

**Report of the UN Special Rapporteur on the right to adequate housing to the
52nd session of the Human Rights Council**

The right to adequate housing and climate change

Questionnaire

Name of submitting entity, organization or individual: Habitat For Humanity Haiti

Impact of climate change on the right to adequate housing

In real life

1. In your country, what have been the main effects of the climate crisis, on the enjoyment of the right to adequate housing? Please specify whether there have been any climate-induced impacts on the security of tenure, availability, affordability, accessibility, habitability, location and cultural adequacy of housing, including climate crisis related displacement.¹

The Germanwatch Global Climate Risk Index ranked Haiti third² in the world in 1995–2014 for impacts from climatic events, and the country is among the ten zones in the world considered most vulnerable to climate change. The available historical data generally leads to conclude that weather-related disasters would have resulted in damage and losses estimated annually at around 2% of GDP from 1975 to 201216. The Hurricane Matthew hit Haiti on 4 October 2016 with winds blowing at 230 km/h, causing severe flooding and damage and destroying lives and livelihoods in several parts of the country. At the national level, 546 people died, 128 were missing and 439 were injured in about 2.1 million people affected by the disaster. The hurricane Mathieu caused damages for around 2.78 billion US³ dollars (i.e. 183,639.27 billion gourdes). The sector most affected remains housing, followed by agriculture, with damage and losses of the order of 856.28 million US dollars for the first and 573.53 million US dollars for the second.

The natural disasters do not always have a direct effect on land tenure security, but rather on the houses themselves. The latter are generally either severely damaged or destroyed, in both cases they are not usable by their occupants, who often lose their crops, livelihoods, livestock, goods, etc during the course of the same event. The combined effects of natural hazards on the assets of families deprive them of their right to access housing because they not only lose their house, they also do not have the economic means to rebuild it.

Indeed, the housing sector in Haiti also faces a severe deficit of governance and regulations, families build without supervision according to their economic means, which are generally weak, not allowing

¹ Under international law, the right to adequate housing is more than having four walls and a roof. It is essentially the right to live in a place in peace, security and dignity. Housing adequacy covers the following seven essential elements: legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location; and cultural adequacy. For organizations and stakeholders that may not be as familiar with the right to adequate housing in international human rights law, please consult General Comment No. 4 of the UN Committee on Economic, Social and Cultural Rights, available [here](#).

² <https://www.worldbank.org/en/results/2017/10/20/rapidly-assessing-the-impact-of-hurricane-matthew-in-haiti>

³ Évaluation des besoins post-catastrophe pour le cyclone Mathieu, PDNA, février 2017

them to build according to the standards required by the state, exacerbating the extreme vulnerability of the households to natural hazards.

The cadastral system in Haiti does not exist. With few Haitian land titles, there is no real estate registry system. Less than 5% of land is accounted for in public land records. In a situation of political instability or emergency following a natural disaster, especially in urban areas, spoliators often tend to appear to occupy the plots of families who often do not have the economic means necessary to drag the spoliators in court, who are often well connected at the level of state bodies.

2. Are there differences how the climate crisis affects the right to adequate housing in urban and rural areas? If yes, is there an interrelationship between the two?

The climatic events affect access to housing for families in rural and urban areas differently due to the different typology of the houses in these two areas. Without considering construction standards, houses in urban areas are often built of concrete and are more resistant to natural hazards such as cyclones, floods, heavy rains, winds, etc. Moreover, families living in cities have better access to construction technicians and materials, whereas in rural areas the culture is that houses are built by males in the household in collaboration with local masons. Houses are often built from locally available materials, such as straw, mud, etc., and with significant vulnerabilities to disaster such as hurricanes or earthquakes.

3. Are there groups distinctly affected in the enjoyment of their right to adequate housing as a result of the climate crisis? Please describe in what way.

Haiti remains the poorest country in the Americas with a GDP per capita of US\$2,925, the lowest in the LAC region and less than a fifth of the LAC average of US\$15,092. The country is extremely vulnerable to natural disasters with more than 90 percent of the population at risk. But in rural areas, which are home to 60 per cent of Haiti's population, 88 per cent of people are poor and 67 per cent are extremely poor. People living in rural areas have a per capita income that is about one third of the income of people living in urban areas. The welfare gap between urban and rural areas is largely due to adverse conditions for agricultural production.

This rural poverty situation affects disproportionately the housing situation of the families coming from the rural areas. Indeed, agriculture, the main income-generating activity of rural families, has seen little growth in the past 50 years. The reasons for this disappointing performance are complex, some of the productivity constraints include poor rural infrastructure, insecure land tenure, lack of investment and access to technology, poorly developed input and output markets, and frequent and severe climatic shocks. The lost or limited income of the families from generating sufficient resources to invest in the construction of decent and resilient housing, and therefore fulfilling their rights to housing.

Moreover, by analyzing the national budget and the activity reports of the CAS (Social Assistance Fund), we can deduce that the social assistance programs of the Haitian government do not prioritize the rural areas. Therefore families from rural areas are more exposed to natural hazard and the impact of climate, and face more challenges to fulfil their housing rights.

4. How is the right to adequate housing ensured for persons that have been internally or internationally displaced by the climate crisis? How and under what conditions is their right to voluntarily return ensured?

Haiti ranks as one of the countries with the highest exposure to multiple hazards. The country lies in the middle of the Caribbean Basin and has the highest vulnerability rating in terms of cyclones among the region’s small island states. The recurrence of natural disasters often triggers internal displacement of populations to parks / IDPs camps or collective centers/emergency shelters located mainly in schools and churches that are neither safe nor designed for accommodation. on October 4, 2016, the category 4 hurricane Matthew struck Haiti. In all, 546 people were killed, more than 175,500 people sought refuge in shelters, and about 1.4 million people required immediate humanitarian assistance. People in situation displacement (as a result natural disasters) find it difficult to support themselves to meet their vital needs.

Haiti state had endorsed and signed the International human rights law, which consists of both customary and treaty law, guarantees the rights of people and obliges States to respect, protect and fulfill the human rights of all persons without discrimination of any kind.

Since 1998, the Haitian government has prioritized preparedness to reduce the risk on people’s lives and assigned the responsibility to the Civil protection unit (DGPC) to ensure communities at risk have access to emergency shelters/temporary shelters. In July 2020, the Civil protection has published a list of 1477 building across the country that can be used to accommodate displaced families in case of emergency, of which more than 63% are schools and 26% churches.

Collective Shelters		
#	DEPARTMENT/DISTRICT	# Shelter
1	Artibonite	76
2	Centre	60
3	Grande-Anse	180
4	Nippes	117
5	North	248
6	Northeast	38
7	Nord-West	177
8	West	212
9	South	182
10	Southeast	187
TOTAL		1477

These buildings may appear adequate, however the living conditions they offer mostly fail to meet minimum standards and do not ensure a life of dignity. Most of them are lacking essential services such as water and sanitation facilities, which may cause serious and often long-lasting health related problems for the displaced families and those living in proximity. In addition, they don’t assure enough safety and privacy to women and girls, who are two of the most vulnerable group to GBVs during emergency crisis. None of them has a proper lighting system, while it has been proven that inadequate lighting contributes to gender-based violence and makes women more vulnerable to rape (UN-HABITAT, 2013) and may prevent women and girls from using the latrines at all at night. Finally, the structures have shown some weaknesses that was often related to simple shortcomings of construction, such no proper roof-to-wall connections such as hurricane straps or hurricane clips which makes them highly vulnerable to natural hazards, cracks in walls etc.

Theoretically families are not supposed to spend more than 72 hours in collective shelters to allow the owners of occupied buildings to continue to fulfill their social function such as education, church etc. Supported by IOM, the Direction of the civil protection conduct survey among to the IDPs on their return intention. The intentions often varied from returning to their neighborhood of origin, to going to a totally new neighborhood or to their hometown or province. Together with humanitarian international partners, civil protection supports displaced families via a cash transfer program to enable them to implement their return project.

5. When housing has been damaged or lost due to climate-induced events, what has been the related impact on the lives, health and livelihoods of the affected populations?

The cyclones generally cause considerable loss of life but also affect road infrastructure, drinking water supply system, schools, Churches, city power systems, and the key sectors of the economy, particularly in rural areas such as: Agriculture and livestock. The cyclone Matthew that hit Haiti on 4 October 2016 with winds blowing at 230 km/h, caused severe flooding and damage and destroyed lives and livelihoods in several parts of the country. At the national level, 546 people died, 128 were missing and 439 were injured in about 2.1 million people affected by the disaster. Based on the assessment on employment and livelihoods, supported by the ILO, it was estimated that Matthew affected 5.6 million people (43% among them are under 18) or 1.2 million households. Losses correspond to 32,437,532 workdays (or the equivalent of 122,406 full-time jobs) and approximately US \$ 14.74 million (974.47 million gourdes) in lost personal income due to declines in production in the agricultural and non-agricultural sectors following the cyclone.

6. How have people been able to access redress and compensation for damages to or loss of their housing as a result of the climate crisis and extreme weather events? What are the main obstacles to accessing timely redress and compensation, and what could be effective solutions?

The Haitian state has taken collective preventive measures by obtaining insurance coverage against natural disasters from the CCRIF SPC (Caribbean Catastrophe Risk Insurance Facility). This insurance coverage was made possible through premium support initially provided by the Government of Canada and later by the Caribbean Development Bank, which paid all or part of Haiti's earthquake, tropical cyclones, and excessive rainfall insurance premiums.

According to the CCRIF, since listing, Haiti has received five disbursements totaling US\$78.3 million (32% of total disbursements).

Broadly speaking, the funds are used to 'run the wheels of government' - for the payment of salaries for medical staff and front line /emergency workers, medical assistance to those affected, debris clearance and civil protection .

Although the CCRIF acts as a security blanket for countries in times of natural disasters, it was not designed to cover all losses on the ground. Rather, it is intended to fill the liquidity gap and provide governments with a rapid injection of cash to enable them to support the most vulnerable of their populations and begin early recovery efforts immediately after a natural disaster, before accessing other long-term resources for redevelopment.

In other words, the Haitian state does not have a tool to enable families to recover the losses incurred, and families have no access to insurance products available on the Haitian financial market.

Thus, families affected by natural events due to climate change are assisted by humanitarian organizations and the government, but the real burden of family recovery remains the responsibility of families, who unfortunately lack the capacity and resources to rehabilitate or reconstruct their homes, and continue to be exposed to weather conditions such as cold temperatures, rain and storms and mosquito born-diseases. This problem particularly affects the most vulnerable ones, including young children, pregnant women, elderly, people living with disabilities or serious specific medical needs.

7. Please indicate any key rulings of national courts and tribunals protecting tenants and home owners from the impact of the climate crisis or on their right to adequate housing or related to climate induced displacement? Please also describe their outcome and impact?

Since 1992 Haiti is part of the convention of the climate change and its engagement to fight against the negative effects of climate change was confirmed on 1996. The government published the result of the scientific research on :Greenhouse gases, vulnerability of Haiti on agriculture and water regarding climate changes.

The Haiti government published a decree on October 12th 2005, which is the legal reference for environment management. The decree of October 12th 2005 created / identified the following environmental agencies :

- The interdepartmental council on land use planning and Environment (CIMATE)⁴;
- the National Council for Spatial Planning and the Environment (CONATE)⁵;
- The Ministry of the Environment (MDE)⁶;
- the high-level interministerial technical commissions on the on the environment (COTIME)⁷;
- the sectoral environmental technical units (UTES)⁸;
- The local and regional authorities⁹;
- Environmental Organizations;
- Other organized groups working in te field of environment protection.

In addition Haiti has a National Environmental Management System (SNGE¹⁰) that is an instrument in charge to coordinate all the action regarding environment protection. The public administration, has the responsibility to implement master plans for environmental development and management

Other legal text regarding environment in Haiti

1) Decree of October 12, 2005 on environmental management

2) Decree of July 7, 1987, making the Ministry of Agriculture, Natural Resources and Rural Development the only

⁴ Conseil interministériel sur l'aménagement du territoire et l'environnement (CIMATE) ;

⁵ le Conseil national pour l'aménagement du territoire et l'environnement (CONATE) ;

⁶ Ministère De l'Environnement ;

⁷ les commissions techniques interministérielles de haut niveau sur l'environnement (COTIME) ;

⁸ unités techniques environnementales sectorielles (UTES) ;

⁹ Es collectivités territoriales

¹⁰ Système National de Gestion de l'environnement

Development as the only authority empowered to allow the cutting of trees

3) Decree of March 2, 1984 regulating the exploitation of quarries

throughout the national territory

4) Decree of March 3, 1981 creating a framework law governing the management and elimination of waste and at the same time providing for appropriate sanctions

5) Decree of November 7, 197 declaring the property of the State and regulating the natural deposits of mineral substances, the deposits and all natural resources coming from the soil of the territory of the Republic of Haiti

6) Decree of November 20, 1972 creating a non-tax account called the Special Reforestation Fund (FSR)

7) Decree of February 22, 1968 on mines and quarries

8) Law of August 17, 1955 regulating the cultivation, cutting, transport and trade of wood and lime kilns

9) Decree of January 10, 1933 prescribing measures for the protection and conservation of the of the public domain as well as the domain of private individuals

10) Law of February 3, 1926 on reserved national forests¹¹

¹¹ 1) Décret du 12 octobre 2005 sur la gestion de l'environnement

2) Décret du 7 Juillet 1987 faisant du Ministère de l'Agriculture, des Ressources naturelles et du Développement rural la seule autorité habile à permettre la coupe des arbres

3) Décret du 2 mars 1984 réglementant les exploitations de carrières sur toute l'étendue du territoire national

4) Décret du 3 mars 1981 créant une loi-cadre régissant la gestion et l'élimination des déchets et prévoyant en même temps les sanctions appropriées

5) Décret du 7 Novembre 197 déclarant propriété de l'État réglementant les gîtes naturels de substances minérales, les gisements et toutes ressources naturelles provenant du sol du territoire de la république d'Haïti

6) Décret du 20 novembre 1972 créant un compte non fiscal dénommé Fonds spécial de reboisement (FSR)

7) Décret du 22 février 1968 relatif aux mines et carrières

8) Loi du 17 août 1955 réglementant les cultures, la coupe, le transport et le commerce du bois et four à chaux

9) Arrêté du 10 janvier 1933 prescrivant des mesures pour la protection et la conservation des forêts tant du domaine public que du domaine des particuliers

10) Loi du 3 février 1926 sur les forêts nationales réservées

8. Please explain how energy efficiency, green urban planning, climate mitigation and adaptation policies and programmes take into account the right to adequate housing. What measures have been taken to ensure that they do not have any (unintended) discriminatory impact on particular population groups?

Based on the Paris Agreement, the Haitian Government, through the leadership of the Ministry of Environment supported by the sectors and key players in the country, has developed this National Policy for the Fight against Climate Change (PNCC) following a highly participatory and inclusive process. The national policy against the climate change is based on a foundation consisting of four main pillars: Institutional strengthening – Governance improvement - endogenous climate financing - effectiveness in combat actions against climate change

Unfortunately, the policy to fight against climate change has not taken into account the housing rights of the Haitian nation, while the Haitian state recognizes through its national risk and disaster management policy that housing is one of the sectors most affected in Haiti's economy, and therefore contributes to preventing families from fulfilling their housing rights.

The absence of housing rights for families in the policy to combat climate change indirectly penalizes the most vulnerable groups in the Haitian society, particularly families living in rural areas and already living in small houses that do not guarantee any form of protection physical protection. Families living in urban neighborhoods and slums at high risk of flooding will also be very affected by climatic hazards.

9. Please explain how natural disaster preparedness, response and recovery/reconstruction strategies and plans ensure non-discrimination?

In Haiti, the disaster preparedness and response activities are carried out within the framework of a set of national and international humanitarian tools that emphasis *on disaster risk reduction and the fight against climate change*. The Sendai Framework for Disaster Risk Reduction adopted in March 2015 by the World Conference of United Nations on Disaster Risk Reduction, the 2030 Agenda for Sustainable development, The National Disaster Risk Management Plan 2019 – 2030, the Haiti annual contingency plan for the hurricane period (June to November) etc. The tools mentioned above are all inspired by fundamental humanitarian principles, particularly impartiality, which specifies that humanitarian assistance must only be based on the needs of people regardless of their religion, race, gender, sexual orientation, etc.

In addition, the use of clusters has become the norm in all humanitarian crises in Haiti under the leadership the UN agencies, mainly OCHA. The cluster approach serves as a coordination platform, and offers the possibility of refreshing humanitarian actors on the fundamental principles of humanitarian assistance, but they also constitute a platform for agreeing on selection methods of beneficiaries for example, aligning strategies, and reporting, discussing, redressing possible cases of discrimination in interventions.

Furthermore, the disaster preparedness activities are carried out in consultation or by the Civil Protection Department, which is a voluntary and participatory structure in which the different social groups take part. Local civil protection structures bring together people of all religious beliefs, gender, age, sectors of activity (education, trade, professional, farmers, etc).

The emergency responses are generally based on the needs identified most of the time through, a set of participatory tools. The response projects target beneficiaries from a large and diversified group

including vulnerable women, men, and children as well as people living with disabilities, elderly, and child headed households. As women remain disproportionately affected by the chronic poverty in Haiti, often the projects actively promote and encourage the selection of female-headed households.

The selection criteria are discussed and validated by the community and local authorities to ensure community participation and transparency of the process. The final list is published in the community for a period of five (5) days or less is given to receive complaints regarding perceived unfair exclusion. In addition, many organizations introduce protection hotline to complaint about project activities. A local committee comprised of community representatives review the complaints and make further decisions.

The National Disaster Risk Management Plan 2019 – 2030 is broken down into four strategic axes, which are aligned with the Framework of Sendai whose priorities for action are: (i) improving the knowledge of disaster risks, (ii) the strengthening of disaster risk governance, (iii) development and the use of financial mechanisms for the construction of the resilience of communities, public and private structures and (iv) improving preparedness for an effective response and rapid recovery after a disaster.

10. What are the main barriers to addressing and mitigating the adverse impacts of climate change on the realization of the right to adequate housing?

The barriers to be addressed to mitigate the impact of climate change on housing rights are multiple, but not limited to:

1. Lack of government development program: The housing problem in Haiti has never been a priority sector for the Haitian state. In the government's budget, there is no provision for the promotion of housing for low-income families. Unlike other countries in the region, Haiti has no government entity that deals with access to housing for low-income families. There have been limited initiatives aimed at meeting the needs of people with modest incomes. The creation of the Company public housing promotion (EPPLS) and the UCLBP (Unité de Construction de Logement et de Batiments Publics) were two such initiatives. Unfortunately, these initiatives are politically motivated, tied to the advertising campaigns agenda of the governments. They did not fit into any integrated policy or program aimed at promoting access to housing for families with low income. In this context, Haitian families, regardless their socio-economic background, are the sole responsible to fulfil their housing needs and rights, .
2. Lack of access to quality building materials: The typology houses of low income families in urban context is similar across the country. They are built in blocks with a steel frame. In rural areas houses are built with wood and masonry (mud). Houses are generally built from poor quality materials, including recycled materials (plastic, fabrics, wood, sheet metal, etc.), poorly made blocks and columns, poorly composed mortar. Sand is often mixed with earth and impurities. In most coastal cities (majority of cities in Haiti), sea sand is used in the construction of houses, whereas the salt and chloride found there can easily and quickly corrode the steel of the reinforcements, which could, in the long term, lead to the building vulnerabilities to natural hazard such as hurricane. Furthermore, Construction materials are generally very expensive in Haiti and their prices increase exponentially every year, the average price of a bag of portland cement in Dominican Republic is 6.6USD while in Haiti, the bag cost in average 12USD. The prices of other materials such as iron, sheet metal and wood follow the same trend. This situation pushes families to reduce the quantity of materials recommended in the building construction code and thus weakens the structure of the houses.
3. Lack of supervision and quality control: The building permit is mandatory for any new construction, and are delivered by the Mayors's offices, which have the supervision

responsibility of the housing construction sector. However, according to the engineering services of the town halls very few homeowners submit a request for a building permit. The taxpayers/homeowners reported that the application procedures for the permit are often unknown, complex and not very transparent.

4. **Limited access to housing credit:** Housing finance is very limited in Haiti, which prevent families from building resilient home that can reduce their vulnerability to Natural hazards. Mortgage products available on the Haitian market are only accessible to large depositors and those with the ability to meet the banks requirements including proof of land ownership, proof of employment or formal source of income, cash collateral , high interest rates up to 18- 30% per year and substantial guarantees. As a result, the eligibility criteria exclude all low income households. The central Bank of the Republic of Haiti has tried several times to mobilize housing finance through a series of measures, the banks have not been willing to grant many loans, to the point where the surplus of Liquidity still remains a concern for Haitian commercial banks. According to the banks, the blocking factors are: land insecurity, over-invoicing of constructions, low income or unstable family income, limited employment in the formal sector, lack of information to assess the solvency of borrowers.

The Microfinance institutions are present in Haiti, however most of them do not offer a housing credit product, except for few cooperatives. In order to support the incremental construction of their housing, low-income families mainly refer to non-cooperative microfinance institutions offering credit products intended specifically to supply commercial activities characterized by a very short maturity (6 to 18 months) and high interest rate which varies between 18% and 60%. Some families, take loans from loan sharks, who charge them up to 25% interest per month.

5. *Limited capacity of local labor:* The vulnerabilities of houses is also due to the lack of capacity of local technicians. Most home owners do not use an engineer, but called on a mason or a "foreman" to ensure the construction of their house. According to the construction firms and engineers, the technical capacity of local technicians varies from one technician to another but they are all far from being able to meet the technical requirements of the construction sector. The weaknesses can be observed through the different levels of the construction works: the disproportion of the concrete roofs (slabs) in relation to the capacity of the foundation; the lack of connections from the foundation to the roof; structural elements and chaining; failure to respect the depth of foundation excavations; alignment issues; The low capacity for site management, etc. In 2016 Habitat Haiti conducted a typological study of houses in the neighborhoods of Canaan. It turned out that 98% of the houses were built without architectural drawings, 86% do not have a proper bracing system which makes them very vulnerable to natural hazards.

6. .

Impact of housing on climate change

11. How does the housing sector in rural and urban areas contribute to climate change? It may be helpful to think in terms of:
 - energy consumption for heating, cooling, cooking, lighting of housing;
 - urban sprawl and related climate impacts (soil sealing, commuter traffic etc.);

- increase of average per capita living space;
- water use;
- emission of pollutants;
- climate impact of construction and used construction materials;
- deforestation, desertification and loss of biodiversity caused by housing development projects.

Please provide as well any statistical information on the climate impact of the housing sector compared to other sectors in your country.

The construction industry in Haiti remains very artisanal and limited. In rural and semi-urban areas wood remains one of the most widely used materials, whether for posts, braces, roof framework. These woods, are all come from the minimum remaining forest reserve. Given the level of poverty of the families, they are unable to obtain imported wood. Moreover, due to high price of cement, quicklime is still in use in some part of the country. the production of quicklime consumes a lot of wood still coming from the already limited local plant cover. on the other hand, charcoal or dry woods are still the main sources of cooking energy in Haiti, which also contribute to the massive deforestation of the country.

12. What measures are being implemented in rural and urban areas to reduce and eliminate the adverse impacts of the housing sector on the climate? How successful have been these programmes?

Adaptation to climate change, is not a real priority for Haitian decision-makers, and in fact, it does not appear only very superficially in some speech and is only mentioned briefly in major construction sites national development. Furthermore, its materialization does not translate yet concretely in the national budget. Haiti has developed both its National Policy for the Fight against Climate Change (PNCC) and its Communications Strategy for the National Plan Process of Adaptation (PNA) of Haiti, however the housing sector has not been a priority in none of the document.

13. What are the main barriers to reducing and eliminating the adverse impacts of the housing sector on the climate?

The barriers are multiple including, but not limited to, poor housing governance, poverty of the Haitian population, weaknesses of the Haitian private sector, lack of research initiative and incentive for innovation, lack of financial resources.

Indeed, Haiti does not have a dedicated institution in charge of giving guidelines on housing. There are certainly the Ministry of Public Works (MTPTC), the Public Company for the Promotion of Social Housing (EPPLS), the Mayors' offices and the Unit for the Construction of Housing and Public Buildings (UCLBP), They are all a set of public institutions acting in isolation in the sector but do not feel responsible for leadership in the sector.

Families' lack of resources will continue to prevent them from investing in alternative building materials. Innovation is rarely present in the speeches and programs of the Haitian authorities and even the private sector. in 2017 and 2018, the government introduced a policy of reducing customs duties on imports of solar panels in order to encourage access to renewable energy for families, but their price remained high for the Haitians.

The government has implemented multiple small micro-grid projects to supply cities, however these actions were standalone project that were not integrated into an overall long-term development program.

Towards a just transition to a rights-compliant, climate-resilient and carbon-neutral housing

14. What specific legislation, policies, or programmes have been adopted to put in place and finance a just transition to a rights-compliant, climate-resilient and carbon-neutral housing for all, without discrimination?

In 2019, the Haitian government developed the National Policy for the Fight against Climate Change (PNCC) of Haiti. This document considers the strategic decisions that will help Haiti mitigate the impact of climate change on the living conditions of the Haitian nation. Unfortunately, this document appears to be more a requirement of international partners to the Haitian government than a need for the country. Climate Change is not treated as a priority in the decisions and actions of the Haitian state. The national budget, the public projects in progress and the roadmaps of the ministries do not really consider the measures and actions aimed at preventing, mitigating, or addressing the impacts of climate change.

15. What measures have been taken to ensure that the costs of green transition in the housing sector are fairly shared between public authorities, taxpayers, homeowners, and tenants/renters or other affected interest groups, and to ensure the continued affordability of housing?

As mentioned above since 2017, as part of the national budget, the government has adopted provisions that can facilitate the import of solar energy materials and equipment. The Government had applied measures aimed at protecting local industry and had focused on renewable energies by abolishing taxes on solar panels and other green energy materials. Examples of tax-exempt equipment include: Solar pumps Household-type solar refrigerators Wind-powered generators, Solar generators, Photovoltaic converters, Solar storage batteries, Solar portable lamps, Solar water heaters , Light-emitting diode (LED) lamps and tubes Solar panels (photovoltaic devices). These were introduced as part of a government project to electrify remote areas but not in the scope of global policy to fight against the climate change.

16. What adaptation strategies are needed to ensure the continued habitability of housing in the face of the climate crisis? (protection from e.g. heat, flooding, extreme weather, etc.)

The lack of urban or spatial planning in general in Haiti leaves families free to build in any conditions or positions, such as riverbeds, ravines, steep slopes, etc. This somehow increases the vulnerability of families to natural disasters.

We would suggest the following adaptation strategies:

- 1) Through the town halls, the Haitian state will have to accompany the municipalities to develop their development plan, this will take into account the risk maps of the different ones, will make recommendations on the habitable zones, the green spaces to be preserved and the types of habitat to be built.
- 2) The reinforcement of the local workforce which will have the heavy task of building for the families
- 3) Sensitize or educate families on safe and resilient construction techniques to improve the local knowledge and skills for building safer homes in accordance with government standards and generally accepted principles of disaster-resistant construction.
- 4) Standardization: The Government should provide the technicians with clear guidelines on housing design to reduce the need for energy to keep houses cool during severe droughts. the houses should be constructed with appropriate size and quantity of windows and doors provide the houses with necessary natural ventilation, limit airstream and extreme temperature, especially in the evening. They allow the

families to maintain a pleasant interior temperature and a good indoor quality air which is crucial for easy breathing, better sleep, elimination of allergens, reduced odors and balanced humidity.

5) Supervision: Increase the capacity of the mayor's offices to supervise the construction

17. How are different interest groups, including marginalized communities, homeowners and tenants, being consulted, and able to participate in the design, implementation, monitoring and evaluation of:

- legislation, policies, or programmes been adopted that provide for specific measures to ensure the realization of the right to adequate housing in the face of the climate crisis;
- natural disaster preparedness, response and reconstruction, as well as in mitigation and adaptation efforts;
- measures to reduce and eliminate the adverse impacts of the housing sector on climate.

As mentioned above, Haiti has certainly defined its national plan to fight against climate change and its Communications Strategy for the National Plan Process (NAP). These are both documents developed in a participatory manner but with organized actors, such as state authorities, United Nations agencies, the Private sector, Civil society, etc. However, the civilian population was not really involved. Furthermore, it is safe to repeat despite the level of vulnerabilities of the country to natural hazards, the phenomenon of climate change is not too present in the priorities of the country's decision-makers. Thus, there is neither law nor decree that has been adopted by the Haitian state to encourage or promote the works on reducing the impact of construction methods on climate change.

18. What is the role of international cooperation, technology transfer and development assistance of States and multilateral agencies to ensure a just transition?

The phenomenon of climate change remains very superficial in the Haitian reality. They are not taken into consideration in any of the official documents and programs of the Haiti government, nor in the national budget of the country. Thus, the international cooperation may have a set of crucial roles:

- 1) Educate and sensitize the authorities, civil society, the population, and the private sector in relation to the reality of the phenomenon of climate change,
- 2) Technically support the Haitian authorities to implement the plan to fight against climate change. To allow them to develop a work breakdown structure (WBS), to allow them to break down strategic decisions to achievable or concrete activities,
- 3) Strengthen the technical capacity of state executives working in key sectors related to climate change (housing, water, energy, agriculture etc)
- 4) Accompany the Haitian state to have access to the funds intended for actions of adaptation and mitigation to climate change

19. What are the main barriers to achieving such a just transition?

The barriers are multiple including, but not limited to :

1. Poor housing and energy governance,

2. Lack of long-term development plan for the country
3. Poverty of the Haitian population (lack of education of the population, limited revenue)
4. Lack of research initiative and incentive for innovation, lack of financial resources.

Other issues

20. Please use this space to indicate any issue that should be considered for this report.

None

Submission instructions

Deadline: 8 July 2022

Email: Please return this questionnaire to: ohchr-srhousing@un.org; ohchr-registry@un.org

Email subject line: Input for SR housing - report on climate change

Accepted File formats: Word only (supporting documents may as well 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 to their full text or source or attach them to your submission (please respect total file size limit of 20 MB to ensure that it can be received)

Potential confidentiality: Please indicate on top of this questionnaire and in your e-mail if you want to have this submission or any particular attachment not to be published on the website of the Special Rapporteur and treated as confidential.

Expected presentation of the report of the Special Rapporteur: February/March 2023

ⁱ <https://www.worldbank.org/en/country/haiti/overview>