

GOLD VI

*Case-Based Contribution
to Chapter 4: Commoning
GOLD VI Report on Pathways
to urban and territorial equality*

Cities for the Right to Housing:

The role of rights-inspired local action

in addressing the housing crisis

in the COVID-19 era

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Cities for the Right to Housing: The role of rights-inspired local action in addressing the housing crisis in the COVID-19 era

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CHAPTER

4: Commoning

SUMMARY

The global housing crisis has been exacerbated and transformed by the COVID-19 pandemic, and this can be felt in both its depth and its diversity at the local level. If urban territories were already well placed to identify the myriad of causes and consequences behind this crisis prior to the pandemic, they are now an even more prominent space where to grasp how it has evolved since 2020. Rather than remaining a passive actor, the city has also become, throughout this period, a meaningful platform to foster and channel political action in favor of more affordable and adequate housing for all.

This case based contribution highlights the role of local governments in the rise of the city as a prominent political actor in addressing the global housing crisis. To do so, it looks at how local governments fostered housing policy innovation, most of the time by establishing cooperation pathways with other local government actors and right to housing advocates or even contributing to shift the narrative on housing so that this is framed as a fundamental right rather than a commodity only. To do so, it explores policymaking evolutions of various local governments and actors gathered around the UCLG Cities for Adequate Housing Declaration from the year of its adoption (2018) to the first year of pandemic (2020).



Local governments facing the housing crisis: Pushing for a shift of paradigm

According to the framing of practitioners and scholars in the aftermath of the 2008 Global Recession, the global housing crisis refers to a two-fold process where a recent, rampant financialization of the real estate market is causing already fragile housing conditions to deteriorate at an unprecedented pace at a global scale – thus, worsening the global guarantee of the right to adequate housing.¹

This pre-existing vulnerability of housing conditions refers mainly to access conditions by low-income or marginalized groups, weak public capacity or willingness to deliver solutions for all and market conditions not meeting the needs of all residents.² In spite of the relative improvement in the share of urban population living in slums, informality and related habitat inadequacy remains the most prominent challenge and group of urban residents affected by the crisis.

Cities have faced the impact of financialization in many different ways: rise of housing prices, homelessness or overcrowding, incapacity to regulate transnational actors affecting local housing systems... Accordingly, this situation led local governments – to different degrees, in different geographies – to embrace renewed approaches to their action on the matter.

One of the most relevant of these approaches has been the rights-based approach to housing, championed by global stakeholders – such as the UN Office of the High Commissioner for Human Rights (OHCHR), UN Habitat or the UN Special Rapporteur on the Right to Housing (UNSRRH) – and social actors working on areas such as eviction prevention, homelessness or slum upgrading.

Mayors and representatives of the Make the Shift initiative gathered for the public launch of the "Cities for Adequate Housing" Declaration in 2018
Source: UCLG

1. Leilani Farha. "Report A/HRC/34/51 of the Special Rapporteur on the Right to Housing as a component of the right to an adequate standard of living...". United Nations. <https://www.undocs.org/A/HRC/34/51> [Accessed May 31, 2021].

2. UCLG GOLD. (2019). Rethinking housing policies: Harnessing local innovation to address the global housing crisis. https://www.gold.uclg.org/sites/default/files/UCLG_Rethinking_Housing_Online_0.pdf

The UCLG Cities for Adequate Housing Declaration (CAHD)³ offers a fitting example of how local governments embraced this approach too. The CAHD represents indeed an unprecedented, global commitment and action plan against financialization and in favor of the right to housing. It was agreed by more than 40 local governments and has a certain coherence with the housing policies these cities have implemented locally. At the moment of its launch, the CAHD brought together local governments and their networks, the OHCHR and the UNSRRH. From then onwards, the CAHD allowed to deepen the discussion, foster the exchange of policies and identify emerging challenges.

The UCLG Community of Practice on Housing met twice to address how local housing conditions were affected by the pandemic, and what policy innovations were local governments implementing in the face of this scenario.⁴ **Seen in perspective, one of the most fundamental logics behind the Declaration remained its capacity to enhance the visibility of the pressing new challenges caused by the pandemic, as well as the renewed willingness by local authorities to take a more prominent role in tackling them through coordinated action.** This is particularly relevant if one considers how the pandemic soon evolved into a social and economic crisis with a huge impact on local housing conditions.⁵

The shift in policy-making: Cities for Adequate Housing from 2018 to 2020

At present, the most important question remains: how did these approaches translate into new policies or transformed existing ones? What added value did they bring to local policymaking? Local governments gathered around the CAHD offer a good case to address this issue, given that agreeing to sign such an international roadmap expressed most of the times a pre-existing engagement towards rights based housing policies.

Back in 2018, regulating urban investments and the real estate market soon emerged as one of the most relevant issues for local governments in the CAHD. In order to put an end to financialization, **Barcelona** (Spain) adopted inclusionary housing measures setting a minimum of 30% for all new homes built in the city to be affordable housing.⁶ The city also implemented regulations that allow to implement

penalties to “vulture funds” keeping vacant housing for speculative purposes.⁷ This and other measures have been developed as a follow-up to the local action plan for the right to housing.⁸

Montevideo (Uruguay) promoted the “Fincas” program with a view to develop a regulatory framework that allows the city to seize vacant properties and transform them into housing social projects.⁹ Fincas reclaims the social function of housing in cooperation with local CSOs, and seeks to enhance access to adequate and affordable housing in central spaces of the city through its own land portfolio: the “*Cartera de Tierras*”.¹⁰

Promoting public housing was also seen as key by many cities signing the CADH in 2018 as a matter of reinforcing their capacity to deliver affordable housing solutions.

3. UCLG. (2018). Cities for Adequate Housing. <https://citiesforhousing.org/>

4. See the reports of the 2020 UCLG Live Learning Experience on Housing (<https://www.beyondtheoutbreak.uclg.org/housing>) and the 2020 meeting of the UCLG Community of Practice on Housing (<https://uclg-cisd.org/en/news/latest-news/uclg-community-practice-housing-assessing-ways-advance-right-housing-context-covid>) [Accessed May 31, 2021].

5. For further information, see the 2020 Report A/75/148 by the UN Special Rapporteur on the Right to Housing (<https://www.ohchr.org/EN/Issues/Housing/Pages/callCovid19.aspx>)

6. Barcelona. (2018). https://www.barcelona.cat/infobarcelona/es/tema/vivienda/acuerdo-entre-entidades-y-grupos-politicos-para-que-el-30-de-las-nuevas-viviendas-sean-protegidas-2-2_744446.html

7. Barcelona. (2020). https://www.barcelona.cat/infobarcelona/ca/tema/habitatge/expedient-sancionador-al-fons-inversor-azora-per-mantenir-pisos-desocupats_962001.html

8. Barcelona. (2017). <https://habitatge.barcelona.ca/estrategia/dret-habitatge>

9. Montevideo. (2019). <https://montevideo.gub.uy/noticias/vivienda/se-presento-el-proyecto-fincas>

10. Montevideo. (2016). <https://montevideo.gub.uy/institucional/noticias/25-anos-de-la-cartera-de-tierras-para-vivienda>

Montreal (Canada) gave a big boost to public housing in the city after the adoption of its “*Métropole mixte*” plan.¹¹ In combining inclusionary housing measures, a large investment in public housing and support to community-led housing initiatives, Montreal sought to turn social housing into a channel for inclusion and diversity instead of segregation.

Through its plan “Housing Justice 2.0”, **Taipei** is not only building more public housing to halt rising prices, but also raised taxes on owning vacant housing, provided new rental subsidies and increased price transparency.¹² Indeed, observatories that allow public monitoring of housing prices are becoming a popular option among cities facing significant financialization (see the cases of Barcelona or Paris).

Multi-stakeholder cooperation remained key for local action as seen in previous examples. **Seoul** (South Korea) established an agreement with the local bar association and human rights defenders to prevent and monitor violence in the context of evictions.¹³ Various actors in **Medellín** (Colombia), including the local government, took part in the COiNVITE project to share

alternative methodologies for the integral upgrading of informal settlements – especially relying on residents’ capacities to push for these projects.¹⁴

Throughout 2020, these and other signatory cities seized their previous regulations and expertise to push for solutions to protect the most vulnerable. A key priority in this sense was to stop evictions and freeze housing costs at a time where many residents experienced a sudden drop in their livelihoods.

Barcelona (Spain)¹⁵ and **Paris** (France)¹⁶ announced a moratorium to rent collection in public housing, while **Valencia** (Spain)¹⁷ opened a hotline to provide advice and mediation to households experiencing residential risk.

Other cities mobilized vacant hotels and private buildings to host not only people infected with COVID-19, but also people sleeping rough.

London (UK) provided emergency accommodation to 1,300 people,¹⁸ while **Mexico City** (Mexico) focused on providing sexual workers who suffered sudden evictions from their accommodations (often rented hotel rooms) with food vouchers and emergency shelter.¹⁹

The Right to Home coalition: Scaling up local commitments to the national level in Canada²⁰

The case of how Canadian local authorities cooperated with “The Shift” initiative²¹ to push for rights-based solutions to the issue of homelessness – a form of vulnerability particularly exacerbated by the pandemic – is particularly relevant. Originally devised as a working group for local authorities to exchange on emerging housing-related challenges faced at the time of the pandemic, it soon evolved into a platform for cities

to reclaim more ambitious action on housing by the federal government, including the devolution of powers and resources to cities to implement new policies on this matter.

On the occasion of the “2020 Speech from the Throne”, mayors and city managers from the Right to Home coalition met with the Federal Government to present a shared statement on the right to housing – the contents of which were largely

11. Montreal. (2021). <https://montreal.ca/articles/metropole-mixte-les-grandes-lignes-du-reglement-7816>

12. Taipei. (2019). <https://www.taipetimes.com/News/taiwan/archives/2019/09/11/2003722084>

13. UCLG CSIPDHR. (2019). <https://uclg-cisdp.org/en/news/seouls-quest-bring-human-rights-closer-citizens-lives-interview-human-rights-department-seouls>

14. UCLG CSIPDHR. (2019). <https://www.uclg-cisdp.org/en/news/latest-news/strengthening-inhabitants%E2%80%99-participation-slum-upgrading-processes-through-urban>

15. Barcelona. (2020). <https://ajuntament.barcelona.cat/premsa/2020/03/24/lajuntament-atura-el-cobrament-dels-lloguers-del-parc-public-i-crea-una-partida-de-35-me-per-rebaixar-les-quotes-de-les-persones-que-ho-necessitin/>

16. Paris. (2020). <https://www.paris.fr/pages/coronavirus-logement-et-habitat-7763>

17. Valencia. (2020). <https://www.valencia.es/-/sm-vivienda>

18. London. (2020). <https://www.london.gov.uk/what-we-do/housing-and-land/homelessness/end-homelessness>

19. Mexico City. (2020). <https://www.uclg-cisdp.org/en/news/latest-news/challenges-and-responses-covid-19-local-perspective-mexico-city>

20. This section has been developed after an interview with a representative of the Shift team.

21. As a fundamental partner of UCLG and the Cities for Adequate Housing initiative, “The Shift” movement sprang from the mandate of the former UN Special Rapporteur on the Right to Housing Leilani Farha. By the end of her mandate, part of the team of Rapporteur Farha and herself decided to pursue the advocacy and capacity building efforts around the Shift, focusing this time in more particular context or alternative engagement and networking opportunities. More information at <https://www.make-the-shift.org/>

included in the final speech by Canada's Prime Minister. **The inclusion of local governments' demands confirmed both their renewed engagement on housing issues as well as their increasing capacity as a political platform** – a trend that can be identified not only in Canada, but also in other geographies across the world.

Coordinated action resulted in the allocation of extra funding for local authorities to implement new plans

to prevent homelessness through a "Housing First" perspective - which means, guaranteeing permanent housing for the people. Local governments were also eager to use these new resources to reinforce accountability mechanisms. A good example of this can be found in **Toronto's** housing commissioner officer²² or Kitchener expert working group on housing.

Main takeaways

Networking events around the CADH held after 2020 confirmed how signatory local governments considered housing-related issues to play a central role in the social crisis caused by the COVID-19 pandemic: on one hand, because it exacerbated previous vulnerabilities and the inadequacy conditions of a large part of urban residents; on the other hand, because it stressed the weak capacity of governments to guarantee access to housing as a human right and not as a commodity only.

Even though administrative and financial limitations pervaded local governments to advance more comprehensive strategies, many of them found creative ways to push for significant solutions to pressing human rights issues. Having developed prior policies on this matter proved instrumental in terms of providing the necessary expertise, infrastructure and legitimacy to push for these measures.

The crisis also showed how local governments were ready to advance systemic changes on the issue of housing as proposed by the rights-based approach and other approaches to housing – reclaiming for instance the "social function" of housing or housing as a "common good". This implied pushing for extraordinary measures and a structural shift in their overall policy making efforts, so that these measures were sustained after the crisis or adopted as perfectly legitimate tools to be used in the context of a crisis. Promoting a renewed public-private cooperation framework and reinforcing local government support to community-led initiatives on social and non-speculative housing initiatives were also two key takeaways by various adherents to the CADH as shown in the events held in 2020.

22. Toronto Housing. [2020]. <https://www.torontohousing.ca/transparency/accountability-offices/Pages/OCHE.aspx>

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In particular, the present paper has contributed to Chapter 4 on “Commoning”, which focuses on the trends and pathways in relation to the governance, planning and provision of access to housing, land and basic services. The chapter explores how local and regional governments can promote approaches focused on collective action that contribute to urban equality.

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