



Special Rapporteur on adequate housing

Questionnaire on women and adequate housing (Commission on Human Rights resolutions 2002/49 and 2003/22)

The purpose of this questionnaire is to solicit information from States, local authorities, civil society and other stakeholders for the preparation of a study on the topic of women and housing, which the Special Rapporteur on adequate housing will be submitting to the Commission on Human Rights in 2005 pursuant to its resolution 2003/22 (see Annex I) entitled women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing. Background to the mandate and approach of the Special Rapporteur can be found in Annex II as well as on the OHCHR website (<http://www.unhchr.ch/housing>).

In his first report to the Commission on Human Rights ([E/CN.4/2001/51](#)), the Special Rapporteur, Mr. Miloon Kothari, called for a broad interpretation of the right to adequate housing, which he defined as “the right of every woman, man, youth and child to gain and sustain a secure home and community in which to live in peace and dignity”. He further developed a framework of analysis in addressing issues of housing-related discriminations which was presented in his second report (see paras. 37-47 in [E/CN.4/2002/59](#)). Pursuant to Commission on Human Rights resolution 2002/49, the Special Rapporteur submitted a report to the Commission in 2003 on women and adequate housing ([E/CN.4/2003/55](#)), in which he attempts to outline some significant issues facing women in the enjoyment of the right to adequate housing. The study particularly highlights that, despite the recognition of gender equality and non-discrimination in various legislation and policies at the international and national levels, in practice women are facing de facto discrimination in access to housing, land and civic services, which can be attributed to customs and traditions, lack of awareness or persistence of gender bias in the formulation and implementation of national policies.

In developing this questionnaire, particular attention was made to the human rights principle of non-discrimination and the indivisibility of all human rights as articulated in his reports. The questionnaire is divided into two parts: the first part addresses general legal and policy framework; and the second part attempts to seek inputs on various elements and related issues concerning women and adequate housing, which are largely based on the General Comments [No. 4](#) and [No. 7](#) adopted by the Committee on Economic, Social and Cultural Rights but also reflect further developments in the recognition and interpretation of the entitlements of the right to adequate housing.

Responses to this questionnaire will complement the analysis of a wide range of available literatures, materials and testimonies received. The report will also use information collected in the report by the Secretary-General ([E/CN.4/2002/53](#)), which was submitted to the Commission in 2002 in accordance with the previous resolution [2001/34](#). This questionnaire and responses received will also be used to guide the discussions at regional consultations and preparation of case studies and testimonies which the Special Rapporteur plans to undertake in 2003-2005.

Due to limited capacity for translation, it is strongly encouraged that submissions will be made in English, and in electronic format to the Office of the High Commissioner for Human Rights, at the following address:

Office of the High Commissioner for Human Rights
(Attn: Ms. Cecilia Möller, Focal point on housing rights)
Palais des Nations, CH-1211 Geneva, Switzerland
Fax: + 41 22 917 9010; E-mail: cmoller@ohchr.org

In order for the information received to be used for the study on women and adequate housing, submission responses is encouraged as soon as possible and no later than 13 August 2004.

Questions on general legal and policy framework

Q1. Please provide information on relevant national legislation with regard to housing and related services. Please also specify whether the right to adequate housing is recognized in the Constitution or guaranteed in specific legislation.

In addition, please specify whether women's equality is recognised in the constitution or guaranteed in specific legislation.

Q2. Does the Constitution provide that the International Covenant on Economic, Social and Cultural Rights, Convention on the All Forms of Discrimination against Women or other international human rights treaties which guarantee the right to housing, form a part of national law and have domestic applicability? Is there an effective judicial review process to ensure consistency of legislation with relevant provisions of the international human rights treaties, particularly those which specifically protect women's right to adequate housing?

Q3. How do laws, policies and practices, through existing institutions (both formal and customary and traditional norms and practices), budgets and programs, ensure substantive gender equality in the various entitlements of the right to adequate housing, including land, access to finance, civic services and information and freedom from VAW?

Q 3.b. Do other laws (e.g. Personal laws, family laws, domestic violence legislation, inheritance laws) ensure equal right to adequate housing for women?

Q4. What is your assessment of the housing situation of women belonging to particularly vulnerable groups, such as female-headed households, indigenous and tribal women, women with HIV/AIDS, women with disability, rural women living on subsistent farming, women victims of forced evictions, women victims of violence including domestic violence, refugees, migrants, migrant workers, domestic workers, internally displaced women and women of different sexual orientation? Do they have access to justice and legal remedies? Please share case studies and testimonies where available.

Q5. What are historical, traditional, cultural, religious and other factors affecting the equal access of women to housing, land and related services?

Q6. How have the policies and processes of globalisation such as trade, finance, investment and debt affected women's right to adequate housing and access to related services? How do these make women more vulnerable to VAW?

Q7. How have the women's right to adequate housing and access to related services been addressed in poverty reduction strategy and programmes in your country?

- Q8. How have the women's right to adequate housing and access to related services been addressed in violence against women legislation and programmes in your country?*
- Q9. Please share positive examples or "best practices" whereby Governments and civil society have endeavoured, separately or jointly, to protect and promote women's equal right to adequate housing.*
- Q10. Please provide gender-disaggregated statistics on housing (urban/rural, forms of ownership, female-headed households, homelessness, access to basic services etc).*

Questions on specific elements of the right to adequate housing

(a) Legal security of tenure The legal right to secure tenure, whether freehold, leasehold, or other form of individual and collective rights to housing, involves protection from forced eviction, harassment and other threats. It also effectively guarantees access to, use of and control over land, property and housing resources.

Q11. Do women and men enjoy equal tenure and property rights regardless of their civil or other status? Has lack of secure tenure contributed to situations of VAW? How does the Government guarantee such security of tenure to women? What measures have been adopted to give full protection against forced eviction, based upon effective participation, consultation and negotiation with affected persons or groups?

(b) Access to public goods and services The right to adequate housing cannot be effectively realized without access to public goods and services, including, water, health-care, transport, fuel, sanitation, lighting and electricity, sewerage and waste disposal, child care and communications

Q12. What policies and measures have been adopted by the Government to provide or regulate such services to meet the needs of the community? Do women and female-headed households enjoy equal access to such services? Are the basic services privatized? If so, are there subsidies and/or different pricing mechanisms designed to ensure affordable access by the poor?

(c) Access to land, water and other natural resources Every community must have access to natural resources necessary for its survival and livelihood, including, inter alia, fuel, fodder, water and building materials.

Q13. What are the laws, policies and measures adopted to ensure equitable distribution of land with emphasis on the gender equality and provision of necessary resources for poor households and other marginalized and vulnerable groups? Have land reforms, both urban and rural, been implemented to ensure its fair distribution as a public good? What steps have been taken to respect the housing rights of land-based indigenous and tribal peoples in general and women within these groups in particular?

Q14. Do women and female-headed households have equal access to natural resources sufficient to their needs, including necessary for its survival and livelihood, including, inter alia, land, water, building materials, fuel and fodder? What measures have been adopted by the State to effectively regulate distribution and ensure the accessibility and affordability of such resources for women and female-headed households, including through subsidies?

Q15. What measures have been adopted to ensure that clean and safe water is reliably accessible and provided in adequate supply for individual, family and community use? Do women enjoy equal access to safe drinking water and to water for agricultural or other domestic use?

(d) Affordability Individuals and communities should have access to affordable housing and must have the corresponding right to livelihood so as to be able to afford decent housing.

Q16. Do women enjoy equal access to housing finance? What policies and measures have been adopted by the State, including through subsidies, tax incentives or market regulation, to ensure affordability of housing particularly for women and female-headed households? Is there a national definition of “affordability” of housing (e.g. a maximum of one-third of any household income be required to obtain adequate housing)? How does unaffordability of housing contribute to women’s vulnerability to VAW e.g., preventing women from leaving situations of domestic violence?

(e) Habitability Adequate housing must provide needed space to live in dignity and peace. It must also provide protection from natural elements, structural hazards and disease vectors that are threats to physical well-being. The physical conditions of the home can affect the realisation of other rights, including the highest attainable standard of mental and physical health, as well as education, whereas the lack of conditions are not conducive to learning (especially for children).

Q17. How do laws and policies that regulate the habitability of housing or define the habitability aspect of adequate housing, take into consideration special needs of women?

Q18. What laws and policies have been adopted to regulate environmental degradation and to guarantee the right to a safe environment?

(f) Physical accessibility Disadvantaged communities and groups which often include women and female-headed households, must be allowed full and sustainable access to adequate housing and resources, including land, infrastructure and sources of livelihood and the state must take account of special housing needs.

Q19. What measures and policies have been adopted to guarantee equality of access to adequate housing for women and female-headed households and other disadvantaged groups within communities (e.g. battered women, women with HIV/AIDS, women with disability, indigenous women, refugees and internally displaced)?

(g) Location Adequate housing must be in a place that enables access to employment, primary health-care, education and other social services and civic amenities. The financial and temporal cost of transport must not place excessive financial and other demands on the household. In addition, both rural and urban housing must be in a location that is safe, particularly from environmental hazards and pollutants.

Q20. Do women face any particular constraints in accessing services and resources necessary for livelihood because of where they live? What are policies and measures adopted to alleviate them?

(h) Cultural adequacy Housing configuration, spatial design and site/community organization should be determined locally and in harmony with a community's cultural preferences and attributes.

Q21. Are women from all cultural, ethnic, religious or other background enabled to express cultural diversity, to participate in planning process (also see questions 23 and 24 below) and have the right to self determination in relation to housing? Please share such cases and examples.

(i) Freedom from dispossession, damage and destruction Each individual and community has a right to a place to live without threat of dispossession from land, all forms of their property, their homes and resources, as well as all individual and collective holdings required to sustain livelihood.

Q22. Does the State effectively safeguard the right not to be subjected to arbitrary interference with home, person and privacy, including dispossession? What are policies and measures adopted to protect women including female-headed households and compensate, resettle or provide for restitution where dispossession takes place?

(j) Access to information Individuals and communities must have access to appropriate data, documents and intellectual resources that impact upon their right to obtain adequate housing. Having access to appropriate data means being informed about potential industrial and natural hazards, infrastructure, planning design, availability of services and natural resources and other factors that affect the right.

Q23. What laws and policies exist to facilitate access to information that impact upon the right to adequate housing, including information about potential industrial and natural hazards, infrastructure, planning design, availability of services and natural resources? Are women regularly accessing such information and benefiting from them?

(k) Participation Effective participation in decision-making is essential to the fulfilment of all other rights, as well as the elements of the right to housing. At all levels of the decision-making process in respect of the provision of and right to adequate housing, individuals and communities must be able to express and share their views, they must be consulted and be able to contribute substantively to such processes that affect housing, including, inter alia, location, spatial dimensions, links to community, social capital and livelihood, housing configuration and other practical features. The state must ensure that building and housing laws and policies to not preclude free expression, including cultural and religious diversity.

Q24. What policies and measures adopted to ensure/encourage popular participation in decision-making process with regard to housing policies and planning? Are women sufficiently represented in the process?

Q25. Do the housing laws and policies expressly protect, promote and fulfil the right to freedom of expression to ensure harmonious and effective design, implementation and maintenance of the community?

(l) Resettlement, restitution, compensation, nonrefoulement and return

Resettlement may be essential to survival in the case of natural or human-made disasters, including in conflict and post conflict situations. Therefore, the congruent right to freedom of movement can be essential to the fulfilment of all other rights. Any resettlement arrangement, whatever the cause, must be consensual, fair and adequate to meet individual and collective needs.

Q26. Are there special measures adopted in resettlement process that recognizes the need of women and female-headed households to sufficient access to the sources of livelihood, productive land, infrastructure, social services and civic amenities, as well as fair and adequate restitution and/or compensation for losses?

(m) Privacy and security Every woman, man, youth and child has the right to live and conduct her/his private life in a secure place and be protected from threats or acts that compromise their mental and/or physical well-being or integrity inside or outside the home.

Q27. What measures have been adopted to ensure physical and mental security and personal privacy of women, including preventing domestic violence?

(n) Access to remedies Provision of domestic legal and other remedies is an important part of protecting the right to adequate housing. Individuals and groups must be protected from abuse by landlords, property developers, landowners or any other third party capable of abusing their rights. Where such infringements do occur, public authorities should act to preclude further deprivations as well as guaranteeing access to judicial redress including legal and equitable remedies for any infringement caused.

Q28. Are there remedies and legal aid available for women? What are measures adopted to ensure equal access of women to judicial process and remedies? What are other innovative mechanisms such as self-help groups and women's collectives that can facilitate women's access to housing and livelihood?

(o) Education and empowerment Individuals and communities should have access to technical assistance and other means to enable them to improve their living standards and fully realise their economic, cultural and social rights and development potential. The State, for its part, should endeavour to promote and provide for catalysts and mechanisms for the same, including efforts to ensure that all citizens are aware of procedural measures available toward defending and realizing her/his right to adequate housing. Human rights education is a key part of such empowerment strategy.

Q29. What have been achieved in terms of building capacities and awareness on the right to adequate housing among women in your country? What is your assessment of remaining needs and challenges?

(p) Freedom from violence against women - The state must prevent all forms of violence against women committed by either state or non-state actors to ensure women's RAH. The definition of VAW as per the *UN Declaration on the Elimination of Violence against Women* (1993) is "any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life". Further, the State is responsible for addressing both individual and structural forms of violence, in the family, the community and by the State and ensure that there is legal redress for any acts or threats of VAW.

Q29. What forms of VAW and what threats of VAW occur as a result of housing violations such as, rape, domestic violence, assault, trafficking, family abuse, forced marriage, dowry deaths and others. How to housing violations make women more vulnerable to VAW?

Q30. Who are the perpetrators? What kinds of housing violations do victims of VAW face e.g., battered women, rape survivors? Show information where realisation of the RAH has lead to less VAW?

Q31. What strategies/best practices have been used to address VAW related to housing rights violations e.g., are there adequate shelters for domestic violence victims?

* * *

Annex I

Women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing

Commission on Human Rights resolution 2003/22

The Commission on Human Rights,

Guided by the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women and the International Convention on the Elimination of All Forms of Racial Discrimination,

Recalling the Vienna Declaration and Programme of Action adopted in June 1993 by the World Conference on Human Rights (A/CONF.157/23), the Beijing Declaration and Platform for Action adopted in September 1995 by the Fourth World Conference on Women (A/CONF.177/20, chap. I), the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development held in March 1995 (A/CONF.166/9, chap. I, resolution 1), the Habitat Agenda adopted in June 1996 by the World Conference on Human Settlements (Habitat II) (A/CONF.165/14, chap. I, resolution 1, annex II), the report of the Ad Hoc Committee of the Whole of the twenty-third special session of the General Assembly (A/S-23/10/Rev.1), the report of the Ad Hoc Committee of the Whole of the twenty-fourth special session of the Assembly (A/S-24/8/Rev.1), the report of the Ad Hoc Committee of the Whole of the twenty-fifth special session of the General Assembly (A/S-25/7/Rev.1), and the report of the World Summit on Sustainable Development (A/CONF.199/20),

Reaffirming the human right to be free from discrimination, and the equal right of women and men to the enjoyment of all civil, cultural, economic, political and social rights,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that women's equal ownership, access to and control over land and the equal rights to own property and to adequate housing contribute to the full realization of human rights,

Recognizing that women can face multiple forms of discrimination,

Recalling its resolutions 2000/13 of 17 April 2000 and 2001/34 of 23 April 2001, Commission on the Status of Women resolution 42/1 of 13 March 1998 and the resolutions of the Sub-Commission on the Promotion and Protection of Human Rights on the matter,

Welcoming the findings of the Special Rapporteur on violence against women, its causes and consequences, contained in her report entitled "Economic and social policy and its impact on violence against women" (E/CN.4/2000/68/Add.5) submitted to the Commission at its fifty-sixth session, that women's poverty, together with a lack of alternative housing options, make it difficult for women to leave violent family situations, and reaffirming that forced relocation and forced eviction from home and land have a disproportionately severe impact on women, including when these are committed by spouses or in-laws, and encouraging the Special Rapporteur to continue to take these findings into consideration in her future work,

Recognizing that laws, policies, customs and traditions that restrict women's equal access to credit and loans also prevent women from owning and inheriting land, property and housing and exclude women from participating fully in development processes, are discriminatory and may contribute to the feminization of poverty,

Stressing that the impact of gender-based discrimination and violence against women on women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing is acute, particularly during complex emergency situations, reconstruction and rehabilitation,

Recognizing that the full and equal participation of women in all spheres of life is essential for the full and complete development of a country,

Acknowledging that women continue to suffer from discriminatory treatment in all areas decisive to the attainment of adequate housing,

Convinced that international, regional and local trade, finance and investment policies should be designed in such a way that they do not increase gender inequality in terms of ownership of, access to and control over land and the rights to own property and to adequate housing and other productive resources and do not undermine women's capacity to acquire and retain these resources,

Mindful of the fact that elimination of discrimination against women requires consideration of women's specific socio-economic context,

1. *Takes note with interest* of the preliminary findings of the study on women and adequate housing submitted by 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 accordance with Commission on Human Rights resolution 2002/49 (E/CN.4/2003/55);

2. *Reaffirms* women's right to an adequate standard of living, including adequate housing, as enshrined in the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, and urges Governments to comply fully with their international and regional obligations and commitments concerning land tenure and the equal rights of women to own property and to an adequate standard of living, including adequate housing;

3. *Affirms* that discrimination in law against women with respect to having access to, acquiring and securing land, property and housing, as well as financing for land, property and housing, constitutes a violation of women's human right to protection against discrimination;
4. *Reaffirms* Commission on the Status of Women resolution 42/1, which, inter alia, urges States to design and revise laws to ensure that women are accorded full and equal rights to own land and other property, and the right to adequate housing, including through the right to inheritance, and to undertake administrative reforms and other necessary measures to give women the same right as men to credit, capital, appropriate technologies, access to markets and information;
5. *Encourages* Governments to support the transformation of customs and traditions that discriminate against women and deny women security of tenure and equal ownership of, access to and control over land and equal rights to own property and to adequate housing, to ensure the right of women to equal treatment in land and agrarian reform as well as in land resettlement schemes and in ownership of property and in adequate housing, and to take other measures to increase access to land and housing for women living in poverty, particularly female heads of household;
6. *Reaffirms* the obligation of States to take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise and recommends that Governments encourage financial lending institutions to ensure that their policies and practices do not discriminate against women;
7. *Urges* Governments to address the issue of forced relocation and forced evictions from home and land, and to eliminate its disproportionate impact on women;
8. *Recommends* that international financial institutions, regional, national and local housing financing institutions and other credit facilities promote the participation of women and take into account their views in order to remove discriminatory policies and practices, giving special consideration to single women and households headed by women, and that these institutions evaluate and measure progress to this end;
9. *Encourages* Governments, specialized agencies, funds, programmes and other organizations of the United Nations system, as well as other international organizations and non-governmental organizations, to provide judges, lawyers, political and other public officials, community leaders and other concerned persons, as appropriate, with information and human rights education concerning women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing;
10. *Invites* the Secretary-General to encourage all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Development Programme, the United Nations Human Settlements Programme (UN-Habitat) and the United Nations Development Fund for Women, to undertake further initiatives that promote women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing, and allocate further resources for studying and documenting the impact of complex emergency situations,

particularly with respect to women's equal rights to own land, property and adequate housing;

11. *Invites* the Office of the United Nations High Commissioner for Human Rights, the Office of the United Nations High Commissioner for Refugees and other relevant international organizations, within their respective mandates, to address discrimination against women with respect to land, property and adequate housing in their cooperation programmes and field activities;

12. *Encourages* all the human rights treaty bodies, in particular the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Discrimination against Women, special procedures and other human rights mechanisms of the Commission and the Sub-Commission on the Promotion and Protection of Human Rights regularly and systematically to take a gender perspective into account in the implementation of their mandates and to integrate the content of the present resolution into their work, as appropriate;

13. *Encourages* the United Nations Housing Rights Programme to take into account the content of the present resolution and to continue its regional consultations, with the participation of representatives of Governments, United Nations agencies, intergovernmental organizations, and non-governmental organizations;

14. *Requests* 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, within his mandate, to submit a report to the Commission at its sixty-first session containing the study on women and adequate housing;

15. *Invites* all States to respond to the questionnaire prepared by the Special Rapporteur, as soon as possible;

16. *Decides* to consider the issue of women's equal ownership of, access to and control over land and the equal rights to own property and to adequate housing at its sixty-first session under the agenda item entitled "Economic, social and cultural rights".

*56th meeting
22 April 2003*

Annex II

Background to the mandate of the Special Rapporteur

The Special Rapporteur was appointed in September 2000 by the Commission [resolution 2000/9](#), whose mandate would focus on adequate housing as a component of the right to an adequate standard of living. The Commission requested him during his three-year mandate to, inter alia: report on the status of the realization of the rights relevant to adequate housing; promote cooperation among and assistance to Governments in their efforts to secure these rights; apply a gender perspective; and develop a regular dialogue with Governments, relevant United Nations bodies, specialized agencies, international organizations in the field of housing rights, inter alia the United Nations Human Settlements Programme (UN-Habitat), non-governmental organizations and international financial institutions. The mandate of the Special Rapporteur was renewed for another three-year term by Commission resolution [2003/27](#).

The legal basis of the mandate of the Special Rapporteur is drawn from article 25, paragraph 1, of the Universal Declaration of Human Rights, article 11, paragraph 1, of the International Covenant on Economic, Social and Cultural Rights, and article 27, paragraph 3, of the Convention on the Rights of the Child, and on the right to non-discrimination as reflected in article 14, paragraph 2 (h), of the Convention on the Elimination of All Forms of Discrimination against Women, and article 5 (e) of the International Convention on the Elimination of All Forms of Racial Discrimination.

The Special Rapporteur submitted his first report ([E/CN.4/2001/51](#)) to the Commission at its fifty-seventh session, in which he called for a broad interpretation of the right to adequate housing. The report included a review of international legal instruments on the right to adequate housing, highlighted some of the significant impediments to realizing the right to adequate housing and suggested priority issues that needed to be addressed by the international community, including: gender discrimination; land; access to potable water; issues of economic globalization and its compatibility with human rights, and particularly its impact on housing; the international cooperation dimension; forced evictions and poverty; and global social policies and their interface with human rights.

In March 2002, the Special Rapporteur submitted his second report to the Commission ([E/CN.4/2002/59](#)), outlining his various activities carried out during the past year. In addition, the report had two thematic focuses: one on discrimination and segregation in the context of follow-up to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and the other on the impact of globalization on the realization of housing rights.

The third report of the Special Rapporteur to the Commission ([E/CN.4/2003/5](#)), submitted at a three-year juncture in his mandate, comprehensively reviews his main activities since his appointment in 2000 and outlines emerging issues that require the attention of the Commission and the human rights community worldwide for the realization of rights relevant to his mandate. The report presents relevant outcomes of recent major United Nations conferences and summits, particularly those of the special

session of the General Assembly for an overall review and appraisal of the Habitat Agenda (Istanbul +5) in 2001 and the World Summit on Sustainable Development (WSSD) in 2002. The Special Rapporteur points to the need to continue to collect jurisprudence and good practices to further the progressive implementation of the right to adequate housing, and urges States and civil society to submit relevant information to him. The Special Rapporteur report highlights significant progress in developing dialogues with relevant treaty bodies and other special rapporteurs and a number of key United Nations agencies, including the United Nations Programme on Human Settlements (UN-Habitat), the United Nations Children's Fund (UNICEF) and the United Nations Development Fund for Women (UNIFEM). The report highlights several emerging issues, such as water and sanitation as essential elements for the realization of the right to adequate housing; the need to undertake further research on innovative local responses to globalization in urban and rural development; the need for rights-based indicators and assessment tools; and the right of persons with disabilities to adequate housing. The Special Rapporteur has continuously highlighted the gender aspect of these issues.

Throughout his mandate, the Special Rapporteur has also continued to engage in substantive and constructive dialogues with States and other actors, including through country missions. He has undertaken missions to Romania (January 2002), Mexico (March 2002) and Peru (March 2003) as well as a visit to the occupied Palestinian territories (January 2002). Working with civil society groups has been a source of inspiration and encouragement for the Special Rapporteur, including in the context of country missions, mobilizing support for housing rights and monitoring developments.

In its resolutions [2001/28](#), [2002/21](#) and [2003/27](#) adopted by the Commission, the Commission further requested him, in the fulfilment of his mandate: (a) to give particular emphasis to practical solutions with regard to the implementation of the rights relevant to his mandate, on the basis of pertinent information, notably on best practices, including on domestic legal enforcement of these rights, from Governments, relevant United Nations agencies and non-governmental organizations; (b) to facilitate the provision of technical assistance; and (c) to review the interrelatedness of adequate housing as a component of the right to an adequate standard of living with other human rights. These resolutions also called upon all States "to give full effect to housing rights, including through domestic development policies at the appropriate level of government and with international assistance and cooperation, giving particular attention to the individuals, most often women and children, and communities living in extreme poverty, and to security of tenure".

In his first report to the Commission on Human Rights ([E/CN.4/2001/51](#)), the Special Rapporteur called for a broad interpretation of the right to adequate housing, which he defined as "the right of every woman, man, youth and child to gain and sustain a secure home and community in which to live in peace and dignity". He further developed a framework of analysis in addressing issues of housing-related discriminations which was presented in his second report (see paras. 37-47 in [E/CN.4/2002/59](#)). Pursuant to Commission on Human Rights resolution 2002/49, the Special Rapporteur submitted a report to the Commission in 2003 on women and adequate housing ([E/CN.4/2003/55](#)), in which he attempts to outline some significant issues facing women in the enjoyment of the right to adequate housing. The study particularly highlights that, despite the

recognition of gender equality and non-discrimination in various legislation at the international and national levels, in practice women are facing de facto discrimination in access to housing, land and civic services, which can be attributed to customs and traditions, lack of awareness or persistence of gender bias in the formulation and implementation of national policies.

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