



**HOUSING AND LAND RIGHTS NETWORK**

**PRESS RELEASE**

**HLRN Releases Report for the United Nations Habitat III Conference**

**Independent Experts Question India's Implementation of International Commitments**

5 February 2016, New Delhi

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At an event organized in New Delhi today, Housing and Land Rights Network (HLRN) launched its report titled, ***Housing and Land Rights in India: Status Report for Habitat III***. The United Nations (UN) Conference on Housing and Sustainable Urban Development (Habitat III)—the third biennial international conference on habitat issues—will be held in Quito, Ecuador, in October 2016. The HLRN report for Habitat III, being submitted to the Government of India and the UN, has been endorsed by 56 organizations, social movements, and community groups across the country. It presents an analysis of India's implementation of the Habitat Agenda (adopted at the Habitat II conference in Istanbul in 1996); documents the status of housing and land rights in the country; and, highlights relevant law and policy developments. The report also provides recommendations to the Indian government for the improvement of housing and living conditions, and to UN-Habitat for the development of a human rights-based agenda at Habitat III.

**Justice A.P. Shah**, former Chief Justice of the High Court of Delhi, released the report and expressed his concern over the rise of forced evictions and homelessness across India. He highlighted the problem of homelessness, particularly in urban environments and in megacities like Delhi, where affordable housing options are practically non-existent. He drew attention to the millions of residents of these urban spaces who are compelled to live in pathetic conditions on the streets, or in low quality and poorly serviced settlements, while policymakers make arbitrary policies about evictions and resettlement, and while fellow citizens “conveniently forget that these are usually the people who actually run the city – they are the road sweepers who keep our streets clean, the housemaids who keep our homes clean, the construction workers and labourers who build our roads, gleaming corporate offices and palatial mansions.” Justice Shah observed that although the Supreme Court and various High Courts had recognized the right to housing as an integral part of the fundamental right to life in Article 21, the right itself remained only an abstract right, on paper, and these people still face tremendous prejudice on a daily basis, routinely called “encroachers, or trespassers, or even criminals.”

While explaining the rationale for the report, **Shivani Chaudhry**, Executive Director, Housing and Land Rights Network, said, “It is a failure of governance—at the international and national levels—that the Habitat Agenda, which reiterates states’ commitments to protecting the human right to adequate housing, has not been implemented. Instead of retaining the focus on ‘human settlements,’ as also articulated in Sustainable Development Goal 11, it is unfortunate that Habitat III has narrowed its scope to the ‘New Urban Agenda.’ The rural dimension of habitat cannot be ignored. The ‘inevitability of urbanization’ must be questioned. A sustained focus on rural land, housing, and development issues could help reduce forced migration and the pace of urbanization.” Speaking about the role of the Indian government, Ms Chaudhry added that, “While ‘housing for all by 2022’ is a noteworthy goal, India must also develop a human rights-based housing law that can be implemented.”

The report release was followed by a panel discussion on ***The Right to Housing in India: International Commitments and National Response***. Independent experts discussed various dimensions of India's legal commitments to, and violations of, the human right to adequate housing.

**Dr Usha Ramanathan**, independent law researcher, while condemning the prevalence of forced evictions, stated that, "The idea of the poor as 'illegal' in the country has let demolitions happen with impunity. This is such a distorted notion. When land is acquired for planned development of the city, and housing for the poor is not constructed, is it the poor who are illegal or is it the state that does not do what the law requires it to do?" Dr Ramanathan further mentioned that, "Repeated demolition of the dwellings of the poor results in the creation of urban nomads, viz., people who cannot settle anywhere because there is a refusal to recognize their right to the city."

**Mr Miloon Kothari**, former United Nations Special Rapporteur on adequate housing, emphasized that, "We urgently need to ensure that millions of residents of India have their rights to housing, potable water, and sanitation realized. These imperatives must take precedence over the development of smart cities and mega urban corridors. The Habitat III world conference offers India an opportunity to demonstrate to the international community that the government is serious about meeting the colossal human settlements challenge that the country faces."

Some of the recommendations made in the HLRN report include the need for a moratorium on forced evictions; improved state accountability; trial of officials responsible for violations of housing and land rights; implementation of international law, guidelines, and recommendations of UN treaty bodies, Special Procedures, and the Universal Periodic Review of the UN Human Rights Council; better coordination amongst ministries and national human rights institutions; and recognition by nation states and UN-Habitat of the rural-urban continuum. The HLRN report asserts that the outcome document of the Habitat III conference should adopt a strong human rights approach that integrates the commitments of the Habitat Agenda as well as international law and standards.

At the event, HLRN also released a compilation titled ***United Nations Documents Related to Housing and Land Rights in India***. This document is intended to serve as a reference for understanding, monitoring, and reporting on India's compliance with international law and guidelines, and recommendations of UN bodies and mechanisms.

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The reports – ***Housing and Land Rights in India: Status Report for Habitat III*** and ***United Nations Documents Related to Housing and Land Rights in India*** are available at: [www.hlrn.org.in](http://www.hlrn.org.in)

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