS THE RIGHT TO HOUSING INCLUDES PROTECTION FROM EVICTIONS AND, AMONG OTHERS:**

- Security of tenure;
- Access to education, health, transport, electricity, potable water and sanitation, waste disposal and a healthy environment
- Effective protection against cold weather, heat, rain, wind, fire, flood, risk of collapse and other threats to health and life
- Access to means of subsistence and sources of livelihood and work
- The use of materials, structure and design in respect to the expression of cultural diversity
- Affordability
- The specific needs of women and of vulnerable groups such as children, the elderly and persons with disabilities should be taken into account and prioritized



## EVICITION AS A RESULT OF DEVELOPMENT PROJECT: ONLY IF THERE IS NO OTHER WAY! IF AN EVICTION IS UNAVOIDABLE THE LAW AND BASIC RIGHTS HAVE TO BE RESPECTED

- 1 The community that will be affected must be given enough time and adequate provisions to effectively participate in the process. This involves participating in discussions concerning the actual need for the project and in the preparation of alternative proposals that could minimize relocations and harm to the living conditions and livelihoods of the families
- 2 All affected people are entitled to know why they have to leave their homes, to where and when they would be relocated, as well as the circumstances of the eviction. All such information has to be easily accessible and to be provided considerably in advance in written, simple and clear terms and in the language of the affected people
- 3 The eviction cannot result in people or communities being rendered homeless
- 4 After completion of the project, the best option is the return of all those affected to their original land or housing. If this alternative is not possible, there must be an agreement, developed in consultation with the affected people, concerning the location and provisions of the resettlement as well as the timeframe and conditions in which resettlement will take place.
- 5 Resettlement:
  - Shall take place before the project works begin; the relocation site shall be located near the place where the families used to live; the relocation site must have living conditions equal or superior to those in the original site
  - Must not result in segregation or discrimination against the new dwellers
  - Must be guided by public policies of compensation and rehabilitation, ensuring continued access to school, work, sources of livelihood, health care, markets and transportation.
- 6 The State shall ensure the provision of social and legal assistance to all those affected. This includes fair hearing and access to legal counsel and aid.
- 7 Affected people must be notified in advance and be provided with enough time and support for the relocation. Evictions cannot take place in bad weather, at night, during or before school examinations, during religious holidays. Affected people are entitled to the safe custody of their belongings, which must be handled with respect. Government officials and neutral observers must be present during the process of eviction.
- 8 Before, during and after the eviction, all shall have ensured access to health care, education, work, livelihood sources and other facilities and services. Special attention must be paid to the needs of women, vulnerable and discriminated individuals and groups.
- 9 Fair and just compensation must be paid for all losses incurred, harvests and non-material losses such as loss of wages and education. Everyone should be compensated for damage or loss of property, land and housing irrespective of whether they hold title to it. Women and men must be equal co-beneficiaries of compensation packages.
- 10 There must be no violence or destruction of property or possessions. Denounce any violations!

This text has been inspired on the "Basic Principles and Guidelines on development-based evictions and displacement" prepared by the former UN Special Rapporteur on Adequate Housing Miloon Kothari (available at: [www.righttohousing.org](http://www.righttohousing.org)) and developed after a series of consultations organized within the project "Disseminating Practical and Operational Tools to Promote, Monitor and Implement the Human Right to Adequate Housing".