

# Monitoring housing rights

Developing a set of indicators to monitor the full and progressive  
realisation of the human right to adequate housing

Background paper for the 2003 expert group meeting on housing rights monitoring

United Nations Housing Rights Programme  
Working Paper No. 1

United Nations Human Settlements Programme (UN-HABITAT)  
Office of the High Commissioner for Human Rights (OHCHR)

---

Nairobi, 2003

This report has been reproduced without formal editing by the United Nations.

The designations employed and the presentation of the material in this publication do not imply the expression of any opinion whatsoever on the part of the Secretariat of the United Nations concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries.

Reference to names of firms and commercial products and processes does not imply their endorsement by the United Nations, and a failure to mention a particular firm, commercial product or process is not a sign of disapproval.

Excerpts from the text may be reproduced without authorisation, on condition that the source is indicated.

This report is available in electronic format only

UN-HABITAT (United Nations Human Settlements Programme) and  
Office of the United Nations High Commissioner for Human Rights  
Nairobi, 2003

Electronic versions of this and other reports on housing rights are available for download from the UNHRP web-site at <<http://www.unhabitat.org/unhrp/pub>>.

UN-HABITAT publications can be obtained from our Regional Offices or directly from:

UN-HABITAT

Information Services Section

PO Box 30030, Nairobi 00100, KENYA.

Fax: (254)-20-623477 or (624266/7)

e-mail: [Habitat.Publications@unhabitat.org](mailto:Habitat.Publications@unhabitat.org); Website: <http://www.unhabitat.org/>

## Preface

*“The States parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself [or herself] and his [or her] family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”*

International Covenant on Economic, Social and Cultural Rights, Article 11(1).

Despite the commitment of States to the full and progressive realization of the right to adequate housing expressed in the Universal Declaration on Human Rights and the International Covenant on Economic, Social and Cultural Rights (ICESCR) – and the reaffirmation of this distinct right in the Habitat Agenda, with extensive elaboration on actions needed for its full and progressive realisation – an increasing number of people are being denied this basic components of the right to an adequate standard of living. In fact, among the economic, social and cultural rights referred to in these and other international treaties, the human right to adequate housing is among the most frequently violated. Furthermore, many people are constantly facing deteriorating housing conditions, and millions of people world-wide are currently threatened by planned forced evictions. In many countries, women are routinely deprived of their housing rights, and have no or limited access to ownership and/or inheritance of land, housing or other property. Moreover, the denial of housing rights to particular groups has often been used actively for political purposes, as recent cases of ethnic cleansing in the Balkans illustrate.

While the scale of the problem is vast, no uniform methodology exists to date, which allows for a detailed analysis of the status of housing rights world-wide. Inconsistencies in data collection methods, gaps in cross-national information, and the absence of general statistical models pertaining to housing rights inevitably result in a limited view of the status of housing rights as it exists in the world today. While other indicators of other economic, social and cultural rights have been well established and used within international circles for decades, housing rights have generally eluded this trend toward quantification. This leaves housing rights advocates and experts at a distinct disadvantage, working at best with piecemeal information, which does not form an adequate basis for cross-case comparison or longitudinal analysis.

Because of these and other considerations, it is past time for ‘housing rights’ as a concept to be translated into quantifiable and measurable indicators which would provide for a more detailed and comprehensive view of the status of housing rights both within particular countries, and within the world as a whole. Such information not only helps housing rights practitioners’ view housing rights issues with greater clarity, but would also provide an opportunity for diagnosing and addressing the major obstacles to the realisation of housing rights. As such, the use of indicators within the field of housing rights can, if applied in a precise and systematic manner, contribute to the realisation of these rights in a variety of ways. Indeed, one of the first steps toward addressing violations of housing rights is developing a strategy by which the status of these rights can be clearly defined and measured. Simply put, before attacking the problem of housing rights violations, one must know clearly what those problems are, how they are manifested, who they affect, and how these violations relate to other factors. As Mr. Danilo Türk, former United Nations Special Rapporteur on the Realisation of Economic, Social and Cultural Rights noted – without the availability of a measurement device based on some form of statistical data, there is little chance of obtaining an overall picture which shows the extent to which these rights are realised or violated.

Housing rights indicators, therefore, can provide one means of assessing the realisation of housing rights, both within a given country and within the world.

Additionally, housing rights indicators can help to reveal some of the difficulties associated with fulfilling housing rights within specific countries or regions, and may help pave the way toward the development of effective strategies aimed at promoting and protecting housing rights. For example, national-level variables pertaining to legal protection, financial expenditure, and status of unauthorised settlements all have the potential to influence the status of housing rights overall, in both positive and negative ways. Indicators can also reveal useful information about the extent to which housing rights are protected within States, suggest reasons why housing rights are or are not being enjoyed, and can reveal specific information about which groups are most likely to suffer housing rights violations. Similarly, indicators can provide relative yardsticks whereby countries can compare their own progress with that of other countries, especially countries at the same level of socio-economic development, as well as providing a mechanism by which to measure 'progressive realisation' within a single country over time.

As this report explains, and as housing rights experts well know, 'housing rights' cannot be thought of as a merely one-dimensional concept. Rather, housing rights are multi-faceted and involve multiple issues relating to, *inter alia*, security of tenure, adequacy of housing, equality before the law, and non-discrimination. Housing cannot be thought of as merely having four walls and a roof, but involves an intricate consideration of adequacy, health, security, and the law. As such, a richer understanding of housing rights necessitates that data be collected addressing many distinct components.

In particular, this report addresses the need to disaggregate housing rights data, so as to pay particular attention to the housing conditions of particularly marginalised groups, including women, children, the elderly, refugees, internally displaced persons, indigenous peoples, ethnic and other minorities, and people living in poverty. The set of housing rights indicators proposed in this report has been prepared with the understanding that the final set of indicators will be used to collect data at a disaggregated level, as requested by the Habitat Agenda. This important issue highlights the fact that in order for housing rights to be respected, they must be ensured for all.

The United Nations Human Settlements Programme (UN-HABITAT) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) believe that housing rights are fundamental human rights affecting not only the health and well being of every person, but also the human dignity of every person. Everyone, everywhere, has the right to an adequate, safe and secure home in which to live. The two agencies have thus established the United Nations Housing Rights Programme (UNHRP), as a joint initiative to assist States and other stakeholders with the implementation of their commitments in the Habitat Agenda to ensure the full and progressive realisation of the right to adequate housing as provided for in international instruments.

This fifth report of the UNHRP has been prepared as the main background document for an expert group meeting to be convened in 2003. It is hoped that the deliberations of that meeting will facilitate the development of a global monitoring and evaluation system that can assist States and other stakeholders with the implementation of their commitments in the Habitat Agenda, to "*the full and progressive realisation of the right to adequate housing as provided for in international instruments.*"

## Acknowledgements

Scott Leckie and Mayra Gomez of the Centre on Housing Rights and Evictions (COHRE) prepared the draft that formed the basis for this report. Their collaboration and support is very much appreciated.

Selman Ergüden and Inge Jensen (both of UN-HABITAT) developed the research design and finalised the substantive content of the report. Several other UN-HABITAT staff members, from the Shelter Branch and the Urban Secretariat, have also provided valuable inputs and suggestions.

Rio Hada, Rajeev Malhotra and Cecilia Möller (of OHCHR) provided valuable insights, contributed to the research design and reviewed drafts throughout the research process. Miloon Kothari, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living appointed under the United Nations Commission on Human Rights, provided valuable advice and guidance.

Special thanks are due to the Government of Belgium for financial support, through their contribution to the Global Campaign for Secure Tenure. Without this financial contribution, this research project and the preparation of this report would not have been possible.



# Contents

<b>Preface</b> .....	<b>iii</b>
<b>Acknowledgements</b> .....	<b>v</b>
<b>Contents</b> .....	<b>vii</b>
<b>Executive summary</b> .....	<b>ix</b>
<b>I. Introduction</b> .....	<b>1</b>
I.A. The right to adequate housing .....	1
I.B. Housing rights as defined under international law .....	2
I.C. The case for developing a global monitoring and evaluation system: a set of housing rights indicators.....	5
<b>II. Quantitative housing rights indicators</b> .....	<b>9</b>
II.A. Selecting indicators .....	9
II.B. Translating housing rights norms into quantifiable measures.....	11
II.C. Potential housing rights indicators .....	18
II.D. Additional concerns to be addressed.....	23
<b>III. Developing a set of housing rights indicators</b> .....	<b>27</b>
III.A. Choosing specific indicators: pros and cons.....	27
III.B. Clarifying operational definitions.....	38
III.C. Weights and measurements .....	39
<b>IV. Modalities for data collection</b> .....	<b>41</b>
IV.A. Data collection alternatives and considerations .....	41
IV.B. Integration into population and housing census .....	42
IV.C. The role of governmental organisations .....	43
IV.D. The role of non-governmental organisations.....	44
<b>V. Housing rights indicators and states parties reporting obligations under the ICESCR</b> .....	<b>47</b>
V.A. State party reporting obligations and procedures .....	47
V.B. Integrating the housing rights indicators into the reporting and monitoring processes .....	48
<b>VI. Recommendations for the formulation of a set of housing rights indicators</b> .....	<b>51</b>
VI.A. Proposed construction of the set of housing rights indicators.....	51
VI.B. Other important issues to be considered.....	56
VI.C. Recommendations for further development .....	58
<b>Annex I. Suggested operational definitions</b> .....	<b>59</b>
<b>Annex II. General Comment No. 4 of the Committee on Economic, Social and Cultural Rights on Adequate Housing</b> .....	<b>65</b>
<b>Annex III. General Comment No. 7 of the Committee on Economic, Social and Cultural Rights on Forced Eviction</b> .....	<b>71</b>

## List of diagrams

Diagram 1. Model for construction of a set of housing rights indicators.....	12
Diagram 2. The six main elements of the set of housing rights indicators .....	51
Diagram 3. Indicators suggested for housing rights element no. 1: ‘Housing adequacy’ .....	52
Diagram 4. Indicators suggested for housing rights element no. 2: ‘Security of tenure/ scale and scope of forced evictions’ .....	53
Diagram 5. Indicator suggested for housing rights element no. 3: ‘Scale and scope of homelessness’ .....	54
Diagram 6. Indicators suggested for housing rights element no. 4: ‘Rights to non- discrimination and equality’ .....	55
Diagram 7. Indicators suggested for housing rights element no. 5: ‘National legal protection’ .....	55
Diagram 8. Indicators suggested for housing rights element no. 6: ‘Acceptance of international standards’ .....	56

## List of acronyms and special terms

COHRE	Centre on Housing Rights and Evictions
Committee	United Nations Committee on Economic, Social and Cultural Rights
Covenant	International Covenant on Economic, Social and Cultural Rights
General Comment No. 3	United Nations Committee on Economic, Social and Cultural Rights, General Comment No. 3: The nature of States parties obligations (Art. 2, para. 1 of the Covenant)
General Comment No. 4	United Nations Committee on Economic, Social and Cultural Rights, General Comment No. 4: The right to adequate housing (Art. 11 (1) of the Covenant)
General Comment No. 7	United Nations Committee on Economic, Social and Cultural Rights, General Comment No. 7: The right to adequate housing (Art. 11 (1) of the Covenant): forced evictions
ICESCR	International Covenant on Economic, Social and Cultural Rights
ILO	International Labour Organization
NGO	Non-governmental organization

预览已结束，完整报告链接和二维码如下：

[https://www.yunbaogao.cn/report/index/report?reportId=5\\_19376](https://www.yunbaogao.cn/report/index/report?reportId=5_19376)

