



**STATEMENT BY MS LEILANI FARHA**

**SPECIAL RAPPORTEUR ON ADEQUATE HOUSING**

**AS A COMPONENT OF THE RIGHT TO**

**AN ADEQUATE STANDARD OF LIVING,**

**AND ON THE RIGHT TO NON-DISCRIMINATION IN THIS**

**CONTEXT**

79<sup>th</sup> session of UNECE

Committee on Housing and Land Management

Ministerial Meeting

*Roundtable I: Decent, affordable, adequate and healthy housing for all*

Geneva, 9 November 2017



**Excellencies,  
Distinguished Ministers, participants**

It is with great pleasure that I address the Ministerial Meeting at the 79th session of UNECE Committee on Housing and Land Management for the first time since my appointment in 2014 as Special Rapporteur by the Human Rights Council.

Resolution 34/09 of the Human Rights Council encourages me to submit proposals that could support States in the implementation of the housing-related Sustainable Development Goals and targets and the New Urban Agenda. Both these recent commitments and the international human rights norms and standards to which your countries are bound are directly relevant to the topic of this panel.

In this context, I would like to briefly mention my recent reports and call your attention to the recommendations and guidance I provide to ensure that **”decent, affordable, adequate and healthy housing for all”** can only be guaranteed if the right to adequate housing and to non-discrimination are at the core of your strategies, plans and policies at all levels of government.

First, let me refer to my report of 2016 on **homelessness and the right to adequate housing** (A/HRC/31/54). I argue that homelessness is an egregious violation of human rights, threatening the health and life of the most marginalized, and requiring urgent and immediate human rights responses. I examine how homelessness is caused by States’ failure to respond both to individual circumstances and to a range of structural causes: abandoning the responsibility for social protection, implementing laws and policies that discriminate against homeless people, failing to adequately regulate real estate markets in keeping with human rights obligations with respect to housing, at a time of unprecedented urbanization. I also underline that the elimination of homelessness by 2030 is central to achieving the SDGs, in particular SDG 1 on poverty and SDG 11 and Target 11.1 on inclusive cities and settlements.

Second, I call your attention to my 2017 report on **financialization and the right to housing** (A/HRC/34/51). In that report I examined the historic challenges to the right to adequate housing created by housing markets that have become repositories for vast amounts of global capital, with housing treated as a place to park capital and a means to accumulate wealth for a few while it becomes increasingly unaffordable for those in low and even middle income brackets – people are being pushed out of cities. I suggest that the way forward requires a shift so that States ensure that all investment in housing recognizes its social function and States’ human rights obligations in that regard. In this regard, I have recommended the establishment of a high-level meeting of States, international financial institutions, human rights bodies, civil society organizations and relevant experts be organized to design a strategy for engaging financial regulatory bodies and actors in the realization of the goal of adequate housing for all by 2030. Perhaps UNECE could consider convening such a discussion.

Third, I would like to flag my report to the UN General Assembly, presented a few weeks ago in New York, on **the right to adequate housing of persons with disabilities**. Few marginalized groups suffer such egregious violations of the right to housing as do persons with disabilities. Though persons with disabilities are not a homogenous group I have found through experience and research that across the world, they are commonly homeless, institutionalized and subjected to stigmatization, neglect, abuse, and violence. People with disabilities face widespread and severe forms of discrimination for no reason other than their disability, and this occurs in all aspects of housing from inaccessible design of buildings, to barriers to finance or discriminatory tenant selection, to zoning restrictions to forced evictions.

Housing is absolutely central to dignity and equal rights for persons with disabilities. Choosing where and with whom to live, being part of a community, having access to safe and accessible housing, to water and sanitation and forms of support is for persons with disabilities the difference between belonging and isolation, between security and abuse, and all too often between life and death.

A common thread in all of my reports is a sense that States and other **actors must shift their relationship and understanding of housing**, recalling its social function rather than its capital value. Housing is often perceived interacted with as a commodity, a vessel to hold excess wealth, and has lost its currency as a human right. I think this is one of the most significant challenges currently facing States, and I am working with a wide range of partners and networks to reclaim housing as a human right. In this regard, in partnership with a conglomerate of cities and the Office of the High Commissioner for Human Rights, I have launched a **new global movement called The Shift** – which urges all States to commit to doing what it takes, by 2030, to return to an understanding of the social function of housing and curb financialization to ensure cities are inclusive places with access to adequate, affordable and secure housing for all. I urge you to consider if you might be able to make such a commitment in your efforts to realize the SDGs.

Distinguished delegates,

The deplorable housing conditions in which 1.6 billion people around the world live, including in countries which are part of the UNECE and represented here, makes it clear that States and other actors will have to make a fundamental shift in the way in which they think about and interact with the right to adequate housing. This covers a wide range of situations, from homelessness and displacement to evictions, forced evictions and foreclosures; from lack of protection for tenants to unaffordable access to housing in good locations; and from housing to the millions of young Europeans who are unemployed to the many refugees and migrants in various countries which are part of UNECE.

If I can make some general recommendations about what States should do - in coordination with local and regional governments and municipalities - to address the broad based inconsistencies with respect to the right to housing experienced world-wide, I would suggest the following:

1. Prioritize and recognize in domestic law the obligation to realize the right to housing of persons to the maximum of available resources, tying this legal obligation to strategies or policies aimed at realizing the commitment to ensure access to affordable, adequate and

secure housing for all by 2030, in accordance with target 11.1 of the Sustainable Development Goals and the New Urban Agenda;

2. Address homelessness on an urgent basis and prioritize measures to address the circumstances of those living in informal settlements and homeless encampments;
3. Ensure effective participation of communities and residents in all areas of housing policy and decision-making; and
4. Ensure access to justice and effective accountability mechanisms for claims to the right to adequate housing, especially for people living in poverty, when States have failed to adopt reasonable programmatic measures to realize the right;

These key components of a human-rights based response to housing needs are the critical tools needed to realize the commitments made with respect to the right to housing in the 2030 Agenda and the New Urban Agenda.

Thank you

\*\*\* ENDS\*\*\*