

# INFONOTE

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## New Study on Security of Tenure and Informal Settlements by UN Special Rapporteur on the right to adequate housing

*Security of tenure is a central component of the right to adequate housing. Any initiative related to housing, whether in the context of urban renewal, land management or other development-related projects, or in dealing with reconstruction needs after conflicts or disasters, will inevitably have tenure security implications. The lack of security of tenure - in law and practice - makes protection against forced eviction very difficult, leaving the most vulnerable, such as inhabitants of informal settlements, at risk of a range of human rights violations.*

### TIMEFRAME

The study will be finalized by April 2014:

- **Phase One (2012-March 2013)** consists of a mapping exercise, combining legal analysis with an assessment of policies and practices worldwide with respect to tenure security. The Special Rapporteur will present a report to the Human Rights Council in March 2013, which will take stock of the work done so far and outline areas of prioritization for further work.
- **Phase Two (March 2013-April 2014)** will aim to develop advice and guidance on security of tenure, based on further consultations. The Special Rapporteur will present a final report to the Human Rights Council's March 2014 session and encourage greater attention to this issue.

Human rights law mandates that all persons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats.

- But what are the specific requirements derived from this general injunction?
- What is the scope and content of 'security of tenure' under international human rights law?
- What are the precise, concrete obligations of States to ensure tenure security for their population, and in particular for the most disadvantaged?
- What forms of tenure exist worldwide and how do they fare in terms of human rights protection?
- Are there any practices, policies and measures to learn from to increase and ensure security of tenure for all?
- From a right to adequate housing perspective, what has worked, what hasn't, and why?



The study of the UN Special Rapporteur on the right to adequate housing, Raquel Rolnik, will explore the above questions. It seeks to 'unpack' the concept of security of tenure and the specific requirements arising from human rights law in this respect. Building on years of practice in the urban planning, housing policies and development fields, as well as human rights advocacy and litigation, the study will aim to offer both legal and practical advice on ways to address the variety of tenure issues arising worldwide, and to strengthen security of tenure, particularly for those who most need it.