**A place to live in dignity for all: Making housing affordable**

**Report of the Special Rapporteur on the right to adequate housing to the
78th session of the UN General Assembly**

**Questionnaire**

For States: please share this questionnaire as well with your National Statistical Office and relevant Ministries to assist completing statistical sections relating to housing affordability.

Name of submitting entity, organization or individual: Nomad Rights (PF)

**National law, policies and jurisprudence relating to affordable housing**

1. Does your country’s national law, including constitutional, housing or social protection law, refer to affordability of housing or provide any other guarantees to ensure a minimum standard of living? Or in its absence, are there national policies that refer to affordable housing or minimum standard of living? Please provide references and links to the respective key laws or constitutional provisions as well as policies.

*The basic principles, forms and procedure for the implementation of citizens' rights to housing are defined in the Law of the Republic of Kazakhstan "On Housing Relations". According to the Law, dwellings from the communal housing stock or dwellings rented by a local executive body in a private housing stock are provided for use by citizens of the Republic of Kazakhstan in need of housing, permanently residing in this settlement. The Constitution of the Republic of Kazakhstan states that conditions are created in the Republic of Kazakhstan to provide citizens with housing. The categories of citizens named in the Law who need housing are provided for an affordable fee from state housing funds in accordance with the norms established by law.*

*Those in need of housing are (according to the national legislation of Kazakhstan):*

*1) veterans of the Great Patriotic War;*

*1-1) veterans equated in benefits to veterans of the Great Patriotic War;*

*1-2) veterans of military operations on the territory of other states;*

*2) persons with disabilities of the first and second groups;*

*3) families with or raising children with disabilities;*

*4) persons suffering from severe forms of some chronic diseases listed in the list of diseases approved by the authorized body in the field of healthcare;*

*5) pensioners by age;*

*6) orphans and children left without parental care, under the age of twenty-nine, who lost their parents before adulthood. When such persons are called up for military service, the age is extended for the period of compulsory military service;*

*7) kandas (ethnic Kazakh and (or) members of his family of Kazakh nationality, who were not previously citizens of the Republic of Kazakhstan, who arrived in their historical homeland);*

*8) persons who lost their homes as a result of environmental disasters, natural and man-made emergencies;*

*9) mothers of many children (only awarded with special titles);*

*10) families of persons who perished (deceased) in the performance of state or public duties, military service, in the preparation or implementation of a flight into outer space, in the course of saving human life, in the protection of law and order;*

*11) incomplete families.*

*Other social groups cannot count on receiving social housing or other affordable housing under government programs.*

1. Please explain if there is any official definition or criteria to assess whether a household faces housing costs above the level of affordability in your country.
2. Please share any important court decisions in your country that relate to the issue of affordable housing or enjoyment of a minimum standard of living, including important judgements on State policies or measures aimed at ensuring housing affordability. Please provide if possible a short summary of the decision and a link to its text.

(e.g. judgements by international, constitutional, supreme or high courts, to rent control measures or rent freezes, to access to housing subsidies, public or social housing, non-discrimination and equal access to affordable housing etc.)

**Data and trends on housing affordability**

1. Is housing affordability regularly measured in your country, region or city, by the national statistical office or other entities? Please explain how housing affordability is measured and tracked. Where is the data published?

*Statistics on housing prices are collected by the Bureau of National Statistics of the Agency for Strategic Planning and Reforms of the Republic of Kazakhstan. The data is published on the official website: https://new.stat.gov.kz/ru/. Statistics include areas: new home sales, home resale, home rentals. More about the state body:* [*https://www.gov.kz/memleket/entities/stat/about?lang=en*](https://www.gov.kz/memleket/entities/stat/about?lang=en)

*Link to all statistics on housing prices: https://new.stat.gov.kz/ru/industries/economy/prices/dynamic-tables/*

*Government agencies do not keep statistics on housing affordability.*

1. Has housing affordability increased or decreased in your country over the past 10 years? In which regions or cities has housing affordability changed and for whom?

*The average price of one square meter throughout Kazakhstan in 2012 was 172,770 tenge, and in 2022 - 437,459 tenge. The amount has more than doubled.*

*As a percentage by years: from 2012 to 2013 - 9.46%; from 2013 to 2014 - 13.96%; from 2014 to 2015 - 19.53%; from 2015 to 2016 - (minutes 3.99% - the only year in the last ten years when the price per square meter decreased); from 2016 to 2017 - 2.37%; from 2017 to 2018 - 5.37%; from 2018 to 2019 - 9.98%; from 2019 to 2020 - 4.79%; from 2020 to 2021 - 17.4% (period of covid-19 and lockdown); from 2021 to 2022 - 21.08%. Prices changed the most in the three largest cities of Kazakhstan: Astana, Almaty and Shymkent.*

1. Please describe which households, persons or groups are at particular risk of being exposed to housing affordability in your country, region or city.

(Please provide data on housing affordability disaggregated on the basis of household size, form of tenure (living in self-owned housing, rental, other), type and quality of housing (e.g. living in formal or informal housing); location (region, urban, rural), type of household (with or without children, single parent households), income, employment status, gender, disability, age, nationality, ethnicity, religious affiliation or immigration status.)

1. May certain specific groups or persons, such as persons experiencing homelessness, living in informal settlements, students, asylum seekers or refugees, potentially be left out in data collection in relation to housing affordability?

*The legislation does not contain the concept of “homelessness” or “homeless”, instead of it they use “a person who does not have a fixed place of residence - a person who does not have registration at the place of residence or dwelling on the territory of the Republic of Kazakhstan”, and in the history of independent Kazakhstan there was no special census of the homeless or persons without permanent residence. The national population census of the Republic of Kazakhstan takes place every 10 years. The final analytical report for 2009 shows that there are 5,951 persons without a permanent home (homeless) throughout the country, but the methodology indicates that these are only those who could be found in hotels, guest houses, railway stations and bus stations, airports. It did not cover people who live on the streets, in shelters, in premises unsuitable for life, etc. The next census took place in 2021 (taking into account the coronavirus pandemic), in the approved census forms for the national census there is no “homeless” column, instead “a person without a fixed place of residence” is used.*

**Causes and Consequences of housing unaffordability**

1. What are main reasons why housing is unaffordable to certain persons or groups in your country? Please provide if possible as well links to (scientific) studies that have analysed such reasons.

*An analysis of state and non-state programs and their implementation in practice shows that the problem of providing citizens with housing is of a long-term nature for a number of reasons:*

*- focus only on the same social groups of the population, without dividing them into special groups and the absence of special conditions for consideration and priority of certain groups*

*– the lack of a plan to provide housing for those who are already on the waiting list (for housing) in akimats and savings banks in the Housing Construction Savings Bank, and the lack of the ability to control the transparency of the movement of the queue for providing social housing*

*– the financialization of housing and, as a result, the rise in prices for real estate on the market, and the incomes of the population do not grow at the same rate*

*– corruption in government bodies in obtaining social housing*

1. What percentage of land is owned or otherwise controlled by the State or other public entities, as contrasted with private entities (both for profit and not for profit)? Please explain if there are any policies or laws which seeks to control the price of land, prevent land speculation including its supply and finance?
2. How many households have, during the last ten years been evicted because of their non-payment of housing costs? Please provide, if possible, more information on the socio-economic profile of the concerned households.
3. How many individuals, households or groups have, during the last ten years, been rendered homeless because of inability to afford housing? Please provide a breakdown of the socio-economic characteristics of such individuals.

*The legislation of Kazakhstan does not have the legal formalization of the prohibition of forced evictions and protection against them, which is necessary according to international standards. The legislation lacks the concepts of "forced eviction", "the right not to be subjected to forced eviction", "the right to be protected from forced eviction", "prohibition of forced evictions" and others. Contrary to international law, the legislation contains norms for forced eviction without the provision of alternative housing.*

*There is no effective system and protection mechanisms that provide strict control over the conditions under which evictions are carried out. There are no measures to bring to justice those who committed violations in the course of evictions. The presence of a large number of state bodies (Akimat, Committee on Land Resources, Department of Architecture and Urban Planning, and others) leads to the absence of reliable overall statistics on forced evictions.*

1. Please describe how housing unaffordability impacts the capacity of individuals and families to enjoy their other human rights including rights to work, health, education, and access to personal security in all its dimensions.

**Laws, policies, programmes and practices aiming to ensure that housing is affordable to all without discrimination**

1. Please share an overview of the laws, policies, programmes and practices adopted in your country/region/city to ensure that housing is affordable for all without any discrimination, Please, provide links to relevant official texts.

(e.g. affordable housing, social and energy cost subsidies, preferential mortgage, building support schemes, provision of social and public housing, of serviced land for self-construction, rent containment and rent control measures, taxation, measures to reduce housing vacancy, multi-stakeholder initiatives by State, local Governments, construction industry, housing providers, tenant unions etc).

1. Please share an assessment of the success, limitations or potential failures of the above mentioned laws and policies in your country/region/city, including any studies or independent evaluation reports related to them. Who has benefited from them, who has not? What has worked well, what - less? What lessons can be learned? What could potentially be replicable in other countries/regions/cities?

**Submission instructions**

**Deadline:** **30 April 2023**

**Email:** Please return this questionnaire to: hrc-sr-housing@un.org; ohchr-registry@un.org

**Email subject line:** Input for SR housing - report on housing affordability

**Accepted File formats:** Word (supporting documents may be submitted in PDF)

**Accepted languages:** English, French and Spanish

Please include references to reports, academic articles, policy documents, text of legislation and judgements, statistical information with hyperlinks or attach them to your submission (please respect total file size limit of 20 MB per email to ensure that it can be received)

**Publication:** Submissions of States and public authorities will be published. For other stakeholders, submissions will be published, except confidentiality is explicitly requested.

**Expected presentation** of the report of the Special Rapporteur to the General Assembly: October 2023.