

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 - Ms. Leilani Farha (Ms. Raquel Rolnik until 2014)	
<p>Joint report of Special Procedures for the 23 session of the HRC on adequate housing – communications and replies.</p> <p>A/HRC/23/51</p> <p>(23HRC session June 2013)</p> <p>Agenda items 3, 4, 7, 9 and 10.</p>	<p>Joint letter of allegation of 20/12/2012 – IND 25/2012 – India</p> <p>Adequate housing, Extreme poverty.</p> <p>Alleged impacts of the expansion of the East Parej Open Cast Coal Mine on the rights of 228 families in the Jharkhand state. According to the information received, 228 families (1200 persons) were at risk of being evicted to give way to an expansion of East Parej Open Cast Coal Mine, operated by Central Coalfields Limited, India. On 26 October 2012, and at two other occasions, representatives of the mining company surveyed households in the villages of Agarva Tola, Dudmitya Tola and Fakodih, for the purpose of acquiring their homes to facilitate the expansion of the mine. Over 1,000 people from surrounding villages have already been displaced in previous years by activities associated with the East Parej Open Cast Coal Mine. The affected households belonged to marginalized communities, including scheduled tribes and Dalits. They were allegedly resettled in inadequate sites and have suffered impoverishment since displacement.</p>
<p>Report 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, Raquel Rolnik</p> <p>A/HRC/22/46</p> <p>22nd HR Council session, December 2012</p>	<p>B. Who is affected by tenure insecurity—measuring and assessing the extent of the problem</p> <p>10. The United Nations Settlements Programme (UN-Habitat) provides data on —slums, the word it has adopted to define such settlements. One UN-Habitat study estimated that 924 million people were living in slums in 2001;⁸ an estimate for 2010 placed the number at about 828 million.⁹ However, by 2010 tenure security was not taken into account in the UN-Habitat measurements of slums, hence the latter figure offers only a very small insight into the current extent of tenure insecurity in urban areas.¹⁰ Similarly, the revised indicator for the Millennium Development Goal target of improving the lives of 100 million slum dwellers (7 (d)) does not include security of tenure.¹¹ While this particular target was reached, the question remains as to whether this result reflects the real situation of slums and informal settlements worldwide. Developing effective ways to measure tenure (in)security is an urgent imperative, including for the Millennium Development Goals and the United Nations development agenda beyond 2015.</p> <p>11. Informal settlements are by no means the only example of tenure insecurity. In fact, a wide range of individuals and groups may be insecure:¹² refugees and internally displaced persons, affected by or under threat of conflicts, disasters and climate change; people on land set aside or affected by development projects; residents of informal settlements; occupants of valuable land; tenants with or without legal leases/titles, in informal settlements or formal contexts, in rural and urban areas; internal or international migrants; minorities; nomadic communities; groups affected by stigma or caste-based discrimination; the poor, landless, jobless and/or homeless; sharecroppers; bonded labourers; other marginalized groups, such as persons with disabilities or persons living with HIV; children; indigenous peoples; groups with customary land rights; and even individual property owners.</p> <p>12. Among all these, women, who often have to depend on a man to gain access to housing and secure tenure, are particularly vulnerable. Single and older women, in particular, too often do not have the legal empowerment, education or financial resources to defend their tenure.</p> <p>13. While no one appears fully protected from tenure insecurity, it is evident that the most marginalized and poorest bear the brunt of the insecurity burden.</p>

<p>Summary of cases transmitted to Governments and replies received</p> <p>A/HRC/16/42/Add.1 (16th HRC session, March 2011)</p>	<p><u>INDIA</u></p> <p>Communications sent</p> <p>34. On 13 January 2010, the Special Rapporteur sent an urgent appeal letter to the Government of India, regarding the alleged situation of homeless in New Delhi, including deaths due to severe cold weather. According to information received, between 31 December 2009 and 11 January 2010, at least seven homeless people died from cold in New Delhi. Concerns were also expressed that because of the weather and the lack of a sufficient number of equipped shelters, the life of additional homeless people was at stake in New Delhi. The information received indicated that the number of homeless persons in New Delhi was growing and exceeded the capacity of emergency centres operating in the capital. It was alleged that the number of homeless shelters in New Delhi had recently been reduced from 46 to 24, in disregard of the Delhi Master Plan 2021 and the Delhi Municipal Corporation Act 1957. It was further reported that despite the severe cold weather, homeless shelters were recently demolished and homeless people were evicted from the places they used as shelters. (...)</p> <p>It was alleged that on 9 January 2009, officials from the Northern Railway, the Delhi Police and the MCD evicted more than 400 people from an area they were using as shelter at Pul Mithai, Sadar Bazaar. Reportedly, during these events women and children were beaten with batons and the possessions of the people were destroyed. 60 of the evicted families were reportedly Dalits, many of them employed as construction workers for the Commonwealth Games. (...)</p> <p>35. On 10 June 2010, the Special Rapporteur sent a letter of allegation to the Government of India regarding the alleged evictions and demolitions of informal settlements and slums in New Delhi in the run-up to the Commonwealth Games. According to information received by the Special Rapporteur, New Delhi witnessed evictions and demolitions of informal settlements and slums in the run-up to the Commonwealth Games that took place from 3-14 October 2010 in the capital city. Most of these evictions were apparently carried out to construct roads, bridges, stadiums, and parking lots, or to beautify the city. In addition, beggars and homeless persons were allegedly rounded up, arrested and arbitrarily detained under the Bombay Prevention of Beggary Act 1959 in preparation for the Games. According to information received by the Special Rapporteur, in 2004, Delhi authorities evicted more than 35,000 families living along the banks of the river Yamuna to make way for a tourism and city beautification project on land adjacent to the Commonwealth Games (...)</p> <p>A slum cluster of 368 families of Dalit Tamils at Jangpura's Barapullah Nullah was also reportedly demolished to construct another parking lot for the Games. The Tamils, who had been living there for the past 35 years, did not receive any compensation or resettlement and were thereafter living on the streets. (...)</p> <p>Replies received</p> <p>36. On 7 April 2010, the Government of India replied to communication IND 8/2008 dated 5 March 2008 which was sent by the Special Rapporteur jointly with the Special Rapporteur on Violence Against Women (a summary of this communication can be found in the document A/HRC/10/7/Add.1, para.54). The Government of India noted that it has examined the complaint with regard to allegations filed by Mrs. Ramashree and found them to be inaccurate. According to the Government, Mrs. Ramashree's husband was arrested on 15 November 2006 at about 1900hrs in connection with manufacture of illicit liquor, following which a charge-sheet was filed in the local court on 26 December 2006. The subject filed a petition in the local court that was dismissed on 11 April 2008. Since the allegations were found to be inaccurate and even dismissed by the Court, the question of compensation for the subject did not arise.</p>
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37. On 7 April 2010, the Government of India replied to the communication IND 8/2009 sent on 20 July 2009 by the Special Rapporteur (a summary of this communication can be found in the document A/HRC/13/20/Add.1, para.37). According to the Government, on 27-28 May 2009, the local authorities carried out demolition of only unauthorized hutments on public land. These demolitions were carried out in accordance with the due procedure laid down by the law and no incidents of violence were reported. According to the Government of India, contrary to what had been asserted in the communication, the Government of Maharashtra's Slum Redevelopment and Relocation Scheme *was not* applicable to *unauthorized* hutment dwellers. The Government of India assured that it is aware of its obligations under the ICESCR and that it fully abides by them. In this context, the Government of India reminded that the General Comments of any treaty body do not constitute international human rights law.

38. On 6 April 2010, the Government of India replied to the urgent appeal sent by the Special Rapporteur on 13 January 2010. According to the Government, contrary to what was stated in the urgent appeal, the number of homeless shelters in Delhi was *not* reduced from 46 to 24. The Municipal Corporation of Delhi set up 37 additional night shelters in January 2010, over and above the existing 27 permanent night shelters. Further, the Government of the National Capital Territory of Delhi also set up another seven temporary night shelters in January 2010, in addition to the 17 temporary night shelters that it had established, as a yearly exercise, in December 2009. The authorities provided over 2,800 blankets for the inmates of these shelters who were also provided medical assistance electricity, and water and sanitation facilities in association with some local NGOs. As for the demolition of a temporary night shelter on Pusa Road and evictions of squatters in Sadar Bazar, these were carried out in accordance with the procedure laid down by law and temporary night shelters were set up to provide shelter to those evicted. The authorities did not receive any reports of deaths due to sever cold weather at any of the night shelters being run by the authorities, or due to lack of such shelters. In fact, in its order on 27 January 2010, the Supreme Court of India expressed its satisfaction with the prompt action and arrangements by the authorities to safeguard the human rights of the homeless and needy.

39. On 29 July 2010, the Government of India replied to the urgent appeal sent by the Special Rapporteur on 9 December 2009, regarding the alleged forced evictions along the Cooum River in Chennai, Tamil Nadu (a summary of tis communication can be found in the document A/HRC/13/20/Add.1, para.37). The Government examined the facts of the case and found the allegations to be inaccurate. The families living along the banks of the Cooum River had illegally encroached upon the riverine area, which had been declared as an environmentally sensitive area by the Supreme Court of India. Nevertheless, no forced evictions had been made and appropriate procedural protection was extended to all the project affected families. During the enumeration process conducted six months prior to the movement, all families had been fully informed of the resettlement process and their consent had been duly obtained. No formal complaint had been filed against any plausible forced eviction in this regard. The Tamil Nadu Slum Clearance Board was designated as the nodal agency for the rehabilitation and resettlement of the affected families. Alternate housing was provided to each family, on a non-discriminatory basis, in the suburbs of Chennai. Each family was given Rs 1000 as shifting allowance and transport arrangements were made to carry their belongings to alternate accommodation. Moreover, vocational training was imparted to the unemployed youth in order to enable them to seek remunerative employment.

Observations

40. The Special Rapporteur thanks the Government for the information received and regrets that at the time of the finalization of this report, the Government had not transmitted any reply to her letter of allegation sent on 10 June 2010.

<p>Annual report of the Special Rapporteur on Adequate Housing A/HRC/13/20 (13th session of the Human Rights Council)</p>	<p>In her report to the Human Rights Council, the UN Special Rapporteur on Adequate Housing expresses serious concern about displacement and forced evictions as a result of preparations for mega events. Ms. Rolnik refers in paragraph 18 to several allegations of mass evictions, including one in New Delhi where 35,000 families were evicted from public lands in preparation for the 2010 Commonwealth Games.</p> <p>1. Evictions</p> <p>“16. Displacement and forced evictions are common features of preparations for megaevents. The heightened demand for space to construct sports venues, accommodation and roads is channelled through urban redevelopment projects that often require the demolition of existing dwellings and the opening of space for new construction. The importance given to the creation of a new international image for the cities, as an integral part of the preparations for the games, often implies the removal of signs of poverty and underdevelopment through reurbanization projects that prioritize city beautification over the needs of local residents. As public authorities use the organization of mega-events as a catalyst for the regeneration of their city, residents of the affected areas may face mass displacement, forced evictions and the demolition of their homes. Displacement may also result from the measures taken by local authorities to quickly remove unsightly slums from areas exposed to visitors, even without being framed within larger redevelopment projects.</p> <p>17. In most cases, alternatives to evictions are not sufficiently explored, displacement is not accompanied by prior consultation with the affected communities, and adequate compensation or alternative housing is not provided to victims. In addition, evictions almost never allow the return of former dwellers to newly built homes. Indeed, owners, tenants and squatters are often subjected to pressure by public authorities or private developers to leave the area, their rights are seldom recognized, and they receive no guarantees of return to the redevelopment site. In many occasions, evictions are carried out in a context of violence, harassment and assaults against the inhabitants. Time constraints are usually cited as the reason for disruptive and violent evictions and disregard for the rights of affected communities.</p> <p>18. Examples of evictions due to the construction of sporting venues, accommodation for visitors and infrastructure improvements include: [...] (d) in New Delhi, 35,000 families were evicted from public lands in preparation for the 2010 Commonwealth Games.”</p> <p>In a press statement of 19 January 2010 Ms. Rolnik expressed further concern about the situation of the homeless in New Delhi, both due to the extreme weather conditions and the demolitions of shelters in connection with the planning with this international sport event. While there are no government statistics on how many homeless live in New Delhi, nor how many come from a 'lower caste' background as Dalits, it has been estimated that there may be well up to 150,000 persons. In the January statement Ms. Rolnik warned about the eviction of shelters where construction workers and Dalit families live and welcomed the interim order adopted by the Delhi High Court in January in this context. She urged authorities to comply with the latter and in this framework to halt the demolition of homeless shelters, to provide immediate assistance and adequate shelter to the affected persons and not to evict homeless persons in the winter, on humanitarian grounds.</p>
<p>Annual report of the Special Rapporteur on Adequate Housing A/HRC/10/7 (10th session of the Human Rights Council)</p>	<p>This report was the first to be presented to the Human Rights Council by the new mandate holder, Raquel Rolnik, who took up her position on 1 May 2008. In view of the current crisis in the housing and financial sector, the Special Rapporteur decided to devote the thematic report to the consequences of certain economic, financial and housing policies and approaches that have seriously impacted the right to adequate housing in the past decades and have contributed to the present crisis.</p>

	<p>The report does not specifically mention Dalit housing rights, but addresses discrimination in access to housing and forced evictions. The addendum to the annual report considers these elements more thoroughly (see below).</p> <p>G. Discrimination in access to housing</p> <p>“60. Discrimination related to adequate housing may be the result of discriminatory laws, policies, and measures; inadequate zoning regulations; exclusionary policy development; exclusion from housing benefits; denial of tenure security; lack of access to credit; limited participation in decision-making processes related to housing; or lack of protection against discriminatory practices of private actors. Lending practices may discriminate against particular groups such as nomads, minorities, migrants and women.</p> <p>61. Members of minority groups trying to purchase homes may face discrimination, for instance from mortgage lending institutions. They may be denied equal access to capital (as they may be less likely to obtain mortgage financing) or receive less favourable conditions for a mortgage when one is obtained. [...]</p> <p>H. Security of tenure, evictions and homelessness</p> <p>69. It is important to understand the impact of foreclosure – or eviction – on a household. It pushes people into more difficult situations and inadequate living conditions and impacts their ability to cope with further hardship, particularly where it results in homelessness. It is much more difficult to maintain employment while having difficulty in accessing water and sanitation and basic services. A lot of effort is required to cope with weather changes and administrative demands, relocating belongings, and maintaining an address where one can be reached. In some cases, not having a permanent address leads to exclusion from certain types of aid, or results in denial of civil and political rights, including the right to vote. [...]</p> <p>73. In addition to the physical and psychological trauma of eviction and homelessness, households, especially women and children, lose the support systems they were used to and their relations with a community. The breaking of these social ties and the loss of stability lead to many other problems. [...]</p>
<p>Summary of cases transmitted to Governments and replies received A/HRC/10/7/Add.1 (10th HRC session, March 2009)</p>	<p>The addendum to the annual report of the Special Rapporteur contains summaries of communications sent by the Special Rapporteur from the period of 5 December 2007 to 5 December 2008 and replies received for the period of 24 January 2008 to 6 February 2009. A number of the communications contained in the present report were sent by the former Special Rapporteur, Mr. Miloon Kothari.</p> <p>Forced evictions</p> <p>A large number of the communications in the period under review are related to cases of forced evictions. Forced evictions constitute prima facie violations of a wide range of internationally recognized human rights and large-scale evictions can only be carried out under exceptional circumstances and in full accordance with international human rights law. The Special Rapporteur notes that in the majority of cases, state authorities carrying out evictions appear completely unaware of the state’s human rights obligations, in particular the need for assessing the impact of evictions on individual and communities, the need to consider eviction only as a last resort after having envisaged all other options, meaningful consultation with affected communities, adequate prior notification, adequate relocation and compensation. The Special Rapporteur reminds all states that eviction should never result in rendering people homeless and putting them in a vulnerable situation. In this context, the Special Rapporteur reminds all Governments of the Basic principles and guidelines on development-based evictions and displacement that can be used as a tool to prevent human rights violations in cases where evictions are unavoidable.</p> <p>India</p>

	<p>52. On 29 February 2008, the Special Rapporteur together with the special Rapporteur on violence against women, its causes and consequences sent a joint allegation letter to the Government of India concerning reports they have received regarding violence against Dalit women. Dalit women and men suffer descent based discrimination in various aspects of their lives and are also victims of violence and untouchability practices arising out of the caste system. Despite the formal abolition of “Untouchability” by article 17 of the Indian Constitution, de facto discrimination and segregation of Dalits persists, in particular in rural areas, in access to places of worship, housing, hospitals, education, water sources, markets and other public places. Dalit women are confronted with discrimination, exclusion and violence to a larger extent than men. Lands and properties in particular are issues of conflicts over which Dalit women have faced evictions, harassment, physical abuses and assaults. Dalits women are often denied access to and are evicted from their land by dominant castes, especially if it borders land belonging to such castes. They are therefore forced to live on the outskirts of villages, often on barren land. Violence against Dalits is also caused due to land or property disputes. Reportedly, on many occasions, cases of violence against Dalit women are not registered. Adequate procedures are not taken by the police. The following specific cases have been brought to the attention of the Special Rapporteurs. They outline the impunity that seems to prevail with respect to ensuring protection and redress for Dalit women victims of violence linked to their rights to adequate housing and property [...]</p> <p>54. On 5 March 2008, the Special Rapporteur together with the Special Rapporteur on violence against women, its causes and consequences sent a joint allegation letter to the Government of India regarding information they received concerning Mrs. Shobhavati Devi in Baulia village, Shivdaspur, Post Manduvadih, Varanasi, and Mrs. Ramashree, in Tahirpur village, Shahabad, Hardoi, Uttar Pradesh, two members of the Dalit caste. [...]</p> <p>Response received</p> <p>55. On 29 April 2008, the government of India sent a response to the joint communication dated 29 February 2008, concerning cases of alleged violence against Dalit women in India. In this regard, the Government of India noted that the said communication did not include any information on the places of occurrence of these cases. The government of India requested that details pertaining to the place of occurrence (village/district/State) concerning each case be provided to facilitate investigations by Indian authorities.</p> <p>Observations</p> <p>56. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted any reply to his communications dated 5 March 2008.</p>
<p>Report of the Special Rapporteur on adequate housing A/HRC/7/16 (7th HRC session, March 2008)</p>	<p>This report constitutes a review of the work and activities of the first 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, Miloon Kothari, since his appointment in 2000. It aims to provide a number of recommendations to the Council and the next mandate holder in relation to the main obstacles to the realization of the human right to adequate housing and on the development of the mandate.</p> <p>A. Women and adequate housing</p> <p>39. There is an urgent need to address multiple forms of discrimination that women face on grounds including race, class, ethnicity, caste, health status, disability, income, sexual orientation, and other factors. An intersectional approach to gender discrimination is essential to address the multiple forms of discrimination faced by women. Other categories of women may face further discrimination due to their status, including women affected by domestic violence, women in rural and remote</p>

	<p>areas, women affected by HIV/AIDS, pregnant women, women with newborn children, and single women, including single mothers.</p> <p>B. Suggested areas of continued focus</p> <p>1. Access to land</p> <p>75. Land is also of great importance to certain groups that have suffered historic discrimination, whether on grounds of descent, race or colour. For instance, descent and work-based communities, such as the Dalits in India, continue to face extreme human rights violations, including with regard to land and housing rights. In Brazil, the Afro-Brazilian communities of <i>quilombos</i> (former slave colonies) face discrimination that severely impacts their ability to enjoy the human right to land and adequate housing and force them to the fringes of mainstream society.</p>
<p>Summary of cases transmitted to Governments and replies received</p> <p>A/HRC/7/16/Add.1</p> <p>(7th HRC session, March 2008)</p>	<p>The addendum to the annual report contains references to communications transmitted to the Government of India (para. 57-58) and Nepal (para. 104-105).</p> <p><u>INDIA</u></p> <p>57. On 23 August 2007, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on violence against women and the Special Representative of the Secretary-General on the situation of human rights defenders regarding attacks on the Dalit communities, particularly women, in Somebhadra District, Uttar Pradesh, India. It is reported that in Sonebhadra District, the poorest District in Uttar Pradesh with a large Dalit population, Dalit families have been cultivating and living in a Government's waste lands, the Gram Sabha's, for years. Reportedly, the land ownership has always been a conflicting issue between the Upper Caste controlling land resources and Dalits and tribes. Reports indicate that Dalits' reclaim of land has led to conflicts with forest officials and the Police, especially after the adoption of the "Schedule Tribe and other Forest Dwelling Communities (Recognition of Forest Rights) Act of 2006". [...] This was allegedly the third attack of this kind against Dalits in less than two weeks and reportedly a consequence of the Dalits families' requests for land that started in the last two years, as a response to the forest department's Government Resolution of 2002-3 to clear forest lands from any encroachments. During the events, the police reportedly left the village giving an ultimatum to remove the bricks of the houses by 11 August 2007, or they would come back with the administrative order to destroy the houses.</p> <p>58. The Special Rapporteur regrets that at the time of the finalization of the present report, the Government had not transmitted any reply to his communications. The Special Rapporteur continues to monitor the situation with interest.</p> <p><u>NEPAL</u></p> <p>104. On 4 September 2007, the Special Rapporteur sent a joint allegation letter with the Independent Expert on minority issues, the Special Rapporteur on the right to food, the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people concerning indigenous and minority population, located around the Royal Chitwan National Park (RCNP), in Nawalparasi District, gazetted in 1973 and declared a World Heritage Site by the United National Education and Science Organization (UNESCO) in 1984. According to the information received the Ramandar settlement in Makawanpur District, Manahari, where there are approximately 1,200 households, is mostly composed of Tamang and Chepeng (Tsepeng) indigenous communities and Dalits. [...]</p> <p>105. On 11 September 2007, the Permanent Mission of Nepal acknowledged receipt of the communication of 22 August 2007 and channelling it to the capital. The Special Rapporteur regrets that at the time of the finalization of this report, the Government had not transmitted any reply to his communication. The Special Rapporteur continues to monitor the situation with interest.</p>

<p>Report to the Human Rights Council (implementation of resolution 60/251)</p> <p><u>A/HRC/4/18</u></p> <p>(5th session of the HR Council, June 2007)</p>	<p>In the report the SR does not mention country-specific studies of the right to adequate housing in the report and therefore makes no reference to caste-based discrimination in relevant countries. The report, however, provides practical and operational tools to promote, monitor and implement the human right to adequate housing. As an inspiration for similar processes, the report is interesting because it mentions the development of basic principles and guidelines aimed at assisting States and the international community in reducing the practise of forced evictions. Annex 1 (p. 13) provides a full overview of the contents of this instrument, including obligations on duty bearers and the nature of obligations for states. It also describes proposed remedies for forced evictions, including compensation, and follow-up action such as monitoring and evaluation.</p>
<p>Communications to/from Governments</p> <p>A/HRC/4/18Add.1</p> <p>(5th session of the HR Council, June 2007)</p>	<p>In the addendum to the report there is a summary of cases transmitted to Governments and replies received by the SR as an implementation of resolution 60/251 by the Human Rights Council. Several communications concerning caste-based discrimination has been sent by the SR to Governments in caste-affected countries, some as urgent appeals/joint letters together with other SRs, in particular to India and Nepal.</p> <p><u>INDIA</u></p> <p>Communications sent</p> <p>Two communications were sent to the Government of India (for more information, see paragraph 30-31).</p> <p>Communications received</p> <p>The SR received the same answer as the SR on Racism, Mr. Diène, concerning the case of assaults against a Dalit community in Gohana, Sonapat district of Haryana state, in August-September 2005.</p> <p>Observations</p> <p>In paragraph 33, the SR thanks the Government for its reply. However, he regrets that at the time of the finalization of this report, the Government had not transmitted any reply to his communication of 7 April 2006. The Special Rapporteur states that he continues to monitor the situation with interest.</p> <p><u>PAKISTAN</u></p> <p>Two communications were sent to the Government of Pakistan, both concerning forced evictions.</p> <p>44. On 17 May 2006, the Special Rapporteur sent an urgent appeal regarding the situation of the Lyari Expressway Project, allegedly due to render over 250,000 people homeless when completed. [...]</p> <p>45. On 13 July 2006, the Special Rapporteur sent a joint urgent appeal with the Special Rapporteur on freedom of religion or belief, concerning 12 Ahmadiya families from Jhando Sahi village in Daska Tehsil. [...]</p>
<p>Annual Report 2006</p> <p>E/CN.4/2006/41</p> <p>(62nd session of the Commission on Human Rights)</p>	<p>Country visits: There are no specific references to upcoming country visits in the report. However, in a separate report the SR mentions that a number of communications about adequate housing included in the 2005 report have been sent to various Governments, incl. Bangladesh, India and Sri Lanka, without any response yet.</p>
<p>Women and adequate housing</p>	<p>In a separate report the SR studies the situation of women and housing and refers to caste as a basis for discrimination of vulnerable groups.</p>

<p>E/CN.4/2006/118 (62nd session of the Commission on Human Rights)</p>	<p>Thematic findings: A) Groups of women in vulnerable situations</p> <p>“30. There are different groups of women who can be particularly vulnerable to discrimination and, due to a combination of factors, face additional obstacles in accessing adequate housing. The Special Rapporteur reiterates the fact that special attention is required for some groups/categories of women who can be more vulnerable than others, at higher risk of becoming homeless, facing violence or suffering from the consequences of inadequate housing and living conditions. Such groups often include victims of domestic violence, widowed, elderly, divorced or separated women, female-headed households, women forcibly separated from their children, women victims of forced evictions, indigenous and tribal women, women with disabilities and women in conflict/post-conflict situations, women from ethnic and national minorities, including refugees, migrant women workers, women from descent- and work-based communities, domestic women workers, sex workers, and lesbian and transgender women. [...]</p> <p>31. Highlighting the violations of the right to adequate housing experienced by different groups of women in vulnerable situations brings to the forefront the impact of multiple discrimination women face in relation to adequate housing, due to their gender, race, caste, ethnicity, age and other factors, but in many cases, also due to their relative impoverishment and lack of access to social and economic resources. “ [...]</p> <p>Furthermore, India is mentioned as one of the countries where the Government has worked in conjunction with women groups successfully. Women are highlighted in the report as one group which is extremely vulnerable when natural or man-made disasters hit a country, like the 2004 Tsunami disaster.</p>
<p>Annual Report 2005 E/CN.4/2005/48 (61st session of the Commission on Human Rights)</p>	<p>The report refers specifically to the situation of Dalits in e.g. Nepal:</p> <p>F. Communities discriminated against on the basis of ethnicity and descent 62. Certain sections of the world’s population face multiple forms of discrimination. For instance, the Dalits - a community facing historical caste-based discrimination and disenfranchisement in India, Nepal and to some extent Pakistan - suffer extreme human rights violations, including with regard to land and housing rights. A majority of Dalits are still prevented from owning land and are forced to live on the outskirts of villages, often on barren land. While the struggle for Dalit land rights is growing, land reforms intended to benefit the rural poor and Dalits have been ineffective due to weak legislative provisions, inadequate implementation, and a lack of State commitment. In Nepal, for instance, two out of every five Dalits are landless. According to the <i>Human Development Report 2004</i>, 15.32 per cent of Dalits living in Nepal’s hill areas are landless, and in the Tarai (plains), 43.98 per cent are landless (table 11). Nepal has 800,000 landless Dalits and 400,000 semi-landless. For those Dalits who do have access to housing, studies have pointed out that they tend to live in the poorest-quality houses, many of them being temporary thatched roof structures.” [...]</p> <p>Later the report continues:</p> <p>“In the context for the need for a deeper analysis of the impact of the denial of economic, social and cultural rights, including housing, of descent- and ethnicity-based communities, the Special Rapporteur welcomes the new study initiated by the Sub-Commission on the Promotion and Protection of Human Rights in its resolution 2004/17.</p>
<p>Report of the Special Rapporteur on adequate housing, Mr. Miloon Kothari, following a mission to Kenya (2004)</p>	<p>III. CONCLUSIONS AND RECOMMENDATIONS</p> <p>(b) The Special Rapporteur recommends that the Government further review existing programmes as well as policies and laws being developed, in order to orient them towards the poorest, vulnerable or marginalized segments of the population,</p>

<u>E/CN.4/2005/48/Add.2</u>	such as indigenous peoples, persons living with HIV/AIDS, disabled persons, the Watta community (for relevant steps to be followed see the general recommendation of the Committee on the Elimination of All Forms of Racial Discrimination No. 29 on article 1 (1) regarding descent (2002)), other formerly or currently destitute pastoralists, and forest dwellers. The Special Rapporteur recommends that the Government establish an emergency assistance programme for extreme cases of humanitarian crisis, such as the community in Huruma village in Kieni forest, who are being denied the right to adequate housing;
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