

THE CENTRALITY OF THE RIGHT TO HOUSING IN THE DEVELOPMENT OF THE NEW URBAN AGENDA TO BE ADOPTED AT HABITAT III

Summary of the Report of the Special Rapporteur on the right to adequate housing

In her report to the General Assembly ([A/70/270](#)), the Special Rapporteur on adequate housing, Ms. Leilani Farha, focuses on the centrality of the right to adequate housing for the development and implementation of the New Urban Agenda to be adopted at Habitat III in October 2016. Currently, more than half of the world's population lives in cities and it is estimated that another 2.5 billion will migrate to urban areas by 2050. The Special Rapporteur outlines the limitations of current approaches to urbanization and underlines the need to embrace human rights as the only framework that will lead to sustainable growth and human dignity. She calls for the adoption of a new **“urban rights agenda”** with the right to housing at its core.

The human rights way to the new urban agenda

A new urban agenda must understand that housing is more than a commodity. Incorporating the right to housing as a pillar in the new urban agenda will have important ramifications since human rights are a transformational framework that not only offer concrete, comprehensive guidance for policy and law, but are also inclusive. This approach ensures that all individuals in the community, in particular the most vulnerable and marginalized, are legitimate participants in building urban spaces and drivers of their own well-being.

An urban rights agenda: five key areas

Many interrelated issues will be addressed at Habitat III. The report outlines five critical cross-cutting areas upon which an urban rights agenda with the right to housing at its core should focus. These are: **1) social exclusion, 2) migration and displacement, 3) persons and groups in vulnerable situations, 4) land and inequality, and 5) informal settlements.** Urbanization has enhanced discrimination and inequality based on spatial and socioeconomic marginalization. Across the globe, housing status is used to limit opportunities and to create further obstacles to inclusion and equality.

For example, many migrants are forced to rely on unregulated private housing in overcrowded, inadequate and informal settings, often resulting in homelessness.

In some situations, children, and women can be vulnerable to violence, requiring access to safe housing and basic services to survive in the urban context. Unequal access to land and property affecting marginalized groups divides city residents between those who own land and property and have access to basic services and infrastructure and those who do not. Informal settlements are also often the result of concerted decisions that have displaced people, denied them services and refused to recognize their security of tenure.

[A new rights-based framework for urban law, policy and governance](#)

A human rights based approach is beneficial for its clarity as to who bears the duty to ensure rights for whom – recognizing that when States ratify international treaties, not only national, but also sub-national and local governments, are responsible for their implementation. Currently, local governments are challenged with greater responsibility; however they lack adequate financial resources, administrative capacity, and a clear understanding of their international human right obligations. A new urban rights agenda would address this.

The development of an urban rights agenda will require all levels of government, and other actors including civil society and the private sector, to work in a coordinated fashion. It will require a shift in priorities and in the allocation of resources, as well as the recognition of all members of society as legitimate participants in the decision-making process, including those who are marginalized.

[Key recommendations](#)

Giving human rights primacy within the new urban agenda is the starting point for sustainable, accessible and inclusive development. In this regard, the Special Rapporteur recommends that the [urban rights agenda](#) should:

- Elaborate, concretize and give meaning to target 11.1 of the SDGs regarding access to adequate housing, while safeguarding its vital link to binding international human rights obligations;
- Articulate the responsibilities of national and local governments to ensure the realization of the right to adequate housing in accordance with international human rights law;
- Focus on eliminating social exclusion, inequality and discrimination as human rights violations and prevent the criminalization and stigmatization of people on the basis of their housing status;
- Firmly commit to the elimination of homelessness and forced evictions, as two of the most serious systemic violations of the right to housing in cities;
- Commit to enhanced regulation of the private sector consistent with the recognition of housing as a human right;
- Establish a process of on-going participation and engagement among city residents taking into account their experiences;
- Ensure incorporation of the right to adequate housing and other human rights as paramount elements of all urban laws, policies and programmes, including fiscal policy, resource allocation and land management;
- Commit to ensuring security of tenure for all households, including all residents of informal settlements;
- Clarify the responsibilities of States in relation to international cooperation and assistance and extraterritorial activities affecting the right to adequate housing in cities.

The report (A/70/270) is available in all UN languages at:
<http://www.ohchr.org/EN/Issues/Housing/Pages/AnnualReports.aspx>