**HABITAT FOR HUMANITY INDIA**

**Background**

The COVID-19 global pandemic threw us into uncharted territories in terms of most effective response and planning, especially in India where the Prime Minister, Government of India announced a sudden lockdown on 25th March 2020. We can say with conviction that the lockdown was unplanned in terms of the subsequent unemployment, hunger and despair it caused.

With the lockdown in India, millions of families in poverty were not prepared to manage in the next 70+ days in inadequate housing, in hunger and with no money. Many more have been pushed into poverty further down.

Unemployment rates in India went up by 30% in urban areas within a week of the lockdown. Daily wagers, construction workers and migrant labourers were left without work, food, water, and wages and in inadequate housing conditions. Many could not afford to 'stay where they are'/ in packed shelters where they were required to pay rent. They had no option but to leave the urban cities and go back to their native places - albeit on foot. The real life stories of migrants - men, women, children, elderly - walking back to villages across state borders has been extremely disturbing. We witnessed a mass exodus of lakhs of migrant workers from cities, many being desperate enough to try to walk hundreds of kilometres to reach home.

ILO estimates that nearly 78% of India’s workforce is in the informal sector and have no assured salaries. And a large population of India’s working people are in vulnerable employment – who lack formal work agreements. It was also highlighted early, but to no one’s attention - migrant workers do not have proper ID or ration cards and may not be able to access the economic package extended by the State. The biggest issue has been the absence of a comprehensive database on migrant workers – no database with details of bank accounts and Aadhaar numbers of these workers.

We needed to respond to the lack of food. The Government’s food relief came late (in the month of May almost 2 months after lockdown was announced). Earlier the PDS (Public Distribution System) could not be accessed by those without required identification, which most of the migrants do not have. Given these exclusions, we devised our COVID-19 response strategy in three phases. The Pathways to Permanence Strategy as it is called has phase 1 focusing on responding to hunger and health in immediate relief. We progress to Phase 2 (Safety Net) and Phase 3 (Building Resilience). Here we move into:

* Creating safety-net for vulnerable and marginalized families required to transition out of the COVID-19 pandemic, and
* Permanent housing and housing eco-system solutions for long term post COVID-19 recovery.

**Please elaborate on measures taken by national, federal, provincial or local governments to ensure persons are protected from the virus at their home or place of living:**

**Has your country declared a prohibition on evictions? If a prohibition was declared, indicate its legal basis and how long it will last. Please specify if it is a general prohibition and if it also applies to persons living in informality or in informal settlements. Is the prohibition of evictions restricted to tenants or mortgage payers who have been able to pay their rent or serve their mortgages, or broader?**

No official prohibition on evictions. There have been no evictions from the Government side also.

Exception of Delhi where there is a Gov. GR declaring that there will not be forceful evictions by the Home Owners / Land Lords of those families who are living on rent / lease. However, landlords have been going against the order and evicting tenants especially those who belong to vulnerable populations such as migrant and daily wage labourers. No alternate accommodation has been provided and most of them have ended up leaving the cities to head back to their villages. This mass exodus started initially on foot. And later state governments start ‘shramik trains’ for the migrants to return.

In most states there is news of many evictions having taken place especially in urban areas mostly of migrant labourers. Some Governments have sheltered people who became homeless in the Government Shelter Homes and Schools. Some positive news from Kerala - local bodies have pro-actively campaigned against evictions both for locals who have lost work and also for guest labourers. In fact as a society apart from very rare cases we have seen landlords not only deferring payments for tenants but also ensuring that their food security is also met.

**Have any measures been taken to ensure that households are not cut-off from water, heat or other utility provision when they are unable to pay their bills?**

State governments have issued moratorium (no waive off yet) for all payments towards Government. For instance in Kerala there is a moratorium for Electricity bill payments. The government also has many DBT (Direct Benefit Transfer) schemes for ensuring payments. However not many other states have taken pro-active steps. But there haven’t been any cases where water, electricity supplies have been cut off due to non-payment during the lockdown. In Karnataka, there have been appeals from various political and community leaders to waive off utility charges during the lockdown to ease the financial burden on families during the said period. There has been no decision taken on the same yet.

Some states are looking to provide rebates and some have deferred payments for utilities.

The Government has provided water and electricity to households in Tamil Nadu, the Government had set May 21st as deadline for paying the electricity bill and individuals had to move to the Court to get extension up to 6th July. We recommend that the Government could have announced a longer period to pay the charges, in say, 6 months and the dues to be paid in easy instalments.

**Please provide any information about other legal or financial measures aimed to ensure that households do not lose their home if they cannot pay their rent or mortgage payments? Have any other tenant protection measures been adopted in response to the pandemic?**

**The moratorium that was announced by the central government is the only official measure in place.**

A 6-month moratorium facility has been approved by the government which allows clients of Banking and non-banking financial institutions to avail a moratorium from paying their EMIs for the said period due to the lockdown caused by the pandemic. Interest will still accumulate on the outstanding loan but it gives some relaxation on payments. With regards to rented properties, tenants are not approved to get any waiver on rent payments unless there is a force majeure clause in the contract through which they are eligible to claim waiver of rent.

Some State governments paid Rs. 1000/- (USD 13.5) as a financial package to the poor (below poverty line) for their expenses. But this was too less an amount to deal with rent issues.

The Government has initiated discussion with the landlords in some areas to allow the migrant labourers to stay in their houses for some time. Government assessed the ways to pay the rents for the migrant labourers. However, the same was not worked out as the geographical locations were scattered and the Government claimed they did not have sufficient machinery to extend this help.

In Tamil Nadu, the ‘ward level response committee’ in all village provides necessary support for resolving such issues.

**3. What measures have been taken to protect persons living in informal settlements, refugee or IDP camps, or in situation of overcrowding from COVID-19?**

Some of the steps taken are:

* COVID-19 Hot-spots have been declared.
* Free Dry Ration distributed
* Community Kitchen for providing free food
* Food and hygiene kits have been provided by government and NGOs in many such settlements across metros and urban areas
* Awareness sessions and material on social distancing, safety gear and best practices around safeguarding against the virus have been distributed.
* Government and few CSOs have arranged shelters and quarantine centres specially COVID-19 Care Centres
* Free counselling services and helplines have been set up by NGOs and govt. institutions
* Grievance cell services ( in respective mother tongue)
* Free Medical check-up and Treatment

After a month of migrant movement across the country, states have now provided transportation facility for migrants who wish to leave the city to reach their home villages.

**Have any measures been taken to provide safe accommodation for persons in situation of homelessness during the pandemic and in its aftermath?**

This differs state to state. Some news from various states is:

* Kerala - homelessness has never been a major problem in the state. Yet, free shelter facilities arranged in Lodges/Schools and other convenient buildings in different parts of the state under the aegis of State Government. Regular health check-ups done and Police protection and free food were also provided in these centres.
* Delhi - Night Shelters and Transitional Shelters/Quarantine centers have been put up in urban cities as well as on highways and in rural areas, but the capacity of these centers are not sufficient to house all homeless people.

In many states, data has helped provide basic Hygiene and Family Essential kits to the families through CSOs.

**4. What measures have been taken by authorities to ensure that migrant and domestic workers housed by their employers continue to have access to secure housing during the pandemic and in its aftermath? If migrant workers left their place of work to return to their place of origin, what measures were taken to ensure their right to housing?**

Nothing tangible – except few days food ration, cooked food distribution, cash transfers, short stay home facilities and organising transportation to go back to their respective states.

Mostly the following has been done as a transition phase:

* Providing alternate decent place to stay
* Supply of family essential items,
* Supply of hygiene items
* Medical facilities
* Psycho social support
* Cash transfer
* Digital learning for children
* E learning process

In Mumbai special COVID-19 Care Centres and Dedicated COVID-19 Care Centres have been set up for asymptomatic and symptomatic people respectively. Helplines in various languages have been set up and are functioning. A special helpline to help migrant workers is being run by a group of urban NGOs, who also run Jeevan Rath to help send migrants back to their villages. CSOs and UN agencies have developed COVID-19 awareness material and training modules on health, hygiene and nutrition and protection. Special efforts are being made to distribute sanitary napkins in urban slums to girls. Non touch wash basins are being installed in public utility areas.

The Tamil Nadu Government is working very closely with the NGOs and CBOs to engage them in providing food, water and counselling to the people staying in the shelter homes. There are individual volunteers who are engaged in visiting the Shelter Centers. The volunteers help the inmates (especially the children and old people). But it is a big challenge to get sufficient volunteers. The police personnel are stationed in the shelter centres in order that violence or in-fights are averted. Government has appointed health workers on a massive scale who do door-to-door visits. Also, around 150 Mobile Health Units are being plied by the Government to all the areas which provide medical help for women, children and the elderly. In addition, Govt. of TN has arranged special Rehabilitation centres for destitute and beggars/rag pickers in all districts. Most ‘wandering people’ in the streets have been rehabilitated in institutions, shelters, care homes, psychiatric hospitals or detention centres with support of NGOs, Police and Health care workers. Women care centres are also functioning with Toll Free numbers. Women protection Wing of Police is also providing 24/7 support. Special Stay facilities have been set up exclusively for Migrants in all districts.

**Have you relied on the**[**COVID-19 guidance notes**](https://www.ohchr.org/EN/Issues/Housing/Pages/COVID19RightToHousing.aspx)**developed by the previous Special Rapporteur in your work? Would you have any additional recommendations to protect the right to adequate housing during the pandemic and in its aftermath?**

In the aftermath of the pandemic, Habitat for Humanity India, through its Pathways to Permanence strategy, will work for affordable, accessible and environmentally sustainable housing programs that will protect families from natural disasters and human made disasters, climate change impacts and protect them from Corona virus. We will also work towards building resilience through skilling, livelihood, financial inclusion and community led action.