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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

68th session of the General Assembly
Third Committee
Item 69 (b and c)

New York, 25 October 2013
Mr. President, distinguished delegates, ladies and gentlemen,

I am honoured to address the Third Committee of the General Assembly for the last time in my capacity as Special Rapporteur on the right to adequate housing and non-discrimination in this context. I am here today to present my thematic report which discusses rental and collective housing policies [A/68/289]. The report builds upon my previous work, including last year’s report [A/67/286] which I unfortunately was unable to discuss with you due to Hurricane Sandy, focusing on the financialization of housing and its impact on the right to adequate housing.

I decided to focus on two crucial housing policies - rental and collective housing - as a way of shedding light on these policies which are often neglected these days but can play a central role in the realization of the right to adequate housing for those living in poverty. This report must be read in conjunction with my upcoming report to the Human Rights Council (to be considered at the 25th session of the Human Rights Council in March 2014) on security of tenure for the urban poor which aims at providing concrete guidance and recommendations for States and other key stakeholders.

In my previous report, I noted that policies have increasingly been reduced to housing finance systems, promoting home ownership over other tenure arrangements. Evidence indicates that housing policies based exclusively on facilitating access to credit for homeownership are incompatible with the full realization of the right to adequate housing for low-income households, as they fail to supply habitable, affordable, well-located and secure housing to the poor.

As a result I have consistently called for a paradigm shift from housing policies based on the financialization of housing (where housing is regarded mostly as a financial asset) to a human rights-based approach which places the emphasis on the social dimension of housing: a home where individuals and households find security and live in dignity; a central feature of the social fabric of our communities and societies.

I have also argued that housing finance policies often emphasize bricks and mortar, failing to address effectively the various other elements of the right to adequate housing. These policies have given less attention to several other core aspects like affordability, location, access to infrastructure and services, habitability, cultural adequacy and security of tenure. Not only are other core elements of the right to adequate housing sorely missing from policy design, but the sustainability of the housing sector is jeopardized as the housing booms and subsequent bursts in several countries have demonstrated. Some of these policies have in fact contributed to price volatility and to the on-going affordability and availability crises, in many cases homeownership policies “redline” the poor, who are required to pay much higher prices for financial services, exposing them to financial risks and indebtedness.

The realization of the right to adequate housing, without discrimination, requires a combination of effective planning and housing policies and State intervention, both in investing directly and regulating. A mixture of tenure solutions, including private and public rental and collective tenure is
essential in order to ensure access to adequate housing for all, and especially in order to shield individuals and households from economic and financial shocks.

Ladies and gentlemen,

In my report, I argue that a combination of tenure arrangements can protect the urban poor. Among these, I underline the importance of a well-functioning and effectively regulated rental sector including both private and social renting. I suggest that States adopt measures to encourage the construction and maintenance of a private rental sector, including providing incentives for small scale landlords; while at the same time setting in place measures to support low-income households or households with irregular income with their housing provision, such as: providing rent allowances, establishing a housing benefit system and guaranteeing funds to cover the costs arising from rent arrears and service payments of the most vulnerable. Simple, but essential measures, such as standardized rent contracts to be available in situations where today informal arrangements are in place can have a far reaching positive effect, and should be made available and widely distributed.

In times of increasing lack of available housing, I strongly urge States to make effective use of available resources, such as empty housing stock by, inter alia, encouraging rehabilitation of vacant homes, increase taxation on unused properties, to get empty properties back into use, including through rent.

By the same token, cooperative, collective and communal forms of tenure deserve closer examination and far more attention that they currently receive, particularly when the aim is to enhance mechanisms to promote housing for the urban poor. These mechanisms allow for joint-resource allocation and risk-sharing, and can greatly enhance the situation of several households and communities. States should devote more efforts to designing and investing in collective forms of tenure, ensuring legal recognition and protection of cooperative and collective ownership of land and housing in urban areas; supporting housing policy and financial mechanisms, including access to credit and State subsidies, tax benefits to collective institutions, State provision of technical assistance and well-located urban land made available for collective housing organizations.

As I have underlined in my reports over these years as Special Rapporteur (in both thematic and country mission reports) a regulated, diverse and inclusive housing policy is essential to promote the right to adequate housing. This right, like all others, cannot be left only in the hands of market forces. In the face of difficult and complex choices and apparent or real resources constraints, human rights chart a clear road, and leave no room for complacency or doubts: the most vulnerable, the poor, the marginalized individuals, those who have often been marginalized and excluded must come at the top of policy decision-making.
Mr. President, Excellencies, distinguished delegates, ladies and gentlemen,

Before I conclude, let me draw to your attention that I have developed a set of draft recommendations on security of tenure for the urban poor which is currently available for public and open consultation. It will be part of my report to the Human Rights Council at its 25th session in March 2014 and I wish to kindly ask you, distinguished delegates, to continue providing me support and assistance through your representatives in Geneva for its adoption.

As this is the last time that I address myself to this committee, I wish to convey my sincere gratitude to all distinguished delegates, with whom I have had the honour of interacting. I call on all distinguished delegates to continue to provide the high level of support, cooperation and attention to the right to adequate housing and to the work of my successor.

I thank you for your attention and look forward to my interactive dialogue with you.

**ENDS**