



PRESS RELEASE

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Need for CWG Investigations to Include Human Rights Violations

Housing and Land Rights Network (HLRN), Delhi, welcomes the appointment by the Prime Minister of an independent committee headed by former Comptroller and Auditor General of India – Mr. V.K. Shunglu – to investigate the corruption and financial mismanagement related to the 2010 Commonwealth Games. HLRN also supports the various ongoing investigations being undertaken by the Central Vigilance Commission, the Comptroller and Auditor General of India, the Enforcement Directorate, and the Central Bureau of Investigation.

While it is common knowledge that the Commonwealth Games (CWG) process has been marred by financial mismanagement and irregularities, embezzlement of public funds, and lack of transparency and accountability, the more serious and long-lasting violations of human rights have not been publicised, nor have they received adequate attention by the government, the media, or the investigation agencies.

The preparations for Delhi's Commonwealth Games witnessed a range of human rights violations of the city's marginalised, especially the homeless, beggars, street vendors, slum dwellers, and construction workers. Of these groups, women and children have suffered the worst impacts.

- *Forced evictions:* HLRN estimates that since 2004, around **250,000 people in Delhi have lost their homes** as a result of the Games. Most of the demolitions and forced evictions have been characterised by: lack of notice and due process; large police presence; destruction of personal possessions by authorities; violence; injury; loss of school books and uniforms; and no rehabilitation or compensation. Most of the evicted families have been rendered homeless, increasing their vulnerability to disease, illness, insecurity, and even death. In the very few instances where resettlement has been provided in distant sites such as Bawana and Savda Ghevra, the living conditions are grossly inadequate; people do not have access to basic services. It is also shocking that Delhi government authorities **demolished two schools** (one in Gurgaon and one on the banks of the Yamuna) for children from low income families, thereby violating their fundamental right to education.
- *Loss of livelihoods:* According to the National Association of Street Vendors of India (NASVI), in the last two and a half months, **over 275,000 informal sector workers, including street vendors and rag-pickers, lost their livelihoods** in Delhi due to the CWG. This resulted in people losing their daily wages and thereby being forced into hunger. The loss of income has made healthcare and medicine unaffordable and increased health problems among this population; it has also contributed to children not being able to attend school. NASVI estimates that 55,000 vendors were forcibly evicted from their places of work across Delhi, often with violence. The Delhi government suspended its scheme for providing food to the city's destitute – *Aap Ki Rasoi* – during the CWG further violating people's right to food. Workers in Gurgaon were also forced to leave the city for 'security' reasons.
- *Arrests and forced expulsion of beggars and homeless persons:* In the run up to the Games, homeless citizens were arrested and have been detained in custodial institutions on grounds of 'begging' with sentences ranging from one to three years, even though the majority of them were gainfully employed. Mothers have been separated from their children. Reports indicate that the homeless, destitute and 'beggars' were threatened to leave Delhi and told to return only after the CWG. In some extreme cases, authorities allegedly stamped people's hands so they would be exempted from paying train fares.
- *Violations of rights of CWG construction workers:* These include denial of minimum wages and overtime; irregular payment of wages; use of child labour; failure to provide safety equipment, to register workers with the welfare board, and to provide adequate living facilities, in accordance with the

law. Despite a strong report by a special committee appointed by the High Court of Delhi, and interim orders of the Court calling for protection of labour rights, nothing has been done for the construction workers, many of whom were forced to leave Delhi before the commencement of the Games.

- *Diversion of funds:* As revealed in a reply from the Government of Delhi to a Right to Information (RTI) application filed by HLRN, Rs. 744 crore from the Scheduled Caste Sub-Plan (Special Component Plan – SCP) were diverted from 2006-07 to 2010-11 to meet CWG-related expenditures. This has resulted in a denial of development funds for Delhi's Dalits. Home Minister Mr. P. Chidambaram admitted this in the Rajya Sabha and mentioned that the diverted funds would be returned. No action against the officials responsible for the diversion has been taken to date.

Housing and Land Rights Network (HLRN) **calls upon all investigation agencies** – the newly appointed Shunglu Committee, the Central Vigilance Commission, the Enforcement Directorate, and the Central Bureau of Investigation to:

1. *Include human rights violations in the ambit of their enquiry.* Systematic investigations should be conducted into all the human rights violations listed above, including the violations of the Indian constitution, labour, environmental and other national laws and policies, as well as Supreme Court and High Court judgements related to the rights to food, labour, work, and housing. The diversion of funds should be probed to assess how the decision was taken in violation of Planning Commission Guidelines, and a recommendation to immediately return the diverted funds should be made.
2. *Investigate the sources of Games-related funding* of both the Delhi government and the Central government. Detailed budgetary analyses need to be conducted in order to determine whether funds (in addition to those diverted from the SCP) have been diverted from other social sector budgets such as health, education and housing, at the national and state level.
3. *Expand the investigation to probe all senior government officials*, including relevant Union Ministers, the Chief Minister of Delhi, and the Chairperson of the CWG Organising Committee.
4. *Identify the perpetrators* of these crimes and take suitable action against the guilty, in accordance with the law.
5. *Ensure that the process related to these investigations is transparent and open*, and involves civil society and independent experts, where required.

According to *Miloon Kothari, former UN Special Rapporteur and Executive Director, HLRN*, “The human rights violations that have marked the preparations for the CWG and its aftermath, contravene the Constitution of India as well as India's international and national legal commitments. Investigations that merely look into the financial mismanagement of the Games, though important, are not sufficient. They must probe the multiple dimensions, especially the rampant human rights violations related to the Games to ensure that justice is delivered. Independent investigations by the Parliamentary Petitions Committee should also be undertaken.”

Shivani Chaudhry, Associate Director, HLRN, emphasised that, “It is unacceptable that the most marginalised sections of Delhi's population have been made to pay for the Commonwealth Games with their lives, livelihoods, homes, health, and education. The social, economic, and environmental legacy of the Games will be long lasting and severe, and it is imperative that those responsible for violating human rights and inflicting this long-term suffering upon lakhs of Delhi's residents are identified, investigated, and prosecuted.”

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HLRN's report – *The 2010 Commonwealth Games: Whose Wealth? Whose Commons?* and press releases on diversion of funds, violations of human rights, and forced evictions, are available at: www.hic-sarp.org.