

## Why housing rights?

Current rates of population growth and urban-rural migration, particularly in developing countries, have serious impacts on living conditions in human settlements. By the beginning of the third millennium, it is estimated that there are 1.1 billion people living in inadequate housing conditions in urban areas alone. In many cities of developing countries, more than half of the population live in informal settlements, without security of tenure and in conditions that can be described as life and health threatening. Among an estimated 100 million homeless people around the world, available data suggest that increasing proportions are women and children.

The annual need for housing in urban areas of developing countries alone is estimated at around 35 million units (during 2000-2010). The bulk of these, some 21 million units, are required to cater for the needs of the increasing number of households. The rest is needed to meet the requirements of people who are homeless or living in inadequate housing. In other words, some 95,000 new urban housing units have to be constructed each day in developing countries to improve housing conditions to acceptable levels.

While increasing housing production and improving existing housing stock are very important in every society, these activities must run parallel with actions that specifically address and focus on the human rights aspects. Rights-based approach to development in the housing sector can:

- Protect and empower the poor and the homeless;
- Promote security of tenure and residential stability;
- Promote access to housing resources;
- Combat homelessness;
- Stop forced evictions and discrimination in the housing sector;
- Facilitate access to remedies in cases of violations of these rights; and
- Eliminate gender inequalities and promote women's rights.

## International instruments on housing rights

The right to adequate housing (as a component of the right to an adequate standard of living) is enshrined in many international instruments. Most notably among these are the Universal Declaration of Human Rights (art. 25.1) and the International Covenant on Economic, Social and Cultural Rights (art. 11.1). During the 1990s, the right to adequate housing has gained increasing recognition among the human rights community, and many governments have adopted or revised housing policies to include various dimensions of human rights.

The Second United Nations Conference on Human Settlements (Habitat II) in 1996 harnessed this momentum. The outcomes of the Conference, the Istanbul Declaration and the Habitat Agenda, constitutes a framework where human settlements development is linked with the process of realising human rights in general and housing rights in particular. 33 out of the 241 paragraphs in the Habitat Agenda specifically refer to human and/or housing rights.

The Habitat Agenda, particularly in its para. 61, clarifies actions and commitments of governments and other stakeholders in order to promote, protect and ensure the full and progressive realization of the right to adequate housing. In this context, it is important to clarify that the 'housing rights framework' does not in any way mean or imply an obligation for governments to immediately provide free housing to all their citizens and/or residents. Yet, as is clearly articulated in the Habitat Agenda, governments are responsible for establishing and facilitating an enabling environment where the potential and capacity of individual households and all other stakeholders in the housing development process are supported.

*"We reaffirm our commitment to the full and progressive realization of the right to adequate housing, as provided for in international instruments."*

The Istanbul Declaration (para. 8) and the Habitat Agenda (para. 39).

## Establishing the United Nations Housing Rights Programme

This housing rights framework guides UNCHS (Habitat) and OHCHR to assist governments and other stakeholders to place human rights in the centre of policy formulation and implementation in the housing sector. In order to address these issues, and in line with earlier directives, the Commission on Human Settlements adopted a resolution entitled "The realization of the human right to adequate housing" in May 1997. The resolution recommended that UNCHS (Habitat) and OHCHR elaborate a joint programme "to assist States with the implementation of their commitments to ensure the full and progressive realization of the right to adequate housing."

Most recently, the Commission on Human Rights in April 2001 adopted resolution 2001/28 on "adequate housing as a component of the right to an adequate standard of living," which requested the two agencies to "strengthen their cooperation and to consider developing a joint housing rights programme."

Following a series of consultations between the two agencies and their partners, UNCHS (Habitat) in collaboration with OHCHR has prepared a policy framework for the development of a United Nations Housing Rights Programme. The framework focuses on the mobilization of the potential and capacities of all stakeholders in the fields of human settlements development and human rights. Moreover, it places a strong emphasis and priority on specifically addressing the rights of women and vulnerable groups, and in particular on women's equal rights to access, own and control land, property and adequate housing. The programme focuses on activities related to the practical areas of the housing rights realization process.

The main objectives of the programme can be summarized as:

- promotion of awareness campaigns, education training and capacity building;
- promotion of norms, standard rules guidelines

- and thematic research;
- establishment of a housing rights documentation centre;
- facilitation of networks for information and experience exchange;
- development of indicators/benchmarks and a monitoring and evaluation system on housing rights realization;
- facilitation of advisory services to assist states and other stakeholders;
- coordination amongst UN agencies; and
- initiation of operational projects.

The programme is developed within the framework of UNCHS (Habitat)'s global campaigns on 'Urban Governance' and 'Secure Tenure'. These two campaigns – and the 'Cities Alliance' initiative, developed and implemented jointly with the World Bank – are UNCHS (Habitat)'s main entry points for the effective implementation of the Habitat Agenda. These initiatives provide significant contributions to the realization of housing rights.

### Role of the Special Rapporteur on Adequate Housing

The mandate and activities of the Special Rapporteur on Adequate Housing (Mr. Miloon Kothari, appointed by the Commission on Human Rights) are complementary to the implementation of the United Nations Housing Rights Programme.

UNCHS (Habitat) and OHCHR support the work of the Special Rapporteur. The collaboration between the Special Rapporteur, the United Nations Housing Rights Programme and relevant stakeholders is a fundamental vehicle for successful steps in the achievement of the progressive realization of the right to adequate housing as elaborated in the Habitat Agenda. Together, this cooperation may indeed succeed in making a significant contribution to building together, as the Istanbul Declaration asserts – *“a world where everyone can live in a safe home with the promise of a decent life of dignity, good health, safety, happiness and hope”*.



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For the full text of the UNCHS (Habitat) Position Paper on Housing Rights, see:  
<http://www.unchs.org/unchs/english/hpu/housing.PDF>

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For more information on the right to adequate housing including the full report of the Special Rapporteur, see:  
<http://www.unhchr.ch/html/menu2/i2ecohou.htm>

The right to  
adequate housing:

A major commitment  
of the Habitat Agenda

United Nations Centre for Human Settlements (Habitat)  
Office of the High Commissioner for Human Rights

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