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Geneva, 30 October 2017

The Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office and other International Organizations at Geneva presents its compliments to the secretariat on the right to adequate housing and has the honour to refer to the letter of the Special Rapporteur on the right to adequate housing, dated 7 September 2017, concerning relevant information, contributions and experiences for the preparation of the thematic report for the 37th Session of the Human Rights Council on how States can design and implement effective human rights-based housing strategies to realize the right to housing and to fulfil commitments made in the 2030 Agenda for Sustainable Development and the New Urban Agenda, in keeping with resolution 34/9.

In this regard, the Permanent Mission has the pleasure to attach hereto the reply of the Government of the Kingdom of Saudi Arabia.

The Permanent Mission of the Kingdom of Saudi Arabia to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew to the secretariat on the right to adequate housing the assurances of its highest consecration.



Secretariat on the right to adequate housing
Office of the United Nations
High Commissioner for Human Rights
United Nations Office at Geneva
1211 GENEVA 10

Kingdom of Saudi Arabia
Ministry of Housing
 Ministry Deputy for Planning, Studies & Programs



Mandate of the Special Rapporteur on the Right to Adequate Housing

Questionnaire

- 1. How those who are homeless and other stakeholders have been included in the design and implementation of housing strategies.**

It is important to emphasize that homelessness phenomenon does not exist in the Kingdom of Saudi Arabia. Instead, a small portion of Saudi citizens may live in inadequate houses according to several criteria. This term was used by the Eligibility & Prioritization Mechanism for Housing Subsidy Applications "Eskan" programme. "Eskan" is a national project planned and implemented by the Ministry of Housing to develop a mechanism to verify the eligibility conditions and determine priorities of the citizens applying to acquire housing units built directly by the ministry or through PPP projects in addition to other forms of government subsidized housing products such as developed land parcels and housing loans. The programme aims to serve the most deserving families that do not have adequate housing, taking into account age, income, family size, marital status and special cases such as disabled, widows, divorced women, orphans, elderly and poor, through a clear and transparent scoring system. Inadequate house term was mentioned and referred to within the Housing Subsidy regulation and its bylaw which considered the house adequate if it meets the following criteria : built area 125 sq m as a minimum, durable building system such as reinforced concrete, structural safety, and habitability. According to the above-mentioned regulation and bylaw, owning no adequate house is a prerequisite for housing subsidy eligibility.

Sometimes, some people may lose their homes because of fire, flood, or any other natural hazards, or because of emigration due to military events nearby their regions of residence.

- 2. How the various needs and situations of different population groups, especially the most marginalized and excluded, are considered, consulted on and incorporated in the strategies.**

The Kingdom Vision Program (2030) tackled the reality of housing and its aspirations. It mentioned the desire of each family to own a home and the importance of this in strengthening family ties. The vision included the importance of raising the housing ownership rate by a minimum of (5%) by 2020, through enacting a number of regulations and bylaws, stimulating the private sector, and building an effective partnership with the citizen to enable him to obtain adequate housing during an appropriate period of time in accordance with the ownership paths that will provide financing and savings solutions that meet his residential.

One of the strategic objectives of the National Transition Program (2020) is to stimulate the supply of real estate and to raise productivity to provide housing products at the appropriate price and quality. KPIs were put to assess the success in achieving this objective. These KPIs include the iterated average of unit price to total annual per capita income, and rate of housing units provided in the market (vacant or new) to the number of housing subsidy eligible beneficiaries. Another strategic objective of the National Transition Program (2020) is to enable citizens to obtain suitable housing financing.

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Accessing adequate housing was included in the vision mentioned in the National Housing Strategy. The National Housing Strategy objectives and recommended programs included the governmental support to civil society institutions and charities to play a significant role in subsidizing housing, in addition to targeting the vulnerable social groups.

All the initiatives and programs put by the Ministry of Housing, are mainly addressing the provision of affordable housing to all eligibles. And within its strategic transformation and its tendency to turn from the planner and developer role to the organizer and the observer role, the ministry has adopted a vision of organizing and facilitating a sustainable housing environment, and has developed a mission based on developing programs to stimulate the public and private sectors through cooperation and partnership in organizing and planning. This aims to facilitate housing provision for all segments of society at the appropriate price and quality.

As mentioned before, the (Eligibility & Prioritization Mechanism for Housing Subsidy Applications "Eskan") programme was launched by the Ministry of Housing to ensure assigning the available budget to the most eligible Saudi families, and to reduce the waiting time to acquire adequate houses. It comprises both an integrated legal framework which regulates the housing subsidy delivery, and a powerful and transparent mechanism to apply it through an integrated electronic platform that includes an integrated network connected to relevant entities, computer programs to process applications, and a portal (www.eskan.gov.sa) that provides several interactive services to applicants in all kingdom regions .

This programme focused on embedding non-discrimination and equality concepts. All applicants to get housing subsidized products were given equal opportunities through a transparent environment based on a well studied scoring system. This system tends to prioritize disadvantaged groups such as disabled, widows, divorced women, orphans, elderly and poor. The Saudi woman is treated as the head of household if she is the sponsor for her children and consequently she has the right to apply. Furthermore, women were given advantage in some cases as cases of widows and divorcees through awarding extra points to raise the priority. The system also tends to include different social segments within each housing project to ensure social cohesion.

3. How the roles of multiple levels of government and other authorities are coordinated or incorporated.

In Saudi Arabia, the Ministry Of Municipalities and Rural Affairs (MOMRA) has 16 branches (Amanat) covering the 13 regions and major cities. The (Amanat) includes 269 municipalities. The elected Municipal councils have wide authority especially with regard to study and express an opinion on a number of issues before they are submitted to the relevant authorities. These may include master plans, projects of expropriation in the public interest, terms and conditions of construction, land use, municipal services and fees, as well as follow-up conditions and criteria related to public health .

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(Amanat) usually reflect the people needs and address relevant authorities such as Ministry of Housing concerning required housing projects to provide adequate housing for local communities, and Ministry of Social affairs concerning charities and social insurance.

And as mentioned before, the homelessness phenomenon does not exist in the Kingdom of Saudi Arabia, but sometimes, some people may lose their homes because of fire, flood, or any other natural hazards. Article (13) in the Social Assurance Regulation authorized the Minister of Social Affairs (currently, the Ministry of labor and social development) to grant subsidies within (30,000) SR to cases he consider eligible. The article (12) in the Social Assurance Regulation obligated the Ministry of Social Affairs to monitor the beneficiary eligibility periodically. This guarantee the sustainability of subsidy provision to all eligible beneficiaries including subsidies that are housing relevant. The Ministry of labor and social development provide subsidies to individual emergency cases that requires urgent help such as those who are affected by fire, flood, or any other natural hazards that may result in losing their homes. In addition, and according to the restrictions and procedures of granting subsidies by the nation to those who are affected by disasters such as fires, floods, ...etc, that were approved by a cabinet decree, compensations should be awarded to affected citizens by Ministry of Finance.

And considering emigrants, such as those from border villages in Jazan region because of military events, units in a development housing project were allocated to them.

4. What goals and timelines have been set and whether these have been met.

As mentioned before, the homelessness phenomenon does not exist in the Kingdom of Saudi Arabia, but concerning the address of different population groups, it is an ongoing process. "Eskan" program is always targeting eligible Saudi families without access to adequate housing, and it prioritize disabled, widows, divorced women, orphans, elderly and poor, through its scoring system.

KPIs to ensure achieving the National Transition Program (2020) objectives are checked periodically, and corrective actions are taken when needed.

5. What independent accountability mechanisms have been put in place.

In KSA, the Board of Grievances is an independent administrative judiciary body which is directly associated with the King. It seeks establishing justice, equity and effective judiciary control over the administration works through the lawsuits presented before it to ensure good application to the laws and regulations and enabling right owners for Grievances means in the manner guaranteeing protection of rights.

Individuals can provide lawsuits to the Board of Grievances to complain of administrative decisions.

There are two prominent entities responsible of human rights in KSA. The 1st is the Human Rights Commission which is directly associated with the King and is completely independent. It is

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responsible of monitoring the fulfillment of all governmental entities obligations to human rights regulations, receiving and verifying complaints of human rights and taking legal actions

The 2nd entity is the National Society for Human Rights which is a national completely financially and administratively independent entity. It is responsible of monitoring the fulfillment of all human rights relevant obligations included in the Rule Basic Law (Constitution) of the Kingdom and in all regulations. This society receive complaints of human rights, verify them, and follow up with relevant competent entities.

"Eskan" program portal allows the e-service of claim submission. Claims may be related to eligibility, priority, allocation, or any relevant administrative decision. Any applicant for housing subsidy may complain of any decision or action taken by the Ministry within 60 days from the date of his notification to a committee of at least three members determined by the Minister of Housing. The committee must include a legal advisor, its decisions are issued by majority vote, and the complainant is informed of the result. The decisions of the Committee may be appealed before the Board of Grievances.

6. What roles have been assigned to independent authorities such as National Human Rights Institutions or Ombudspersons.

As mentioned before, the prominent relevant independent authorities include the Board of Grievances, the Human Rights Commission, and the National Society for Human Rights. The main roles assigned to these authorities were briefly mentioned within the answer of the previous question.

Individuals can provide lawsuits to the Board of Grievances to complain of administrative decisions. They can also submit human rights relevant complaints to both the Human Rights Commission, and the National Society for Human Rights.

7. How access to justice for claimants of the right to housing [or other economic, social and cultural rights] has been ensured in legislation or otherwise.

The Rule Basic Law (Constitution) of the Kingdom included several articles related to human rights. For example, article (26) emphasized the State obligation to protect human rights. Article (27) stated that the state guarantees the right of citizens and their families, in case of emergency, sickness, disability and old age, and support the social security system and encourage institutions and individuals to contribute to charity.

This was reflected in the regulation of the Public Authority for Housing - replaced by the Ministry of Housing later - where the first mentioned goal of the Authority was to facilitate citizen access to an affordable house, considering quality, citizen income, and within the appropriate stage of his life. It was also reflected in the proposed National Housing Strategy that summarized the vision for the Kingdom's housing sector as "An effective housing sector that shall contribute to the

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national development of Saudi Arabia by enabling citizens to access adequate housing, through a sustainable, knowledge and quality based housing market".

The regulation of the Board of Grievances allows claimants of administrative decisions access to justice through presenting lawsuits before the Board.

The Kingdom of Saudi Arabia committed to international legal standards of the right to adequate housing identified by the Committee on Economic, Social and Cultural Rights. For example, the Ministry of Housing put minimum standards to ensure house quality and adequacy. It also planned and implemented the previously mentioned initiative "Eskan" to provide housing subsidies.

The Ministry of Housing implemented a set of minimum standards that should be considered by the developers within (PPP) projects to ensure providing adequate houses to housing subsidy beneficiaries within sustainable and integrated communities.

As mentioned before, claimants of the right to housing – according to the Bylaw of the Housing Subsidy Regulation – have the right to complain of any decision or action taken by the Ministry of Housing concerning eligibility, priority, allocation, or any relevant administrative decision.

This can be done to a committee of at least three members (including a legal advisor) determined by the Minister of Housing. The committee decisions are issued by majority vote, and the complainant is informed of the result.

And according to the Housing Subsidy Regulation and its bylaw, the decisions of the Committee may be appealed before the Board of Grievances.

8. What new initiatives or approaches are being considered in plans for implementation of the New Urban Agenda and Goal 11 of the SDGs, particularly target 11.1.

While putting its turning strategy and establishing its initiatives the Ministry of Housing took into consideration the commitments of the New Urban Agenda and Goal 11 of the SDGs, particularly target 11.1.

The Ministry focused on fulfilling the right to adequate housing, the housing needs of disadvantaged groups such as persons with disabilities, widows, divorced women, orphans, elderly and low income groups. The Ministry focused on ensuring safe and affordable housing in all its housing projects, either those directly implemented by the Ministry or through participation with private sector.

It was taken into consideration the inclusion of integrated facilities and services that meet all the needs of the population according to comprehensive planning criteria. The aim was to create a healthy and attractive environment that provides all services, enhances social cohesion, harmony with the environment and the development of lifestyle and residential neighborhood concept. The aim was also to ensure the site safety concerning all risks such as torrents, and to put standards for

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the quality of design and construction, and to comply with all the requirements and criteria of the Code of Saudi construction.

Many relevant government and non-government entities in Kingdom of Saudi Arabia developed several housing initiatives, policies, and programs regarding the human right to adequate housing.

The most prominent relevant initiatives may include:

■ **Eligibility & Prioritization Mechanism for Housing Subsidy Applications "Eskan"**

As mentioned earlier, this program is a national project planned and implemented by the Ministry of Housing in order to target and serve the most deserving families that do not have adequate housing. The programme developed a mechanism to verify the eligibility conditions and determine priorities of the citizens applying to acquire housing units built by the ministry or through PPP, in addition to other forms of government subsidized housing products. It took into account age, income, family size, marital status and special cases such as disabled, widows, divorced women, orphans, elderly and poor, through a clear and transparent scoring system. The Ministry launched a unified portal for receiving and processing all residential subsidy requests (www.eskan.gov.sa). The programme provided equal opportunities to men and women and allowed Saudi women to apply as the head of household if she is the sponsor for her children. Furthermore, women were given advantage in some cases as cases of widows and divorcees through awarding extra points to raise the priority.

■ **Financing**

The Ministry of housing has worked to facilitate getting loans from commercial banks by the beneficiaries through coordination with banks to ensure the best loaning terms for borrowers in terms of the cost of lending and the duration of repayment. The ministry worked also to provide guarantees for mortgage contracts according to the situation of beneficiaries, and called in coordination with the Saudi Arab Monetary Agency to reduce the percentage of the down-payment. This was achieved several months ago, where down-payment was reduced from 30% to 15%. This will be reflected on easier access to affordable housing.

■ **Partnership with private sector**

In accordance with the recommendations of the National Housing Strategy to strengthen the partnership with the private sector, the Ministry of Housing developed a mechanism in order to make advantage of private sector knowledge and flexibility. It provided the private sector developers with a package of incentives to encourage them to provide eligible beneficiaries with sustainable affordable housing as soon as possible..

To stimulate the developers, the ministry has established the Developers Services Center "Ehnam" in order to provide assistance to them, and to reduce and accelerate the procedures for the required licenses issuance. The ministry launched also the program "Wafi" to market and sell real estate units on the map (off-plan selling), in order to provide financing solutions for developers, and ownership solutions and more affordability for beneficiaries.

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■ Diversification of housing products

In order to ensure that the right of every citizen to adequate housing and to meet the requirements of all applicants of different needs and segments, the Ministry of Housing has provided a variety of products; land, loan, land and loan, and residential units. In addition, the ministry worked with the Real Estate Development Fund to diversify its roles and provide new funding alternatives to meet the different needs.

■ Encouraging the injection of idle residential land to housing market

The Ministry of Housing is keen to resist the retention of residential land and disabling its development. The initiative tended through imposing fees on idle land to stimulate the residential land development and to inject it to the housing market, which is proposed to be reflected positively on decreasing land prices to fair levels, and thus lower the cost of construction and increase the opportunities of acquiring affordable housing by Saudi citizens.

■ Adopting modern and non-traditional building techniques

The Ministry of Housing through adopting modern and non-traditional building techniques, aimed to speed the high quality housing production to meet the growing demand. The National Housing Services Company has assigned a number of preliminary agreements with specialized international companies in the field of innovative construction technology in order to allow these technologies to participate in the construction of around (500,000) housing units by 2022 at prices lower than the prices of traditional construction and higher productivity so as to play a major role in increasing the supply of affordable housing cost.

■ "My House" program

The Ministry of Housing in cooperation with (REDF) has announced "my House" program to submit 280,000 housing and subsidized housing finance products to eligible citizens within 3 years, with an investment value of about 119.5 billion riyals. So far 184,506 housing and subsidized housing finance products were allocated to eligible applicants. The details of the 280,000 products are as follows:

● Ministry of Housing products :

- Residential units:

The Ministry of Housing will allocate 120 thousand housing units, of which 10 thousand villas were completed and ready for delivery, and 110 thousand units will be built and delivered through selling off the plan by local and international real estate developers. Residential units will be allocated on a monthly basis during 2017 and will be delivered within a maximum of three years from the date of allocation. The residential units are characterized by their various types and areas (villa, duplex, apartment).

- Developed residential land:

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The Ministry of Housing will allocate 75 thousand residential land of various areas in different regions of the Kingdom. Residential land will be allocated automatically and monthly through the Housing portal and distributed during the year 2017. The land will be subsidized by the state.

• REDF products :

- Subsidized housing finance:

It is a new Shariah-compliant financing program targeting the (REDF) waiting lists and will provide finance to beneficiaries on a monthly basis. Beneficiaries are financed in partnership with the banks and financial institutions. REDF will pay the beneficiary's interest rates in whole or in part. The subsidy is determined according to the number of family members and the level of income and age. The subsidy is 100% for low and middle income beneficiary sectors, according to the regulations of REDF.

■ Establishment of new entities such as the Real-estate General Authority, the Housing National Company and the National Center for Data and Housing Observation

The Real-estate General Authority will be responsible for all matters relating to the real estate sector and its organization, the Housing National Company will represent the executive arm of the ministry, and the National Center for Data and Housing Observation will provide the information base that includes comprehensive and reliable housing data that supports decision makers in all relevant sectors, and provides the information infrastructure to serve all initiatives, including the initiatives mentioned above.