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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

**Austria, Bulgaria*, Cameroon, Croatia*, Cyprus*, Denmark*,
Ecuador*, Finland*, France, Georgia*, Germany, Greece*,
Iceland*, Italy*, Liechtenstein*, Luxembourg*, Mexico, Netherlands*,
Norway*, Poland, Portugal*, Republic of Moldova*, Romania*,
Senegal, Slovenia*, South Africa, Spain*, Switzerland*, Tunisia*:
draft resolution**

**2003/... Adequate housing as a component of the right
to an adequate standard of living**

The Commission on Human Rights,

Recalling its resolution 2002/21, of 22 April 2002, on adequate housing as a component of the right to an adequate standard of living, as well as resolution 2002/49, of 23 April 2002, on women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing, and resolution 2000/9, of 17 April 2000, in which it decided to appoint, for a period of three years, a special rapporteur whose mandate would focus on adequate housing as a component of the right to an adequate standard of living,

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,

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Welcoming the inclusion of “adequate shelter” in the Plan of Implementation of the World Summit on Sustainable Development as an element for achieving socially, economically, and environmentally sustainable development, and recalling the resolve of the Heads of State and Government expressed in the Millennium Declaration to have achieved, by 2020, a significant improvement in the lives of at least 100 million slum dwellers,

Welcoming the inclusion of “adequate housing” in the outcome document of the Special Session of the United Nations General Assembly on Children, “A world fit for children” as a key element for fostering family integration, contributing to social equity and strengthening of the feeling of belonging, security and human solidarity, and also 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,

Concerned that any deterioration in the general housing situation disproportionately affects the poor, as well as women and children, and members of groups requiring special protection,

Noting that persons with disabilities have particular needs in regard to, inter alia, the full and equal realization of adequate housing as a component of the right to an adequate standard of living, and welcoming in this respect the establishment 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 as a contribution to promoting and raising the visibility of the rights and dignity of persons with disabilities,

1. *Takes note* of the report of the Special Rapporteur on adequate housing (E/CN.4/2003/5 and Add.1-3) and of relevant parts of the report of the Secretary-General on economic, social and cultural rights (E/CN.4/2003/46);

2. *Welcomes* the efforts to mainstream the question of adequate housing within relevant United Nations activities, takes note with appreciation of the efforts undertaken by the Special Rapporteur to bring the issue of adequate housing to the attention of relevant United Nations conferences, special sessions and summits and their review processes, such as the World Summit on Sustainable Development, the World Food Summit: five years later, and the Special Session of the General Assembly on Children, and encourages the Special Rapporteur, in accordance with his mandate, to continue in these efforts, inter alia within the framework of the implementation of and follow-up to the outcomes of relevant United Nations conferences and summits;

3. *Encourages* the Special Rapporteur to strengthen the integration of the rights relevant to his mandate into the Global Campaign for Secure Tenure launched by the United Nations Human Settlements Programme (UN-Habitat) and into other operational activities of the United Nations system, notably into processes and initiatives that are oriented towards poverty reduction, and to develop to this effect a dialogue with Governments, relevant United Nations bodies, in particular the Programme and the Office of the United Nations High Commissioner for Refugees, specialized agencies, international organizations, non-governmental organizations and international financial institutions;

4. *Also encourages* the Special Rapporteur to cooperate, in accordance with his mandate, with other rapporteurs, representatives, experts, notably the independent expert on the question of human rights and extreme poverty, members and chairpersons of working groups of the Commission, and United Nations bodies, including human rights treaty bodies;

5. *Decides* to renew 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, for a period of three years and requests the Special Rapporteur to submit a report to the Commission at its sixtieth session;

6. *Requests* the Special Rapporteur, in the fulfilment of his mandate:

(a) To give particular emphasis to practical solutions with regard to the implementation of the rights relevant to his mandate, on the basis of pertinent information, notably on best practices, including on domestic, legal enforcement of these rights, from Governments, relevant United Nations agencies and non-governmental organizations;

(b) To facilitate the provision of technical assistance;

(c) To pay specific attention to the rights and needs of persons with disabilities in the context of housing, and encourages the Special Rapporteur 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 by bringing to its attention the obstacles encountered by persons with disabilities in the context of housing;

7. *Also requests* the Special Rapporteur, within the limits of his mandate, further to review the interrelatedness of adequate housing as a component of the right to an adequate standard of living with other human rights;

8. *Requests* the United Nations High Commissioner for Human Rights to support cooperation between the Special Rapporteur and other rapporteurs, representatives, experts, members and chairpersons of working groups of the Commission and United Nations bodies, including human rights treaty bodies, that are relevant to the mandate of the Special Rapporteur;

9. *Welcomes with appreciation* the joint work of the Office of the United Nations High Commissioner for Human Rights and the United Nations Human Settlements Programme in developing a joint United Nations Housing Rights Programme and invites States to provide support for its effective implementation;

10. *Requests* the Office of the High Commissioner for Human Rights and the Human Settlements Programme to strengthen their cooperation and to continue developing the joint United Nations Housing Rights Programme by increasing collaboration and cooperation with relevant treaty bodies, in particular the Committee on Economic, Social and Cultural Rights, relevant United Nations specialized agencies, and international organizations and non-governmental organizations, as well as by including in their work a compilation of indicative ideas and practices that can be consulted by States in order to assist them in promoting the full and progressive realization of adequate housing as a component of the right to an adequate standard of living;

11. *Calls upon* all States:

(a) To give full effect to housing rights, including through domestic development policies at the appropriate level of government and with the 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;

(b) To ensure the observance of all their legally binding national standards in the area of housing;

(c) To cooperate with the Special Rapporteur;

(d) To submit to the Special Rapporteur information on different experiences, notably on best practices, in areas related to his mandate;

(e) Without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

- (i) To counter social exclusion and marginalization of people who suffer from discrimination on multiple grounds, in particular by ensuring non-discriminatory access to adequate housing for indigenous people and persons belonging to minorities;
- (ii) To promote participation in decision-making processes, in particular at the local level, when developing an adequate standard of living and housing;
- (iii) To promote residential integration of all members of society at the planning stage of urban development schemes and other human settlements, as well as while renewing neglected areas of public housing, so as to counter social exclusion and marginalization;
- (iv) To pay appropriate attention to the rights and needs of persons with disabilities in the context of adequate housing, including the removal of barriers and obstacles, and to consider taking these issues into account in fulfilment of their reporting obligations under international human rights instruments;

12. *Invites* the Human Settlements Programme and the Office of the High Commissioner to explore further possibilities to support the Special Rapporteur;

13. *Requests* the Secretary-General to provide the Special Rapporteur with the assistance necessary for the execution of his mandate;

14. *Recommends* the following decision to the Economic and Social Council for adoption:

“The Economic and Social Council, taking note of Commission on Human Rights resolution 2003/... of ... April 2003, endorses the Commission’s decision to renew 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, for a period of three years and requests the Special Rapporteur to submit a report to the Commission at its sixtieth session;”

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