



Housing and Land Rights Network

PRESS RELEASE
New Delhi, August 12, 2010

Human Rights Activists Highlight Grave and Continuing Human Rights Impacts of the 2010 Commonwealth Games

Human rights activists and experts at a press conference in Delhi brought to light several serious but largely unreported violations of human rights being perpetuated by different government agencies in the run-up to the Commonwealth Games (CWG).

In particular, construction workers, unorganized sector workers, the homeless, and beggars are facing the worst brunt. Speakers stressed that the scale of violations has intensified in the run-up to the Games and the long-term social costs will be severe and will result in a negative social legacy of the Games for the city of Delhi.

The violations of rights of workers at CWG construction sites was discussed by **Shashi Saxena** of *Peoples Union for Democratic Rights*. These include denial of minimum wages, overtime and weekly off days; irregular payment of wages; failure to provide identity cards, proof of employment, wage slips, safety equipment and travel allowance to migrant workers; failure to register workers with the welfare board; use of child labour; non-maintenance of muster rolls and other records as required under the law, payment of lower wages to women workers; failure to provide adequate residential and living facilities in accordance with law. All these acts are also violations of various labour laws. Despite a hard hitting report by a special committee appointed by the High Court of Delhi in response to public interest litigation, and interim orders by the Court to implement the committee's recommendations, not much has changed for workers at CWG construction sites. Workers continue to be exploited, by being made to engage in forced labour and being paid less than two third of the minimum wages almost at every site. Half-hearted attempts are being made to register the workers with the welfare board, but the exercise has not gone beyond tokenism.

Mansur Khan of *Shahri Adhikar Manch* revealed that beggars and homeless people are being routinely arrested and arbitrarily detained as part of the Delhi government's 'clean-up' drive before the Games. The use of mobile courts has intensified and magistrates are present on the scene and convict the homeless and others on grounds of 'begging' though majority of the arrested are gainfully employed. Sentences range from one to three years. While most men are being detained in the beggar home in Lampur, women are taken to Nirmal Chhaya. In most cases, children are separated from their mothers and left to languish on the streets alone or sent to child welfare homes. In no instance do the arrested have recourse to appeal or legal redress. It is reported that there are plans to further remove the 5000 homeless people living in Connaught Place. Street vendors are also being cleared from Delhi's streets.

Jawahar Singh of *Jhuggi Jhopdi Ekta Manch* spoke of the forced evictions and demolitions due to CWG related work over the last few years. The majority of families do not receive any notice, compensation or rehabilitation. In December 2009, 2000 *jhuggies* (homes) were destroyed without prior notice near Suraj Park Badli Station. In January 2009, the government evicted a community of disabled people, vendors and construction workers at Prabhu Market. Though the government insists that the demolitions at Barapullah Nullah were voluntary, the truth is that communities living there were forcibly evicted. 70 *jhuggies* near Sai Baba temple have been demolished in the name of street beautification. 3,000 families were removed around the Games Village and Akshardham area. The Delhi government has also identified 44 *jhuggi* clusters to be demolished.

Rashmi Sinha of *Apne Aap Women Worldwide*, mentioned the disturbing fact that brothel owners and escort agencies have already begun to traffic new girls from other cities such as Mumbai, Pune, Goa and Bangalore, Punjab, Haryana, Northeast, Himachal Pradesh and even Eastern Europe for the anticipated demand for prostituted sex during the Commonwealth Games. The two actions by government authorities – a code of conduct prepared by the Tourism Ministry for hotels and tour operators and the establishment of condom vending machines at sports sites – cannot protect young women who have been brought into Delhi as migrant labour for the roads, stadiums and houses being constructed for the Games. These women will be easy targets for the sex industry once their

contract is over. Condom machines can only be a poor substitute for their right to safety from sexual exploitation. Naina, a 19 year-old survivor of trafficking from Bihar asks: “What kind of a game is this? Are we this desperate?” Rashmi Sinha, said, “Do not allow the CWG to become a pimping opportunity for the sex industry.”

Paul Divakar, General Secretary of the *National Campaign on Dalit Human Rights (NCDHR)* spoke on the topic of the diversion of funds of Rs. 744 crore from the Special Component Plan (SCP) or the Scheduled Castes Sub Plan (SCSP) to the Commonwealth Games (as revealed by response to an RTI). He stated that the policy set by the Government of India (GOI) through the Planning Commission clearly states that funds should be earmarked for the SCP from the Central and State Government Ministry’s / Department’s Plan outlay, at least in proportion to the Scheduled Caste (SC) population. These funds are supposed to be non-divertible and non-lapsable. There should be no division of expenditure as ‘divisible’ and ‘non-divisible.’ Only those schemes should be included under SCP that ensure direct benefits to individuals and families belonging to SCs. Moreover, under GOI rules, non-earmarking of funds under SCP may result in non-approval of Plans of the States / Union Territories by the Planning Commission. Mr. Divakar stated that the denial of the diversion by the Chief Minister of Delhi is incorrect in the face of overwhelming evidence and government data. He also asked, “With a clear and visible diversion of funds, how does the Planning Commission approve these state plans, year after year? What are the monitoring and review mechanisms? Who is to be held responsible for the diversion and denial of funds under this progressive and innovative programme?”

Shivani Chaudhry, Associate Director, *Housing and Land Rights Network* highlighted irregularities in financial disclosure and problems of accountability and governance due to the lack of a centralised monitoring agency for the Games. “There is a continuous deception of the public in the name of the Games. Competing facts and figures are being proclaimed, even in Parliament. Despite filing several RTI applications, clarity on the total cost of the Games is missing. Apart from a negative social legacy, the Games are likely to result in a severe economic legacy and national debt that will take a long time to repay.”

Speakers stressed that while the attention of the media and concerned agencies must pursue the corruption allegations and probe and investigate the guilty officials, the broader and more severe impacts of the CWG on the people of Delhi must not be ignored. They demanded that concerned government agencies must act responsibly to ensure that there is an immediate halt to the ongoing violations. In particular, they called for:

- 1) Halt to evictions in Delhi, and payment of adequate compensation and rehabilitation for the already displaced families.
- 2) Immediate implementation of the recommendations of the special committee and interim orders of the High Court on labour issues at CWG sites.
- 3) Investigations by the Central Vigilance Commission, Comptroller and Auditor General of India, and relevant Parliamentary Committees, into the issue of diversion of funds from the Special Component Plan for the welfare of Dalit families in Delhi.
- 4) Immediate return of appropriated funds to social sector and development projects in Delhi.
- 5) Commonwealth Games authorities to set up information, surveillance and support centres at the popular sex sites like GB Road, railway stations, bus stops, airports, and metro stations, and make provisions for young women to go back home safely, including providing tickets.

Miloon Kothari, Executive Director, *Housing and Land Rights Network* and former United Nations Special Rapporteur stated that, “even if miraculously the Games are a success, it is already evident from the situation on the ground that serious human rights violations affecting thousands of people across the city are leaving behind a debilitating social legacy for Delhi and a permanent disfiguring of Delhi’s urban fabric. The Games are a clear step in the direction of Delhi becoming an apartheid city.” He asked for an honest reassessment by government authorities as to whether India is in a position to host the Games given the multiple crises that continue to plague the CWG.

For more information, contact:

Jawahar Singh: 9211661830, Mansur Khan: 9211979454, Paul Divakar: 9910046813,
Shivani Chaudhry: 9818205234, Rashmi Sinha: 09839025214, Miloon Kothari: 9810642122