



Habitat III Basics

Habitat International Coalition's Primer on the Indispensable Process and Content of the International Conference on Housing and Sustainable Human Settlements (2016)

As expressed at the World Urban Forum 7 (Medellín, 2014) and PrepCom1 (New York, 2014), Habitat International Coalition (HIC)¹ has called for the integrity of the Habitat II (1996) commitments and modalities as we advance toward Habitat III. These demand preserving three basic HIC principles:

- Processes must uphold the Habitat II-established principle to be as **inclusive** as possible;
- Maintain the **Habitat Agenda**, not pose a narrower and more-divisive “urban agenda”;
- The **human rights and good governance** approaches must continue to anchor and guide global human settlement policy and corresponding commitments.

The various Habitat III preparations, reporting and deliberation processes and contents must be grounded in (1) a faithful evaluation of commitments made at Habitat II; (2) a review of housing-rights and good-governance practices consistent with those essential aspects of the Habitat II promise, while taking into consideration the lessons learned and greater conceptual clarity of the issues since Habitat II; and (3) realistic preparation for the emerging human settlement-development challenges that light the way toward improving “balanced rural and urban development,” as pledged since Habitat I (1976).²

No program, campaign, periodic report of UN-Habitat or the UN Secretary General so far has provided for a review or evaluation of commitments coming out of Habitat II, and the UN-Habitat-proffered national Habitat III reporting guidelines omit mention of those commitments and/or their evaluation. Therefore, correctives are urgently needed if the Habitat III process, conference, themes and/or outcomes are to be meaningful and justify the effort and resources that multiple stakeholders are pouring into it.



Promises, Promises

The promises that governments made and development partners shared at Habitat II are classified in the outcome “Commitments” and “Global Plan of Action” under seven organizational headings:

- A. **Adequate Shelter for All**
- B. **Sustainable Human Settlements**
- C. **Enablement and Participation**
- D. **Gender Equality**
- E. **Financing Shelter & Human Settlements**
- F. **International Cooperation**
- G. **Assess Progress**

States and governments reaffirmed their obligations to the full and progressive realization of the **human right to adequate housing** 61 times in the Habitat II outcome document.³ Among the specific commitments corresponding to this legal obligation was their pledge to **protect from, and redress forced evictions**.⁴ In 1996, governments also explicitly committed to **combat homelessness**.⁵ Neither of these core commitments is mentioned in the UN-Habitat Guidelines for preparing national reports for Habitat III.⁶

The Habitat II Agenda commitments are, at once, varied and inter-related. Their progressive nature augured hope for a better living environment by:

- Ensuring gender equality⁷
- Protecting the environment⁸
- Practicing international cooperation⁹
- Participatory governance at all levels¹⁰
- Maintaining just macroeconomic policies¹¹
- Recognizing habitat’s urban and rural scope¹²
- Promoting community-based land management¹³
- Promoting land markets that meet community needs¹⁴
- Involving multiple sectors and partnering with civil society and communities¹⁵
- Adopting innovative instruments that capture gains in land value and recover public investments¹⁶
- Increasing housing affordability through subsidies and other innovative forms of assistance, including support for self-built housing.¹⁷

Evaluation

As noted above, the concluding broad heading of these promises relates to the indispensable task of evaluating performance against the principles detailed in the Istanbul Declaration and The Habitat Agenda. The Habitat II commitments are many, and are summarized as “Habitat II Evaluation Criteria” in HIC’s separate ANNEX to this primer.¹⁸ This proposal corresponds with any standard evaluation criteria.¹⁹ The essential evaluation of Habitat II commitment performance would review:

- **Relevance:** The extent to which the Habitat II commitments and their corresponding interventions have aligned with the rural and urban development needs and objectives of both national and local governments (implementers) and the priority beneficiaries.²⁰ Assessing the relevance of the Habitat II commitments and corresponding implementation would determine how they have related to problem solving in the local context.

- **Cohherence:** How Habitat II commitment implementation found synergy and complementarity with other policies and commitments, posing and answering the questions of how Habitat II commitments and outputs strictly or causally link to outcomes up the chain of international, regional and national efforts, building effective partnerships with other relevant initiatives of national stakeholders, civil society and development partners.
- **Effectiveness:** The extent to which interventions aligned with Habitat II-related objectives and achieved intended—and/or unintended—habitat-development outcomes. Findings would demonstrate the extent to which outputs have met indicators and targets (to the extent possible), analyzing the reasons for achievement or failure, strategic adjustments and learning.
- **Efficiency:** The degree to which resources (time, level of effort, funds, etc.) have been converted economically into results, considering potentially more cost-effective and more-timely alternatives.
- **Impact:** The evaluation should consider the positive and negative, intended and unintended effects of Habitat II-related efforts within the 1996–2016 timeframe, covering:
 - The main outcome-level results achieved so far by operationalizing Habitat II commitments and
 - Any expected results that do not show sufficient evidence of achievement.
- **Sustainability:** The likelihood of continued long-term positive effects of the efforts/interventions during the Habitat II Agenda performance period (1996–2016), as well as the likelihood of continuity beyond, ensuring local ownership, continuity and replication by partners and others.

Greater Clarity and Lessons Learned since 1996: Key Elements for the “New Habitat Agenda”

Building on the Habitat II commitments and findings from their performance evaluation should involve reconsideration and more-explicit inclusion of principles and concepts in the New Habitat Agenda. During the Habitat II Agenda’s implementation period, states, governments, UN bodies, other development partners, including civil society and social movements, have developed and further clarified these human-rights and good-governance concepts implied in Habitat II. Meanwhile, these concepts and their operation have evolved to inform the Habitat III process. While it remains within the competence of Habitat III partners to inventory these good practices and concepts, HIC has identified the following key elements that it expects to be included among the New Habitat Agenda commitments:

Right to the city, *its elements and derivations:* Although predating Habitat I, the concept of the “right to the city” has evolved in the form of the “Global Charter for the Right to the City,” numerous local charters, the United Cities and Local Government (UCLG) “Charter Agenda on Human Rights in the City,” regional iterations of the concept, a prolific literature on both its theory and practice, urban social movements asserting the claim of the right to the city and the current Global Platform on the Right to the City.²¹ Articulations of the elements of the right to the city are found also in such related expressions as: “human rights city,” “human rights in the city,” “human rights habitat” and “rights of the city.”²²

Social production of habitat is also a time-honored concept, but, more importantly, it is the dominant form of building housing and the built environment in many cities, especially in the developing world. The social production of habitat (SPH) encompasses all nonmarket processes carried out under inhabitants’ initiative, management and control that generate and/or improve adequate living spaces, housing and other elements of physical and social development, preferably without—and often despite—impediments posed by the state, or other formal structures or authorities.²³ The SPH experience provides a basis for fulfilling the human right to adequate housing and corresponding obligations to extend urban planning and other support to communities engaged in SPH, as well as illustrates the related concepts of public-popular partnership (PPP) and public-private-popular partnership (PPPP).

The social function of land and property has been the subject of increased policy debate and reform over the years since Habitat II.²⁴ In theory, a social function is "the contribution made by any phenomenon to a larger system of which the phenomenon is a part."²⁵ In practice, the social function of a thing is its use or application to the benefit of the greater society, in particular, prioritizing those with the greatest need. Thus, the social function of land, property, a good, resource or service is realized when it is applied to satisfy a general social need or the unmet need of a segment of society. The social function of—and human right to—land and property in human settlement development is a policy principle that can ensure more-equitable distribution of benefits of an economic system. Its application is the subject of much contemporary practice and, in certain countries, is ordained as a constitutional requirement.

Value sharing, variously expressed,²⁶ is not a new concept, but its expression reflects the Habitat II commitment to "innovative instruments that capture gains in land value and recover public investments."²⁷ Several states and cities have developed corresponding programs, projects, institutions and legislation to operationalize the social application of the appreciation in value or capital gain from a change in zoning, use, sale or development of land or property. When this added value derives from public land or property, this type of public asset is considered "socially produced" value. Applying the social function of that property, such assets create value that redounds to the welfare of the community or municipality, with the function of distributing its benefits to needy citizens, and/or for other public purposes.

Holistic habitat planning: The human settlement is not the domain of an exclusive set of stakeholders. The physical configuration, definition of technical solutions, human needs and aspirations, and environmental considerations of the village, town and city all should be determined through participatory urban/regional planning as a public good and service and as an element of the human right to adequate housing. Equitable, ethical, rule-based and people-centered development planning can optimize economies of agglomeration, promote sustainable density, encourage social diversity and mixed-land uses, foster inclusiveness, maximize heterogeneity, guarantee equal opportunity, promote livable public spaces, ensure vibrant and safe streets, and, thus, make human settlements more equitable, functional, democratic and environmentally balanced. A planning and administrative vision broader than the touted "new urban agenda" becomes more conceivable—indeed indispensable—in light of efforts to maintain city-region food systems and transport systems, reconsidering the segregated distinctions of "rural" and "urban," and enabling the approach to the city-region as the functional metabolism that it is.

Local fiscal systems have to evolve from being mere instruments of revenue generation and budget management to vectors of change that generate real development outcomes. Fiscal systems and services must realize their social function in support of people-centered development. Public and private investment must uphold "fundamental principles and basic rights at work,"²⁸ and investment policies must purposefully generate *decent work*,²⁹ ensuring adequate housing and habitat affordability. Regulatory mechanisms are needed to ensure that fiscal systems and financial services serve not only clients and beneficiaries, but also right holders, especially households in need of a choice of tenure options to realize adequate housing and human well-being.³⁰ Socially produced values must be recovered sufficiently to finance and promote equal and equitable access to public services, continuous improvement of living conditions and fully and progressively realize the human right to adequate housing.

Rule of law and accountability for violations of habitat rights, in particular the human rights to adequate housing, land, water and sanitation, public goods and services and related process rights, must be built into the Habitat III commitments. The practice of forced evictions; displacement; population transfer, including the implantation of settler colonies in occupied territories; demographic manipulation; land grabbing; and other gross violations, grave breaches and crimes have continued with impunity in every region since Habitat II. A new development agenda and global order must put an end to these wholly

unsustainable models, destructive behaviors and breaches of existing norms, while ensuring reparation for victims, affected persons and communities.

Extraterritorial obligations of states to respect, protect and, in certain cases, fulfill human rights form one dimension³¹ of duties under treaties that enshrine the human right to adequate housing, the human right to water and other habitat-related substantive and process human rights. States and their constituent bodies also bear the obligation to uphold peremptory norms of international law through their international relations, transactions and regulation of third parties.

Moving Forward

Since 1996, new and growing challenges and issues apply to human settlements development and deserve addition to the New Habitat Agenda. The patterns of urbanization, new policies and dissenting voices, as well as environmental conditions, have created new urgencies for the New Habitat Agenda to address:

Resilience: Climate change has raised the priority of disaster preparedness in human settlements and the capacity to sustain resilience. Resilience of human settlements and inhabitants is more vital also in light of cyclical crises such as those in finance, food and other resource distribution. Human settlements and their inhabitants are compelled to be more resilient, in order to survive the shocks that have manifested since Habitat II, as well as those anticipated in the period of the New Habitat Agenda. However, as resilience may be a virtue, it must not be understood to shift the onus onto victims of human-made crises and violations of their human rights, expecting them and their defenders, as well as philanthropists and other funders, incessantly to bear the consequences without remedying the root causes of crises, including through the accountability and liability of responsible parties.

Urbanization is not inevitable: The realization of global development, as any outcome, is all about facing dilemmas by making and acting on choices. Since Habitat II, certain parties have promoted the axiom that urbanization is “inevitable.”³² Such ideology dismisses human responsibility and suggests that the forces and factors of urbanization are involuntary, or the consequence of some *force majeure*. It also dismisses the causal and liability issues of duress and distress migration to cities, due to a failure of “balanced rural and urban development.”³³ Urbanization is not self-executing. Rather, it is the consequence of human choice and corresponding action. The fact and nature of urbanization are the outcomes of human political will, among other conscious choices.

Urbanization is only one deliberate policy choice among others. With the currently dominant market-driven model, real or imagined urban opportunities also are not self-executing. The distribution of urban wealth and poverty become systemic, but also grounded in deliberate policy choices. Development processes, including urban development, thus, are not inevitable, linear or always forward moving, nor are they irreversible, without alternative, or exempt from needed restraint.

Distribution of economic values, not merely growth, is a critical measure of development, as well as policy and governance success. Unregulated private interests continue to hoard the world’s wealth and natural resources. The world has more billionaires than ever before and, in some countries,³⁴ the richest 10% have surpassed the national disparity at the height of the Gilded Age, a century ago.³⁵ If only one-fifth of the wealth possessed by the world’s 1,225 billionaires were allocated for human settlement upgrading, the net USD1 trillion could solve the problem of slums and inadequate housing well within the Habitat III period. States and governments would fail in their duties to impoverished citizens if they did not commit to a wealth-redistribution scheme in Habitat III. In any event, the urban poor will invest another USD1 trillion of their own in the social production of habitat in even less time. Well managed and supported, the proceeds would create millions of jobs, ensure dignified living conditions, realize human rights and improve human well-being. Income inequality has been characterized as the “defining challenge of our

time.”³⁶ In Habitat III, states must not fail to rise to this challenge by deferring to the market and its consequences as if “inevitable.”

Conclusion

The Habitat II commitments, although never properly operationalized or evaluated, have provided a solid basis for further development of the principles and commitments for a better world with the New Habitat Agenda in 2016. Those Habitat II promises stand to be improved and developed as proposed above, this time with targets to be monitored and assessed through the coming 20-year Agenda. The current opportunity presents itself also finally to reform UN-Habitat accordingly, aligning it with the triple (security, development and human rights) purposes the UN Charter as a bona-fide Charter-based specialized organizations. Any New Habitat Agenda that falls short of these standards risks being just as neglected as Habitat II’s broken promises, squandering the great efforts and resources invested in this Habitat III process and the 40 preceding years of normative development.

Endnotes:

- ¹ Habitat International Coalition (HIC) is a global network of some 400 organizations working in over 120 countries on habitat and related human rights issues. For more information, see: www.hic-net.org (portal) and its regional and thematic on-line resources.
- ² Istanbul Declaration on Human Settlements [Istanbul Declaration] and The Habitat Agenda, paras. 29, 43(l), 43(k), 109, 111, 126, 156, 163–69, A/CONF.165/14, 14 June 1996, at: http://www.unhabitat.org/declarations/habitat_agenda.asp
- ³ As formulated in Istanbul Declaration on Human Settlements [Istanbul Declaration], para. 8, and The Habitat Agenda, *ibid.*, paras. 39 and 61.
- ⁴ The Habitat Agenda, *op. cit.*, paras. 40n, 61b, and 98b.
- ⁵ Istanbul Declaration, para. 4; The Habitat Agenda, paras. 8; 11; 38; 40(l); 61(c)(iv), 61 (d); 115; 119(k) and 204(y).
- ⁶ “Guidelines and Format for the Preparation of National Reports: On Six Key Topics, Thirty Issues and Twelve Indicators,” at: <http://unhabitat.org/wp-content/uploads/2014/07/Guidelines-and-Format-for-the-Preparation-of-National-Reports-On-Six-Key-Topics-Thirty-Issues-and-Twelve-Indicators.pdf>.
- ⁷ The Habitat Agenda, *op. cit.*, 119(a–l), 46(a–e), 72(a), 78(f), 46(c), 51, 72, 119(j), 120(f), 127(b), 180(g), 180(l), 208(b) and 239.
- ⁸ Istanbul Declaration, paras. 1, 3, 4, 7, 9, 10 and 11; The Habitat Agenda, paras. 128–144, and throughout, totaling 278 references.
- ⁹ The Habitat Agenda, *op. cit.*, paras. 119(k), 204(a–j), 204(m) and 204(y).
- ¹⁰ The Habitat Agenda, *ibid.*, 50(c) 113(l) and 68(b).
- ¹¹ *Ibid.*, paras. 40(a), 62, 65, 67(b) 115, 186(d), 189(b) and 201(b).
- ¹² Istanbul Declaration, *op. cit.*, paras. 6 and 10; The Habitat Agenda, *op. cit.*, paras. 46(d), 68, 68(c), 70(a), 70(c), 75, 79(m), 104, 113(a–n) and 114.
- ¹³ The Habitat Agenda, *op. cit.*, paras. 74(c), 75 and 113(m).
- ¹⁴ The Habitat Agenda, *op. cit.*, paras. 113–14.
- ¹⁵ Istanbul Declaration, *op. cit.*, para. 8; The Habitat Agenda, *op. cit.*, paras. 50(c), 61(c)(v), 113(l).
- ¹⁶ The Habitat Agenda, *op. cit.*, para. 76(h).
- ¹⁷ The Habitat Agenda, *op. cit.*, paras. 47; 61(c)(ii), 72(b), 73, 74.
- ¹⁸ “Habitat II Evaluation Criteria,” at: <http://www.hlrn.org/img/documents/Points4UN-Habitat.pdf>.
- ¹⁹ Organization for Economic Cooperation and Development (OECD), *DAC Principles for Evaluation of Development Assistance Development Assistance Committee* (Paris: DAC Working Party on Aid Evaluation, 1998); *The OECD/DAC Criteria for International Development Evaluations: An Assessment and Ideas for Improvement* (Paris: DAC Working Party on Aid Evaluation, 1998), at: <http://www.oecd.org/development/evaluation/50584880.pdf>; *Standards for Evaluation in the UN System* (New York: UN Evaluation Group, April 2005), at: <http://www.uneval.org/document/detail/22>; *Quality Standards for Development Evaluation* (Paris: OECD/DAC, 2010), at: <http://www.oecd.org/dataoecd/55/0/44798177.pdf>.
- ²⁰ To be named explicitly in the New Habitat Agenda. These include impoverished, marginalized and vulnerable persons and groups such as: children, persons who are with disability, displaced, elderly, immigrants, farmers, homeless, migrants, indigenous peoples, informal workers, informal inhabitants, landless, LGBTQ, low-income, minorities (ethnic, racial, ethnic, etc.), pastoralists, people under occupation, with HIV/AIDS and other infirmities, refugees, squatters, statelessness, tenants, Travelers, tribal peoples, unemployed, women, youth and others.
- ²¹ See the Global Platform on the Right to the City website, at: <http://www.righttothecityplatform.org.br/programacao/>.
- ²² See “Terminology Corner,” *Land Times/أحوال الأرض*, Issue 11 (November 2014), at: <http://landtimes.landpedia.org/>.
- ²³ For more information and cases, go to [HIC general website](http://www.hic-general-website.org) and [HIC-HLRN website](http://www.hlrn.org).
- ²⁴ Notably the Committee on Global Food Security-endorsed “Voluntary Guidelines on the Responsible Governance of Tenure of Land, Forests and Fisheries in the Context of National Food Security (2012), at: <http://www.fao.org/nr/tenure/voluntary-guidelines/en/>.
- ²⁵ Thomas Ford Hault, *Dictionary of Modern Sociology* (Totowa NJ: Littlefield Adams 1969), p. 139.
- ²⁶ Also known as “*plusvalía*,” “*mais-valía*,” and “land-value capture” in much of the urban-development literature.
- ²⁷ The Habitat Agenda, para. 76(h).
- ²⁸ See International Labour Organisation [ILO], “Declaration on Fundamental Principles and Rights at Work” (1998), at: <http://www.ilo.org/declaration/lang-en/index.htm>.
- ²⁹ As the ILO has defined, at: <http://www.ilo.org/global/topics/decent-work/lang-en/index.htm>.
- ³⁰ “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,” A/HRC/25/54, 30 December 2013, at: http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session25/Documents/A-HRC-25-54_en.doc.
- ³¹ In addition to domestic, individual and collective dimensions of duty under treaty and *erga omnes* obligations.
- ³² See “Manifesto for Cities,” UN-Habitat, World Urban Campaign, at: <http://www.worldurbancampaign.org/manifesto-for-cities/>.
- ³³ As committed in *supra*, note 1.
- ³⁴ For example, the United States of America and United Kingdom.
- ³⁵ Thomas Picketty, *Capital in the Twenty-first Century* (Cambridge MA: Harvard University Press, 2014).
- ³⁶ “Remarks by the President on Economic Mobility,” The White House, Office of the Press Secretary, 4 December 2013, at: <http://www.whitehouse.gov/the-press-office/2013/12/04/remarks-president-economic-mobility>.