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**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, Miloon Kothari, submitted
in accordance with Commission resolution 2002/21***

* In accordance with paragraph 8, section B, of General Assembly resolution 53/208, the reason for the late submission of this report is the need to reflect the latest information.

Executive summary

This third report of the Special Rapporteur on adequate housing, submitted at a three-year juncture in his mandate, comprehensively reviews his main activities since his appointment in 2000 and outlines emerging issues that require the attention of the Commission and the human rights community worldwide for the realization of rights relevant to his mandate.

The report presents relevant outcomes of recent major United Nations conferences and summits, particularly those of the special session of the General Assembly for an overall review and appraisal of the Habitat Agenda (Istanbul +5) in 2001 and the World Summit on Sustainable Development (WSSD) in 2002, in which the Special Rapporteur participated actively. These conferences provided him opportunities to highlight the inextricable linkages that exist between adequate housing and international human rights law, and the imperatives for addressing global challenges from a human rights perspective.

Since the establishment of his mandate, the right to adequate housing has received increased attention, in national laws and policies, by courts and judges, and in the work of United Nations bodies and civil society. The Special Rapporteur points to the need to continue to collect jurisprudence and good practices to further the progressive implementation of the right to adequate housing, and urges States and civil society to submit relevant information to him. He has also continued to engage in substantive and constructive dialogues with States and other actors, including through responding to urgent cases and in the context of country missions.

The Special Rapporteur reports significant progress in developing dialogues with relevant treaty bodies and other special rapporteurs. He has also been developing cooperation with a number of key United Nations agencies, including the United Nations Programme on Human Settlements (UN-Habitat), the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM) and the Office of the United Nations High Commissioner for Refugees (UNHCR). He also acknowledges, and is inspired by the diligent work of civil society in supporting his mandate and contributing towards securing housing rights for all.

The report highlights several emerging issues: (a) water and sanitation as essential elements for the realization of the right to adequate housing; (b) the need to undertake further research on innovative local responses to globalization in urban and rural development; (c) the need for rights-based indicators and assessment tools for monitoring Millennium Development Goals (MDGs) and other relevant outcomes of major United Nations conferences and summits that contribute towards the realization of rights relevant to his mandate; and (d) the right of persons with disabilities to adequate housing.

Finally, the report concludes by recommending that the Commission: (a) give firm recognition to the human right to adequate housing; (b) request the Special Rapporteur to seek, receive and respond to information on all aspects of the realization of the right; (c) urge States to submit pertinent information to the Special Rapporteur on good practices and with regard to the right to non-discrimination; (d) urge States to support the United Nations Housing Rights Programme; (e) call for an expert group meeting to develop policy guidelines for preventing discrimination and segregation in housing and civic

services; (f) request the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UN-Habitat to develop jointly with civil society participation, criteria and a database on good practices for the realization of housing rights; (g) encourage the integration of human rights in monitoring relevant MDGs and outcomes of major United Nations summits and conferences, and for OHCHR, UN-Habitat, UNIFEM and UNICEF to develop rights-based indicators and monitoring tools towards this end; (h) call on the Commission on Sustainable Development and its secretariat to include the right to adequate housing in the Water, Energy, Health, Agriculture and Biodiversity (WEHAB) framework in the follow-up to WSSD; (i) encourage UN-Habitat to integrate human rights in its work and to further contribute and support the work of the Special Rapporteur and relevant treaty bodies, including on the issues of security of tenure and forced eviction; (j) request the Special Rapporteur to focus on issues related to water and sanitation and their gender dimensions; (k) request the Special Rapporteur to place an additional focus on disability issues and to contribute to the work of the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities; and (l) request the Special Rapporteur to report to the General Assembly and to the relevant functional commissions of the Economic and Social Council.

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Introduction

1. The mandate of the Special Rapporteur is contained in Commission on Human Rights resolution 2000/9, complemented by resolutions 2001/28 and 2002/21. The present report is submitted in accordance with the latter resolution.
2. In his first report to the Commission (E/CN.4/2001/51) the Special Rapporteur advocated a broad interpretation of the right to adequate housing. The report highlighted several priority issues including: gender discrimination, land, forced evictions, poverty, access to potable water, the impact of globalization on housing and international cooperation for the realization of housing rights. His second report to the Commission (E/CN.4/2002/59) had two main thematic focuses: (a) on guidelines for actions by States to address discrimination and segregation in housing and civic services; and (b) on the impact of globalization on the realization of housing rights.
3. The Special Rapporteur undertook a visit to the occupied Palestinian territory (January 2002) and missions to Romania (January 2002) and Mexico (March 2002). Reports of these missions are available as addenda to the present report (E/CN.4/2003/5/Add.1, 2 and 3).
4. A separate study on women and adequate housing (E/CN.4/2003/55) is being prepared by the Special Rapporteur, pursuant to Commission resolution 2002/49 on women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing.
5. As the three-year mandate of the Special Rapporteur comes to an end in 2003, this report provides an overview of his main activities undertaken during the past three years and highlights significant developments in the realization of rights related to his mandate. Further information on these activities, conference statements and working papers are available on the OHCHR web site (<http://www.unhchr.ch/housing>). The Special Rapporteur is grateful to those Governments, United Nations and other international bodies, non-governmental organizations and civil society groups that supported him in carrying out his mandate, as well as individual experts who contributed information and analysis.

I. PROGRESS TOWARDS THE REALIZATION OF THE RIGHT TO ADEQUATE HOUSING AND RELATED RIGHTS

A. Global awareness of the right to adequate housing

6. The period following the establishment of the mandate of the Special Rapporteur in 2000 coincided with a series of mid-term reviews of global conferences of the 1990s and new conferences that culminated in the World Summit on Sustainable Development (WSSD). Encouraged by the Commission, he actively participated in the two most relevant conferences: the twenty-fifth special session of the General Assembly for an overall review and appraisal of the implementation of the Habitat Agenda ("Istanbul +5") in 2001 and WSSD in 2002. He also contributed to other conferences and their preparatory processes by issuing statements to: the Third United Nations Conference on the Least Developed Countries (2001); the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance (2001);

the International Conference on Financing for Development (2002); the World Food Summit: five years later (2002); and the special session of the General Assembly on children (2002). All of these events provided him with opportunities to highlight the inextricable linkages that exist between adequate housing and international human rights law, and the imperatives for addressing global challenges from human rights perspectives.¹

7. Outcomes of and lessons from these conferences must be borne in mind as we continue to follow up and monitor the progress on the realization of the right to adequate housing. The Special Rapporteur welcomes the adoption of the Millennium Declaration and Millennium Development Goals (MDGs) as an important global momentum towards further realization of rights relevant to his mandate. Among the MDGs of particular significance for housing rights are the global commitments to halve the proportion of people without access to safe drinking water by 2015 and to bring significant improvement in the lives of at least 100 million slum dwellers by 2020.² Furthermore, one should not lose sight of specific commitments and goals agreed at each conference. At WSSD, States agreed to an additional commitment to halve the proportion of people without adequate sanitation by 2015.³ With regard to the housing rights of women, the outcome of the Istanbul +5, the Declaration on Cities and Other Human Settlements in the New Millennium, contains recognition of and commitment to women's right to inheritance and the ownership of land and other property, credit, natural resources and appropriate technologies, as well as their right to security of tenure and their right to enter into contractual agreements.⁴

8. In contributing to these global conferences, the Special Rapporteur was particularly concerned at the lack of references to relevant human rights instruments and to the work of treaty bodies and the United Nations human rights mechanisms in draft outcome documents and background papers. He thus made particular efforts to bring attention to the added value of human rights-based approaches and to the existing obligations of States under international instruments. He was particularly encouraged by those treaty bodies and other special procedures which sent statements and contributed to these conferences along with him, particularly the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child, which adopted statements to Istanbul +5 in support of his approach. Responses from civil society groups attest to the effectiveness and usefulness of such statements and other contributions by the Special Rapporteur and other United Nations human rights mechanisms to raise global awareness and advocacy for the realization of rights relevant to his mandate. He also applauds the advocacy role placed by civil society groups at these conferences, and welcomes the joint work of human rights and environmental groups that developed during the WSSD process.

9. **In following up relevant outcomes of these conferences, the Special Rapporteur particularly urges OHCHR to work with relevant United Nations agencies and civil society in ensuring that human rights norms and principles are properly reflected. The multisectoral nature of these conference outcomes also requires the Special Rapporteur to further develop linkages and joint work with other rapporteurs, particularly the newly appointed Special Rapporteur on the right to health and the Committee on Economic, Social and Cultural Rights, on the issue of water and sanitation (see section III.A). He also looks forward to working with the Special Rapporteur on the right to food and, in this context, welcomes the explicit reaffirmation of the right of everyone to have access to safe**

and nutritious food by the World Food Summit: five years later (WFS: fyi) and WSSD. Recognizing the clear linkage between the right to adequate housing and the right to food, both integral elements of article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), he hopes to further develop linkages between the two mandates on issues such as forced evictions, land rights and the right to water as integral and interrelated components of the right to an adequate standard of living, and to contribute to the elaboration of draft voluntary guidelines on the right to food mandated by WFS: fyi.

10. In further promoting progressive realization of rights relevant to the mandate of the Special Rapporteur, it is apparent that more policy coherence is needed at the global level, not only within the United Nations system, but also among intergovernmental mechanisms, as well as nationally at the interministerial level. **Thus, the Special Rapporteur reiterates the recommendation made in his first and second reports that he be allowed to report to the General Assembly, particularly in view of the MDGs and the global commitments that emerged from the conferences that are relevant to his mandate. He would also welcome opportunities to address other functional commissions of the Economic and Social Council, particularly the Commission on the Status of Women, the Commission on Social Development and the Commission on Sustainable Development, respectively on the rights of women to adequate housing and the rights of persons with disabilities to adequate housing (see section III.D below), and to participate in the follow-up to WSSD in the context of the Water, Energy, Housing, Agriculture and Biodiversity (WEHAB) framework.**

B. Realization of the right at the national level

11. Recognition of the right to adequate housing at the national level, both in terms of legal recognition in national constitutions and laws as well as in policies and programmes, is an essential step towards full and progressive realization of the right. It facilitates practical application of the State's core obligations to respect, protect, and fulfil the right to adequate housing. Commission resolutions 2001/28 and 2002/21 called upon all States to give full effect to housing rights, including through domestic development policies at the appropriate level of government and with international assistance and cooperation, giving particular attention to the individuals, most often women and children, and communities living in extreme poverty, and to security of tenure. In his first report to the Commission, the Special Rapporteur reviewed the legal recognition of the right to adequate housing and examined its domestic applicability and justiciability (E/CN.4/2001/51, sects. I and II) and further clarified the legal obligation of States in his second report (E/CN.4/2002/59, sects. I.A and I.B).

12. Many States have incorporated the right to adequate housing into national law, and some courts have turned to international law and jurisprudence of the United Nations human rights mechanisms in interpreting the law and delivering judgements. The most exemplary of this is recognition in the Constitution of South Africa of the right to adequate housing, and the landmark decision of the Constitutional Court of South Africa, *Government of South Africa v. Grootboom* 2000 (11) BCLR 1169 (CC) ("Grootboom judgement"), which confirmed that the right to adequate housing places a duty on both the State and other stakeholders to respect the right, and found a positive obligation on the State to protect, promote and fulfil it. Another

example was the decision by the African Commission on Human and Peoples' Rights, which monitors the African Charter on Human and Peoples' Rights, on communication 155/96, concerning the case brought by the Social and Economic Rights Action Centre and the Centre for Economic and Social Rights against the State of Nigeria at the thirtieth Ordinary Session of the Commission held in Banjul from 13 to 27 October 2001. In this case, which concerned the massive violence against and executions of Ogoni leaders who protested against the operations of the State oil company that have caused environmental degradation and health problems among the Ogoni people, the Commission concluded that although the African Charter does not explicitly provide for the right to adequate housing, the combined effect of relevant articles 14, 16 and 18 (1) reads into the Charter a right to shelter or housing which the Government of Nigeria has apparently violated.

13. **As more such cases and innovative judgements emerge, it is essential to develop a database of jurisprudence on the right to adequate housing,⁵ coupled with human rights education and awareness-raising among judges, lawyers and practitioners.** In November 2001, the Special Rapporteur contributed to a workshop organized by OHCHR in New Delhi on the justiciability of economic, social and cultural rights in South Asia, which made several recommendations pertaining to the right to adequate housing. In August 2002, he was invited to a workshop convened by the Constitution of Kenya Review Commission and the Standing Committee on Human Rights of Kenya, to assist them in the drafting process for a revised constitution. This workshop has led to inclusion of the right to adequate housing in the draft constitution of the Republic of Kenya 2002, to be considered at the National Constitution Conference in mid-2003.

14. In many countries, the challenge remains of moving beyond recognition to giving full effect to the right to adequate housing. **In implementing the right, there is a need to ensure greater coordination among different ministries in the monitoring and implementation of relevant rights,** as it often happens that national policies on economic development and human rights are set by different ministries in separate processes. Some States, such as Mexico, have set up interministerial task forces or working groups with active participation of civil society to ensure coordination; in other States, it is apparent that more human rights education is needed in ministries responsible for housing policies and local authorities that are charged with implementation.

C. Understanding various dimensions of housing rights

1. Gender

15. Pursuant to the Commission's directives, the Special Rapporteur consistently devoted special attention to gender in all activities. The consequences of having inadequate housing or essential civic services such as water and sanitation are particularly devastating for women, with consequent impacts on their health, personal status, safety, well-being, and the education of their children. In many countries, women are constitutionally accorded equal rights with men and protected from discrimination. In practice, however, women often hold disadvantaged socioeconomic positions and face de facto discrimination in the areas of housing, land and inheritance rights.⁶

16. Women's equal ownership of, access to, and control over land and their equal rights to own property and to adequate housing, are often key determinants in the overall living conditions of women and their children. The Commission has been seized of this issue since 2000. In its most recent resolution, 2002/49, the Commission requested the Special Rapporteur to prepare a study on women and adequate housing, which is submitted separately to the Commission (E/CN.4/2003/55). In preparing this study, he developed a questionnaire in order to seek information on the gender dimension of essential elements of the right. This study, and subsequent work under the Commission, should help in developing the gender perspective in the mandate. In August 2002, the Special Rapporteur initiated a dialogue with the Committee on the Elimination of Discrimination against Women (CEDAW) to explore cooperation in common areas of interest and to seek its advice in preparing the study on women and adequate housing. The dialogue covered the impacts of globalization and privatization of services on women's access to housing and civic services, domestic violence, forced eviction, affirmative action and special measures for women. The Committee highlighted women's inheritance rights and related customs and practices as requiring particular attention.

17. Women's equal rights to housing, land and other property and their right to inheritance have also been reaffirmed at recent global conferences including Beijing +5, Istanbul +5 and WSSD, which have urged Governments to remove legal and administrative obstacles and to enact and enforce legislation protecting these rights. Protection mechanisms, such as the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, must be strengthened to guarantee these rights of women. In this context, the Special Rapporteur notes with interest the ongoing work under the African Union to review and adopt a draft additional protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. The current draft, adopted on 16 November 2001, recognizes women's right to adequate housing. **To further strengthen this provision, the Special Rapporteur recommends that deliberations on the draft additional protocol also take into account existing norms and standards as elaborated by General Comments Nos. 4 and 7 of the Committee on Economic, Social and Cultural Rights (CESCR), and agreed commitments from the outcomes of the aforementioned global conferences.**

18. A number of United Nations agencies and civil society organizations expressed keen interest in assisting and cooperating with the Special Rapporteur on gender issues. In particular, he found extremely useful the regional civil society consultation organized in Nairobi by UN-Habitat and OHCHR, the South Asian civil society consultation in Kathmandu organized by OHCHR, as well as consultations and testimonies received during WSSD and country missions. He is also grateful to UN-Habitat and UNIFEM for providing assistance toward his study on women and adequate housing. **Noting the need to collect more voices of women living in inadequate housing and living conditions, the Special Rapporteur recommends that OHCHR organize similar civil society consultations in other regions in cooperation with UN-Habitat, the United Nations Development Fund for Women (UNIFEM), regional commissions and interested civil society organizations.**

2. Non-discrimination

19. In resolutions 2001/28 and 2002/21 the Commission called upon all States, without distinction of any kind, to counter social exclusion and marginalization of people who suffer

from multiple discrimination, in particular by ensuring non-discriminatory access to adequate housing for indigenous people and persons belonging to minorities. As emphasized in his previous reports, the Special Rapporteur considers non-discrimination a key aspect of his mandate and, therefore, has sought to develop this dimension of the right to adequate housing by actively contributing to the Durban Conference in 2001 by presenting a framework of analysis and guidelines for State actions in his second report to the Commission (E/CN.4/2002/59, sect. II.A) and by initiating dialogue with treaty bodies, in particular CEDAW and the Committee on the Elimination of Racial Discrimination (CERD). **He requests States to submit information on the implementation of these resolutions, also taking these guidelines into account.**

20. Today, various forms of discrimination and segregation in housing and access to essential services can still be found, not only on the grounds of race, class or gender, but also because of economic status. In September 2002, the Special Rapporteur participated in the African regional seminar of experts on the implementation of the Durban Programme of Action organized by OHCHR in Nairobi, where he presented a paper.⁷ The seminar made several recommendations⁸ concerning the role of international cooperation, globalization and privatization policies, and the right to adequate housing of migrants, refugees and children. It also recommended that States remove legal, administrative, social and cultural barriers, including customary practices, to the fulfilment of women's right to own land and other property and their right to adequate housing, including through exercise of the right to equal inheritance.

21. The Special Rapporteur appreciated the focus developed at the seminar and its conclusion on the need to establish close collaboration between the New Partnership for Africa's Development (NEPAD) processes and the United Nations human rights machinery. He views NEPAD, a programme of the African Union and committed to key MDGs, as an important process to institutionalize the African States' commitments to integrate human rights, including the right to adequate housing, into their poverty reduction strategies. **He, in collaboration with other mandate-holders, is willing to contribute to this process through the development of rights-based indicators (see section III.C) that could assist the African Peer Review Mechanism process under NEPAD. He also calls upon the international community to support such country- and region-owned processes through fulfilment of the obligations concerning international cooperation under the human rights instruments, including by ensuring that global policies such as trade and debt do not undermine the ability of developing countries to fulfil their human rights obligations.**

22. From the Special Rapporteur's country missions and on-site visits, it is apparent that significant gaps with regard to non-discrimination persist between legal provisions and the local reality. During 2002, he examined the housing situation of minorities in Romania, indigenous peoples in Mexico, and people under occupation in Palestine. From the testimonies received in these and other places, it is evident that multidisciplinary approaches and further research are required to implement housing rights on an equal and non-discriminatory basis. He nonetheless encountered some encouraging good practices during his missions, such as the participation of Roma in relevant decision-making (Romania) and efforts toward regularizing land occupation by indigenous people instead of evicting them (Mexico). **He will continue to collect different experiences in ensuring non-discrimination, and to further develop the dialogue**

with CERD which he initiated in August 2002. He further encourages States to take into account relevant recommendations of treaty bodies, in particular CERD General Recommendation XXVII on discrimination against Roma and General Recommendation XXIX on descent-based discrimination, both of which contain specific recommendations on housing.

II. ACTIONS TO PROMOTE HOUSING RIGHTS

A. Developing good practices

23. Pursuant to Commission resolutions 2001/28 and 2002/21, the Special Rapporteur made particular efforts to collect and document good practices on housing rights during his country missions and other activities. **Noting that few responses to these resolutions have been forthcoming, he requests States to forward him pertinent information.** In some cases, what have been promoted as best practices in the area of housing and human settlements may not necessarily score high in terms of human rights or gender equality. **In order to make an objective assessment of good practices, he recommends that OHCHR and UN-Habitat: (a) develop, together with civil society, a set of criteria to define “good practices” on housing rights, which should further facilitate submission of information by States and civil society; and (b) organize civil society hearings, country missions and in situ examinations to collect more cases and good practices.** He notes with interest and encourages the planned work of UN-Habitat and OHCHR to develop a database on good practices in the area of housing rights, as an addition to the UN-Habitat best practices database (<http://www.bestpractices.org>).

B. Dialogue with States

24. The Special Rapporteur has continued to engage in active dialogue with both States and civil society, particularly in situations where States have not observed relevant principles and standards on housing rights. He is grateful to those civil society organizations that submitted information on urgent cases. He has acted upon several of them, and is pleased to note that all of the concerned States, with the exception of Israel, have provided him with substantive replies that broadened the scope for continued and constructive dialogues with a view to finding solutions.

25. In May 2002, following a large number of appeals received from civil society groups and individuals through urgent action campaigns, the Special Rapporteur wrote to the Government of China concerning the demolition of historic buildings and housing complexes in Lhasa, Tibet, and allegations of forced eviction of residents, mostly indigenous Tibetans. In October 2002, he received a reply from the Government of China that detailed government efforts to amend laws and set policies to renovate unsafe buildings while conserving their historical and cultural value. While appreciating the Government's constructive reply, he notes the need to continue the dialogue on this case and to study the impact of planning legislation and policies on the realization of the human right to adequate housing. This is particularly relevant in the context of the State obligations under ICESCR, which China ratified in 2002.

26. In July 2002, the Special Rapporteur sent an urgent appeal to the Government of Pakistan, calling for an immediate halt to the demolition of houses and the eviction of communities along the Lyari River in Karachi, over which an elevated expressway was to be built. A large-scale protest by the affected community, who were allegedly not given opportunities for public consultation nor adequate compensation or alternative accommodation, on 11 July 2002 resulted in the death of a 13-year-old boy. In its response, the City District Government of Karachi sought to clarify the situation, including with regard to the compensation proposed, and suggested that the Special Rapporteur visit the area to examine the situation himself. He hopes to receive a formal invitation from the State, and looks forward to further consultation.

27. In October 2002, the Special Rapporteur addressed a letter to the Government of the Federal Republic of Yugoslavia concerning a case of alleged threats to evict a Roma community in Belgrade, drawing its attention to the relevant guidelines and normative interpretation of international instruments by the treaty bodies, particularly General Comments Nos. 4 and 7 of CESCR and the General Recommendation XXVII of CERD on discrimination against Roma. The Government then requested an explanation from the local authorities, and also informed the Special Rapporteur of the legal steps the Government took with the local authorities in accordance with national and international law.

28. The limitation on the length of this report prevents more detailed summaries of these and other cases, however, the full text of all correspondence is available for reference at OHCHR. From all information submitted to the Special Rapporteur, it is clear that forced eviction is on the rise across the world. In view of this, **the Special Rapporteur requests the Commission to allow him to more explicitly seek, receive and respond to information on all aspects of the realization of the right to adequate housing, particularly in view of the urgent necessity of eradicating homelessness and preventing forced evictions.**

29. While the Special Rapporteur appreciates their openness and the general cooperation extended to him by concerned Governments on the above cases, he regrets the continuing non-cooperation of Israel with his mandate concerning house demolitions in the occupied Palestinian territory. To date, he has received no substantive responses or information from the Government to the report of his visit to the territories (E/CN.4/2003/5/Add.1). Despite the Commission's call, Israel has not cooperated with any official missions by him or other special rapporteurs, which effectively prevents them from accessing first-hand information from all relevant parties. This raises concern as to the State party's commitment to the purpose and principles of the special procedures established by the Commission. It is hoped that the Government of Israel would cooperate with the mandate of all special rapporteurs in future.

30. Meanwhile, the Special Rapporteur has continued to be gravely concerned over the deteriorating housing and living conditions in the occupied Palestinian territory. In August 2002, he briefed the Inter-Agency Standing Committee convened by the Office for the Coordination of Humanitarian Affairs (OCHA) just prior to the mission of the Personal Humanitarian Envoy of the Secretary-General, Catherine Bertini, to the occupied territories. The Special Rapporteur's report also contributed to the work of OCHA and UN-Habitat in further assessing the dire situation faced by the Palestinian people undergoing demolitions and continuing threat to their

homes. The impact of such demolition and dispossession has taken a particularly heavy toll on Palestinian women and children, on which he briefed the Committee on the Rights of the Child (CRC) in May 2002. **In his future work throughout the world, the Special Rapporteur intends to increase concentration, including through the development of assessment tools,⁹ on the material, psychological and social impact on women and children arising from such housing rights violations.**

C. Cooperation with the United Nations system

31. Since the establishment of the Special Rapporteur's mandate in 2000, there has been added impetus to focus on housing rights issues on the part of OHCHR and other United Nations agencies. He has followed closely the work of UN-Habitat, the main United Nations entity responsible in the area of housing and human settlements, and participated in the Commission on Human Settlements, the Istanbul +5 review and preparatory committee in 2001, and the first meeting of the World Urban Forum in 2002. He also participated in several expert group meetings¹⁰ and events organized by UN-Habitat and made recommendations towards integrating the rights relevant to his mandate into its policies, programmes and activities, including on gender and on monitoring the MDG on slums (see section III.C below). He particularly appreciated the advice and guidance from the Executive Director of UN-Habitat, and looks forward to strengthening cooperation further.

32. An important initiative in this regard was the launch of the United Nations Housing Rights Programme (UNHRP)¹¹ by OHCHR and UN-Habitat in 2002, mandated by their respective governing bodies. UNHRP has five areas of focus: (a) advocacy, outreach and learning from partners; (b) support for United Nations human rights mechanisms on housing rights; (c) monitoring and evaluation of the progress of realization of housing rights; (d) research and analysis on issues related to housing rights; and (e) capacity-building and training for the monitoring and implementation of housing rights. The Special Rapporteur notes the efforts of and progress made by both agencies in spite of the modest resources available. **The Special Rapporteur encourages UN-Habitat to further provide substantive inputs to the treaty bodies and relevant special procedures, and to assist States and other stakeholders in following up relevant concluding observations and recommendations. He also urges States to provide necessary support for the effective implementation of UNHRP.**

33. The Special Rapporteur also pursued dialogues with other United Nations entities to explore the scope of cooperation with a view to integrating rights relevant to his mandate into their programmes and activities oriented towards improving housing and living conditions for the poor, women and children, indigenous peoples, refugees and internally displaced persons. For this purpose, OHCHR organized for the Special Rapporteur an inter-agency meeting in Geneva in November 2000, as well as a series of meetings with relevant New York-based agencies in August 2002. He was also invited for consultations with the United Nations Educational, Scientific and Cultural Organization (UNESCO) in August 2002 to advise on integrating human rights into the poverty strategy being developed by UNESCO. **The Special Rapporteur particularly looks forward to working closely with UNICEF on children¹² as a focus of his upcoming report, with UNIFEM on his continuing study on women and adequate housing, as well as with UNHCR and OCHA on forced eviction, displacement and other emergency situations.**

D. Civil society actions

34. Working with civil society groups has been a source of inspiration and encouragement for the Special Rapporteur. Civil society has played an important role in mobilizing support for housing rights and monitoring developments (see section III.C below). He is grateful for their diligent work in sending him information and urgent appeals, and for the assistance provided to him for his country missions and at global conferences. **He urges Governments that have not yet done so to recognize and respect the critical and constructive civil society role in securing housing rights for all.**

35. As part of his advocacy work, the Special Rapporteur has contributed and cooperated actively with civil society initiatives on various aspects of housing rights, including participation in international forums such as the World Social Forum, the Asian Social Forum and the Civil Society Forum at WSSD. **The Special Rapporteur proposes to further develop a collaborative framework with several interested NGOs, such as Amnesty International, the American Association for the Advancement of Science, the Latin American and Caribbean Committee for the Defence of Women's Rights, FIAN-Foodfirst Information and Action Network, the International Federation for Human Rights Leagues, Focus on the Global South, the Habitat International Coalition, the Huairou Commission, Human Rights Watch, the International NGO Committee on Human Rights in Trade and Investment, the World Organization against Torture, Rights and Democracy, Social Alert, Social Watch, the South Asian Human Rights Documentation Centre and the South Asian Institute of Human Rights Education, in several priority areas, including: (a) monitoring and submission of urgent cases and good practices; (b) research on the impact of globalization on housing and other related rights; (c) women and adequate housing; (d) training; and (e) developing human rights education programmes.**

E. Cooperation with treaty bodies and other special procedures

36. As proposed in his first report, and encouraged by the Commission in its resolutions 2001/28 and 2002/21, the Special Rapporteur has devoted significant time and resources to strengthening cooperation with relevant treaty bodies and with other rapporteurs, representatives and independent experts. Since his appointment in 2000, he has held regular dialogues with CESCR and CRC, and in 2002 further extended this process with CEDAW and CERD. These processes opened the way to greater cooperation in several areas. In the area of advocacy, CESCR and CRC adopted statements to Istanbul +5, calling for attention to the right to adequate housing. The Special Rapporteur and the Chairperson of CESCR also held a joint press conference at Istanbul +5 to this end. In the area of normative work, the Special Rapporteur contributed to the development of CESCR General Comment No. 15 on the right to water. He also participated in and contributed to days of general discussions held by CESCR on the right to water, the equal right of men and women to the enjoyment of all economic, social and cultural rights, and economic, social and cultural rights in the development activities of international institutions, and by CRC on the role of private service providers. Moreover, during his country missions, conscious efforts were made to encourage the implementation of relevant general comments and recommendations and to assess the impacts of relevant concluding observations adopted by these treaty bodies.

37. Furthermore, he discussed complementarities of his mandate and possible areas of collaboration with other thematic special rapporteurs and independent experts of the Commission and the Sub-Commission on the Promotion and Protection of Human Rights.¹³ The Special Rapporteur issued joint appeals and communiqués with several of them, and participated in joint panel discussions on such topics as human rights and globalization, the environment, discrimination, and the rights of people of African descent.

38. **In further developing cooperation with and seeking advice from treaty bodies and other special rapporteurs, the Special Rapporteur will pay particular attention to: (a) women's right to adequate housing (with CEDAW); (b) further developing guidelines on prevention of discrimination and segregation in housing and public services (with CERD); (c) issues of forced evictions and housing demolition (with CAT); (d) discussing with CESCR the issue of developing guidelines and questions for monitoring; (e) building upon CESCR General Comments Nos. 4 and 7 to further develop the understanding of "adequacy" and "core contents" of the right to adequate housing; (f) collaborating with the Special Rapporteurs on the rights to health, food, and water and sanitation, particularly in the context of the implementation of MDGs; and (g) cooperating with other special rapporteurs on economic, social and cultural rights to assess the implication of globalization and privatization policies, including ongoing negotiations on the General Agreement on Trade in Services (GATS) and emerging trade arrangements such as the Free Trade Area of the Americas, for the realization of relevant rights.**

III. EMERGING ISSUES

A. Human right to water and sanitation

39. In his previous reports to the Commission and at global conferences, the Special Rapporteur enunciated the importance for his mandate of the right to water as a prerequisite for the realization of the right to adequate housing. Globally, more than 1.2 billion people still lack access to safe drinking water, and 2.4 billion do not have adequate sanitation services. According to UN-Habitat, the number of urban dwellers not receiving safe water has more than doubled during the last decade, from 56 million in 1990 to an unprecedented 118 million in 2000. Graver still, three times as many people are estimated to be living without even minimal sanitation facilities.

40. Under MDG 7, target 10, States have committed to halve by 2015 the proportion of people without sustainable access to safe drinking water. This target is closely linked to other MDG targets relating to poverty, food, health and housing. Although in the past the issue of sanitation has been accorded less attention, it is an important component of adequate housing, and is related to other rights including the right to life, health, food, security and education. A welcome development is the recent establishment of a new target, agreed at WSSD, to halve the proportion of people without access to sanitation by 2015.

41. The consequences of inadequate or no access to water are particularly devastating for women and children. UNICEF estimates that 2.2 million people, mostly children under 5, die every year in developing countries from diseases associated with lack of access to safe drinking water, inadequate sanitation and poor hygiene.¹⁴ When water is not readily available, women

and children often have to spend a large amount of time fetching water. Inadequate water in rural areas leads to a vicious circle of lower agricultural yields for subsistence and income generation, deepening poverty. This has a detrimental impact on their health, security and education.

42. Lack of sanitation facilities affects both men and women, but sanitation needs and demands differ with gender. Women have particular privacy, dignity and personal safety needs and concerns. The lack of sanitation facilities at home can force women and girls to use secluded places outside, exposing them to the risk of sexual abuse. Studies have also found that the access to sanitation facilities often depends on the sex of the head of household; for example, in Nairobi, about 9.2 per cent of female-headed households use the bush for faecal disposal, whereas in the male-headed households the rate dropped to 2.2 per cent.¹⁵

43. Given the global urgency and importance of water and sanitation issues, the Special Rapporteur recognizes the adoption of General Comment No. 15 on the right to water by CESCR in November 2002 (E/C.12/2002/11) as a path-breaking development in furthering the understanding of economic, social and cultural rights, including adequate housing. Drawing on the same article of the Covenant that contains the right to adequate housing, the General Comment reaffirms the right to water as indispensable for a dignified human life and for realizing other human rights, in particular the rights to food, health and housing.

44. As with other general comments, No. 15 clarifies the obligations of State parties and international obligations. A clear State obligation contained in the General Comment is the responsibility to ensure that “no household should be denied the right to water on the grounds of their housing and land status” and that “deprived urban areas, including informal human settlements and homeless persons, should have access to properly maintained water facilities” (para. 16 (c)). With regard to international obligations, the General Comment sets the normative parameter of water as a “social and cultural good, and not primarily as an economic good” (para.11), and provides guidance to States and international organizations to formulate policies consistent with their obligation under the Covenant. The General Comment also delineates availability, quality and accessibility as three components of adequacy of the right to water, that are in turn critical to the understanding of the holistic dimensions of the right to housing (para. 12).

45. In his second report, the Special Rapporteur detailed the negative impacts of water privatization on the poor and their right to adequate housing (E/CN.4/2002/59, sect. II.B). From this report and other analyses¹⁶ on the subject, three lessons are drawn: (a) private operators’ emphasis on profits and cost recovery often leads to increased user fees and job losses; (b) privatization itself does not improve the poor’s access to basic services, but more often results in reduced access; and (c) privatization can reduce the accountability and local control of public resources and the global commons. Globalization policies have in general promoted privatizing human rights, such as water, often leading to the violation of the rights of the poor, and warrant close attention to assess their impact on the right to adequate housing.¹⁷

46. **The Special Rapporteur urges States to take into account the contents of General Comment No. 15 and, in accordance with resolution 2002/21, to give full effect to housing rights including the right to water, giving particular attention to the individuals, most often**

women and children, and communities living in extreme poverty. He urges States, in keeping with their obligations as spelled out in the General Comment, to step back from the expansion of any agreements, such as GATS, that leads to the entry of large corporations in the provision and the privatization of civic services essential for the realization of the right to adequate housing and other rights. He will continue to work on the impact of privatization, as requested by CRC,¹⁸ and highlight this issue in his next report which will focus on children and housing rights.

B. Innovative local responses to globalization: experience of cities in the Southern Common Market (MERCOSUR) region

47. Throughout his mandate, the Special Rapporteur has continued to elaborate on linkages between the process of globalization and the realization of the right to adequate housing and other relevant rights, and sought to elaborate a research agenda on this topic.¹⁹ While international debate continues on what benefits globalization can bring to the poor, it is clear that active interventions are required at the local, national and international levels for this to happen. With already deteriorating living conditions for the majority of poor communities in cities and rural areas, local authorities and organizations of civil society around the world are seeking to provide alternative approaches to urban development and management to protect their most vulnerable citizens from negative impacts of globalization.²⁰ Innovative approaches to improving the housing and living conditions of the poor are found in cities implementing participatory budgeting or decentralization of administration and decision-making through democratic processes.

48. Since 2002, the Special Rapporteur has been engaged in research into innovative urban management and governance under globalization in cities of the MERCOSUR region (Montevideo, Uruguay; Porto Alegre, Brazil; Rosario, Argentina), using novel approaches to housing and human settlement that are in line with human rights norms and principles.²¹ These municipalities, despite major differences in their economic, political and social contexts, have become known for persistent and largely effective efforts to minimize the gaps in social provisioning between different urban neighbourhoods and social groups, through pro-poor policies and participatory budgeting.

49. In Porto Alegre, residents and city officials claim that the participatory budget process has not only made a marked difference in living conditions but, more importantly, has had an empowering effect on the poor. In Montevideo, pro-poor policies and programmes adopted by the city, without central government support and despite economic downturn, have led to closing the precipitous gaps between low-income groups and the rest of the city's population, including by: extending sanitation to over 90 per cent of residences; providing public transportation to all of the city's peripheral settlements; purchasing over 220 hectares of centrally located urban land and allocating them for construction of low-income housing; and establishing low-cost material banks and technical assistance centres. Rosario has declared itself a "human rights city" and committed to openness, transparency and accountability.²² The city government submits to scrutiny by a committee of citizens which continuously examines Rosario's obligations and commitments under international law, recommends actions and organizes human rights training.

50. Such examples of good practices and practical approaches towards the realization of housing rights could be found in other regions of the world as well. **In order to further develop rights-based urban and rural development policies and management in the context of globalization, the Special Rapporteur recommends that OHCHR and UN-Habitat organize an expert group meeting.**

C. Developing rights-sensitive indicators and monitoring tools

51. Elaboration of an operational framework for the realization of the right to adequate housing is inextricably linked to the issue of developing indicators and methods for monitoring and measuring the development process from a rights perspective. The need for such indicators and monitoring tools has become more pertinent with the emergence of the MDGs. Developing rights-based indicators and monitoring tools could contribute both to more effective implementation of MDGs and to the realization of the relevant human rights.

52. One of the MDG targets relevant to the right to adequate housing pertains to slums: “By 2020 to have achieved a significant improvement in the lives of at least 100 million slum dwellers”. The realization of this target is to be monitored by: (a) the proportion of people with access to improved sanitation; and (b) the proportion of people with access to secure tenure.²³ In a world where there are significant variations across countries on common understanding of what constitutes a “slum” or the definition of “secure tenure”, the reliance on the above-mentioned two indicators for monitoring the quality of life of slum dwellers could be restrictive or insufficient. Recognizing the challenge, UN-Habitat convened an expert group meeting on urban indicators in October 2002 to address some of these concerns, in which both the Special Rapporteur and OHCHR participated.

53. MDGs are important benchmarks for the realization of relevant rights. As such, the goals and principles contained in the MDGs should not be interpreted in a narrow sense but as a way to capture the normative contents of the rights and to contribute towards the overall realization of all human rights. Seen from this perspective, several preliminary suggestions could be made to improve current indicators from a rights perspective towards more effective implementation and monitoring of MDG target 11 on slum dwellers.

54. First, secure tenure should be seen as comprising a right of all individuals and groups to effective legal protection by the State against eviction. Secure tenure should be measured by evidence of effective national provisions against, and remedies for forced evictions; women’s exercise of their equal right to secure tenure; perceptions (at settlement/slum level) of secure tenure; and data about people affected by forced evictions in the past five years at national and city levels. It should be further noted, however, that the protection of legal security of tenure is inseparable from other elements of the right to adequate housing including the right to freedom from dispossession and/or forced eviction.

55. Secondly, it is important to identify and design suitable indicators that are contextually relevant for monitoring the MDG targets and their identified constituent aspects. Thus, depending on the specific attributes of a slum in a country, the implementation of the stated

MDG target could be undertaken by monitoring some or all the identified characteristics of a slum. In some cases, the scope should encompass ambient characteristics, such as its location near a hazardous site. This flexibility in selecting meaningful and contextually relevant indicators may be critical to successful implementation of the MDGs.

56. Lastly, it is equally important that such indicators reflect the human rights principles and concepts that underlie the development process, such as accountability, non-discrimination, the rule of law, gender equality and progressive realization of economic, social and cultural rights. Applying the human rights principles requires an effort to establish a clear link between the duty holder(s) and their actions, on the one hand, and the corresponding goals towards the progressive realization of the human right, on the other. In addition, it requires that the chosen indicators be objective and quantifiable, and captured in databases, hence, monitorable. In the context of the MDG target on slums, it becomes necessary, therefore, to identify indicators on each of the identified components of a slum that relate a specific State policy instrument (e.g. progress in the provision of serviced land by the State, or the proportion of the people covered by a municipal sewerage system) to milestones that need to be reached over the current and the next decade to realize the stated goal in the year 2020.

57. Developing indicators that capture the concept of accountability would require measuring inputs, processes and outputs for the realization of the constituent elements of the right to adequate housing. The input indicators are those reflecting the existence of basic institutional mechanisms and the direct means deemed necessary for the realization of the right, including ratification of the relevant international treaties and their reflections in national law, as well as the existence of formal and informal institutions to protect them. The output indicators capture individual and collective attainments that reflect the status of progress in realizing the human rights in a given context. The process indicators are important because they capture the transformation of the available means (inputs) into desired outcomes and, at the same time, demonstrate the democratic value of the efforts towards the realization of the right. Measuring and recording process indicators also aids in evaluation and comparative analysis aimed at identifying solutions.

58. Integrating the concept of progressive realization implies that the realization of outcomes consistent with the rights-based development process is subject to meeting the minimum core content of the right to adequate housing. Progressive realization, therefore, requires that the selected indicators not only quantify the goals for the realization of the right but also the corresponding milestones along the path to these goals. These milestones, linked to a development strategy, can then be used to assess the progress of the process at periodic intervals.

59. The principle of non-discrimination not only requires that a development process apply equality criteria in all aspects, but also permit special affirmative measures to address the vulnerabilities of and inequities affecting marginalized social groups.²⁴ Capturing this value requires that the identified indicators reflect the relative attainments of various population segments. It implies disaggregating the data by gender, region (rural-urban), subnational administrative unit, population and occupational group, religion, race, descent or other community. Thus, for instance, for the MDG target on slums, it would be desirable for the security of tenure data to indicate gender, as well as social and religious minorities.

60. An innovative initiative to identify and design rights-sensitive indicators for monitoring the realization of the right to adequate housing has been the Housing and Land Rights Monitoring Tool Kit developed by the Habitat International Coalition Housing and Land Rights Network, in cooperation with the Special Rapporteur and through wide consultations with civil society. It aims to provide a more comprehensive and community-based monitoring instrument for assessing the realization, or violations, of housing and land rights.

61. The Tool Kit has identified 14 elements to the human right to housing, arising from international treaty obligations and other commonly held norms, which form the basis of a methodology that can be applied to assess the realization of the human right to adequate housing:²⁵

1. Security of tenure.
2. Public goods and services.
3. Environmental goods and services (including land and water).
4. Affordability (including access to finance).
5. Habitability.
6. Accessibility (physical).
7. Location.
8. Cultural appropriateness.
9. Freedom from dispossession.
10. Information, capacity and capacity-building.
11. Participation and self-expression.
12. Resettlement.
13. Safe environment.
14. Security (physical) and privacy.

On each of these elements, the Tool Kit provides a matrix to comprehensively cover the material and non-material assessment of implementation, identification of rights holders and duty holders and the consequences of a violation, based on: (a) overriding human rights principles, norms and standards (self-determination, non-discrimination, rule of law, gender equality and progressive realization); (b) legal guarantees provided by constitutional provisions and international

instruments ratified by the State; and (c) other locally relevant conditions. In cases of violation, such as house demolition, the Tool Kit includes a “loss matrix” to quantify material and non-material losses arising from such acts. Finally, the Tool Kit offers a menu of remedial actions that can be taken for the realization of the right.

62. The Special Rapporteur is of the view that the implementation of the MDGs could be enhanced and facilitated by embracing a human rights framework and approaches which are consistent with existing State obligations under the human rights instruments. He will contribute to clarifying and further elaborating such approaches and necessary integration of human rights imperatives. He will also continue to urge States, United Nations agencies and international institutions to adopt and integrate human rights in drawing up the indicators and benchmarks that are required to implement and monitor the MDGs.²⁶ He also looks forward to continuing to work with CESCR and other special rapporteurs on this issue, and encourages OHCHR and UN-Habitat to support their work within the framework of UNHRP.

D. Right of persons with disabilities to adequate housing

63. The non-discrimination principle of human rights views all people as holders of rights, including persons with disabilities. The United Nations estimates that over 600 million people, or approximately 10 per cent of the world’s population, have some form of disability. CESCR General Comment No. 4 on the right to adequate housing provides that disadvantaged groups, including persons with disabilities, must be accorded full and sustainable access to adequate housing resources, and that housing law and policy should take fully into account the special housing needs of such groups (para. 8 (e)). In the Habitat Agenda, 33 out of 241 paragraphs address persons with disabilities. Housing should not only be physically and economically accessible to persons with disabilities, but they should also enjoy effective participation in the life of the community where they live. Significantly, CESCR General Comment No. 5 reaffirms that the right to adequate housing includes accessibility for persons with disabilities.²⁷

64. The normative framework of human rights, together with the United Nations Standard Rules on the Equalization of Opportunities for Persons with Disabilities, offers much guidance in shaping housing policies and programmes around the world towards creating more-inclusive societies. In this context, the Special Rapporteur welcomes the adoption of General Assembly resolution 56/168, establishing an Ad Hoc Committee to consider proposals for a comprehensive and integral convention to promote and protect the rights and dignity of persons with disabilities. He is following closely with interest the work of the Ad Hoc Committee, which convened its first session in August 2002, and stands ready to contribute to its work. **Pursuant to relevant Commission resolutions, most recently 2002/61, this Special Rapporteur will place a special focus on the rights of persons with disabilities to adequate housing in his future work, including country missions and examination of good practices, and also pay particular attention to all forms of disabilities resulting from conflict, violence, forced eviction, dispossession and other cases of violation of housing rights.**

IV. CONCLUSIONS AND RECOMMENDATIONS

65. At this critical juncture of his mandate, the Special Rapporteur has attempted to provide a comprehensive summary of activities undertaken since his appointment and highlighted emerging issues that require the attention of the Commission and the human rights community worldwide. In seeking further guidance, the Special Rapporteur recommends that the Commission:

(a) Give unequivocal recognition to the human right to adequate housing, following the interpretation by the treaty bodies and its recognition in the Habitat Agenda and consistent with other economic, social and cultural rights, particularly the right to food, which derives from the same article of the Covenant and which has been reaffirmed in the outcomes of recent global conferences;

(b) Request that the Special Rapporteur seek, receive and respond to information on all aspects of the realization of the right to adequate housing, including the urgent necessity of eradicating homelessness and preventing forced evictions;

(c) Urge States to submit pertinent information to the Special Rapporteur on different experiences including best practices, in particular with regard to the right to non-discrimination, in accordance with relevant resolutions of the Commission and in response to earlier reports of the Special Rapporteur;

(d) Urge States to provide necessary support to UNHRP;

(e) Request OHCHR, in collaboration with relevant treaty bodies, to organize an expert group meeting to further develop policy guidelines for preventing discrimination and segregation in housing and civic services as proposed in the second report of the Special Rapporteur;

(f) Request OHCHR and UN-Habitat jointly to develop, with civil society participation, criteria for and a database on good practices with regard to housing rights;

(g) Encourage States, United Nations agencies and international organizations to further integrate human rights in the implementation and monitoring of the relevant MDGs and outcomes of major conferences, and in particular encourage OHCHR, UN-Habitat, UNIFEM and UNICEF to undertake further work on developing rights-based indicators and monitoring tools to this end;

(h) Call on the Commission on Sustainable Development and its secretariat to include the right to adequate housing in the WEHAB framework as part of the follow-up work for WSSD;

(i) Encourage UN-Habitat to further integrate human rights into its work and to contribute and support the work of the Special Rapporteur and relevant treaty bodies, including on the issues of security of tenure and forced eviction pursuant to the recommendations of the World Urban Forum;

(j) Request the Special Rapporteur to focus on issues relating to water and sanitation, including their gender dimensions, and to cooperate with other special rapporteurs, relevant treaty bodies and United Nations agencies in this regard;

(k) Request the Special Rapporteur to place an additional focus on disability issues and to contribute to the work of the Ad Hoc Committee on a Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities;

(l) Request the Special Rapporteur to report also to the General Assembly, and to relevant functional commissions of the Economic and Social Council.

Notes

¹ Statements of the Special Rapporteur to these conferences are available at <http://www.unhchr.ch/housing>.

² General Assembly resolution 55/2, para. 19.

³ A/CONF.199/20, annex, para. 8.

⁴ General Assembly resolution S-25/2, para. 45

⁵ See, for example, UN-Habitat/OHCHR, *Housing Rights Legislation: Review of International and National Legal Instruments*, Nairobi, 2002.

⁶ See UN-Habitat, *Rights and Reality: Are Women's Equal Rights to Land, Housing and Property Implemented in Africa?* (HS/667/02E).

⁷ HR/NB/SEM.2/2002/BP.9.

⁸ See E/CN.4/2003/18/Add.2.

⁹ See section III.C of this report and the "housing demolition loss matrix" developed in cooperation with the Habitat International Coalition Housing and Land Rights Network-Middle East/North Africa at <http://www.hic-mena.org>.

¹⁰ Including the expert group meeting on urban indicators, October 2002, and the expert group meeting on gender and women's issues in human settlements, February 2003.

¹¹ <http://www.unhabitat.org/unhrp>.

¹² The Special Rapporteur contributed to the development of UNICEF Innocenti Research Centre publication *Poverty and Exclusion among Urban Children* (available at <http://www.unicef.icdc.org/publications>).

¹³ See for example A/57/230, para. 108.

¹⁴ See the work of UNICEF in water, environment and sanitation at <http://www.unicef.org/programme/wes/weshm.htm>.

¹⁵ Data collected by the Mazingira Institute - Nairobi, for the study on women and adequate housing by the Special Rapporteur (E/CN.4/2003/55).

¹⁶ See for example *Social Watch Report 2003: the citizens report on the quality of life in the world*, available at <http://www.socialwatch.org>.

¹⁷ Responses to the global survey on the right to adequate housing and access to basic services conducted by Social Alert (<http://www.socialalert.org>) for the Special Rapporteur largely reaffirmed this point.

¹⁸ Conclusion of the day of general discussion on “The private sector as service provider and its role in implementing child rights” held by CRC on 20 September 2002 during its thirty-first session.

¹⁹ See E/CN.4/2001/51, sect. II.A; and E/CN.4/2002/59, sect. II.B.

²⁰ See for example the Charter of Porto Alegre adopted by more than 50 mayors around the world at the World Social Forum and ongoing work by civil society to elaborate a world charter for the right to the city.

²¹ Summaries of this research will be made available as working discussion papers under <http://www.unhchr.ch/housing>. Also see <http://www.coopere.net/direitoshumanosrnc>.

²² Human Rights City is an initiative developed by the People’s Decade for Human Rights Education; see <http://www.pdhre.org>.

²³ A/56/326, annex, goal 7, target 11.

²⁴ See the analytical framework guidelines developed in the second report (E/CN.4/2002/59, sect. II.A).

²⁵ See <http://www.hic-mena.org/toolkit.htm> for further details of these elements.

²⁶ See the joint statement on MDGs adopted by CESCR and the special rapporteurs on economic, social and cultural rights (in E/2003/22-E/C.12/2002/13, forthcoming). Also see the work of OHCHR in developing draft guidelines for the integration of human rights into poverty reduction strategies at the request of CESCR (<http://www.unhchr.ch/development/poverty/html>).

²⁷ Also see E/CN.4/2001/51, para. 27.