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HUMAN RIGHTS COUNCIL
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**PROMOTION AND PROTECTION OF ALL HUMAN RIGHTS, CIVIL,
POLITICAL, ECONOMIC, SOCIAL AND CULTURAL RIGHTS,
INCLUDING THE RIGHT TO DEVELOPMENT**

**Report of the 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, Raquel Rolnik**

Addendum*

**Preliminary note on the mission to Maldives
(18 to 26 February 2009)**

* The present note was submitted after the deadline, in order to incorporate the latest available information. Due its late submission, it is circulated as received in English only.

INTRODUCTION

1. At the invitation of the Government, the Special Rapporteur on adequate housing undertook an official visit to Maldives from 18 to 25 February 2009. She wishes to warmly express her gratitude to the Government of Maldives for the invitation, the constructive dialogue and its support throughout the visit.

2. During her visit, the Special Rapporteur met with high ranking officials and representatives of the Government in Male and other islands, civil society and non governmental organizations and international agencies. Apart from Male and the surrounding islands of Hulumale and Villingili, the Special Rapporteur visited the islands of Naifaru, Hinnavaru, Dhuvaafaru, Kadhulhudhoo, and Madduvari.

3. The main purpose of the mission was to examine the impact of climate change on the right to adequate housing and the achievements and difficulties encountered in the post-tsunami reconstruction process. In the course of her mission, the Special Rapporteur identified a number of additional issues affecting the right to adequate housing including:

- a) Land scarcity;
- b) Overcrowding in some islands, such as Male, and subsequent social problems, in particular for women and children;
- c) Affordability;
- d) Lack of legislation in many fields related to the right to adequate housing, including protection of tenancy, a common registration system and building regulations;
- e) The housing conditions of international migrant workers.

4. The Special Rapporteur believes that climate change has aggravated and will further amplify some of the problems linked with Maldives characteristics including land scarcity and vulnerability of the islands to natural phenomena. The impact of climate change on the acceleration of coastal erosion, frequency of storms and flooding and the rise of the sea level will increasingly affect the housing and livelihood of many Maldivians.²

5. The already existing overcrowding and land scarcity in Male and some islands impedes the realization of the right to adequate housing of many in Maldives. The Special Rapporteur believes that these problems result from a combination of the specific geological and topographic features of Maldives, as well as a traditional land allocation tenure system that has been put under pressure due to population growth, internal migration and economic development.

6. Land reclamation – the common response to land scarcity - negatively impacts the reefs and other natural features of the islands, thus reducing their natural resilience and increasing their vulnerability to natural disasters.

7. The Maldivian authorities have, in some case, pursued “consolidation” strategies. This strategy consist in concentrating inhabitants of less populated islands in one island to achieve

² As previously announced, the Special Rapporteur will focus her next report to the General Assembly on the impact of climate change on the right to adequate housing.

economies of scale in order to make viable costly investments in services and infrastructure (including protection walls seen as necessary after the tsunami). The Special Rapporteur believes that other alternatives to displacement of entire communities, sometimes against their will, may be possible.

8. Apart from the cases where communities have been involved directly in reconstruction, it seems that the houses and infrastructure built after the tsunami, despite being of good quality and high standards, have not always been in line with the needs of the communities for whom the house sometimes provides a workplace as well as a residence. In some cases, infrastructure and donated equipment have been abandoned and are unused because of their inadequacy or the lack of local capacity building to maintain and employ them.

9. While the issues raised during this mission will be the subject of a full report to the Human Rights Council, the Special Rapporteur wishes to submit at this stage a number of preliminary recommendations:

10. The Special Rapporteur believes that there is an international responsibility to urgently support adaptation strategies for the impact of climate change on Maldives. In this process, the lessons learned from the post-tsunami reconstruction processes can provide valuable lessons.

11. Giving the uniqueness of the Maldivian environment, internationally funded studies, internal capacity building and innovative approaches are required to allow the design of adequate housing and infrastructure as well as of climate change adaptation programs and projects.

12. There is a need for a new approach to land distribution and territorial planning. Yet any new approach should keep the positive aspects of traditional land allocation, e.g. ensuring access to land for housing to all, regardless of social class and wealth.

13. The Special Rapporteur strongly recommends that any housing policy consider various options to cope with the diversity in incomes, livelihood and household arrangements that exist in the country. For instance, rent regulations and subsidies could be combined with microfinance schemes and different tenure arrangements.

14. The Special Rapporteur commends the inclusion of economic, social and cultural rights in the new Constitution of Maldives. She recommends that all relevant programs and policies fully take into account the various dimensions of the right to adequate housing. The lack of legislation and regulations on issues such as tenancy and basic building standards, should be addressed as a matter of priority.

15. The Special Rapporteur urges the authorities and private contractors to take immediate measures to improve the housing and living conditions of international migrants.

16. The direct participation of the communities in all stages of housing and urban planning decision-making is crucial. It requires investment from the State to provide information and build capacity in the communities so as to create public awareness and

mobilization. The communities themselves should engage, and take responsibility, in the implementation of their collective decisions.
