

The right to adequate housing



Housing is a human right. It is enshrined in the Universal Declaration of Human Rights and in many international human rights treaties, including the International Covenant on Economic, Social and Cultural Rights.

Under international law everyone has the right to adequate housing. This right means more than just a roof above one's head. The right to adequate housing includes **security of tenure**, protection against forced evictions and **availability of services**, such as access to drinking water, energy or transportation. Housing must also be **affordable** and **habitable**, for example safe and healthy, **accessible** - including for persons with disabilities, adequate in terms of **location** and **culturally adequate**. In addition, human rights law protects everyone from arbitrary interference with his privacy and home and guarantees to all lawfully present in a State the freedom to choose his or her place of residence.

The right to housing does not mean that public authorities have to provide everyone with a home. Worldwide most housing is actually self-constructed or provided by non-State actors. States are however obliged to realize this right progressively. And they must ensure that certain minimum conditions are always upheld, so that everyone can live in a place in safety and dignity.

The reality is still different. Billions continue to live in inadequate housing, homelessness is widespread, and every year thousands are subjected to forced evictions. Discrimination in relation to housing - prohibited under international human rights law - continue to persist.



UN SPECIAL RAPPORTEUR ON THE RIGHT TO ADEQUATE HOUSING

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The mandate of the Special Rapporteur on the right to adequate housing

The mandate* was established in the year 2000 and has since then be regularly been renewed by the UN Human Rights Council. The task of the Special Rapporteur is to work with rights-holders, States, local Governments, civil society, international organizations, and other actors to:

- promote the full realization of adequate housing as a component of the right to an adequate standard of living;
- identify practical solutions, best practices, challenges, obstacles and protection gaps in relation to the right to adequate housing; and
- identify gender-specific vulnerabilities in relation to the right to adequate housing and land.

The Special Rapporteur has promoted human rights-based solutions to key issues impacting the right to adequate housing, including homelessness, forced evictions, migration, and gender inequality. He is also an important voice in advocating for the right to adequate housing in time-sensitive situations, reacting and drawing attention to relevant human rights abuses.

*Special Rapporteurs covering a particular topic are appointed by the Human Rights Council for a period not exceeding six years. They serve as independent experts and are not remunerated for their work. The Office of the High Commissioner for Human Rights provides support to them.

Working methods

Country Visits

The Special Rapporteur usually conducts two official country visits every year. During such visits he meets with government officials, rights-holders, activists and stakeholders in the country in order to assess the human rights situation. The lessons learned, and recommendations, are compiled afterwards into a report and presented to the Human Rights Council.

Thematic Reports

The Special Rapporteur presents two thematic reports every year to the UN Human Rights Council and the UN General Assembly. These reports are based on research, expert consultations, literature reviews, and input from States, rights-holders and civil society.

Communications

The Special Rapporteur can consider complaints of alleged violations of the right to adequate housing through communications to concerned States and non-state actors. These can cover individual cases, as well as bills, laws, policies and practices that may not be in conformity with the right to adequate housing. Communications sent by the Special Rapporteur are published after 60 days together with replies received.

Expert Consultations

The Special Rapporteur frequently convenes consultations to gather and facilitate the sharing and expansion of human rights knowledge. These consultations inform his work and contribute to his thematic reports.

Current mandate holder

Mr. Balakrishnan Rajagopal assumed his function as Special Rapporteur on the right to adequate housing on 1 May 2020. He is Professor of Law and Development at the Department of Urban Studies and Planning at the Massachusetts Institute of Technology (MIT). A lawyer by training, he is an expert on many areas of human rights, including economic, social and cultural rights, the UN system, and the human rights challenges posed by development activities.



International Standards

The Special Rapporteur plays a key role in the development of international standards and guidelines relating to the right to adequate housing. Key contributions include the Guiding Principles and Guidelines on Development-based Evictions and Displacement; the Guiding Principles on Security of Tenure for the Urban Poor and Guidelines for the Implementation of the Right to Adequate Housing.

Advocacy and awareness-raising

As a public face of the UN human rights system, the Special Rapporteur assists raising awareness on the right to adequate housing in the general public and with key actors.

