

“Making Real the Right to Housing” by [Miloon Kothari](#), the United Nations (UN) Special Rapporteur, 19 April 2007
By Simon Mapadimeng.

CCS lectures are a major attraction for communities in and around the Greater eThekweni Municipality Metropolitan area. CCS has, from its inception, has been centrally concerned with issues of pressing concern to community struggles. Like other preceding lectures, this one also had one of the key basic service questions, housing, as its main theme.

The scene was set for the lecture by the screening of an episode of the SABC TV documentary, Special Assignment. This episode focused on the issue of forced evictions in Chatsworth, a historically Indian township located on the southern side of Durban. It was also about water cut-offs and evictions of the members of the community from government or public houses by the police. It highlighted the collective struggles and resistance by communities to the evictions and cut-offs and showed the profound importance of the issue of housing rights.

Before starting his lecture, Miloon Kothari remarked on how glad he was to be in South Africa, a country whose liberation struggles has inspired more other struggles around the world. What caught his eye whilst in Durban was the street named after the world renowned struggle icon, Mahatma Gandhi, who distinguished himself through a non-violent leadership approach to struggles against apartheid and colonial domination in both South Africa and India. He then introduced himself, and indicated that the UN Human Rights Council, to which he was appointed as Special Rapporteur, is the highest decision making structure within the UN on Human Rights (HR) issues, tasked with ensuring that the HR of all are protected and guarding against all forms of discriminations. The UN Human Rights Council could thus be no better place for Kothari to be given that he is a well recognized economic, social and cultural rights activist. His visit to SA was on the basis of a fact finding mission to make some observations about housing and land situation with the view to reporting back to the UN Human Rights Council.

He saw his CCS Harold Wolpe lecture as an opportunity for him to share his personal assessment of global scenario on housing and land rights as well as preliminary observations he has made in SA on the same issues. He indicated the gravity of the global housing question, with about one and half of the world population having no access to “adequate housing” and over hundred million people being homeless. However the weakness in his lecture lies in his failure to explain or outline what for the UN and/or even for him constitutes ‘adequate housing?’ It is important to clarify this as one is left to speculate what this concept really means or what he means by it. Could it be that by this concept he is referring to just having a shelter or just four walls full round wall around, or a roof over one’s head? Does he refer to a house with the right number of rooms to accommodate the entire family or household members? That is, a house with kitchen, bed rooms, sitting room, entertainment room, etc. What exactly does this mean? What would be considered an acceptable housing unit or structure?

Such clarification is not only conceptually necessary but it is also particularly important in the South African context, given the wide variety of housing structures

that governments, both during the apartheid (match-boxes in the former black townships) and in the post-apartheid period (the so called low-cost houses and popularly known as the RDP houses), have put up for people. These descriptive terms occurred because of the controversial nature of these housing units. For instance, more often than not, in the every day public discourse, there is a perception that the apartheid match-boxes i.e. houses in the black townships are of better quality than the RDP houses built by the post-apartheid government, with the latter seen as generally inadequate for normal family life. It should be noted that such perception is developed out of criticism of this inadequate houses and that the comparison made does not necessarily legitimise the apartheid created black townships and their inadequate infrastructures including housing units (or match-boxes). Interestingly, the term match-box was developed in the light of dissatisfaction with the inadequate nature of the houses built by the apartheid government. Most of these houses are overcrowded and small in size. So, what this suggests is that both regimes i.e. the apartheid and post-apartheid, built inadequate houses for people. Hence, the persistence of the chronic housing problem in the country.

In the lecture, Kothari focused on two key aspects a) the main causes of the housing problems or what he sees as the major global trends defining the housing problems and b) his proposed way-forward on how this problem can be resolved or tackled, as well as the opportunities and challenges to finding solutions to the problems.

The first main factor and/or trend he mentioned is that of rapid economic globalization characterized by commodification and privatisation of basic services and human rights, resulting in a situation whereby social services such as housing are not seen as basic rights. This can, he argues, can be seen from the following: i) the installation of water meters, ii) too much emphasis laid on cutting down costs, iii) outsourcing of social services resulting in non-accountability to people who are recipients of such services, and iv) the vision of creating world class cities in the light of the need to host world events such as the 2010 FIFA Soccer World cup and ICC Cricket World Cup.

Closely linked to the above factor or trend are, according to Kothari, forced evictions or what in SA are notoriously known as forced removals. These evictions occur surprisingly not only in authoritarian countries but also in democratic countries. The evictions, driven by projects development and market considerations, result in serious violations of human rights and deepened poverty and inequalities. In Cambodia, for instance, Kothari found that the government was involved in land grabbing (e.g. government buildings) selling to private developers, in the process forcing people off the land. This phenomenon, he argues, is on increase in the world. Other examples of land grabbings he cites include Operation Murambatsvina (translated as sweep away the garbage) in Zimbabwe which has left large numbers of people homeless and Operation Makeover in Mumbai, India, conducted by authorities between November 2004 and February 2005 whereby up to 400 000 slum residents were evicted. In Nigeria, between 2003 and 2004, the so-called the Abuja Master Plan led to forced evictions and relocations of up to 800 000 people, often left without alternative viable means and access to livelihood. In the US, in the state of Chicago, he argues, thousands of public housing units were removed with the majority of victims affected being the African Americans in the area.

In all these cases, Kothari finds a total disregard for fundamental human rights. Communities affected were not given any prior notice or warnings nor were they consulted and allowed to participate in the decision making processes that have serious implications for their lives. Also characterizing evictions by municipalities is the use of excessive force and violence over the people being evicted when they try to resist and demand consultations. In Zimbabwe, for example, he argues that defenders of human rights are beaten up and subjected to harassments. He notes that in some countries, anti-terrorism legislations and policies are used by authorities to legitimize arrest of activists.

The resulting social impact of evictions is severe for the evicted. The evictions leave them with little or no socio-economic rights in a state of landless and homelessness. They increase vulnerability to poverty as the evicted people and communities lose out on their livelihoods sources and experience breakdowns in family and kinship ties. Women, in particular, became the most vulnerable, especially to acts of violence, insecurity, poverty, and disease. In some situations, when men or husbands die, he finds that women face the dangers of exploitation due to property ownership relations which tend to favour men over women. He noted that in some countries, there is a gap between the recognition of women's rights and implementation of those rights. Hence a culture of lip-service about women being legally protected from violence and abuse.

Kothari identified the neglect of rural areas as a factor in the housing problem. He argues that rural areas are being ignored with an eye to the global phenomenon of rapid urbanisation. The urban areas are seen as a priority for housing and land provision. Kothari's point is highly relevant to the SA situation whereby there has always been an urban-bias in development policies which benefited mainly the urban areas, especially in terms of infrastructural development such as the roads, communication system, and public transport facilities. To this day, there are still inequities between the urban and the rural areas.

Today, this approach is likely to be perpetuated by the research reports with policy implications such as the 2006 Centre for Development and Enterprise (CDE) . For CDE, as mentioned in this report, the majority of South Africans and especially the economically active sections of the population do not see their future attached to land in rural areas. According to this report, SA is no longer highly rural as 60% of its population is urbanized. It argues that prosperity for people lies in the cities where employment opportunities exist. It states that land demand is mainly in urban and peri-urban areas and that only few in rural areas need land for farming purposes. The report claims that high on the list of priority demands are urban jobs and houses as opposed to land in rural areas, which explain the reasons for land invasions in urban areas.

The danger with this perspective though as I have argued elsewhere before , is of perpetuation of the inherited problem of an urban bias in development policies. This could remain so despite the post-apartheid government policy and development approach which seeks to strike a balance between the rural and urban development. This is clearly represented in the government's Urban Renewal Programme and the Integrated Rural Development Strategy which aim at developing infrastructure in both rural and urban areas. Not only is this perspective problematic in terms of the dangers of promoting and perpetuating urban bias in policies, but also fails to take into

account the realities of today in SA i.e. that the urban economy, which has increased in capital intensity as the report rightly points out, has grown through job shedding. It has led to job-less growth. Part of this has been, and contrary to the report's claims about increasing urbanisation, massive retrenchments of workers. A significant number of the retrenched workers returned to their permanent rural homesteads. Most research in SA has shown that the urban labour force has and continues to be largely rural migrants while not negating the fact that other workers live in historically black townships. This suggests that housing and land questions in rural SA, just as in the urban areas, remain crucial and need equal and urgent attention. Perhaps even more dangerous about the perspective led by the CDE and the likes is that they fail to realise that the urban problems such as increasing crime, poverty, slum conditions or informal settlements, prostitution and homelessness are directly linked to the failure to strike a balance between urban and rural development due to urban bias.

Notwithstanding the devastating impact of evictions that have aggravated the housing and land problems, Kothari however notes a disturbing silence and lack of collective action and protest to challenge land speculations and government-led land evictions under market pressures. As he pointed out, there has not been any expressed anger about the evictions as could be seen in the cases of Cambodia, and also recently in Zimbabwe where no solidarity with the Zimbabweans was shown by South Africa government and other African states. He made a particular mention to South Africa's policy of quiet diplomacy which he found to be disturbing in view of the serious violations of human rights violations in the neighboring state.

Kothari however did not leave the audience with pessimism and a sense of total gloom. He highlighted some promising signs and developments aimed at challenging this situation and defending human rights including the right to land and adequate housing. He, for instance, acknowledged that there is around the world today, the emergence of social movements whose main approach is human rights. Prominent in this development is the World Social Forum (WSF) which works across sectors and which he sees as a positive development for forging global solidarity and needs to be consolidated and supported. He also believes that human rights organisations and activists should use the existing space and instruments such as human rights principles as enshrined in most countries' national constitutions and of course also in the UN statutes to advance the struggle for defense of the human rights. He advocated a global collective effort towards achieving a consensus on human rights whereby principles such as non-discrimination and self-determination are closely guarded and protected. Further, he emphasized as vital, the need to greatly use community-based consultative and participatory approach whereby communities and their members are given an opportunity to influence and shape the outcome of decisions around policy development, implementation and monitoring. Linked to this is the need to provide people with enhanced access to information in order to encourage informed interventions and participation.

Most importantly, he believes that involvement and participation should not occur at the expense of active mobilisation of communities to challenge, protest and resist forced evictions, and that this could still be done in a peaceful way highlighting the plight of the masses in the face of neo-liberal marketisation of life. This is what Issa Shivji (2005) has labeled "markets in poverty, ignorance and disease" advocated by the promoters of globalisation such as the World Trade Organisation and

multinational corporations. Kothari concluded with a poem by an Indian poet to emphasize his concluding point. Its central message is that communities and all those committed to human rights across the globe should stand up and speak out against neo-liberal capitalism and come together in a collective effort to resist it.

On the whole, the Wolpe lecture was a very powerful and well timed initiative by someone with a genuine interest and concern about the plight of the poor and the marginalized under the overwhelming forces of neo-liberal capitalism. My sense is that the UN could grow powerfully as an institution with socio-political activists of Kothari's caliber.

Footnotes

1 Centre for Development and Enterprise (CDE) 2005. "Land Reform in South Africa – a 21st Century Perspective", Research Report no.14.

2 Refer to my paper titled "The land redistribution for Agricultural Development (LRAD) sub-programme: opportunity for or constraint to land redistribution, rural economic development and poverty alleviation?" in *Transformation*, 52, 2005.

3 See for instance Moodie, D. (with Vivienne Ndatshe). 1994. *Going for Gold: Men, Mines Migrants*. Johannesburg: Witwatersrand University Press; Sitas, A. 1996. "The New Tribalism: Hostels and Violence." *Journal of Southern African Studies*, Vol. 22, No. 22; Bonnin, D. 1999. "We Went to Arm Ourselves at the Fields of Suffering": Traditions, Experiences and Grassroots Intellectuals in the Making of Class. *Labour, Capital and Society*, 32:1; Mapadimeng, MS. 2007. "Ubuntu/Botho Culture - A Path to Improved Performance and Socio-Economic Development in Post-apartheid SA: Beyond Rhetoric." a PhD Thesis, University of Kwazulu-Natal, Durban.

Background

Miloon Kothari was appointed in September 2000 by the UN Commission on Human Rights as Special Rapporteur on adequate housing. His mandate involves reporting annually on the status worldwide of the realization of the rights related to adequate housing and identifying practical solutions and good practices towards this end. An architect by training, he has extensive experience in the areas of housing and land rights. Mr. Kothari is also the coordinator of the South Asian Regional Programme of the Habitat International Coalition's Housing and Land Rights Network and a founding member of the International NGO Committee on Human Rights in Trade and Investment. He is a member since 2005 of the Leadership Council of the Global Coalition on Women and AIDS, Joint United Nations Programme on HIV/AIDS (UNAIDS). Mr. Kothari spoke with Horst Rutsch of the UN Chronicle in early 2006.

Interview with Miloon Kothari

On the mandate as Rapporteur on adequate housing My mandate is very broad and includes such issues as access to water and electricity, sanitation, land rights, forced evictions and displacement due to development and disasters, and post-conflict and ethnic-conflict situations. There has also been a very strong focus in the mandate on women's rights to housing, land, property and inheritance, as well as a very strong human rights perspective, building on the recognition of the right to adequate housing in numerous international human rights instruments and reaffirmed in the Habitat Agenda. The attempt is to project the human right to housing, both in terms of analyzing the situation on the ground and proposing solutions, and what steps

Governments should take to recognize this human right, including the need for it to be realized without discrimination. If I were to make an overall assessment of my work for the UN, including through eight country missions and seven regional consultations on women and housing and land, as well as participation at major international conferences

and quite a bit of research and writing, is that the situation is worse than it was five years ago. The right to housing has been receiving increased attention, but the situation on the ground is getting worse as the number of people living in adverse conditions continues to grow.

On the problem of land speculation

An overwhelming concern for me is the intense property and land speculation, and there appears to be no attempt by Governments to control this, which makes it very difficult for the poor to access affordable housing. It is even affecting the middle class, as you can see in New York City and in other cities worldwide. There is no control for this rampant land and property speculation. I have been on missions and have had discussions with ministers on why there was no affordable housing market and why Governments did not intervene and make sure that property prices and rentals were not out of the reach of the poor. The usual answer is that such intervention would destabilize the economy. I find that there is a preoccupation, almost an obsession, with economic parameters—looking at growth for the sake of growth, and all the criticism that you would have of a neo-liberal Washington consensus-type of approach, which I think has become deeply entrenched. It is also something that we find at national levels, where Governments are seeking to invest and gain returns through privatization of water, electricity and sanitation—rights and resources that are critical to make housing a human right. I think there is overwhelming evidence worldwide showing that this kind of approach does not meet the needs of the very poor. For example, I find that the housing finance system does not meet the needs of the bottom 20 per cent of the global population; it is geared towards the lower-middle and middle classes. When you get this kind of assessment, it is very clear that Governments, even of developing countries, can no longer make the excuse that they don't have enough resources to provide or create conditions for everyone to have the right to housing or food. It is not just a question of not having the resources but also a step that can be taken by reorienting financing that is already available for housing. The second main area of concern related to property speculation is land grabbing.

It's a phenomenon wherein any means possible, including legislative, is used to confiscate or grab land. For example, this whole dogma of eminent domain, where you have a system that the State can effectively confiscate any land with its own opportunistic notion of public purpose, and the people affected do not have any legal means to challenge such acquisition, except to challenge the amount of compensation they would get. If this is done in a way where such actions contain a political element, particularly affecting religious minorities such as in Iran, certain communities are summarily dispossessed of their homes and lands. Another example are the kind of land concession given to foreign companies, for logging, etc., approved by the Government of Cambodia, which severely affects the housing and land rights of indigenous people. There is this element of discrimination, based on race, ethnicity or income levels that comes in, where particular groups are affected even more.

On discrimination against vulnerable groups

There are vulnerable ethnic and religious minorities, including women across the board. So you have a predatory, exploitative system that treats land, property and housing as a commodity, essentially something out there in the market. It does not give due recognition to the social dimensions of housing, land and property. These are essentially human rights closely tied to survival and livelihood, something that people depend on every day, and their access to these rights, regardless of the level of income and which class or religion they belong to, needs to be protected. But what we find is a situation where States, instead of assuming that responsibility in accordance with international

instruments and their own constitutions, are withdrawing from their role as protector and guarantor. And because in many countries there are active land cartels, property developers and politicians who are very powerful and can influence States' decisions, the Governments, in a sense, lose control of these areas, so land grabbing is becoming a global phenomenon. This is very disturbing.

On forced evictions and involuntary displacements

The third area which I have come across intensively is the situation of forced evictions: the involuntary displacement of thousands of people because of development and disaster related projects, and also due to conflicts. My main recommendation to the UN system is that much more emphasis must be given to people who are being displaced because of so-called development—by that I mean large dams and mining projects, infrastructure development, environmental and city beautification projects. I don't know if you are familiar with the situation in May-June 2005 in Zimbabwe, where 700,000 people had been displaced within six weeks, and between November 2004 and March 2005 some 300,000 to 400,000 were displaced in a huge slum-clearance drive in Mumbai, India. If you look at the manner in which cities in developing countries have become the best-practice or are referred to as world-class cities such as Shanghai, they have developed, causing large-scale dislocations, especially of the elderly and the poor. These forced evictions have become really almost an epidemic—it is happening all over the world. One of my interventions, in my 2006 report to the Commission, is to propose a set of guidelines on steps that Governments need to take to minimize evictions, through simple steps like consultations with communities and exploration of alternatives—a range of different options that are usually not taken. There has to be careful assessment of what is to be done. Even from an economic perspective, most of the evictions do not make sense because, as experience in different parts of the world has shown, upgrading settlements where infrastructures have already existed for decades cost far less than relocating a huge number of people. In many cases, such as in Zimbabwe or Mumbai, most of those evicted become homeless, as they are not offered adequate resettlement or are taken away from the centre of the cities and resettled far away where there is no livelihood. They have no access to education for their children and no adequate water and sanitation. Governments do not have the capacity nor the interest or commitment to manage the resettlement.

On the phenomenon of 'urban and rural apartheid'

Forced evictions are becoming more and more routine. The result of this is the creation of what I call "urban and rural apartheid"—the separation of the rich from the poor in cities and rural areas. More and more housing developments are being built only for the wealthy, and the poor are being evicted or forced to live in the ghettos.

The kind of judicious master planning that is called for, with mixed-income land use as a principle, is happening less and less. This kind of “apartheid” is tragically being supported in many parts of the world by the judiciary, which should instead uphold human rights and impose justice, but instead is increasingly becoming part of the elite in societies that are anti-poor. This is very dangerous, as there is a conflict between human rights. For example, a court judgment for a city beautification calls for development that would lead to displacement of people, or for an industrial plant to be closed without any recourse to rehabilitating people who would lose their jobs and their homes, thus placing the right to safe environment over the right to housing and the right to work.

On the increasing trend of homelessness

The other phenomenon that is the theme in my report to the Commission on Human Rights in 2005 is homelessness. We find this happening across the world, including in developed countries like the United States, Canada and Australia, and even in countries with very vibrant economies. This increasing homelessness is very disturbing due to several factors. One is very closely linked to the over-reliance on the market for solutions.

For example, in the current United States administration policy, there is a very direct attack on subsidies provided to low-income, mostly African-American communities, such as housing vouchers that will make it possible to rent. But then support for public housing is being withdrawn, and existing public housing dismantled, and the result is that people are forced out onto the street. There is also an increase in domestic violence. This is another area I am looking at: the link between violence against women and the right to housing. When you look at shelters around the world, we find gross inadequacies. There are, for example, some 10,000 homeless women in Delhi and only 1 per cent of them have access to shelter. There is also a system where people with mental or other disabilities are released from an institution without a corresponding system of re-housing, and so many of them end up on the streets. I find this really disturbing, as the poor are more and more stigmatized. For example, in the United States, if you are homeless, you can be treated as a criminal. In India, we have a law called the “Bombay Vagrancy and Prevention of Beggary Act”, which authorizes the police to pick up somebody and put them in jail. So, we are finding that it is not only a question of neglect of the poor, but we have moved into this very dangerous terrain where we are now beginning to see a systematic assault on the poor.

On the vicious connection between inadequate housing and violence, particularly against women

In a recent regional consultation in Washington, D.C. for the global UN study on women, housing and land, we heard the voices of women from the United States and Canada. Several testimonies were about the United States Government policy that leads to the separation of women and children. A single mother who cannot qualify and provide for adequate housing has her children taken away from her. So instead of the State supporting these women to acquire better housing, or giving them subsidies and better support, it takes away their children and put them in foster care. There are also many such cases in Canada, especially with indigenous people. If you look at statistics there, the indigenous women and young girls are proportionately much more prone to violence, including rape, on the city streets. And you have a situation in developing countries where people are forced to live in inadequate

conditions, without privacy and with much more incidences of violence. So these are some areas of concern and the scale of the problems we are facing.

On the silent crisis of housing as a global challenge

Absolutely, I think that the crisis of housing and land is so severe that it needs much more global attention and requires to be firmly on the global agenda. The UN system needs to take a more careful look at it. There is a culture of silence, for example, when it comes to the struggle women are facing in terms of equal rights to land property, housing and inheritance. This culture of silence, whether at home or in the community, exists because the people in power—the partner, politicians and bureaucrats, etc.—are mostly men, and it is not in their interest to speak openly or admit that they are not allowing women the freedom to have their rights to property, or that there is such a high incidence and prevalence of domestic violence.

There is a huge simmering crisis that is affecting millions of women worldwide and we are not giving this the attention it deserves. What we are trying to bring out in the Commission studies and reports is that there is not only a culture of silence but also of neglect in terms of cultures and traditions, where the dominance of customary traditions is such that it discriminates against women and treats them as much more inferior than men. In countries where there are strong traditions stemming from religion, whether Islamic or predominantly Christian, it is important for Governments to reconcile national and religious laws with international human rights obligations, and to ensure that there is no pre-eminence given to one specific interpretation of religious laws over women's human rights. I saw this clearly in countries like Iran, where there is one specific interpretation of religious laws and the Koran that leads to discrimination against women in terms of their access to housing, land, property and inheritance.

On the trend of claiming exception to international law

It is the legal responsibility of States that have ratified international instruments to bring national laws in line and to demonstrate that they are implementing these laws. In my reports, we call for property inheritance and for recognition of women's equal rights to housing, as well as for the implementation of constitutional provisions and national law. Around the world, you will find that there are more and more laws that recognize women's rights, but there is a huge gap between recognition and implementation. We asked Governments to supply us with information on these issues and we get answers like: "We have this law"; "We are considering this policy"; "We have these administrative actions". But there is very little information on how these laws, policies or actions have been implemented. If you listen to the voices of women from the field, you'll find that there is very little implementation. People are not even aware that these laws exist. What dominates is customary practice or just neglect.

On the link between property rights and HIV/AIDS

In my last report on housing, we made a link between HIV/AIDS and property. It's very common in countries in sub-Saharan Africa that if a woman's husband died of HIV/AIDS or she herself has the disease, she is stigmatized and thrown out of the house by relatives, and nobody will rent her a place. Obviously, in such a situation there should be a policy or legal intervention that protects women's right to housing, or some positive developments with domestic violence legislation. For example, in India and Mongolia, the recent laws call for the man to be evicted. Also one of the

major problems is that women have no choice but to continue to tolerate domestic violence, otherwise they will be homeless or be separated from their children. Therefore, we are encouraging legislation that protects women's right to housing and ensures that they have equal rights and privacy, as well as other steps that could be taken. I think there is this situation all over the world where women generally are essentially homeless. It doesn't matter what their income group is, because they don't have statutory rights in their homes. There is a move in legislation to recognize that, but women live with a constant insecurity. For example, testimonies of even upper-class and middle-class women reveal that they can be thrown out of the house and have nowhere to go. So there is no protective system, and for women living in poverty the consequences are much more serious.

On the collaboration with other UN agencies

One of the problems that we have in this work is that resources are very limited. As you know, it is an honorary position and we are not paid staff of the United Nations. The main reason for this is to maintain independence and so that we can even be critical of the work of the Organization. The support we get from the United Nations is for the missions and travel, and a full-time person assisting the Rapporteurs out of the High Commissioner's Office in Geneva. This kind of a situation places restrictions on how much we can do, how many places we can visit and how much research we can get done. Of course, we rely on civil society and the UN agencies, so occasionally there are situations where I work with UN-Habitat, the United Nations Development Fund for Women (UNIFEM) and the United Nations Children's Fund (UNICEF); but it's not systematic. We have to take the initiative, in a sense. There is also a need for much more awareness and integration of the work of special rapporteurs across the UN system; right now, it is still very ad hoc. You will find some rapporteurs working very closely with UN agencies. What we find lacking, and where there is a great hope for improvement, is a closer working relationship on a consistent basis with the UN Secretariat in New York. There is definitely a disconnect between what happens in the human rights field in Geneva and the political level in New York.

With the political, humanitarian and many other areas of the United Nations, I see hope for much more collaborative work. For example, on internally displaced persons following the tsunami disaster, we are closely working with the UN Office for the Coordination of Humanitarian Affairs and are in touch with different UN agencies involved. But again, that is not something that is built into within the UN system. This is an area that is being looked at very closely in the reform process of the Organization. I think the whole initiative to turn the Commission on Human Rights into the Human Rights Council is welcomed by the rapporteurs, as it will bring much more attention to human rights issues in general. I think the Secretary-General's initiative, which has led to a significant increase in the budget of the High Commissioner's Office, will increase the expertise and the capacity of the Office to support human rights work—this is very positive. But where I still find the biggest obstacle remaining is the reluctance of States, even UN agencies, to whole-heartedly and sincerely adopt the human rights approach and comply with international human rights instruments, which the UN Charter also calls for. In the last ten years, there was supposedly much more effort in mainstreaming human rights, but I don't see that happening so much in practice. I have found resistance within some UN agencies, with the United Nations development

Programme (UNDP), for example, and even the UN Habitat—I don't find a very open commitment to that. Also in the work of the special envoy on the tsunami, you don't find former United States President Bill Clinton telling an affected country that in a post-disaster situation one should be implementing human rights obligations. But that should be a clear and uncompromising message. When we don't do that, very often we gloss over some of the realities and don't notice the discrimination on the ground, because we don't look at the ground reality through the human rights lens. It's not something that is an add-on. These are obligations all of us, whether UN agencies and representatives or Member States, should have—a primary obligation that even the Secretary-General has consistently addressed. I find that hesitation, what I would call spinelessness, to hold Governments accountable to their own commitments very disturbing.

The UN work on the right to housing can be accessed at www.ohchr.org/English/issues/housing/index.htm