

A STRATEGY PAPER ON WORKING WITH PARLIAMENTARIANS



UN-HABITAT

STRATEGY PAPER

Engaging parliamentarians

OVERVIEW

Human settlements is a State subject; every State is responsible for the formulation of policy with regard to programmes and approaches for effective implementation of human settlements schemes, particularly those pertaining to the poor, marginalized and disadvantaged of society. The UN-HABITAT's Partners and Youth Section is responsible for partnering with parliamentarians in the formulation of policies and strategies to create and strengthen a self-reliant management capacity at both national and local levels.

This strategy paper gives:

- An overview of the UN-HABITAT and human settlements with a specific bias on its Partners and Youth Section,
- Outlines the role of Parliamentarians in the achieving sustainable human settlements,
- Recommendations on ways in which the Partners and Youth Section can partner with Parliamentary associations and Parliamentarians in achieving the sustainable human settlements development in an urbanizing world.

Table of Contents

| | |
|--|----|
| 1. Overview | 2 |
| 2. Acknowledgement | 3 |
| 3. Introduction | 4 |
| 4. Background | 4 |
| Etymology of the UN-HABITAT | 4 |
| World Urban Forum | 5 |
| MTSIP | 6 |
| 5. Partners and Youth Section | 6 |
| Partners and Youth Section and human settlements | 7 |
| Local government and human settlements | 7 |
| 6. Partnering with parliamentarians | 7 |
| Partnership and strategic partnerships | 8 |
| UN-HABITAT and Parliamentarians | 8 |
| Role of Parliaments and rationale of working with parliamentarians | 9 |
| Challenges of working with parliamentarians | 9 |
| Parliamentarians and human settlements | 10 |
| Components of human settlements | 11 |
| How the Parliamentarian's Unit can partner with parliamentarians | 12 |
| Strengthening parliamentarians to deal with human settlements and MDGs | 12 |
| How the Parliamentarian's Unit can build capacity of parliamentarians | 13 |
| What should a law on the provision of human settlements cover? | 13 |
| 7. Inter Government Parliamentary Associations | 14 |
| How the partners and youth section can partner with Associations | 17 |
| 9. Gender and Human Settlements | 17 |
| 8. Recommendation | 18 |
| 10. Success Indicators | 18 |
| Schedule I Examples of good practices in legislation development | 20 |
| Schedule II References | 22 |

2. ACKNOWLEDGEMENT

UN-HABITAT gratefully acknowledges the contribution of those who have collaborated in the preparation of this strategy paper.

In particular, we thank the contributions to this paper of the following persons:

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3. Dr. Aluouine Badeane- Director of the Regional Office of the UN Human Settlements Programme (UN-HABITAT) for Africa and Arab countries
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3. INTRODUCTION

Today 6 billion people are living in cities and the world is facing unprecedented growth of urban population, mainly in the developing countries. Although many governments have adopted a resolution containing a Declaration on Cities and other Human Settlements, the sustainability of human settlements is yet to be achieved.

Parliamentarians work impacts on issues of land, sanitation and water, security, health, public transport, education, social security, agriculture, immigration policy and housing.

Parliamentary decision-making in each domain will have a direct or indirect effect on the extent to which people enjoy their political, civil, economic, social, cultural, or collective rights.

The UN-HABITAT over the years has been mandated for the improvement of human settlements; however, they have largely worked with the Ministries, and other Executive Institutions, Local Government Authorities and NGO's. This paper is a realization of the need to work more closely with parliamentarians, as the law makers, parliamentarians, are indispensable partners in the achievement of sustainable human settlements developments.

4. BACKGROUND

UN-HABITAT

“There are many billions of people suffering from a lack of affordable housing – all the facilities which make our life decent. We must work together and generate the political will to have a smooth implementation of the Millennium Development Goals and I will work very closely, and harder than before.”

Ban Ki-moon, United Nations Secretary-General, during a 2007 visit to the overcrowded slum of Kibera in the Kenyan capital, Nairobi.

World War II left many cities in Europe and Asia destroyed and many people homeless and without shelter; the United Nations led a shelter programme that involved the distribution of blankets and later developed a housing programme in New York in 1950. During the late 1960s, environmental degradation threatened the destruction of flora and fauna becoming an urgent international cause.

The UN took the lead in convening its first major global Conference on the Human Environment in Stockholm in 1972 at a time when the UN General Assembly had expressed concern at the “deplorable world housing situation. The issue was taken up as priority by the Economic and Social Council (ECOSOC) and UN Center for Housing, Building and Planning (CHBP), leading up to the HABITAT I conference held in Vancouver in 1976. At this time, urbanization and its impact were barely on the radar screen of a United Nations created just three decades earlier when two-thirds of humanity was still rural. However, by 1976 the world had witnessed the greatest and fastest migration into cities and towns in history and one-third of the world's people were by then living in cities.

Vancouver 1976 comprised two parallel meetings: the official conference of UN Member States and the non-governmental organization (NGO) Habitat Forum. Both meetings debated the causes and consequences of urbanization that were manifesting globally through squatter settlements, slums, lack of access to land, water, sanitation, infrastructure, or jobs. The formal and informal HABITAT debates in 1976 underscored that no-one can solve human settlement problems alone; that it required strong and continuing partnerships between all institutions of

government(especially local authorities),NGOs, the private sector, together with all relevant UN agencies.

The outcome of the conference was the creation of the UN Commission on Human Settlements (CHS) and its Center for Human Settlements (UNCHS) putting all human settlements programmes under one agency. The Center became a substantive legacy and focal point for research and follow-up to HABITAT '76.

Twenty years after 1976, the UN Conference on Human Settlements (HABITAT II) from 3 – 14 June 1996, also called the City Summit, convened in Istanbul, Turkey followed by a review meeting, the Istanbul+5 conference in New York five years later in which the mandate, status, role and functions of UNCHS were strengthened. In 2002, based on a General Assembly resolution 56/206, the status of UNCHS was elevated to a programme, now called the United Nations Human Settlements Programme (UN-HABITAT).

The operational activities of the United Nations Human Settlements Programme (UN-HABITAT) are focused on supporting governments in the formulation of policies and strategies to create and strengthen a self-reliant management capacity at both national and local levels, by providing technical and managerial expertise for the assessment of human settlements development constraints and opportunities, the identifying and analyzing policy options, in the design and implementation of housing and urban development projects; and in the mobilization of national resources, as well as in external support for improving human settlement conditions.

This national capacity-building process involves not only central government institutions but also stakeholders such as community-based and non-governmental organizations, universities and research institutions, as well as Local Governments and Municipalities. Emphasis is also being placed upon strengthening governments' monitoring capacities in human settlement management.

- **World Urban Forum (WUF)**

The World Urban Forum is an important event for civil society and non-governmental organizations that work in the area of urban development as it provides them with a platform to express their views, share knowledge and strengthen their capacity to address issues of sustainable urbanization.

WUF1: The First World Urban Forum was held from 29 April-3 May 2002, in Nairobi, Kenya. The overall theme was sustainable urbanization. Discussions also focused on: the effect of HIV/AIDS on human settlements; violence against women; basic services and infrastructure, including provision of water and sanitation; and the need for secure tenure.

WUF2: The Second World Urban Forum took place in Barcelona, Spain, from 13-17 September 2004. Participants discussed progress in achieving Goal 7 of the Millennium Development Goals on environmental sustainability, including Target 10 on water and sanitation, and Target 11 on slums. Participants also addressed gender equality, urban culture, poverty, safety, disaster preparedness and reconstruction.

WUF3: convened in Vancouver, Canada from Monday, 19 June to Friday, 23 June 2006 under the theme of “Sustainable Cities – Turning Ideas into Action.” it marked the 30th anniversary of the first UN Conference on Human Settlements, which was also held in Vancouver and led to the creation of UN-HABITAT

WUF4: was held from 3-6 November 2008, in Nanjing (China) with “Harmonious Urbanization: The Challenge of Balanced Territorial Development” as its main theme.

The WUF is used as an advocacy platform for UN-HABITAT to implement the Habitat Agenda and promote sustainable urbanization and adequate shelter for all. The results, ideas, outcomes and lessons learned during the WUF are used to sharpen the focus and improve the performance of UN-HABITAT’s work programme including the MTSIP. The WUF is aligned with the priorities of the MTSIP. Their objectives are mutually reinforcing in that they both seek to strengthen a shared vision and understanding of sustainable urbanization amongst networks of Habitat Agenda partners.

At the 4th World Urban Forum, the roundtable meeting of parliamentarians addressed cities and climate change and the role of parliamentarians. This meeting realized the need for preventive action and planning to offset effects of climate change through mass action. Parliamentarians were sensitized on their responsibility to create public awareness and develop political goodwill towards harmonious urbanization.

▪ **Medium Term Strategic and Institutional Plan (MTSIP)**

This MTSIP is a representation of the UN-HABITAT’s response and contribution to the UN system wide reform and coherence that is driven by the commitment to partnership. MTSIP is aimed at creating the necessary conditions for concerted international and national efforts to stabilize the growth of slums and to set stage for the subsequent reduction in and reversal of the number of slum dwellers. It emphasizes on Advocacy and partnerships that involve education, communication and evidence based information as effective tools of realizing sustainable human settlements development and implementing the Habitat Agenda.

MTSIP has two main focus areas; Focus Area 1, centres on the active participation of the Habitat Agenda partners as the key to achievement of sustainable urbanization where sustainable urbanization is the fundamental principle driving towards making and implementation of development policy. Focus Area 6, centres on identification of keys areas of empowerment related to organizational and staff competencies towards the achievement of the overall mandate of the UN-Habitat

5. PARTNERS AND YOUTH SECTION

The Partners and Youth Section formerly the NGO Unit of the UN-HABITAT, became in September 2002 when the latter was upgraded to the Partners and Youth Section. The section reports to the Executive director through the Research and Monitoring Division and works closely with all divisions, branches and regional offices in order to promote high quality and continuous engagement of partners in the UN-HABITAT’s work. The Section deals specifically with the Civil Society Organizations and other Habitat Agenda Partners and takes an active role in implementing the youth programmes of the UN-HABITAT.

The main function of the Section include:-

- a) Promote the participation of the UN-HABITAT agenda partners in implementing activities towards the achievement of the MDGS and Habitat Agenda.
- b) Enhancing policy synthesis and dialogue.
- c) Facilitating political and social mobilization
- d) Facilitating the development of the full potential of youth in human settlements.

Youth and children constitute more than half of the world's population. Living in mostly urban areas, they constitute one of the largest groups that are adversely affected by unsustainable urban development patterns. Nevertheless it should be remembered that youth with their energy, creativity, idealism and passion have the potential to help overcome problems we face today and tomorrow youth are key partners for implementation of the Habitat Agenda.

In response to the UN Secretary General's initiative on youth employment, particularly with a view to developing a Global Partnership Initiative on Urban Youth Development and to establish an interim youth consultative mechanism, UN Agencies began to include youth in their programmatic objectives.

For the UN-HABITAT to achieve the objective of improving the quality of human settlements and targets 10 and 11 of the MDG 7 of integrating the principles of sustainable development into country policies and programmes, there was need to enhance the engagement of youth in urban governance and address the problem of youth at risk, by focusing on capacity-building and poverty alleviation. The Partners and Youth Section was therefore formed in order to develop a strategy of enhancing the engagement of youth in the work of UN-HABITAT. The Unit has since extended to include other partners both inside and outside of Governments.

- **Partners and Youth Section and Human Settlements**

The Partners and Youth Section has partnerships with local authorities, civil society organizations, parliamentarians, and profit based entities. Being at the level of governance closest to the people, local authorities play a vital role in educating, mobilizing and responding to the public to promote sustainable urbanization. Partnering with the NGOs and CBOs i.e. the civil society organizations helps involvement of the marginalized groups that have been left out by government in development. The parliamentarians being the legislative body of societies help in facilitating legislation that supports human settlement development.

- **The Local Government and Human Settlements**

Local governments are important players in the area of environment and heritage management, they have the responsibility to protect the environment, plan future landscapes, provide infrastructure, manage natural resources, and conserve or manage cultural heritage through a variety of mechanisms. Many local governments have adopted the Local Agenda 21- an approach that involves implementing the tools of strategic and participatory planning, capacity building of the local actors, local consultations- and setting up and implementing the projects in a bid to help local authorities in secondary town to achieve more sustainable development. The Unit has been and continues to partner with the Local Governments/ Authorities in helping them with strategies and advice on meeting housing needs.

6. PARTNERING WITH PARLIAMENTARIANS

- **What is partnership?**

Partnership is engagement of like minded organizations/institutions by seeking their active participation and cooperation with a view to pool wisdom, skills, knowledge towards achieving a common goal. This brings about complementary actions among like-minded organizations and mutual support of the common objectives hence a reduced cost of implementation. Parliamentarians are the elected representatives of the people in all their diversities, they have a responsibility to influence and help shape government policy. A partnership between the UN-

HABITAT and parliamentarians would help facilitate drafting and amendment of legislation and the restructuring of institutions and structures that supports human settlements development.

- **What is Strategic Partnership?**

Strategic partnerships are voluntary and collaborative relationships between the government, private sector, civil society and other organizations in which participants work together to achieve a common purpose or to undertake a specific task, sharing risks, responsibilities, resources, competencies and benefits while committing to mutual accountability. UN-HABITAT is involved in several strategic partnerships that advance the Habitat Agenda and that help in achievement of Millennium Development Goals.

These partnerships must be:-

1. Efficient and effective
2. Transparent and accountable.
3. Diverse and Representative
4. Addressing the UN-HABITAT mandate.

- **UN-HABITAT and Parliamentarians**

UN-HABITAT appreciates the value of Parliamentarians as important and vibrant partners in promoting the cause of adequate Shelter for all at the national and global levels. UN-HABITAT particularly recognizes the role of parliamentarians in promoting international cooperation and understanding which is an area that still require increased commitment from the international community.

Given the magnitude of the challenges that human settlements pose, society must value and take advantage of the wisdom, knowledge and skills of every person. Sustainable human settlements development requires cooperative and complementary actions among interested parties. Increasing the involvement of Parliamentarians in preventing environmental degradation, promoting sustainable development and reducing threats to security is critical. Achieving sustainable development and alleviating poverty require the integration of economic, social and political objectives into a coherent overall framework. As the world becomes increasingly urban, it is essential for political will to make cooperation possible between governments, Local Authorities, private sectors, NGOs and professional groups. It is the political representatives of the people in Parliaments who provide this necessary bridge.

- **Role of parliaments**

Parliament is a vital institution in promoting good governance. In fact, governance goals of greater accountability, transparency and participation are directly related to the primary functions of parliament which include:

- a) making policies and laws;
- b) overseeing the executive and
- c) Representing citizens.

While parliament does not operate in isolation from the Executive, the Judiciary and the wider society, it is the relations among these that provide the overall governance framework of a given country.

▪ **Rationale of working with Parliamentarians**

Parliamentarians debate and approve the national budget that includes funding for services and projects set up by each country in various sectors. It is often called upon to ratify international agreements and translate them into national legislation as well as generate laws of its own initiative. Parliaments are also responsible for overseeing the executive branch of government and making sure that it lives up to its policy commitments.

Parliamentarians have been elected to represent the people in all their diversity. They have a responsibility to influence and help shape government policy. They monitor international negotiations and are in close contact with government negotiators. In many instances it is parliament that grants the negotiating mandate. Here again, much important work takes place in the legislature and is intrinsically linked to the institution's agenda.

Parliamentarians can utilize the opportunities through debate and question to ensure that policy is focused on delivering the development of adequate human settlement. The Backbenchers can speed the process of response to their questions by keeping the ministers on their toes with demand of updates.

Most parliaments have structured Committees that deal with different legislative and policy matters. UN-HABITAT will find that engaging with and building the capacity of the Committees that deal with Housing, Land, Environment, Water, Health and Sanitation will go a long way in accelerating bills for legislation on human settlements issues.

UN-HABITAT typically works more directly with the executive arm of government while most programmatic initiatives tend to get stuck in Ministries, actual delivery is in the making of laws and policies which is a preserve of Parliament, while the application and interpretation of laws is the work of the judicial system hence the need to partner with the three arms of government. In order to approach human settlement in a holistic manner, it is imperative to engage the three arms of Government equally by:-

- a) Organizing training workshops for the parliamentarians.
- b) Drafting model legislation on human settlements from which parliamentarians can borrow from.
- c) Lobby for serious steps on human settlements related cases in Courts.

▪ **Challenges of working with parliamentarians**

The nature of elections in Kenya makes it unlikely for a parliamentarian to serve for two consecutive terms or more since the voters dictate who their representative in parliament becomes. This has resulted in high turn over of parliamentarians in most parliaments. New parliamentarians affect the continuity of projects or progress of draft legislation is delayed while they acquaint themselves with the ongoing projects and familiarize with the rationale and aims.

Parliamentarians also have limited time to go through reference materials and therefore any material that is for their use should be brief and easy to read. Information and statistics should be put in a way that Members of Parliament can understand.

Being an educated professional is not among the requirements to be a member of parliament in most countries, even though legislation should be made from a point of knowledge. This leads to a dearth in viable policies and laws and sluggishness to move bills where issues are not clearly understood. Materials and engagement with Members of Parliament should therefore not be academic but based on practical experiences coming out of their own constituencies.

Further, although democratization of governments swept the world over in the 1990s, the development of good governance remains a challenge, particularly with Parliaments, many of whom are not fully independent and rely on the Executive arm to bring information and ideas to the Floor. There is need to create a linkage between the concepts of good governance and service delivery by Parliamentarians in order to have effective oversight of Governments on human settlement.

- **Parliamentarians and Human Settlements**

It is crucial for the Section's Parliamentarians Unit to partners with parliamentarians since parliaments are the institutions through which the biggest leverage with government can be reached.

Essentially the Members of Parliament are a huge determinant on whether projects to enhance human settlements are funded or not or if they are even discussed at all. This is because Parliament is the organ that debates and approves the national budget that includes contributions to international organizations and Local Authorities by providing funds for their programmes and disbursements for services and projects set up by each country to implement international agreements and national policies. Although UN-HABITAT has and continues to partner with community based organizations and the private sector, the role of this primary policy making Institution cannot be underestimated.

All humans have certain rights, and the government, traditionally has an obligation to protect these rights. The right to housing is a fundamental function of the state throughout its history has been to ensure the individual and collective safety and security of its citizens wherever they might reside or visit.

A Member of Parliament is the constituents' representative in Parliament, S/he receives and deals with many requests for assistance which could concern transport, local councils, environmental issues, youth and community services, the police, and objections to land tax and water and sewerage rates.

Parliamentarians are very crucial in the field of human settlement because they unlike other partners can influence formulation and revision of public policies, the enactment of laws and regulation and strengthening of the capacity of public institution at all levels.

A Member of Parliament is the link between the people, legislature and the executive and is responsible to ensure that the government protects the rights of his electorate by providing essential services. S/he represents the citizens, by making contribution towards the formulation of policy. They are elected representatives of the people, and it is of enormous benefit when they can address the gaps in laws and policies that affect those they represent.

- **Components of human settlements which affect parliamentarians directly.**

- a. Shelter including; slums, low cost housing, security of tenure and eviction**

The right to adequate shelter has been recognized and enshrined in numerous international instruments and conventions, supported by most governments around the world. Most notable among these are the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights. Access to adequate shelter is a universal right, meaning it is an entitlement that should be accessible to all people: young, old women, men, rich and poor. Access to safe and healthy shelter and basic services is essential to all people's physical, psychological, social and economic well - being.

Homelessness and lack of adequate shelter is a common scene in many countries. In most developing countries, poverty, rapid urbanization, lack of housing credit facilities are among the reasons that cause lack of their rights; traditional practices and beliefs are some of the common problems particularly at grass root level that discriminate women. It is necessary to improve low income communities, to build and improve their living and housing conditions by providing education, training and technical assistance on land rights, housing construction, savings and credit schemes and self-help in both rural and urban areas.

It is the work of the parliamentarians to ensure that the laws are enacted to address these issues.

- b. Land**

Land is essential for the provision of food, water and energy for many living systems, and is critical to human activity. In rapidly growing urban areas, access to land is rendered increasingly difficult by the competing demands of housing, industry, commerce, infrastructure, transport, agriculture and the need for open spaces and green areas, and the protection of fragile ecosystems. There is need for specific urban and regional policies providing for legal, economic, financial, cultural and other measures. Innovative methods need to be created for urban planning, design, development, revitalization and management.

When developing housing and urban policies, Parliamentarians can ensure that the adopted framework is based on land property rights which recognize security of tenure especially to the urban poor. In case eviction of persons is being considered, the Member of Parliament should ensure that it is done according to the law without rendering individuals' homeless or violating their basic human rights.

- c. Transport**

Transport is the structural elements of an economy that facilitate the flow of goods and services between buyers and sellers it includes such assets as roads, railways, airports, ports, power systems and telephones.

Parliamentarians are the leading force to help develop the infrastructure by mobilizing local and international resources. They can introduce regulatory legislation as well as lobby for support by the citizens of their countries living abroad in development of their country of origin either by providing capital or the much needed talent and skills.

d. Water and Sanitation

In addition to the urgent problems of cities in the developing world, increased water scarcity and insufficient attention are being given to sanitation, hygiene and wastewater treatment.

In order to provide safe water for all and proper sanitation, Parliamentarians and other stakeholders must move the sanitation crisis to the top of the parliamentary agenda. They must ensure that policies and institutions for water supply and sanitation service delivery, as well as for water resources management and development, respond equally to the different roles, needs, and priorities. Legislation on water and sanitation target must focus on sustainable service delivery, rather than construction of facilities alone.

e. HIV/AIDS

Given the oversight role of Parliaments with regard to budget expenditure, parliamentarians can:

- a) Enact legislation that protects the rights of those affected and infected by HIV and AIDS;
- b) Oversee the proper implementation of national HIV and AIDS programmes, including the supervision of the proper allocation of resources;
- c) Advocate against the stigma of HIV and AIDS and promote greater awareness of the disease.

▪ How the Parliamentarians Unit can partner with Parliamentarians?

1. Most parliamentary work is done in the specified Parliamentary committees and these should be the unit's target, the Unit could organize capacity building seminars and invite relevant committees to sensitize them on their role in provision of adequate human settlements as well as work directly with the committees.
2. The Unit could create a network of the chairs of the parliamentary committees whose mandate relates to human settlements. This could allow for parliaments to learn from other parliaments on what is being done elsewhere, especially if the meetings are held in different member countries every other time. E.g. best practice parliaments.
3. Invite parliamentarians to educative forums on Human Settlement and provide a wide range of relevant information of potential interest to the parliamentarians.
4. In many instances the statistics of the UN-HABITAT and the statistics that Members of Parliament work with differs, it is necessary for the accurate and actual statistics to be availed to the MPs.
5. Work with parliaments to intensify efforts to enhance the role of youth in decision-making processes. Through the establishment and the support of youth councils or parliaments, the cooperation between youth, civil society organizations and the governments at all levels should be further developed. In order to ensure broad participation of youth, governance should be made attractive to young people.
6. The Unit could organize training for the new parliamentarians.
7. The Unit could work with parliamentary groups such as Global Parliamentarians on Habitat, Common Wealth Parliamentary association, AWEPA and the Inter Parliamentary Union.

▪ Strengthening parliamentarians to effectively deal with human settlements and MDGs

- I. Parliamentarians can be linked with the Universities which have different departments e.g. a strategic planning department; this could help to inform and advise the

parliamentarians on actual facts and the implication of constructions already constructed or to be constructed towards sustainable human settlements.

- II. There should be interlinking between parliamentarians and the local government players in housing, water and sanitation.
- III. Set up working groups for parliament and professional association for inter-sector consultations towards solutions.
- IV. Allow for debate on model legislation and the option of adoption.
- V. Develop a check list on the compliancy of the laws with the MDGs.
- VI. UN-HABITAT Managers in different United Nations Development Program (UNDP) countries can study development policies in different countries and be used as link between parliaments.

▪ **How the Parliamentarians Unit can build the Capacity of Parliamentarians.**

- Working through Habitat Program Managers: The Unit could emphasize on the importance of re-introduction of UN-HABITAT Committees in countries with the aim of lobbying for a resolution of the governing council to restore the National Habitat Commissions that were in every country.
- The Governing Council adopted new procedures which allow the NGOs to take part in meetings in a consultative Status: The Unit could make recommendations for the involvement or representation of parliamentarian group in the Governing Council forums.
- Holistic approach: The Unit should work with other units of the UN-HABITAT in the development of capacity building materials to determine of what assistance specific units would be.
- Training Kits: There is need to develop training Kits for the parliamentarians based on best practices and to do capacity building and training of parliamentarians and local authority officers on human settlement. The Training and Capacity Building Branch of UN-HABITAT has been supporting local government capacity building for over fifteen years by building partnerships with national training and capacity building institutions, and working with them to undertake strategic planning workshops, development and dissemination of tools, adaptation of training materials to local and national contexts, and supporting national training activities. This methodology can also be used for Parliamentarians.
- Draft Legislation: The parliamentarians Unit could, in consultation with the Sections and other divisions, draft model legislation or generic bills that could be used by parliamentarians to formulate laws.

▪ **What should a law on the provision of the Human settlements cover?**

- Provide for adequate shelter for all through access to primary health care, clean water and sanitation, and primary education.
- Provide for security services designed to protect individuals and their property including police services, fire protection services, court services and prison services.
- Provide for adequate level of social services and a social environment which facilitates and encourages social cohesion, collective and individual responsibility aimed at lowering the overall and particular levels of violence in the communities.
- Enhance the level of services to improve occupational safety, safety on our seas, roads and in our airspace.

- Help track progress in the attainment of the Millennium Development Goals (MDG) 7. Experts from the UN-HABITAT's Partners and Youth Unit could identify and select a set of time-bound and measurable indicators. These indicators could include:-
 - a) Financing of housing for over 1000 slum dwellers yearly.
 - b) Access to clean safe drinking water.
 - c) Availability of basic sanitation.
 - d) Community Participation.
 - e) Complete Settlement Recovery.

7. INTER-GOVERNMENTAL PARLIAMENTARY ASSOCIATIONS

Apart from working with Parliaments in the different member countries of the UN, it is possible to influence how they work, through different global and regional associations to which they belong. Some of these important institutions include:

○ Global Parliamentarians on Habitat (GPH)

The Global Parliamentarians for Habitat was inaugurated in 1987 during the International year of shelter for the homeless in Yokohama. It is the only international parliamentary group that is committed exclusively to promoting the development of sustainable human settlements by maintaining close cooperation with UN-HABITAT. The group promotes international cooperation especially in the development and application of relevant legislation to enhance the implementation of the Habitat Agenda with the help of its regional councils.

The Group appreciates that to achieve the MDGs, good relations with parliamentarians with human settlements issue in their agenda is inevitable. In this regard it organizes conferences to review achievements of parliaments and make new strategies and programmes for the implementation of the Habitat Agenda at regional and national levels. Parliamentarians have the role of ensuring that commitments made at Global Forums for Parliamentarians are kept.

Global Parliamentarians on Habitat could lobby for the formation of national groups of Parliamentarians on Habitat in each country, to promote and/or examine ways of assisting the implementation of the Habitat Agenda as well as organize meetings for all national groups of Parliamentarians on Habitat to facilitate the exchange of information and experience.

• The World Urban Forum (WUF) and the Global Parliamentarians on Habitat (GPH).

In collaboration with the parliamentarians of the World Urban Forum hosting country, the group organizes a parliamentarian's roundtable a session that provides parliamentarians an opportunity to take stock of key successes and their challenges in their contribution to human settlements.

The WUF IV roundtable strengthened the working relations between the GPH and the UN-HABITAT and brought out a positive aspect of globalization. The parliamentarians present underscored importance of legislation that was favourable for sustainable urbanization and felt that:-

1. Parliamentarians should use their oversight role to ensure resources are used for the intended purpose.
2. They should be pro active in ensuring that the policies they enact are implemented and adequate budgetary allocations are made.

The GPH should promote dialogue at all levels, together with the exchange of experience and the collections of “good practice” since this are highly important in engaging parliamentarians.

- **Achievements of the GPH**

1. The GPH has organized five global fora of parliamentarians and several regional councils that have been used as platforms for parliamentarians to share success stories good practices and policy approaches.
2. It has maintained collaborative links with the Latin American and the European Parliaments.

- **The Inter Parliamentary Union**

IPU is the international organization of Parliaments of sovereign States (Article 1 of the Statutes of the Inter-Parliamentary Union). It was established in 1889. The Union is the focal point for world-wide parliamentary dialogue and works for peace and co-operation among peoples and for the firm establishment of representative democracy. A hundred-fifty national parliaments are currently members of the IPU.

For the Inter-Parliamentary Union, the concept of sustainable development encompasses such other vital issues as human development, social and economic justice, and advancement of democracy. Protection of the environment has long been a concern of the IPU, and its actions in this field are carried out in the framework of sustainable development. The first world-wide Inter-Parliamentary Conference on Environment held in 1984, in Nairobi advocated the inclusion of environmental protection in the development process. Environmental problems, such as water, waste management or measures required to change consumption and production patterns have been considered by statutory Conferences of the Union.

The IPU supports the efforts of the United Nations, whose objectives it shares, and works in close co-operation with it. It also co-operates with regional inter-parliamentary organizations, as well as with international intergovernmental and non-governmental organizations which are motivated by the same ideals.

- **Association of European Parliamentarians for Africa (AWEPA)**

AWEPA is an international organization that supports and strengthens effective functioning of parliaments in Africa and works to keep Africa high on the political agenda in Europe. AWEPA works to reduce poverty, improve livelihoods and defend human rights in promoting an African-European partnership.

While in partnership with the UN-HABITAT, AWEPA will serve as an umbrella body for parliamentary mobilization towards sustainable human settlements by promoting information exchange and sharing of new research, best practices and regional and thematic expertise. As medium between the Africa and Europe, a flourished parliamentary dialogue would create, implement and monitor concrete actions plans of parliamentarians and hence the revision of legislation and polices, budgets and oversight frameworks on sustainable human settlements.

Formulation of effective human settlement policies and strategies requires cooperation, consultation, negotiations and decision making at all levels of society. AWEPA helps facilitate cooperation between parliamentarians and decision makers as well as technical experts and other stakeholders.

○ **Commonwealth Parliamentary Association**

The Commonwealth Parliamentary Association (or as it was originally called, the Empire Parliamentary Association) was founded in 1911. Active CPA Branches now exist in 169 national, state, provincial and territorial Parliaments, with a total membership of approximately 16,000 Parliamentarians.

The Commonwealth Parliamentary Association strengthens the capacity of parliamentarians to play a leadership role in preparing their constituencies for addressing climate change as a human settlements issue through: -

- a) Organize workshops of technical experts to identify acceptable, scientifically-based, climate scenarios.
- b) Develop a programme of workshops to build technical capacities in member states in support of adaptation to climate change
- c) To support small states in accessing experts and teams of advisers to support national assessment and adaptation strategies.

The UN-HABITAT should seek and develop innovative approaches and frameworks for international cooperation in the development and management of human settlements so as to facilitate the active participation of all the parliamentary association in decision-making, policy formulation, implementation and evaluation and in the allocation of resources.

○ **The European Union**

The European Union (EU) is a union of twenty-seven independent states based on the European Communities and founded to enhance political, economic and social co-operation, formerly known as European Community (EC). Javier Solana, Secretary-General of the Council. Mr. Solana assists the Council in foreign policy matters, through contributing to the formulation, preparation and implementation of European policy decisions. He acts on behalf of the Council in conducting political dialogue with third parties.

The EU-UN relationship has widened significantly in recent years and now covers a network of co-operation spanning the range of EU external relations from conflict prevention to human rights, from development to humanitarian affairs, from trade to social and environmental matters.

UN- HABITAT could partner with the EU in facilitating the global exchange of information on adequate shelter for all and sustainable human settlements development through forums in which parliamentarians exchange information on best practices.

○ **Pan African Parliament**

The Pan-African Parliament was established in March 2004, by Article 17 of The Constitutive Act of the African Union, as one of the nine Organs provided for in the Treaty establishing the African Economic Community signed in Abuja, Nigeria in 1991.

The establishment of the Pan-African Parliament is informed by a vision to provide a common platform for African peoples and their grass-roots organizations to be more involved in discussions and decision-making on the problems and challenges facing the continent. The parliamentary Committee on Health, Labour and Social Affairs; consider strategies and programmes for the improvement of the lives of African peoples; consider issues relating to regional and international cooperation in strategic planning and implementation of social development and health policies and programmes.

○ East African Parliament

The East African Community (EAC) is an intergovernmental organization comprising five east African countries. Currently, members of EAC are Kenya, Tanzania, Uganda, Burundi, and Rwanda.

There are many other similar institutions that can be found in Latin America and Asia.

• How the Parliamentarian's Unit can work with parliamentary associations:

- Participate in awareness-raising meetings on the basic facts of the situation of human settlements on how to advocate more effectively for legal and policy frameworks to better address sustainable settlements.
- Encourage political accountability by monitoring government compliance with international commitments and obligations and other measures.
- Initiate parliamentary debate on the level of budgetary resources available for development cooperation, and hold governments accountable for separate and additional resource allocation.
- Track and share information with parliamentarians on resource allocation to human settlements in best practice countries.
- Identify opportunities at international meetings to discuss positions of countries on human settlement with a view to assist them in improving their policies and to adapt good practices from other countries.
- Raise awareness and share information of the critical urgency and of related effects such as the real costs of water resources for food and crop production and of land clearances for food and crop production.

8. GENDER AND HUMAN SETTLEMENTS

UN-Habitat appreciates that women headed households form a high proportion of the population in many settlements and that lack of security of tenure affects millions of people across the world with women facing added risks and deprivations. In this regard, for the women's needs, along with those of men and children to be adequately met, women and men must participate equally in human settlements planning and management at community, local and national levels

Importantly, at the 19th session of the Governing Council; the participants agreed on the need to recognize the empowerment of women and their full and equal participation in political, social and economic life, the improvement of health and the eradication of poverty are essential to achieving sustainable human settlements (resolution 17/11 of 14 May 1999).

Further, the Global Plan of Action also chapter five of the Habitat Agenda calls for engendering of human settlements. It emphasizes on the need for co-operative and complementary actions among interested parties towards sustainable human settlements development. The mix of interested parties appropriate for participation may be different in each instance, depending on who has responsibility for or is affected by the topic being addressed. As a general matter, interested parties include women and men of all ages, Government at the appropriate level, non-governmental organizations, community-based organizations, business, labour and environmental organizations.

9. RECOMMENDATIONS

General

- 1) Working jointly with parliamentary associations, the Unit could follow in the steps of UNEP's ecolex in developing a database for best practices in human settlements.
- 2) As a mechanism to gather best practices in legislation, the Unit could add as feedback for conferences of the UN-Habitat; a questionnaire that is inclusive of questions on legislation in represented countries.
- 3) Outline specific channels through which human settlements issues will be furthered or addressed in different parliaments and parliamentarians association e.g. European Union regional committee to reach the European Union.
- 4) Work with lobby groups and plan systematic approaches to committees; involve parliamentary staff in committee members' training to help perpetuate institutional capacity other than individual.
- 5) Identify NGOs and other Civil Society organizations working on human settlements; establish what has been done and where the Unit can partner with these organizations. Lobby for the involvement of women in human settlements concerns.

Human Resource

In engaging parliamentarians the Parliamentarians Unit will work closely with staff from all divisions, branches and regional offices in order to promote continuous engagement of the member's of parliament in the UN-HABITAT work.

1. The Monitoring and Research Division.
2. The Training and Capacity Building Branch of UN-HABITAT
3. Country and regional Management Offices.
4. Habitat Program Managers
5. Parliamentarians Unit.
 - a. The Parliamentarian's Unit is under staffed; there is need for additional staff responsible for different tasks within the Unit. There should be a member of staff to specifically oversee logistics.

Financial Resources

Organization and execution of the African and Asian Parliamentarian's Conferences in the recent past has been faced with financial impediments; there is need for adequate financial allocation for this conference.

10. SUCCESS CRITERIA

- 1) Development of strategy papers and a tracker of good practices in legislation on human settlements.
- 2) The Unit's staff to attend parliamentarian's workshops and conferences in a bid to network habitat agenda goals.
- 3) The Unit to keep a record of best practices in human settlements legislation and serve as an information clearing house during the draft legislation on human settlements.
- 4) The successful reorganization and revitalization of the African/Asian Chapter and a follow up on existing chapters; what legislation has been passed and is there in the pipeline.
- 5) Development of Action plans for countries and the guided implementation of these plans.
- 6) An updated database of parliamentarians that have been trained in various human settlements related issues.

- 7) An agreement signed with parliamentary associations for commitment to promote human settlements in their regions and member countries.
- 8) Revival of the African Parliamentarians Conference.

Schedule 1:

EXAMPLES OF GOOD PRACTICES IN LEGISLATION DEVELOPMENT

| Country | Constitution | Law | Provision |
|-----------------------|---|--|---|
| South Africa | Constitution (1996). | | Enshrined the right to adequate housing. |
| Uganda | 1995 Constitution | | Confer security of tenure through ownership rights or perpetual lease rights on lawful and bona fide occupiers of land. |
| Finland | Art. 8(2) Act No. 380/1987). | Child Welfare Act (No. 683/1983 | Mandates the Local Government Authorities to provide housing resources for the severely handicapped under certain circumstances. Requires that Local Government rectify inadequate housing conditions or, as the case may be, provide for housing when inadequate or non-existent housing causes the need for special child welfare or constitutes a substantial hindrance to the rehabilitation of the child or the family. |
| Korea | | Housing Construction Promotion Act (1972) | Calls for provision of the construction and the supply of dwelling units for persons who lack housing. |
| United Kingdom | | Homeless Persons Act (1977) | Mandates the Local Councils to provide accommodation to homeless families and homeless persons in priority need. |
| Bolivia | | | Mandates the Ministry of Human Development to promote the construction of subsidized housing. |
| Germany | Article 1(1), Articles 20(1) and 28(1) | | Gives rise to the homeless person's subjective right to be allocated accommodation enabling her/him to lead a dignified existence. |
| New Zealand | | | Protects tenants against unfair eviction; and it provides housing for those on low incomes. |
| India | | Slum Dwellers Protection Act | Confers tenure to landless persons in urban areas who had settled on land plots of less than 50sq metres for a prescribed period. |
| United States America | | New York City Human Rights Law | The Law prohibits discrimination in employment, housing and public accommodations. |
| Sri Lanka | | | The constitution guarantees the right to adequate shelter. |
| Spain | Article 47 | | States that all Spaniards have the right to enjoy decent and adequate housing. |
| Belgium | Article 23(3) | | Gives every citizen a right to enjoy a life in conformity with human dignity; the rights include the right to adequate housing. |

| | | | |
|-------------|-----------------------|--|---|
| Russia | Article 40(1) | | States that each person has the right to housing. No one may be arbitrarily deprived of Housing. |
| Slovenia | | | The Constitution of Slovenia states that the state shall create opportunities for citizens to obtain adequate housing. |
| Argentina | Article 14bis, | | The State shall grant the benefits of social security, which shall be comprehensive and unwaivable. In particular, the law shall establish: ... access to decent housing. |
| Nicaragua | Article 64 | | States that Nicaraguans have a right to decent, comfortable and safe housing that guarantees familial privacy. |
| Mexico | Article 4 | | States that every family has a right to enjoy decent and proper housing. |
| Armenia | Article 31 | | Entitles every citizen to an adequate standard of living, adequate housing and the State commits to enable the exercise of these rights. |
| Cambodia | | Article 30 of the Land Law | Allows one who has occupied a piece of land peacefully and without consent for five years more to request definitive title to the land. |
| Philippines | | Ejectment laws. Comprehensive and Integrated Shelter Finance Act; Urban Development and Housing Act | Rental Reform Act of 2002, Sec. 8. Prohibition Against Ejectment by Reason of Sale or Mortgage. – No leaser or his successor-in-interest shall be entitled to eject the lessee upon the ground that the leased premises have been sold or mortgaged to a third person regardless of whether the lease or mortgage is registered or not. Sec. 2. Declaration of Policy. — It is hereby declared a policy of the State to undertake, in cooperation with the private sector, a continuing program of urban land reform and housing which will make available, at affordable cost, decent housing and basic services to underprivileged and homeless citizens in urban centers and resettlement areas. Makes available to underprivileged and homeless citizens decent housing at affordable cost Provides for rational use and development of urban land; Regulates and directs urban growth and expansion towards a dispersed urban net and more balanced urban-rural interdependence. |

Schedule 2:

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Useful Contacts

- I. www.unhabitat.org – relevant links - Partners and Youth Unit