



PRESS RELEASE

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HLRN Commends India Mission Report of the UN Special Rapporteur on Adequate Housing

Housing and Land Rights Network, India (HLRN) would like to express its support for the India mission report of the United Nations (UN) 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. The Special Rapporteur—Ms Leilani Farha—visited India on an official mission from 11–22 April 2016 and will be presenting her report to the UN Human Rights Council in Geneva today (1 March 2017). Her report presents an overview of critical issues related to housing in India and makes strong recommendations aimed at promoting the realization of the human right to adequate housing.

While acknowledging and appreciating the Government of India’s commitment to provide ‘Housing for All by 2022,’ and the increased budgetary allocations for this purpose under Pradhan Mantri Awas Yojana (PMAY) in 2017–18, HLRN endorses the recommendation made by the Special Rapporteur for a human rights approach to housing in India. In particular, the suggestion to **“adopt national legislation with explicit recognition of the right to adequate housing without discrimination on any ground”** is welcomed, especially since India ratified the International Covenant on Economic, Social and Cultural Rights in 1979. It is only when housing is recognized, protected, and fulfilled as a human right that India can meet its goal of providing ‘housing for all.’ In this context, the Special Rapporteur’s call for a **“national moratorium on forced evictions and demolition of homes”** is noteworthy and is directly linked to PMAY’s aims. Unless forced evictions, demolition of homes of low-income groups, and displacement across rural and urban India—by state and non-state actors—are stopped, the government will not be able to meet its housing targets.

India has a large number of homeless people (over three million) who live in conditions of extreme deprivation. Their housing needs, however, are not addressed adequately by PMAY but are limited to the provision of shelters. Despite Supreme Court orders and the National Urban Livelihoods Mission – Scheme of Shelters for Urban Homeless, most states do not have sufficient or adequate facilities for the homeless. The demand in the Special Rapporteur’s report to **“address homelessness as a human rights priority with a view to eliminate it by 2030”** is, therefore, of great importance.

Given widespread landlessness across the country, the Special Rapporteur’s proposal to “introduce the draft Right to Homestead Bill 2013 in Parliament to **provide land for the poor, the landless, and those without a homestead in urban areas**” is significant. The recommendations related to **regulating the private sector, controlling real estate speculation, legally recognizing existing settlements**, and using allocated land for **social housing**, are important in order to meet the national housing shortage and to prevent housing rights violations, especially of the most marginalized.

In addition, the issues of **impeded access to housing** and **discrimination** against certain groups need urgent attention. Addressing them would help India meet its commitments to the 2030 Agenda for Sustainable Development and the New Urban Agenda, both of which call for “leaving no one behind.”

HLRN would like to congratulate the Special Rapporteur for her comprehensive and balanced report, and would like to call upon the Government of India to take note of the recommendations presented, with the objective of ensuring the progressive realization of the human right to adequate housing for all, in compliance with India’s national and international legal obligations.

The Special Rapporteur’s report on the mission to India is available at:
http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/34/51/Add.1