United Nations A/HRC/25/L.18

General Assembly

Distr.: Limited
21 March 2014

Original: English

Human Rights Council
Twenty-fifth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Austria, Belgium,* Benin, Bolivia (Plurinational State of),* Bosnia and Herzegovina,* Chile, Colombia,* Costa Rica, Croatia,* Cyprus,* Denmark,* Ecuador,* Estonia, Finland,* France, Georgia,* Germany, Greece,* Guatemala,* Honduras,* Hungary,* Iceland,* Ireland, Italy, Latvia,* Lithuania,* Luxembourg,* Maldives, Mexico, Montenegro, Netherlands,* Norway,* Panama,* Paraguay,* Peru, Poland,* Portugal,* Romania, Senegal,* Serbia,* Slovakia,* Slovenia,* Spain,* Sweden,* Switzerland,* the former Yugoslav Republic of Macedonia, Uruguay,* Venezuela (Bolivarian Republic of): draft resolution

25/… Adequate housing as a component of the right to an adequate standard of living

The Human Rights Council,

Reaffirming that international human rights law instruments, including the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, entail obligations and commitments of States parties in relation to access to adequate housing,

Recalling all previous resolutions adopted by the Commission on Human Rights on the issue of women's equal rights to ownership of, access to and control over land and the equal rights to own property and to adequate housing, including resolution 2005/25 of 15 April 2005,

Recalling also its resolutions 5/1, on institution-building of the Human Rights Council, and 5/2, on the Code of Conduct for Special Procedures Mandate Holders of the Council, of 18 June 2007, and stressing that the mandate holder shall discharge his/her duties in accordance with those resolutions and the annexes thereto,

* Non-member State of the Human Rights Council.

Reaffirming all its previous resolutions, as well as those adopted by the Commission on Human Rights on the issue of adequate housing as a component of the right to an adequate standard of living, including Council resolution 19/4 of 22 March 2012,

Reaffirming also the principles and commitments with regard to adequate housing enshrined in the relevant provisions of declarations and programmes adopted by major United Nations conferences and summits and at special sessions of the General Assembly and at their follow-up meetings, inter alia, the Istanbul Declaration on Human Settlements and the Habitat Agenda,[1] and the Declaration on Cities and Other Human Settlements in the New Millennium, adopted at the twenty-fifth special session of the Assembly and annexed to its resolution S-25/2 of 9 June 2001,

Noting the work of the United Nations treaty bodies, in particular the Committee on Economic, Social and Cultural Rights, in the promotion of the rights related to adequate housing, including its general comments Nos. 4, 7, 9, 16 and 20,

Recalling the Global Housing Strategy of the United Nations Human Settlements Programme, the principles on housing and property restitution for refugees and displaced persons[2] and the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security,

Concerned that more than 860 million people are still living in unserviced and unplanned urban poor settlements, up from 725 million in 2000; that, despite the significant efforts to improve the living conditions of urban settlement dwellers, the net growth in the number of people living in these settlements continues to outpace the improvements; and that persons living in such conditions are particularly vulnerable to, inter alia, disease, natural and man-made disasters, unemployment and a lack of education,

Deeply concerned that, in recent years, millions of homeowners have been affected by foreclosures and that high foreclosure rates may have an impact on the enjoyment of the right to adequate housing, and equally concerned that, in recent years, there has been an increase in private housing rentals for the urban poor without a balanced framework to protect tenants and owners, and that rental options for the urban poor are still insufficient and inadequate,

Deeply concerned that any deterioration in the general housing situation disproportionately affects persons living in conditions of poverty, low-income earners, women, children, persons belonging to minorities and indigenous peoples, migrants, internally displaced persons, tenants, the elderly, persons with disabilities and other persons belonging to marginalized groups or persons belonging to groups in vulnerable situations, and that tenure insecurity per se might result in discrimination and further exclusion, particularly social and economic exclusion,

Recognizing that security of tenure enhances the enjoyment of the right to adequate housing and is significant to the enjoyment of many other economic, social, cultural, civil and political rights, and that all persons should possess a degree of security of tenure that guarantees legal protection against forced eviction, harassment and other threats,

Recognizing also the need to promote, protect and strengthen a variety of tenure forms, as part of mainstreaming human rights, in particular in urban development, including in housing and slum upgrading, urban planning, land management and land administration policies, to ensure social integration, with the full participation of all relevant stakeholders,

[1] A/CONF.165/14.

[2] E/CN.4/Sub.2/2005/17, annex.

1. *Welcomes* the work 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, including the undertaking of country missions;

2. *Acknowledges with appreciation* in particular the report of the Special Rapporteur on security of tenure for the urban poor[3] and the guiding principles on security of tenure for the urban poor as laid out therein, and encourages States to take these guidelines into account when planning and implementing measures to improve the security of tenure for the urban poor;

3. *Calls upon* States to give due consideration to the human right to adequate housing as a component of the right to an adequate standard of living and to issues related to universal access to decent and sustainable housing in the elaboration of the post-2015 development agenda;

4. *Decides* to extend, for a period of three years, 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, as set out in Human Rights Council resolution 15/8 of 30 September 2010;

5. *Notes* the work on the basic principles and guidelines on development-based evictions and displacement and the need to continue to work on them, including through consultations with States and other stakeholders;

6. *Requests* the Secretary-General and the United Nations High Commissioner for Human Rights to provide all necessary assistance to the Special Rapporteur for the effective fulfilment of his or her mandate**;**

7. *Notes with appreciation* the cooperation extended to date to the Special Rapporteur by different actors, and calls upon States:

(*a*) To continue to cooperate with the Special Rapporteur in the discharge of his or her mandate and to respond favourably to his or her requests for information and visits;

(*b*) To enter into a constructive dialogue with the Special Rapporteur with respect to the follow-up to and implementation of his or her recommendations**;**

8. *Decides* to continue its consideration of this matter under the same agenda item.

[3] A/HRC/25/54.