

Report to the Special Rapporteur on the Right to Adequate Housing

(Theme: intimate link between the right to life and the Right to Adequate Housing)

By Iranian Islamic Human Rights Commission (IHRC)

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Pursuant to Resolution of 2000/9, and at the call of the Special Rapporteur on the Rights to Adequate Housing, Leilani Farha, the Iranian Islamic Human Rights Commission (IHRC) hold a meeting with members of Tehran`s City Council. For this mandate, the recent information on the situation of people with inadequate housing and homeless people in the country has been collected.

1. Statistical indicators regarding the health, mortality and morbidity consequences of inadequate housing and homelessness in Iran:

1.1 In the Islamic Republic of Iran`s constitution, the right to adequate housing is recognized in the 3rd Principle (Para 11), Principle 43 (Para 1) and Principle 31. Referring to these principles, not only the government is responsible to ensure the adequate housing for all its citizens, it should also ensure the citizens enjoyment of the right to health, social security, dignified life. But in reality, these objective has not yet been achieved.

1.2. Although there are some statistics on the number of people with adequate housing, inadequate housing and homelessness, these statistics are not accurate.

Statistical Centre of Iran, Ministry of Roads and Urban Development and Municipalities of all cities are giving number of statistics of this kind. In these given statistics, the number of homeless

people is not clear or available. Last year, some statistics presented 18,000 homeless are living in Tehran for which Tehran Municipal have provided them with shelter to stay for night. 80% of them are addicts and 5 to 10% of them consists women.

1.3. However, two weeks ago one of the authorities of Iran Drug Control Headquarters announced that, 42,000 homeless addicts have been identified within the country, in the recent years, there are rarely a death due to homelessness had been reported.

2. The provisions of Islamic Republic of Iran's constitution which guarantee the Right to Adequate Housing:

2.1. In addition to the mentioned principals in the previous section, in 2007, the Law of "organizing and protecting the production and supply of housing" was ratified. One of the most important objectives of this law is to satisfy the needs of owning a house for those who does not have it. To implement this objective, the last and the current governments have been implemented many projects so far. One of the greatest projects implemented almost in all cities in this period of time is Mehr Housing which has also influenced a considerable amount of investment. The priority for having theses housing units in this project is with the vulnerable group, such as disable people, the breadwinner`s women and people with chronic disease who does not have any housing units. According to the Ministry of Roads and Urban Development, statistics counted for the numbers of the mentioned unites in construction is 2 million which 1 million and half of them is finished and passed to their owners.

2.2. In 2010, the Supreme Leader of Iran has defined a comprehensive policies in regards to housing by which the essential of enjoyment of people with low income from adequate housing is highlighted and prioritized.

In the last three years the current government has revised and enhanced the “Housing Master Plan” which was codified based on numerous studies in 2004, in order to satisfy the housing demands of citizens. And the government tries to implement this new emerged plan.

2.3. In Iran, the Ministry of Cooperatives Labour and Social Welfare is responsible for the vulnerable groups` affaire. Therefore, the last year a Memorandum of Understanding (MoU) was inked between this Ministry and the Ministry of Roads and Urban Development to fostering the satisfaction of vulnerable group from housing. Likewise, one of the latest plans of government on this subject is allocating the loan of 80 million Toman to the housing demanders.

2.4. There are various centers dealing with the implementation of all the noted objectives. Municipals are amongst the first centers responsible for providing shelter for overnight stay to homeless people; the Behzisty Institute is in charge of the disable people`s housing condition; the Ministry of Interior is responsible for both legal and illegal immigrants` enjoyment of housing; Imam Khomeni Relief Foundation has duty to protect the vulnerable groups. Each of these centers has allocated a specific telephone line for people to call and make a request or report on homeless people situation or those who have inadequate housing.

3. The Iran`s courts or human rights bodies approach in the recognition of the disproportionate effect of homelessness and inadequate housing:

3.1. Despite the fact that the Right to Adequate Housing is recognized in the law, there is no judgmental procedures in this regards is considered for those whose rights is violated. Only if the mentioned institution in the last section gets involve then the people`s issue may solve. And if the institutions follow a discriminatory approach, then, the citizens are allowed to personally make a complaint and request for an adequate revision and judgmental procedure on their case. Up to date, some of these cases were also referred to the IHRC which the commission has passed all the essential legal procedures for ensuring people enjoyment of their human rights. Also IHRC has tried to give the necessary recommendations based on human rights to all the authorized institution.