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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**

**Albania*, Austria*, Belgium*, Bosnia and Herzegovina, Chile*,
Croatia*, Cyprus*, Finland*, France, Germany, Greece*,
Guatemala, Hungary*, Ireland*, Italy, Mexico, Netherlands,
Norway*, Portugal*, Romania, Slovenia, Spain*, Switzerland,
Timor-Leste*, Turkey*, Uruguay: draft resolution**

**6/... Adequate housing as a component of the right to an
adequate standard of living**

The Human Rights Council,

Reaffirming all previous resolutions adopted by the Commission on Human Rights on the issue of adequate housing as a component of the right to an adequate standard of living, including resolution 2004/21 of 16 April 2004,

Reaffirming also all previous resolutions adopted by the Commission on Human Rights on the issue of women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing, including resolution 2005/25 of 15 April 2005,

* Non-member States of the Human Rights Council.

Bearing in mind paragraph 6 of General Assembly resolution 60/251 of 15 March 2006,

Recalling its resolutions 5/1 on institution-building of the United Nations Human Rights Council and 5/2 on the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, of 18 June 2007, and stressing that the mandate-holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

Recalling the rights related to housing enshrined in the Universal Declaration of Human Rights and elaborated in other international human rights treaties and instruments,

Recalling the principles and commitments with regard to adequate housing enshrined in the relevant provisions of declarations and programmes adopted by major United Nations conferences and summits and by special sessions of the General Assembly and their follow up meetings, inter alia, the Istanbul Declaration on Human Settlements and the Habitat Agenda (A/CONF.165/14), and the Declaration on Cities and Other Human Settlements in the New Millennium adopted at the twenty-fifth special session of the General Assembly, and annexed to its resolution S-25/2 of 9 June 2001,

Recalling resolution 42/1 of 13 March 1998 of the Commission on the Status of Women, in which, inter alia, the Commission urged States to design and revise laws to ensure that women were accorded full and equal rights to own land and other property, and the right to adequate housing, including through the right to inheritance, and to undertake administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies, access to markets and information,

Recalling the resolve of the Heads of State and Government expressed in the United Nations Millennium Declaration to have achieved, by the year 2020, a significant improvement in the lives of at least 100 million slum-dwellers,

Concerned that any deterioration in the general housing situation disproportionately affects the poor, including women and children,

Recognizing that adequate housing is a key element for fostering family integration, contributing to social equity and strengthening the feeling of belonging, security and human solidarity, as stated in the outcome document of the twenty-seventh special session of the

General Assembly, on children, entitled “A world fit for children”, annexed to its resolution S-27/2 of 10 May 2002, and welcoming the commitment stated in the document to attach high priority to overcoming the housing shortage and other infrastructure needs, particularly for children in marginalized peri-urban and remote rural areas,

Noting the work of the United Nations treaty bodies, in particular of the Committee on Economic, Social and Cultural Rights, in the promotion of the rights related to adequate housing, and in this regard noting the affirmation in its general comment No. 4 that the human right to adequate housing is of central importance for the enjoyment of all economic, social and cultural rights, as well as general comments Nos. 7 and 16,

1. *Welcomes* the work undertaken by 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, as well as the advancing of the conceptual understanding of the right to adequate housing;

2. *Appreciates* the work done by the Special Rapporteur in promoting a gender perspective to his work, and in highlighting women’s rights in relation to housing, land and property, as well as reporting on women and adequate housing;

3. *Expresses concern* at the prevalence of homelessness and inadequate housing, the growth of slums worldwide, forced evictions, the increase in challenges faced by migrants in relation to adequate housing, as well as of refugees in conflict and post-conflict situations, challenges to the full enjoyment of the right to adequate housing caused by the impact of climate change, natural disasters and pollution, insecurity of tenure, unequal rights of men and women to property and inheritance, as well as other violations of and impediments to the full realization of the right to adequate housing;

4. *Urges* States:

(a) To give full effect, without discrimination of any kind as to race, colour, sex, language, religion, disability, political or other opinion, national, or social origin, property, birth or other status, to the right to adequate housing, including through domestic legislation and policies and programmes based, as appropriate, on statistical data, benchmarks or housing

indicators, giving particular attention to individuals, most often women and children, and members of communities living in extreme poverty, as well as to security of tenure;

(b) To ensure the observance of all their legally binding national standards in the area of housing, and to develop, where necessary, new national standards, in accordance with their obligations under international human rights law and to consider ratifying all relevant human rights treaties;

(c) To protect all persons from forced evictions that are not in accordance with the law and international human rights treaties, and to provide legal protection and redress for such forced evictions;

(d) To counter social exclusion and marginalization of people and communities who suffer from discrimination on single or multiple grounds, in particular by ensuring non-discriminatory access to adequate housing for indigenous people and persons belonging to minorities;

(e) To promote participation in decision-making processes and inclusion of relevant stakeholders in the planning stage of urban or rural development, in particular at the local level, when developing an adequate standard of living and housing;

(f) To promote residential social inclusion of all members of society at the planning stage of urban and rural development schemes and other human settlements, while renewing neglected areas of public housing, so as to counter social exclusion and marginalization;

(g) To pay due attention to the human rights and needs of persons with disabilities in the context of adequate housing, and in this regard to accessibility, including the removal of barriers and obstacles, and to promote equal access to public housing programmes, and to consider taking these issues into account in fulfilling their reporting obligations under international human rights instruments;

(h) To enable all persons to obtain shelter and access to affordable housing and access to land, inter alia, by taking appropriate measures aimed at removing discriminatory obstacles to access, with special emphasis on meeting the needs of women, especially those who are facing or who have faced violence and those living in poverty and female heads of household;

(i) To take steps, individually and through international assistance and cooperation, especially economic and technical, to the maximum of their available resources, with a view to achieving progressively the full realization of the right to adequate housing;

5. *Decides* to extend for a period of three years the mandate 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, in order to, inter alia:

(a) Promote the full realization of adequate housing as a component of the right to an adequate standard of living;

(b) Identify best practices as well as challenges and obstacles to the full realization of the right to adequate housing, and identify protection gaps in this regard;

(c) Give particular emphasis to practical solutions with regard to the implementation of the rights relevant to the mandate;

(d) Apply a gender perspective, including through the identification of gender-specific vulnerabilities in relation to the right to adequate housing and land;

(e) Facilitate the provision of technical assistance;

(f) Work in close cooperation, while avoiding unnecessary duplication, with other special procedures and subsidiary organs of the Human Rights Council, relevant United Nations bodies, the treaty bodies and regional human rights mechanisms;

(g) Submit a report on the implementation of the present resolution to the General Assembly at its sixty-third session and to the Council in 2008, in accordance with its annual programme of work;

6. *Takes note* of the work on the Basic principles and guidelines on development-based evictions and displacement and of the need to continue to work on them, including through consultations with States and other stakeholders;

7. *Also takes note* of the work on the development of indicators on adequate housing;

8. *Invites* the outgoing Special Rapporteur to submit to the Council at its seventh session a comprehensive final report on his findings, conclusions and recommendations;
9. *Requests* the United Nations High Commissioner for Human Rights to ensure that the Special Rapporteur receives the necessary resources to enable him/her to discharge the mandate fully;
10. *Calls upon* all Governments to cooperate with the Special Rapporteur, and to consider responding favourably to his/her requests to visit their countries and to provide him/her with all the necessary information related to the mandate to enable him/her to fulfil the mandate effectively;
11. *Decides* to continue its consideration of this matter under the same agenda item.
