

**Statement of the Special Rapporteur on the right to adequate housing,
Mr. Rajagopal**

**Opening of UNECE Ministerial Meeting on Urban Development, Housing
and Land Management**

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Hon'ble Ms. Adoni, Chair of the UNECE Committee on Urban Development, Housing and Land Management

Distinguished ministers and representatives,

Dear participants,

Many thanks for inviting me as UN Special Rapporteur on the right to adequate housing to the opening of this Ministerial meeting and the 82th session of the UNECE Committee on Urban Development, Housing and Land Management.

I am speaking to you at a historic moment. The COVID-19 pandemic has put housing into the spotlight of public attention. How can you be protected not only against rain, cold, heat and elements of nature when you do not have access to a safe home? How can you shelter or self-isolate against a deadly virus, if you do not have a room to do so or live in overcrowded housing conditions? How can you feel safe from the virus when you are threatened with eviction and displacement and cannot afford safe housing?

The COVID-19 pandemic is one of the major crises during this time that has put equal and non-discriminatory enjoyment of the right to adequate housing under extreme pressure. The pandemic has also put a spotlight on the many gaps and fault lines in our countries that still prevent everyone from having access to a safe and adequate home.

However, even before the pandemic there was another crisis. Many large cities in Europe have been facing a serious affordability crisis, with housing costs escalating far quicker than average incomes. In most European countries homelessness has been increasing over the last two decades.

There is, in particular, a shortage of affordable housing in many cities. It is not a general supply problem, but a very particular one related to the low income housing segment, that requires in my view an active role of the State and common efforts to address it. One can debate whether the financialization of housing and the concentration of home ownership in the hands of few profit seeking real estate enterprises have resulted in this situation. The situation is dire in some cities in Europe. For example, just about two weeks ago, 54.6 percent of all residents in Berlin voted in favour of a referendum that asked the city to transfer the housing stock of large scale corporate home owners into community-oriented or State managed housing to address the affordability crisis.

Climate change has resulted globally in more extreme weather conditions, desertification, rising sea levels, storms and splash floods. Not only small Island countries who for many years have expressed fear about their safety and survival are ringing the bell. We saw during this summer how in the middle of Europe, torrential rain washed away in Belgium and Germany entire villages within a few hours causing death and devastation. The truth is: The way we have built and developed human settlements

has as well contributed to the global climate crisis. We see this most clearly in California and the American West, as they battle multiple forest fires. In order to secure the right to housing for future generations, we have not only to fight overcrowding and advocate for minimum floor sizes, but need urgently to get serious about ending environmentally wasteful use of land and floor space and make our cities, homes and the built environment sustainable. A fight for fair housing must not automatically translate into a formula for more and more housing without reckoning with their environmental footprint and their impact on human health and life.

While most IDPs and refugees live outside Europe, those who flee disasters, violent conflict, persecution, political repression and other human rights violations frequently find themselves locked in in deplorable housing conditions once they reach some safety. Mória on the Island of Lesbos is and remains an emblematic symbol of denial of human dignity for refugees and migrants that have reached European shores. Unfortunately, I regret to say there is not only one Mória in Europe. Despite increased efforts by many States, local Governments and civil society to provide accommodation and assistance to refugees, you can find informal encampments of marginalized persons under bridges, next to deserted industrial areas in many other spots throughout Europe. Some States regrettably just built fences or walls to keep migrants out instead of showing international solidarity or addressing the root causes that result in unregulated international migration.

Often it is the local Governments who are willing to address these issues, but they lack adequate resources and often even legal authority to fight homelessness and sub-standard housing conditions throughout the continent. I therefore welcome very much that in February this year the UNECE has published a [study and compilation](#) of best practices of how housing for migrants and refugees can positively support local communities and facilitate their integration.

Roma and Traveller's have remained in many European countries one of the most marginalized and discriminated population groups, lacking security of tenure and living very often in substandard housing. No other population group in Europe has, in my view, been as much exposed to forced evictions, social stigmatization and discrimination, including in relation to housing. It should not be normal in 2021 to find their homes or caravan sites next to the landfills or sewage treatment plants or high voltage cables. Housing discrimination and spatial segregation along racial, ethnic, caste lines or socioeconomic status is not only a serious issue in the country in which I was born, nor in the country where I am currently living and teaching. It unfortunately exists in all countries, including in Europe.

I have therefore decided to focus my next two thematic reports to this particular issue. Policies to address spatial segregation must be in full conformity with international human rights standards. If people from a certain ethnic or national background, or a social security benefit holder is not anymore allowed to rent an apartment in an area of her or his choice, it is fundamentally incompatible with human rights standards. Tearing down social housing blocks to fight "ghettoization" without providing new similar affordable housing to those who lived in these blocks is no solution. Targeted removals of blocks of housing occupied by ethnic or national minorities are per se suspect under international human rights standards, even if they are ostensibly justified on neutral grounds such as public safety or health, and especially when they are for urban renewal or economic development projects.

Nor is the bulldozer the adequate policy response to address informal housing and informal settlements. Neither in Europe, nor elsewhere. There are other ways to address and reduce informality and ensure security of tenure for all, which is an essential component of the right to adequate housing. Rights-based upgrading of informal settlements should be the main response and solution, which requires as well that authorities engage in a participatory process with the residents. My predecessor has produced very pertinent guidance in a thematic report on this issue and I also welcome that the UNECE has, a few years ago, developed helpful guidance to assist public authorities in such endeavours.

Finally, Europe's population will be further ageing in the next decades. The right to adequate housing needs to be protected and fulfilled for all of us, during our entire life cycle, whether we are a child, a young adult or aged and the special challenges of housing for the aged must be prioritized. For example, are we doing enough to ensure that the right to independent living is actually possible for older persons and persons with disabilities?

In most countries there is a lack of housing which is accessible and suitable for the particular needs of older persons and persons with disabilities. If we want to build back better after this pandemic and also live up to the obligations contained in the International Covenant on the Rights of Persons with Disabilities, we need to make sure that there is not only sufficient housing targeted to their needs, but ensure as well that social services are available for older persons and for persons with disabilities. Otherwise it will be impossible to ensure that they can actually enjoy the right to live independently within the community.

Honourable Ministers, Dear representatives,

This meeting and Committee session is focussed on building back better after the Covid-19 pandemic. Before building back better, please avoid doing additional harm.

I have called for a moratorium on evictions during the pandemic and welcome that many States have actually taken temporary measures to prevent evictions. The aim should be to avoid evictions during the pandemic and to humanize the process of evictions to reduce their negative impacts in the aftermath of the pandemic as much as possible.

Many people have been severely economically affected by the pandemic and they face problems in paying outstanding rent or mortgage. This is a major challenge which will be with us even when the pandemic may hopefully sooner or later get more under control.

Evicting those who have no means to find alternative housing will rather deepen homelessness and the social crises that accompany it. The long term social, health, as well educational and other costs of children living in households that have accumulated outstanding rent, electricity or utility service payments, are severe and which will only get worse when they are evicted into homelessness. It is much better to deal with the accumulated rent and mortgages, to prevent evictions, and therefore homelessness. I have proposed in the report to the UNGA last year on Covid-19 and the right to housing, that States must explore macroeconomic tools at their disposal to deal with outstanding rents and mortgages. Plans to use public funds to offer relief to renters or landlords directly can be too slow and costly and may not work, as we are finding out with the renter relief programs funds in the US. We cannot afford more evictions and additional homelessness in Europe which will surely increase if we leave the accumulated rents and mortgages as they are.

There is a dire need to find unorthodox solutions. Let us therefore find solutions in which the burden of this pandemic is shouldered in an equitable way, by tenants, home owners, real estate companies, finance companies, property owners, commercial banks and as well the State so that we can get out of this crisis without further harming people and increasing social ills.

Dear delegates and participants,

The countries you are representing have all ratified the International Covenant on Economic, Social and Economic Rights in which the right to adequate housing is enshrined. As UN Special Rapporteur on the right to adequate housing my task is to recall that housing is not only about good public policies, but a value reorientation, as housing is a fundamental human right. I hope that the unique and multiple

challenges of our time from Covid-19, climate change and migration, will force us to change our values and to fully realize housing as a human right.

I hope that by adopting at this meeting, a regional action plan to tackle the challenges of the COVID-19 pandemic, climate and housing emergencies, a small but important step can be taken to ensure that we all live up to the obligation to make sure that everyone can find a home to live in that provides security and dignity. If we want to build better after the pandemic and tackle the looming challenges of tomorrow, we need to get very serious about not doing more harm today with our actions and policies. We can, with that commitment, reinforce our effort to end homelessness by 2030; and ensure that no one is left behind.

I thank you for your attention.