



**6<sup>th</sup> SESSION OF THE INTERNATIONAL TRIBUNAL ON EVICTIONS**  
**Venice, Italy**  
**28-30 September 2017**

**Verdict And Recommendations**

**Preliminary Verdict**

Presentation of 5 cases at the 6<sup>th</sup> Session of the International Tribunal on Evictions (ITE), held in the city of Venice, Italy, representing situations affecting communities and individuals from all five continents. The selection was made from 18 cases received in response to the Call for Cases of eviction related to tourism. The cases are as follows:

- Case From India, New Delhi: The third airport project in the National Capital Region
- Case From Sri Lanka: Land Grabbing for Tourism Development, Panaama Village
- Case From Argentina, Buenos Aires: Evictions and gentrification in the historic and tourist neighbourhood La Boca
- Case From Kenya: Violent evictions of the Masai in the name of protecting wildlife to support elite tourism
- Case From Italy, Venice: Fake tourist rentals on the Island of Pellestrina, Venice

These cases, affecting more than 61,000 people directly, are the tip of an iceberg of evictions displacing many millions of people around the world.

In addition to the 5 cases the Tribunal decided to focus attention on evictions in the Narmada Valley in India, the site of one of the largest schemes in the world. Construction of dams across three states has devastating impacts on lives of more than 200,000 people, privatizing water, destroying their land, housing, territories and farms along with their cultural, religious and archaeological heritage.

**Tourism – a driving force for evictions and displacements**

2017 has been designated as the “International Year of Sustainable Tourism for Development”, yet the Jury of the 6<sup>th</sup> session of the ITE, composed of human rights activists and tourism experts, is concerned that the current dominant tourism model is not contributing to sustainable development. To the contrary, in too many cases tourism is exploiting people, harming communities, violating human rights and degrading the environment. Tourism is one of the driving forces behind forced evictions and gradual displacement processes. Unchecked tourism business growth increases the demand for land and housing, putting vulnerable individuals and communities at high risk of losing control, rights and access to their homes, the land and the resources upon which their livelihood (and often even survival) depends upon. This growing phenomenon results in infringements of land and housing rights as well as violations of other human rights recognized by countries at national and international level. In this context, the rights of women, children, minority and indigenous peoples are particularly vulnerable to the damaging impacts of current tourism dynamics.

All cases presented before the Jury of the ITE on 28 and 29 September 2017 in Venice are characterised by forced evictions, which are forbidden by international human rights law. The cases analysed, far from being isolated instances, are representative of a dominant model of tourism development that puts profits before people's rights and their well-being. This raises questions about justice as it further widens existing inequalities and threatens the right to self-determination of individuals and entire communities amongst other human rights. If tourism businesses and governments continue to commodify the homes and land of the local population merely as the basis for economic activities, tourism removes the ground on which it stands. A transformation of the tourism sector is urgently needed, prioritising the local population's rights over the demands of affluent visitors. The local population must be seen as rights holders, not merely as actors on the touristic stage, who are at high risk of suffering "collateral damage" and becoming victims of tourism growth.

#### **Among the violations recorded, the following has been observed:**

- Tourism development that leads to the loss of local residents' shelter, housing and land, triggers spiralling additional human right violations - i.e. the right to health, to food, to education, to freedom of movement and freedom of association, civil and political rights. The rights of vulnerable groups within local populations are most severely affected – thus reinforcing and widening structural inequalities. When communities lose a place where they can live and sustain their livelihood in peace, security and dignity, the right to an adequate standard of living is completely undermined.
- Tourism was imposed on local communities. Local and national governments as well as businesses fail to empower and engage local people proactively in decision-making processes regarding tourism development. There is a clear lack of commitment to the principle of Free, Prior and Informed Consent (FPIC) and consultation.
- Tourism is promoted through a lack of democratic principles, unjust procedural and legal inequality that exposes people to threat to their lives, traditional livelihoods, and socio-cultural as well as natural environments, ineffective protection of their rights favouring the economic interests of a wealthy few, especially the corporates.
- Extensive tourism is severely affecting native people's rights to resources, causing them to them to be evicted and gradually displaced.

#### **Preliminary Recommendations:**

In light of the cases presented at the 6<sup>th</sup> Session of the ITE the Jury makes the following Recommendations:

- A global moratorium on evictions for tourism for the duration of the necessary timeframe to analyse, debate, decide and implement new policies and tourism development that are respectful of the right to housing, land and all human rights legally recognized by states parties of the International Covenants;
- Human rights and self-determination of communities must be at the core of every tourism development. This begins with the right to meaningful participation and consultation guaranteeing free, prior and informed consent (FPIC) on whether, to what extent and in what form tourism takes place in a certain location;
- That means, especially, cities and territories free from evictions;
- We urge all actors involved in tourism, including host communities, to develop adequate indicators in order to measure how tourism development is affecting land and housing issues, such as the availability of affordable housing and land for the local population or the access to and availability of scarce resources. Local populations must be involved in monitoring of these tourism impacts, enabled to set self-determined boundaries of growth in line with carrying capacities of their societies and ecosystems and to hold businesses to account for negative impacts of their activities.

## How to implement the Recommendations/procedures

The Jury of the International Tribunal of Evictions 2017:

- Urges social organisations to unite in solidarity at local level and in alliance with people's movements and international networks for housing, land rights and human rights and those working towards the transformation of tourism, through research, advocacy, disseminating information and call for solidarity.
- Urges those responsible for the evictions - businesses, investors and all levels of governments - to implement the Recommendations and to report on progress, before 3/2018 and 9/2018. To this end, we commit to continue to support affected communities' struggle for their rights by critically monitoring these processes, creating shadow reports and holding government bodies to account.
- Request the collaboration of the UN System (UN Special Rapporteur of the Right to Housing, UN Special Rapporteur of the Right of Indigenous people) to look at tourism as sector to critically analyse its impact on people and ecosystems, and intervene to get the recommendations for these specific cases implemented.

## The Jury of the International Tribunal of Evictions

**Augustin Territoriale**, lawyer and a specialist in housing, University of Buenos Aires, coordinates Public Defender's Office Argentina, Argentina

**Cesare Ottolini**, former member Advisory Group of Forced Evictions of UN-Habitat, global Coordinator of International Alliance of Inhabitants and Unione Inquilini Italy

**Giulia Diletta Bertazzo**, attorney at the Legal Office of the Unione Inquilini, Venice, Italy

**Laura Jaeger**, project officer for tourism and development at Bread for the World foundation and Tourism Watch, Germany

**Medha Patkar**, founder of Narmada Bachao Andolan (Save Narmada Campaign) and of the National Alliance of People's Movements (NAPM), India

**Rose Bridger**, co-founder and coordinator of the Global Anti-Aerotropolis Movement (GAAM), United Kingdom

Venice, October 1<sup>st</sup> 2017

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