

20 years Special Rapporteur on the right to adequate housing:

Taking Stock and way forward

On the occasion of the 20 year-anniversary of the mandate of the Special Rapporteur on the right to adequate housing, the Special Rapporteur, Mr. Balakrishnan Rajagopal, invites States, national and local Governments, National Human Rights Institutions, civil society organisations, UN agencies and inter-governmental entities, and others, to share their views on the achievements of the mandate since its establishment and on future challenges.

The survey will assist the Special Rapporteur in drafting his next thematic report to the Human Rights Council, which will be devoted to taking stock and identifying future priorities.

This stock-taking exercise looks at all areas covered by the scope of the mandate and the various 'means of action' used by the Special Rapporteur during the past 20 years. The objective is to identify, in particular:

- I. main contributions of the Special Rapporteur to the promotion and realization of the right to adequate housing at local, country, regional or global level;
- II. core lessons learned;
- III. aspects that could be strengthened, for example, with respect to working methods and collaboration with UN bodies, States, and regional and national human rights mechanisms, civil society, the business sector and other stakeholders; and the
- IV. challenges and positive developments concerning the realization of the right to adequate housing in in your country, at regional or global level.

The report of the Special Rapporteur will be presented to the Human Rights Council in March 2021, and will be available in all official UN languages. Due to limited capacity for translation, we kindly request that you submit your answers, if possible, in English (preferred), Spanish or French.

The report will not identify the submitting institution, organization or State, except if indicated otherwise at the end of this questionnaire. Please feel free to limit responses to particular questions, areas or priorities that you consider important.

The Special Rapporteur would in particular welcome any impact stories related to the work of the mandate. For ease of reference a word version of the survey has also been made available, but preference is to complete the survey online. In case you have difficulties accessing the online questionnaire, you can also return this document to srhousing@ohchr.org by **1 November 2020**.

You are also welcome to submit additional reports or documentation to the Special Rapporteur by writing to srhousing@ohchr.org.

Questions

Basic information

1. Name of Individual, Organization, Institution, or Agency

National Human Rights Commission of Thailand (NHRCT)

Type of Entity*

- National Government or federal governmental agency
- Inter-governmental organization or UN agency
- Local or regional government, agency, or mayor
- Association, tenant union or housing cooperative
- NGO network, umbrella organization
- Community-based NGO
- Academia
- Foundation
- National human rights organization, ombudsperson
- Real estate, urban planning or construction
- Real estate investor or investment fund
- Trade Union
- Other:

2. Categorization of your Work

Please select one or more responses, as appropriate.

- Public administration
- Advocacy
- Funding
- Legal Assistance
- Networking
- Policy
- Research
- Technical Assistance
- Training
- N/A
- Other: promotion and protection of human rights

3. City/Town

Laksi

4. State/Province

Bangkok

5. Country (please indicate your region or "international" if focus the work of your organization covers multiple countries)

Thailand

6. Contact e-mail (will remain confidential) in case we have questions:

Main contributions of the housing mandate

7. In your view, what are the main contributions and achievements that the UN Special Rapporteur on the right to adequate housing made for the protection and realization of the right to adequate housing during the last twenty years, alone or in collaboration with other stakeholders:

- at the international level?

The Special Rapporteur has offered concrete standards on the right to adequate housing to promote, protect and fulfil such right that enable people to enjoy the right to adequate housing as provided by the International Covenant on Economic, Social and Cultural Rights (ICESCR).

- at the regional level?

- at the national or local level? (if reference is made to multiple States, please specify the countries concerned)

8. Please indicate any specific actions, working methods or approaches (*see list below for easy reference*) that, in your view, were particularly effective in promoting, protecting or realizing the right to adequate housing. Wherever possible, please include illustrations of their impact and explain how the work of the UN Special Rapporteur contributed to housing rights struggles on the ground. Please tell us your story.

- thematic reports submitted to the General Assembly and the Human Rights Council and their recommendations, including the collection of information, good practices, and events related to their development or dissemination ;
- principles and guidelines developed to assist with the implementation of the right to housing, such as the:
 - a. Basic principles and guidelines on development-based evictions and displacement
 - b. Guiding Principles on security of tenure for the urban poor
 - c. Guidelines for the implementation of the right to adequate housing
 - d. Guidance notes on COVID-19 and the right to adequate housing
- country visits and the recommendations formulated in the country visits reports;
- communications sent to States and other stakeholders;
- press statements, media interviews, op-eds, social media, or other awareness raising such as participation in documentary films;
- Bilateral or other diplomatic engagement and advice or assistance provided to States for policy or law-making;
- collaboration with other international, regional or national human rights mechanism, including submitting briefs or amicus curiae submissions to national courts or international human rights bodies;
- work with regional and local governments, civil society organizations, business, financial institutions or other stakeholders;
- participation and engagement with other UN programmes and agencies, in international or national events, conferences or processes;
- Training activities and/or publication of handbooks, tools for monitoring the right to adequate housing, law or policy-making

Enter here your response(s):

The NHRCT has received and investigated complaints regarding the right to adequate housing and has made recommendations to relevant government agencies such as:

(1) Land expropriation, the government should avoid expropriation of communal areas with traditional culture, take into account the traffic safety of the local community and the environmental and health impacts of the people and provide reasonable and timely remedies such as compensation and demolition fee.

(2) Development of special economic zones, the government should allow people to participate in the management of natural resources on the basis of common interests and provide appropriate remedies to all affected people.

(3) In business operations, state enterprises should follow the United Nations Guiding Principles on Business and Human Rights (UNGPs) by establishing the Human Rights Due Diligence (HRDD) to assess the impact of both existing and potential human rights violations.

Enhancing the impact of the housing mandate

9. Do you have any suggestions on how the UN Special Rapporteur could further improve his working methods, approach or collaboration in relation to:

- thematic reports submitted to the General Assembly and the Human Rights Council;
- Guidance and standard setting, such as the development of principles and guidelines for the implementation of the right to housing;
- country visits, and potential follow-up activities to them and to their recommendations;
- communications sent to States and other stakeholders;
- press statements; media interviews, op-eds, use of social media and other awareness raising activities;
- bilateral or other diplomatic meetings and advice or assistance provided to States for policy or law-making
- collaboration with other international, regional or national human rights mechanism, including amicus curiae submissions presented to national courts;
- participation and engagement with other UN bodies, in international processes or events;
- work with regional and local governments, civil society organization, business, financial institutions or other stakeholders;
- training activities and/or publication of handbooks, tools for monitoring the right to adequate housing or to assist law and policy-making;
- Other activities not listed above?

Enter here your response(s)

Lessons learned

10. In your view, what are the main lessons learned that could be drawn from the first twenty years of the housing mandate in order to strengthen further the respect, protection and fulfilment of the right to adequate housing for all?

As a result of the global pandemic of COVID-19, some people became suddenly homeless. The Special Rapporteur should play an important role in encouraging and urging governments to address

and mitigate such problem in order to achieve the respect, protection and fulfilment of the right to adequate housing for all.

Directions for the future

11. What are the main obstacles, in your country, to the realization of the right to adequate housing for all? Please cover urban and rural dwellers and any groups that may be at risk to face inadequate housing conditions due to their gender, age, disability, ethnic origin, housing status (homelessness), social or national origin, migration status, sexual orientation, religion, political or other opinion, or other grounds.

Slum communities in Thailand, especially slums in provinces outside of Bangkok, still suffer from housing instability and the problem on access to basic utilities such as water and electricity.

12. Have, in your view, certain regions, countries, situations or particular issues not received adequate attention? If so, please indicate how, this could be addressed, taken into consideration the limited resources available to the UN Special Rapporteur.

13. What are, in your view, major developments occurring in your country and/or geographical region that may contribute to strengthening the respect, protection and fulfilment of the right to adequate housing? Are there ways, in your view, in which the Special Rapporteur on the right to adequate housing could support the unfolding of these positive developments?

Based on the challenge mentioned in questionnaire No.11, the government has put in place the 20-year Housing Development Master Plan (2017-2036) and established the Community Organizations Development Institute (CODI) to serve as a policy framework and mechanism for building security in housing and improving the quality of life for people and communities in Thailand.

Other issues

14. Please indicate here any other recommendation or issue that you would like to bring to the attention of the Special Rapporteur.

Confidentiality

15. Please indicate: *

The information submitted can be made public on the OHCHR website or referred to in his official report indicating my institution/ organization and/or country.

The information submitted in this questionnaire should only be used in anonymous form to inform the forthcoming report of the Special Rapporteur.

Thank you for your feedback!

Please enter your responses in the [online survey](#) or submit this form back to: srhousing@ohchr.org before 1 November 2020.