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Centre on Housing Rights and Evictions (COHRE)
Statement:

Housing Rights and the Sixth United Nations Human Rights Council

Check against delivery

The Sixth United Nations Human Rights Council opens amid great expectations that the work of institution building, so dominant during the previous year, is now for the most part behind us, and that the work of addressing the many and various global human rights issues can finally be the primary order of business of this body.

The 6th Council is in a position to address a number of urgent matters concerning fundamental human rights to housing, land, water and sanitation.

At Council's request, the High Commissioner will present, at this meeting, a report on the right to water and sanitation. The Council has the opportunity to respond to a global crisis of denied access to safe drinking water and adequate sanitation by:

- (1) Appointing a Special Rapporteur on water and sanitation to assist States in understanding their legal obligations, identify and disseminate best practices and to monitor the progressive realisation of the right to water and sanitation;
- (2) Providing the OHCHR with sufficient means to provide technical support to States and international organisations on the right to water and sanitation;
- (3) Calling on all States to ensure that the right to water and sanitation is fully reflected within their national legislation; and
- (4) Adopting the Sub-commission Guidelines and recommending them to all States as guidance on urgent priorities for implementation of the right to water and sanitation.

This summer saw the initiation of proceedings to begin follow-up to the 2001 World Conference Against Racism. In the field of housing, we hope that the Durban follow-up process will be seized upon by all stakeholders to examine in detail the impact of racial animus in the realization of fundamental rights to adequate housing, including:

- Discriminatory forced evictions and other forms of displacement, including displacement as a result of coercive acts by governments and others, as well as due to rising costs of housing;

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- Compounded difficulties for migrants in accessing adequate housing, land, water and sanitation, as a result of the blurred boundary of race and ethnicity on the one hand, and nationality on the other;
- Slum creation and maintenance, including the studied inaction of governments in the face of slum housing as well as the failure of governments to bring slum housing up to standards protective of the dignity of inhabitants;
- The disparate impact of environmental harms on ethnic minorities;
- The particular impact of racism and racial discrimination in processes related to housing restitution, particularly following or in the context of ethnic conflict.

Durban follow-up provides the Council with the opportunity to pursue the establishment of a Housing, Land and Property Rights Policy Development Group within the United Nations institutions, leading to the development and approval of a UN Integral Housing, Land and Property Rights Policy Framework, applicable to all post-conflict settings where the United Nations is actively involved.

Durban follow-up should also examine new forms of racism, as well as the particular impact of racial discrimination on vulnerable groups within ethnic groups, such as women and sexual minorities.

Perhaps most importantly, the 6th Council has the opportunity to build on existing work on housing rights emergencies in a number of countries, by deepening and intensifying its work in these areas. Some of the matters this Council is urged to consider include:

- The continuing lack of justice for victims of Zimbabwe's 2005 Operation Murambatsvina, in which authorities destroyed the property, shelter and businesses of hundreds of thousands of people;
- Systematically racially discriminatory seizures by Israeli authorities of land and other property belonging to Bedouins and other Palestinians within Israel and the Occupied Territories, as well as the denial of access to adequate water and sanitation for Palestinians in the Occupied Territories;
- Recent, large-scale forced evictions carried out by authorities in Argentina, Bangladesh, Brazil, Cambodia, China, Ethiopia, Kenya, Indonesia, Nigeria the Philippines, South Africa, the Sudan, and Zambia;
- The Europe-wide denial of adequate housing for Roma, Travellers and others regarded as "Gypsies", including the inadequacy of slum upgrade policies throughout Central and Southeastern Europe, forced evictions crises in Bulgaria, the Czech Republic, Greece, Hungary, Ireland, Italy, Romania, Slovakia and the United Kingdom; and the placement of a Romani settlement on a hazardous waste site in Bolzano, Italy.
- The near-complete failure of the United States administration to properly administer post-disaster housing relief in New Orleans, including prohibiting public housing residents from returning to undamaged public housing.