
**UN-HABITAT
ADVISORY GROUP ON FORCED EVICTIONS**

INFORMATION ON IMPORTANT CASES

Please, try to be analytical: this will help us understanding deeply the situation and the human dimension of the people involved in forced evictions.

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A: Threat of Eviction

♦ **Issues on the city, communities and families threatened with eviction**

1. Name and location of community threatened with eviction

C.J. Peete, Lafitte, St. Bernard and B.W. Copper public housing complexes in New Orleans, Louisiana (USA). The four major public housing developments in New Orleans.

2. Background on the city (size, location, etc.)

New Orleans is a city in southern Louisiana, located on the Mississippi River. Most of the city is situated on the east bank, between the river and Lake Pontchartrain to the north. Because it was built on a great turn of the river, it is known as the Crescent City. New Orleans, with a population of 496,938 (1990 census), is the largest city in Louisiana and one of the principal cities of the South.

It is the home of jazz. In this little corner of the American South, where European traditions blend with Caribbean influences, the history is as colorful as the local architecture; the food is the stuff of legend. Haitian and African Creoles developed an exotic, spicy cuisine and were instrumental in creating jazz and Zydeco.

As of the 2000 census, roughly 67% of the New Orleans population was African American, 28% White, 3% Hispanic and 2% Asian American. The percentages of African Americans now living in New Orleans has significantly decreased with the increased costs of housing in New Orleans since Hurricanes Katrina and Rita.

3. Estimated number of families affected

More than 20,000 individuals will be affected by the demolitions.

4. Brief description of families background

The communities living in the developments are made up of working class and poor African American families.

♦ **The case**

5. Background and history to the case

In late August of 2005, hurricanes Katrina and Rita left a path of destruction and serious human rights concerns in their wake. The storms displaced hundreds of thousands of people living in the Gulf Coast region of the United States, who consequently were entitled to the human rights protections defined by the UN's Guiding Principles on the Rights of Internally Displaced People. One of those rights is the Right to

Return to their homes. Government actions at the local, state and federal level, however, have all appeared designed to prevent poor communities from coming home.

One of the gravest threats to human rights has been government actions violating the human right to housing in New Orleans. As we speak, developers – pursuant to federal legislation – are demolishing public housing units across New Orleans – the only housing affordable to thousands of families living in the city.

In the aftermath of Hurricanes Katrina and Rita, as public housing residents attempted to return to their homes, most of which sustained little storm damage, they were met with police harassment, armed guards, and, in some instances, newly erected barbed wire fences.

Rather than release thousands of undamaged and minimally damaged housing units to displaced residents, HUD officials, the national agency charged with oversight over public housing across the nation, boarded up homes and purposefully failed to repair the units or take steps to mitigate further mold contamination. In June 2006, national housing agency (HUD) released plans to demolish 4,800 units of public housing, many of which were not damaged by the storms.

The demolitions will adversely affect more than 20,000 people and are part of a larger policy initiative directed by HUD under the auspices of the national Hope VI Program and other urban renewal projects which has already drastically reduced the number of public and affordable housing across the country.

To date, 86% of the pre Katrina and Rita public housing stock in New Orleans has remained boarded up and closed. This has occurred despite astronomical increases in housing prices across the city.

Government reports confirm that half of the working poor, elderly and disabled who lived in New Orleans before Katrina and Rita have not returned. Because of critical shortages in low cost housing, few now expect tens of thousands of poor and working people to ever be able to return home.

While there are no precise figures on the racial breakdown of the poor and working people still displaced, indications strongly suggest they are overwhelmingly African American. The African American population of New Orleans has plummeted by 57 percent, while the White population fell 36 percent, according to census data. The areas which are fully recovering are more affluent and predominately White. New Orleans, which was 67 percent African American population before Katrina, is estimated to be no higher than 58 percent African American now.

The crisis of homelessness in New Orleans continues with hundreds of people sleeping under the highway over Claiborne Avenue. The population of homeless in New Orleans is estimated at 12,000 people – double what it was before Katrina.

There have been a number of demonstrations in New Orleans and around the country to fight against demolition and homelessness. International solidarity will greatly assist in bringing international attention to the grave violations Katrina and Rita Survivors continue to face.

6. Minimum information on the legal grounds of the case

There were attempts to bring legal action regarding the demolitions. However, permits to demolish were granted prior to the conclusion of the legal action.

7. Reasons given for the eviction (official and other)

Officials claim the units are inhabitable as a result of Hurricanes Katrina and Rita. However, public expert reports, studies and testimonies have refuted this assertion. Additionally, when residents attempted to enter the buildings to clean them up, they were shut out by local police, the buildings were boarded up and barbed wire fences were put around them, and police began to patrol the area to ensure that residents did not re-enter to clean their apartments.

8. The main events that have taken place so far (with dates)

*On **December 20, 2007**, the City Council approved the demolition of the four major public housing developments in New Orleans: B.W. Copper, C.J. Peete, Lafitte and St. Bernard. Approximately 500 tenants and their supporters were locked out of the meeting. These residents, advocates, and members of the media were peppered sprayed, and some tasered. About a dozen people were arrested, including long-standing housing rights activists, for demanding that the City Council let people in to the empty seats to attend the meeting.*

*In approving the demolitions, the City Council urged the national housing agency (HUD) to develop one for one replacement of affordable housing in New Orleans. Yet, as of **March 7, 2008**, the mayor of New Orleans, Ray Nagin, still had not received these assurances from national housing agency (HUD). Additionally, there have been widespread reports of corruption and self dealing by the national housing agency (HUD) whose Secretary, Alphonso Jackson, recently appeared before the Senate Banking Committee to address allegations of corruption.*

The demolitions and mixed income redevelopment sends a clear message that regardless of political promises the vast majority of pre Katrina and Rita, low-income, and predominantly African American, public housing residents will not be welcomed back. Around the country mixed income redevelopment, based on privatization models, has typically reduced the number of units affordable to low-income families, often by as much as 80 to 90%.

*On **February 28, 2008** the UN Special Rapporteur on Adequate Housing, Miloon Kothari, and the UN Independent Expert on minority issues, Gay McDougall, issued a joint press statement expressing serious concern over the process leading to the demolitions and calling for a halt to the ongoing demolitions. The statement expressed the UN Independent Experts' dismay over reports of violations of international human rights law in connection with these demolitions, including the right to participation and the right to adequate housing, for former public housing residents.*

The joint press statement declared: "The spiraling costs of private housing and rental units, and in particular the demolition of public housing, puts these communities in further distress, increasing poverty and homelessness."

*On **March 7, 2008**, the United Nations Committee on the Elimination of Racial Discrimination (CERD) publicly expressed its concerns over racism in the United States. In its Concluding Observations the CERD Committee charged the U.S. to do more to remedy the effects of racial discrimination in housing and other areas. The Committee noted the "disparate impact that [the] natural disaster[s] continue to have on low income African Americans" and called for local and federal governments to help Katrina's displaced."*

9. Names of authorities implementing the eviction

*Secretary of Housing and Urban Development (HUD) Alphonso Jackson
Mayor of New Orleans Ray Nagin*

Developers:

- *For C.J. Peete – McCormack Baron Salazar and KAI Design & Build*
- *For B.W. Cooper – KBK and BWC Resident Management Corporation*
- *For St. Bernard – Fore! Kids Foundation, Columbia Residential (former partners of HUD Secretary Jackson) and Baton Rouge Area Foundation*

- *For Lafitte – Providence Community Housing and Enterprise Community Partners*

- ♦ **The answer to the eviction**

10. Level of organisation of the affected community (including names of organisations, their approach, strengths and weaknesses)

*C3/Hands Off Iberville
May Day New Orleans
Survivors Villages
Loyola University New Orleans Law Clinic*

These are resident-based organizations. They have been successful in bringing national attention to their plight. Housing rights organizations across the U.S. have been supporting their efforts. At this point, international attention and support is needed.

11. Names of supporting agencies working in alliance with the affected community

*Advancement Project
Centre on Housing Rights and Evictions
Concerned Citizens of Harlem
Friends of the Court and Friends of Public Housing Residents
International Alliance of Inhabitants
National Law Center on Homelessness and Poverty
National Economic and Social Rights Initiative
Poor Peoples Economic Human Rights Campaign
US Human Rights Network*

12. Actions taken so far by the community and/or supporting agencies to resist the eviction and / or to develop creative, alternative solutions

There have been countless public demonstrations and marches in New Orleans, around the country and world in solidarity with Hurricane Katrina survivors. There has also been letter writing campaigns, solidarity letters sent to elected officials in Washington, visits to elected officials in Washington and around the country, and visit to international bodies including the UN CERD Committee.

Just last week there were civil disobedience protests and subsequent arrests at St. Bernard and Lafitte complexes, bringing to several dozen the total arrests of residents so far.

13. Consultations held and alternative housing and/or compensation offered by the authorities to the affected community (if any)

None.

- ♦ **Follow up**

14. Strategies for future action discussed / developed / proposed to deal with the threatened eviction

The community is at a critical stage. Demolitions have begun and throughout this process the dignity and personal possessions of the former residents have not been respected. Contractors have emptied apartments and are discarding and even selling the personal property of residents, including articles of great sentimental and emotional value, without their consent.

Hence, the only matter of recourse left for Hurricane Survivors is the international community. We are beseeching the assistance and support from international organizations, UN bodies, and global housing rights groups to bring attention to the deplorable conditions facing Hurricane Survivors in New Orleans.

15. Important events anticipated (e.g. dates set for eviction, planned actions, court cases, development of alternatives, etc.)

The demolitions have begun.

16. Reasons why this is a good focus case for the Advisory Group. Ideas on what the Advisory Group could do to contribute to the successful resolution of the case.

Press release from the Special Rapporteur on Adequate Housing and Independent Expert on Minority Issues, as well as the comments from the CERD Committee have had an impact on officials in both New Orleans and in Washington, D.C. Currently HUD Secretary Alphonso Jackson is being investigated for corruption and self dealing with respect to the demolitions in New Orleans and other HUD projects around the country. Therefore, the Advisory Group could help to continue to highlight the grave circumstances and injustice facing Hurricane Survivors, as well as continue to put pressure on U.S. officials to respect the human rights (including housing rights) of Hurricane Survivors. Additionally, the Advisory Group could assist in establishing meetings and negotiations between the city and the tenants that include real participation from the tenants – to date this has not occurred. Also, currently, there is a bill in the U.S. Senate (S. 1668, the Gulf Coast Recovery Act) which calls for the Right to Return for Hurricane Survivors and explicitly includes the Right to Return for public housing residents. The Advisory Group would be instrumental in ensuring that this crucial legislation passes. Lastly, the Group would be instrumental in getting the dire situation taking place in New Orleans to an international audience. The mandate of the Advisory Group epitomizes the deprivations taking place in New Orleans at this very moment.

17. Full address contact person

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