



## HIC Expectations of Habitat III

The Third United Nations Conference on Housing and Sustainable Urban Development, “Habitat III,” will gather states and diverse development actors in 2016, and will be the first global conference after setting the post-2015 Development Agenda. While welcoming the Habitat III process, Habitat International Coalition (HIC) and its civil society Members have deep concerns and high expectations: Habitat III must commit to progress built on, but well beyond Habitat II and the previous MDGs so that states and development actors meet the demands and challenges of the future development to ensure social justice, build democracy and respect the environment in human settlements.

Through the Habitat III process, HIC seeks a “New Habitat Agenda”—not merely an “urban” agenda—that recognizes the ever-changing dynamics and continuity of human civilization and the built environment, respecting the urban-rural continuum, realizing greater autonomy, human dignity, meaningful participation and responsible citizenship at the local level of human settlements. Formulating and implementing such an agenda is possible only if it transforms inhibiting political structures, private interests, parochial and patriarchal attitudes and power relations.

### Where We Come from

Since Habitat I in Vancouver (1976), we have witness a narrowing of the habitat agenda, equivocating state commitments to change and perceptible government unwillingness to operationalize the rights-based commitments and include civil society and, especially, residents as an equal stakeholder in all negotiations and planning processes concerning them. After four decades, we should be counting forward progress; however, with countervailing ideologies taking center stage, we cannot.

The original commitments in the 1976 Vancouver Declaration recognized the vital links between rural and urban areas, seeking to assure orderly urbanization and arrange for balanced occupation of rural space.<sup>1</sup> That Declaration also reaffirmed basic rights consistent with human needs, well-being and social justice, and called for combating harmful behaviors such as the waste and misuse of resources<sup>2</sup>; practices that heighten inequalities,<sup>3</sup> [the causes of] involuntary migration, politically, racially, and economically motivated; and relocation and expulsion of people from their national homeland,<sup>4</sup> including the illegality of settler colonies in occupied territories.<sup>5</sup>

Habitat I enshrined promising commitments toward the improvement of human settlements, reconfirmed twenty years later at the Habitat II conference, in Istanbul (1996). The process also embraced the inputs of engaged civil society in the deliberations. With that eminently participatory process, world leaders formally adopted the Habitat II Agenda as a global Plan of Action (PoA) to ensure adequate shelter for all, repeatedly reaffirming the human right to adequate housing as provided in international instruments, along with the notion of “sustainable” human settlements as a driver of development that should fulfill basic human rights to shelter, health, decent work and the continuous improvement of living conditions.<sup>6</sup>

Reviewing progress five years after Habitat II, in June 2001, states convened in a special General Assembly session, re-emphasizing that rural and urban areas are economically, socially and environmentally interdependent. They prefaced the outcome document, *Declaration on Cities and Other Human Settlements in the New Millennium*, by “Welcoming progress in implementing the Habitat Agenda.”<sup>7</sup> However, a retrogressive trend already was

weakening commitments, reneging on obligations to operationalize human rights to the detriment of the most-vulnerable populations. That process shut out the voices of affected communities and civil organizations. Already at the second PrepCom the Istanbul+5 review (2001), some states pressed the new UN-Habitat Executive Director to call up UN Security in full riot gear to prevent NGOs from entering the plenary room in Nairobi.

Through ensuing practice, the adjective “sustainable” has shed its ostensible meaning, instead euphemizing “business as usual.” In this sense, the worst actual practices, including genocide, can be classified as “sustainable,” ensuring the continued infliction of serious harm on the effected group. By 2012, the Rio+20 process considered “green economy,” the concept originally combining economics, biology and ethics. However, Rio+20 became a process of converting green economy to the further commodification of nature. In order to restore normative meanings, the next Habitat conference has to reconsider critically the assumptions behind current practice, terminology and discourse, deterring—rather than dismissing—harmful practices in the name of “development.”

### **Where Are We Going?**

The GA’s resolution outlining Habitat III and preparatory modalities recalled an operative portion of the 1996 PoA, but excluded the subsequent paragraphs committing states to environment-related aspects of habitat that recognized “the need for an integrated approach to the provision of those environmental services and policies that are essential for human life.”<sup>8</sup> This apparent selectivity is emblematic of the hazards, challenges and potentially retrogressive outcomes that the world’s inhabitants could face in the Habitat III process. It is imperative that publicly interested civil society promote an agenda that conveys the full concerns of communities and defines the needed statecraft to manage human settlements with human rights criteria. This effort seeks to rectify (1) resurgent “urbanist” approaches, narrowing the Habitat Agenda, (2) states’ retreat from habitat-related obligations and (3) governments’ deference to private interests.

### **Key Issues and Values at Stake**

HIC seeks a New Habitat Agenda that enshrines states’ commitment to ensure human settlement development and management that operationalize key principles and values:

- **Urbanization is not inevitable:** Urbanization and burgeoning cities, whatever the form, are not self-executing. They are the consequence of conscious human choice and corresponding action. The fact and nature of urbanization are the outcomes of human will reflected in policy and practice. The current, unsustainable patterns of urbanization have continued with deference to market drivers and inadequate policies, necessitating “spontaneous” production beyond formal market and policy frameworks.
- **People-centered habitat planning:** Equitable, ethical and people-centered development planning and implementation must ensure density with human dignity and environmental protection, maximize heterogeneity, encourage social diversity, enable mixed land uses, foster inclusiveness, accommodate diverse tenure systems, guarantee equal opportunity, promote livable and equally accessible public spaces, and, thus, make human settlements more socially functional, more democratic and more environmentally balanced.
- **Social production of habitat:** The majority of housing, especially in urban centers, is socially produced under inhabitants’ initiative, management and control beyond the formal market. For this form of production to be orderly and technically sound requires a measure of urban planning and other technical support that public institutions, regulation and policy should support, not criminalize. An element of the human right to adequate housing is equitable access to public services. Social production of habitat illustrates the need for states and governments to ensure popular access to urban planning and technical support as such a service in realizing the human right to adequate housing.

- **Social function:** Realizing the social function of property, human settlements and cities must protect and prioritize the commons and public goods and services over private interests. In pursuit of socially just and environmentally sustainable use of urban space, realizing the social function of property and human settlements is essential to operationalizing the **right to the city**, the practical framework for guiding the normative content of the Habitat III and the New Habitat Agenda.
- **Local fiscal systems** as instruments of revenue generation and budget management must evolve to become vectors of change that generate real, human rights-based development outcomes. The public should recover capital gains created by development of state/people's lands and properties sufficiently to finance and promote equal access to public services, continuous improvement of living conditions and adequate housing by right, prioritizing the most needy.
- **Investment in basic services:** Proper planning and management of public goods and services must allow for the constant provision and improvement of affordable basic services such as water and sanitation, greater resilience, climate-change mitigation and adaptation, poverty reduction and pro-poor policies. A challenge remains to ensure that the provision of such basic services as a human right, without discrimination on any arbitrary basis, including tenure status.
- **Accountability for violations of human rights**, in particular the human rights to adequate housing, land, water and sanitation, public goods and services and the related process rights, must be built into the Habitat III commitments. Habitat III partners must firmly commit to ensuring that violators, including perpetrators of forced evictions, are held to account and liable, and that persons subject to such gross violations<sup>9</sup> enjoy full reparations.<sup>10</sup>
- **Distribution of economic values**, not mere growth, is an indispensable indicator of development, as well as a measure of success and legitimacy of policy and governance, including global governance. Without transversal policies of redistribution of wealth at local, national, regional and global levels, the growth = progress equation nurtures a fallacy that enables destruction of the planet and the majority of its inhabitants, without questioning current patterns of production, accumulation and consumption.
- **Reviewing implementation of the Habitat II Agenda** both by states and in civil society parallel reports should assess the quality of public goods and services administration in human settlements. Such assessments should address national and global policy actions and/or omissions in affecting the full realization of everyone's rights to adequate housing, water and energy. This should review the adoption and enforcement of relevant laws, consistent with states' treaty obligations to safeguard persons within their jurisdiction from infringements of habitat rights by third parties, including, extraterritorial parties, such as in cases involving privatization and/or austerity measures. Current Habitat III national reporting criteria fall short of these requirements.

## HIC Expectations

1. At Habitat III, HIC expects **states to commit to deep structural changes in current patterns of habitat production and consumption, wealth distribution, human settlement management, and natural resource appropriation and use.**
2. Habitat III should **provide an instructive and specialized reference for the review of a generation of habitat-related human rights commitments and developments at Vienna+25 (anticipated in 2018) and for achieving the Social Development Goals.**
3. Habitat III should **ensure participatory processes and opportunities to rethink human habitat** as a place to realize all human rights and to ensure the collective well-being of all inhabitants. Such processes should enable the **convergence of all stakeholders, including civil society and local authorities, in the process** to engage meaningfully in

the deliberations toward Habitat III and its outcomes, including through CSO parallel reporting on state performance in implementing Habitat II. The Habitat III preparation processes should help formulate more-appropriate development, governance and resource-use policies and practices across physical space, bridging urban, peri-urban and rural areas, and assist central and local governments to address challenges through national and local development policy frameworks.

4. All parties engaged in Habitat III preparations and outcomes bear a responsibility to **integrate equity into the human settlements-development agenda**, including adoption of commitments to the key principles and values cited above. Habitat III must address income inequality as the “defining challenge of our time” and ensure that its participating states meet this challenge, **no longer deferring to the market** to provide solutions to human needs and uphold human rights.

5. Habitat III should recognize and foster **national and local spatial planning and planned human settlements as a public good and service integral to realizing the human right to adequate housing**, including in the social production context. A human rights—and corresponding state obligations—approach, perforce, would engage development partners into popular-sector partnerships in the process of social production of habitat.

6. The new Habitat Agenda **should be of sufficient quality and specificity to guide UN-Habitat reform in alignment with its Charter-based mandate and function**. A reformed UN-Habitat would have to operationalize that commitment, playing a combined norm-based and technical role of stewardship vis-à-vis states and governments toward implementing their human rights and other binding treaty obligations in the habitat field.

In Habitat III, many foregone assumptions are exposed to much-closer scrutiny. With all of its supposedly greater efficiencies, global urbanization and its promoters must adopt social-justice criteria so as not to homogenize human settlements in some places; marginalize, punish and dispossess people in others. In urban spaces of every region, people and communities have been resisting failed economic development models, most notably in mass street protests. They are building barricades, rising up against forced eviction, still fighting apartheid, reclaiming lands, resisting population transfer, building their housing beyond the formal market, insisting on social justice and finding their own alternatives.

Habitat III must enable these voices to take the floor as a primary reference for needed corrective global policy change. Through Habitat III, state representatives must not only hear from victims of powerful development interests, they must listen intently to them, in order to inform a New Habitat Agenda. HIC and its allies are dedicated to ensuring that the Habitat III process realize these expectations of both process and substance.

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<sup>1</sup> “The Vancouver Declaration on Human Settlements,” 11 June 1976, Guideline for Action 5.

<sup>2</sup> Ibid., General Principle 12 and Guideline for Action 7.

<sup>3</sup> Ibid., Guideline for Action 7.

<sup>4</sup> Ibid., preamble.

<sup>5</sup> Ibid., General Principle 5.

<sup>6</sup> Ibid., Guidelines for Action 8–12. Edited to be consistent with the treaty obligations of states under Article 11, Covenant on Economic, Social and Cultural Rights (1966).

<sup>7</sup> “Declaration on Cities and Other Human Settlements in the New Millennium.” A/RES/S-25/2, 16 August 2001, at: [www.unhabitat.org/istanbul%2B5/A\\_RES\\_S25\\_2.doc](http://www.unhabitat.org/istanbul%2B5/A_RES_S25_2.doc) and [http://hq.unhabitat.org/declarations/documents/The\\_Habitat\\_Agenda.pdf](http://hq.unhabitat.org/declarations/documents/The_Habitat_Agenda.pdf).

<sup>8</sup> A/RES/676/216, op. cit., preamble, selectively recognizing paragraphs 134–37.

<sup>9</sup> UN Commission on Human Rights, affirmed that “the practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing.” “Forced evictions,” resolution 1993/77, 10 March 1993.

<sup>10</sup> Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” A/RES/60/147, 21 March 2006.