

Indicator	Reported cases of forced evictions in the reporting period
Definition	This indicator refers to the number of reported individual cases of forced eviction during the reference period. “Forced eviction” is defined as “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” (General Comment No. 7, ICESCR).
Rationale	The Committee on Economic, Social and Cultural Rights has observed that all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. It has argued that forced evictions are incompatible with the requirements of the ICESCR (General Comment No. 7). Moreover, given the interdependence of all human rights, forced evictions frequently violate other human rights. Thus, while manifestly breaching the rights enshrined in the ICESCR, the practice of forced evictions may also result in violations of civil and political rights, such as the right to life, the right to security of the person, the right to non-interference with privacy, family and home and the right to the peaceful enjoyment of possessions. The indicator is an <i>outcome indicator</i> related to the ‘security of tenure’ attribute of the right to adequate housing.
Method of computation	The indicator is computed as a head count of all reported cases of forced eviction in a specific period of time.
Data collection and source	The main data source for this indicator is records maintained by national human rights institutions, non-governmental organisations, administrative records of courts and other judicial bodies, and in certain instances records of administrative agencies responsible for or monitoring rehabilitation.
Periodicity	Information on the indicator should be available on a period basis. It is often reported annually by mechanisms monitoring security of tenure.
Disaggregation	In order to be meaningful, the information on this indicator should be disaggregated by sex, age (at least for children or young people under the age of 18 years), economic and social situation, ethnicity, minority, indigenous, colour, language, religion, political or other opinion, national or social origin, migrant, disability, sexual orientation, marital and family status, place of residence (rural/urban).
Comments and limitations	The indicator can be one good summary measure of the realisation of certain essential elements of the right to adequate housing. Yet like all indicators that are based on <i>event-based data on human rights violations</i> and depend on multiple information sources, the indicator may suffer from reliability issues. It may underestimate (or sometimes, though rarely, even overestimate) the incidence of forced evictions, if used in a casual manner to

draw generalised conclusions for the country as a whole. Moreover, in most instances, the number of cases reported would depend on the awareness, access to information, motivation and perseverance of the civil society organisations agencies and the media in following the relevant events.

Forced evictions occur in both urban and rural areas. Beautification and renewal, preparation for mega-events (such as major sport events) and other 'for public interest' reasons are often used to justify forced eviction in urban areas. In rural and remote areas, forced evictions could happen because of large scale development projects (infrastructures, dams, and roads), mining, extractive and other industrial activities or land grabbing.

When forced eviction happens, violations of a wide range of human rights may also occur because of *i) the absence of justification/legality for the eviction* and *ii) the way the eviction is carried out*. Not all evictions are prohibited under human rights law. In some cases, for example when evictions are carried out for the protection of residents living in derelict buildings or disaster-prone areas, they may be unavoidable and even protective of human rights. Yet, even in such situations, the way the evictions are carried out should be in line with relevant international standards.

An eviction may be ruled legal under national law but still considered illegal under international law. This could happen when national laws are not in line with international laws and do not meet international standards. Some basic principles that need to be met include: i) valid justification for the project and no other possible alternatives to the eviction; ii) consultation and participation of affected people and communities; iii) adequate notification, due process, effective and legal recourse; iv) prohibition of actions resulting in homelessness or deterioration of the housing and living conditions, and v) provisions of adequate relocation and/or adequate compensation before evictions are carried out.

Women, children, youth, older persons, indigenous people, ethnic and other minorities, and other vulnerable individuals and groups all suffer disproportionately from the practice of forced eviction. Women in all groups are especially vulnerable given the extent of statutory and other forms of discrimination which often apply in relation to property rights (including home ownership) or rights of access to property or accommodation, and their

particular vulnerability to acts of violence and sexual abuse when they are rendered homeless. The non-discrimination provisions of articles 2.2 and 3 of ICESCR impose an additional obligation upon Governments to ensure that, where evictions do occur, appropriate measures are taken to ensure that no form of discrimination is involved.

The United Nations Special Rapporteur on adequate housing has developed a document outlining the basic principles and guidelines on development-based evictions and displacement (see <http://www.ohchr.org/EN/Issues/Housing/Pages/ForcedEvictions.aspx>).

Some institutions, such as the World Bank and the Organisation for Economic Cooperation and Development (OECD) have also adopted guidelines on relocation and/or resettlement with a view to limiting the scale of and human suffering associated with forced evictions.

The CESCR also recognizes legal security of tenure under its General Comment No. 4 (1991) on the right to adequate housing: “Notwithstanding the type of tenure, all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats”.

UDHR article 25, ICESCR article 11, CERD article 5, CEDAW article 14, CRC article 27, CMW article 43 and CRPD article 28 have references of relevance to the indicator.