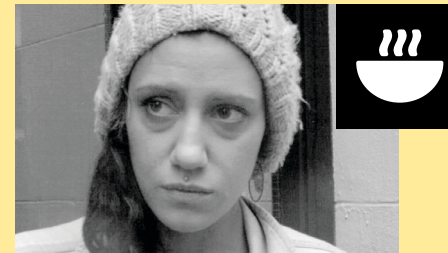


U.K.C.R.P

# HOMELESS PEOPLE SPEAK ABOUT THE LACK OF THOSE COMMON RIGHTS THE REST OF US TAKE FOR GRANTED



DOWNLOAD OR SHARE AT [COMMONRIGHTS.ORG.UK](https://commonrights.org.uk)



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# WHY WE NEED RIGHTS

Over the last few years, there have been many attacks on the rights of street homeless people. These have included:

- London councils, led by Westminster, proposing new bylaws that would have made sleeping rough or giving food to homeless people criminal offences;
- Homeless people being routinely woken in the early hours and having their sleeping places washed down and left wet so that they cannot return to them;
- Increasing numbers of people, particularly forced migrants and asylum seekers, being left with “no recourse to public funds”, a bland description of destitution; and
- Police confiscating sleeping bags and other personal items belonging to street homeless people in Redbridge.



**THE UK COMMON RIGHTS PROJECT** insists that the poorest and most vulnerable people in our society should have the rights to shelter, food, water and sanitation. After all, that is how a society is judged. The UK Common Rights Project upholds the rights of the most vulnerable people to be protected and to have access to the things needed for life.

We believe it is fundamentally wrong that any person in the UK – whatever their situation – should be prevented from accessing these basic rights. And we are not alone in this belief. The Universal Declaration of Human Rights, created following the global conflict of the World II, set out the fundamental rights of all humanity. The UK is a signatory. Article 25 says that:

“Everyone has the right to a standard of living adequate for the health and wellbeing of himself and his family, including food, clothing, housing...”

In the 1970s, the Committee on Economic, Social and Cultural Rights expanded the Universal Declaration to include the essential rights this report and website ([commonrights.org.uk](http://commonrights.org.uk)) detail.

People who have experienced homelessness in London describe their daily struggles to find the things they needed for life. The UK Common Rights Project is a 21st century reminder and re-assertion that everyone should enjoy the right to these things. It is our common duty to make sure that we put in place the means for everyone to access shelter, food, water and sanitation.



Please join us

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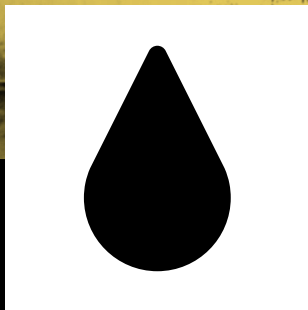
**OPENC:NEMA**

**Trust for London**

Tackling poverty and inequality



Housing Justice

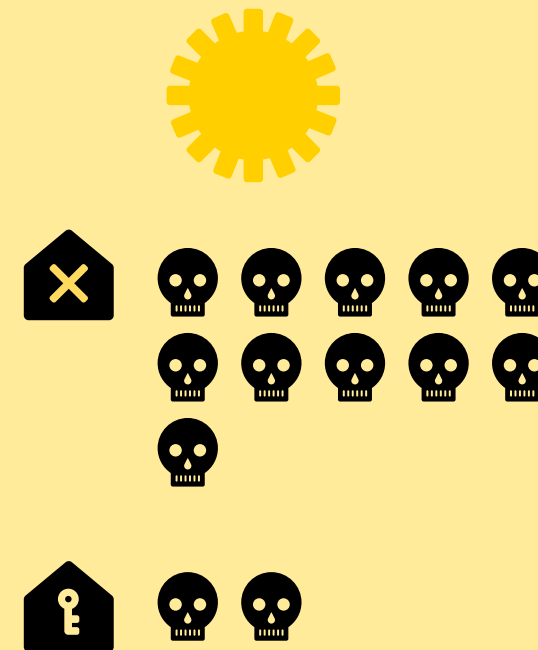


FOR THE VIDEO, SEE: COMMONRIGHTS.ORG.UK

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**Section: Accessibility**  
 Water and water facilities and services must be accessible to all, including the most vulnerable or marginalised sections of the population, in law and in fact, without discrimination on any of the prohibited grounds.

# The Human Right to Water

[FIG. 1] HEATWAVES



## ● DIARRHOEA

Common among people who do not have washing facilities it often leads to dehydration, which can cause confusion, delirium, unconsciousness and even death. Diuretics and drugs used to treat COPD can make it worse, and it is particularly dangerous for people with hepatitis and hypertension, a very common condition among homeless people. People who are dependent on alcohol – a diuretic – are doubly affected.

## ● HEAT [FIG. 1]

Climate change is expected to lead to more frequent and intense heatwaves in the UK and cities, where many homeless people live, will be worst affected because of the “urban heat island”. Eleven of the 13 people who died in the 2005 Arizona heatwave were homeless. Sweating and dehydration affect electrolyte balance, which can make homeless people even more vulnerable to extreme heat.

[FIG. 2] PUBLIC ACCESS



## ● PUBLIC ACCESS [FIG. 2]

A drinking fountain campaign was one of Boris Johnson’s first initiatives when he came to power in 2008, but since then there’s been little progress. Only 11 per cent of UK public parks have been found to provide water fountains – and a third of these were out of commission. Waterwise estimates that in most parks, the installation cost could be as low as a few hundred pounds. Basic equipment costs less than £200, with more expensive fountains, designed to be resistant to contamination and vandalism, currently costing about £1,000.





International Covenant on Economic, Social and Cultural Rights

In 2012, the UK government announced its support for including the commitments to the right to safe drinking water and to sanitation as a human right in the Rio+20 outcome document and now “recognises the right to sanitation as an element of the right of everyone to an adequate standard of living under article 11 of the International Covenant on Economic, Social and Cultural Rights.”

Water is essential for life and health.

Everyone is entitled to enough clean water to drink and to cook with to prevent disease, and enough to keep our bodies clean. Water must be available, accessible and affordable for all of us.

The government must ensure that vulnerable members of society are not disadvantaged by the way it allocates water resources and invests in water. It should pay special attention to the most at-risk groups, including homeless people, who should have access to properly maintained water facilities.

Governments must ensure the minimum essential levels of the right to water now, but they have a duty to move as quickly as possible towards full rights. People or groups who have been denied their right to water should have access to effective judicial or other appropriate remedies. All victims of violations of the right to water should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition.

The human right to water is protected under Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights.

“Thousands have lived without love, not one without water.” W.H. Auden



**Amanda:** “Many a time I’ve gone to ask for just a drink of water, but because of the way people judge people, they’ve said ‘No’. I’ve been clean for three years, but even today I still get ‘No’. Tap water out of toilets – you know that’s not safe. You have to pay for it, in a shop, at extortionate prices. I look at people carrying gallons of Evian water and I wonder how people can afford to pay for that.”



**Paul:** “You wake up in the morning and you think: ‘Now where am I going to go to the toilet now? Damn, where am I going to get some water?’ It’s a constant daily thing. You can become so tired by the end of the day because just the basic things are constantly travelling around your mind.”



USEFUL LINKS

<b>FIND A FOUNTAIN</b> <a href="http://WWW.FINDAFOUNTAIN.ORG">WWW.FINDAFOUNTAIN.ORG</a>	Encourages the nation to drink more water from fountains and taps; and to increase the number of free water sources across the nation and make them easier to find.
<b>FOUNTAIN SOCIETY</b> <a href="http://WWW.FOUNTAINSOC.ORG.UK">WWW.FOUNTAINSOC.ORG.UK</a>	Encourages the restoration, use and development of fountains, cascades and water features.
<b>LOVE TAPWATER</b> <a href="http://WWW.LOVETAPWATER.CO.UK">WWW.LOVETAPWATER.CO.UK</a>	A campaign to bring free fresh drinking water to Bath city centre streets.
<b>SUSTAIN</b> <a href="http://WWW.SUSTAINWEB.ORG/CHILDRENSFOODCAMPAIGN/">WWW.SUSTAINWEB.ORG/CHILDRENSFOODCAMPAIGN/</a>	The Children’s Food Campaign is pressing for more drinking fountains so children can avoid sugary drinks or going thirsty.
<b>WATER FOR LIFE</b> <a href="http://WWW.UN.ORG/WATERFORLIFEDECADE/HUMAN_RIGHT_TO_WATER.SHTML">WWW.UN.ORG/WATERFORLIFEDECADE/HUMAN_RIGHT_TO_WATER.SHTML</a>	United Nations website dedicated to the human right to water and sanitation.
<b>WATER UK</b> <a href="http://WWW.WATER.ORG.UK">WWW.WATER.ORG.UK</a>	Provides a framework for the water industry to engage with government, regulators, stakeholder organisations and the public.
<b>WATERAID</b> <a href="http://WWW.WATERAID.ORG">WWW.WATERAID.ORG</a>	Works to provide safe water and sanitation in 27 countries worldwide.
<b>WATERWISE</b> <a href="http://WWW.WATERWISE.ORG.UK">WWW.WATERWISE.ORG.UK</a>	Leads and supports innovative efforts to realise its mission: that water will be used wisely, every day.





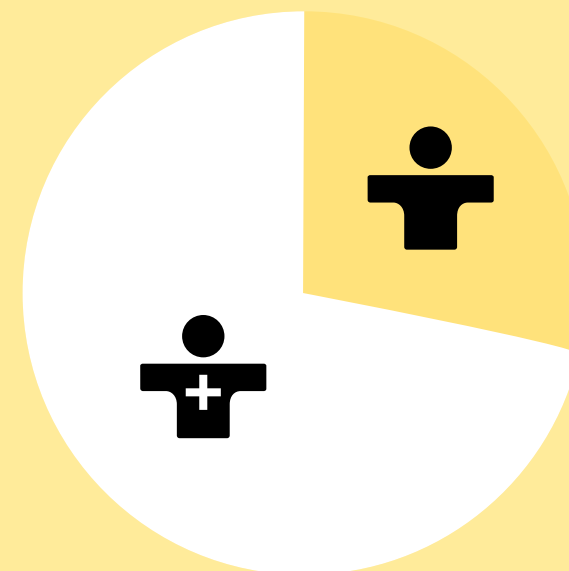
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 The right to adequate food entitles everyone to sufficient, safe, acceptable, physically accessible and affordable food. It is a prerequisite for the realisation of other human rights.

# The Human Right to Food

[FIG. 1] MALNUTRITION



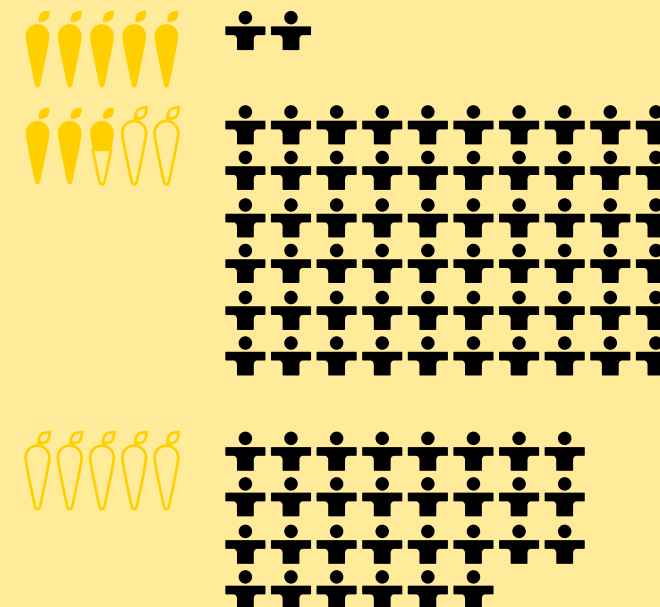
## ● MALNUTRITION [FIG. 1]

Nearly three-quarters of young homeless people eat only two meals a day and only two per cent eat the recommended five portions of fruit and veg each day – just over a third eat none. Sanctions (which affect nearly a third of homeless Jobseeker’s Allowance claimants and almost a fifth of Employment and Support Allowance claimants) are forcing more homeless people into food poverty and into reliance on soup runs and drop-ins.

## ● SANCTIONS

A 2005 study indicated that 70 per cent of long-term homeless people show medical symptoms of malnutrition, whose long-term effects include an increased risk of premature death from coronary heart disease and cancer, plus a worsening of health issues that are prevalent among homeless people (diabetes, epilepsy and mental health). Low-nutrient, high-calorie foods are cheap, so – paradoxically – the malnourished homeless person may be obese. Dr George Rae, of the

[FIG. 2] FRUIT AND VEG



BMA, said: “The idea that more and more people are being admitted to hospital with malnutrition is not acceptable in our society.”

## ● PORTIONS [FIG. 2]

A survey of homeless people attending London day centres and soup-runs showed that their diet was putting their health in danger, and the diet of people living in hostels tended to be high in saturated fats and sugar. Food that is high in sodium, fat, and carbohydrates can cause or worsen hypertension, a common condition among homeless people. The lack of cooking facilities in temporary accommodation can also lead to poor nutrition: mothers risk developing osteoporosis and anaemia, and delivering low birth-weight babies; and their children will do less well at school.





**Len:** “Sometimes, when it was raining, I’d go into the A&E department at North Middlesex Hospital. I’d go to sleep thinking of my mum’s cooking and wake up absolutely hungry. I’ve gone days without food. It did become an obsession. [Without day centres] there would be anarchy on the streets – it really would be dog-eat-dog. You wouldn’t have to worry about foxes going into bins – it would be us.”

**International Covenant on Economic, Social and Cultural Rights**

The UK has signed up to International Convention on Economic, Social and Cultural Rights (ICESR), which sets out minimum standards of access to food. Article 11 of the ICESCR guarantees “the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”

The human right to adequate food is of crucial importance for the enjoyment of all rights.

Adequate food must be accessible to all, including the most vulnerable or marginalised sections of the population, and it must be available in a quantity and quality sufficient to satisfy their dietary needs and be affordable. States parties have a special obligation to provide those who do not have sufficient means with the necessary amount of food. They must both ensure that particular individuals and groups are not denied access to adequate food and regulate the activities of those individuals and groups who are violating others’ right to food.

Any persons or groups who have been denied their right to adequate food should have access to effective judicial or other appropriate remedies at both national and international levels. All victims of violations of the right to adequate food should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition.

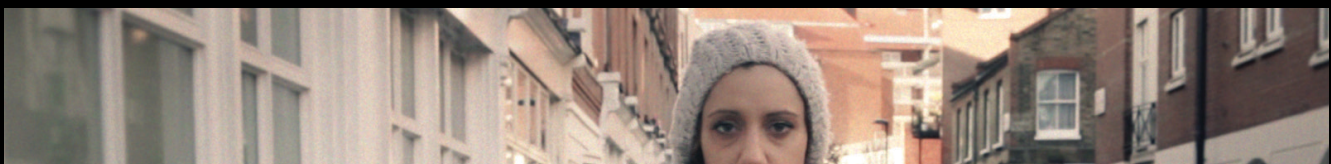
“I am not interested in picking up crumbs of compassion thrown from the table of someone who considers himself my master. I want the full menu of rights.” **Desmond Tutu**



**USEFUL LINKS**

<b>AGE UK</b> <b>WWW.AGEUK.ORG.UK</b>	Publishes a guide on preventing malnutrition in older people.
<b>BRITISH DIETETIC ASSOCIATION</b> <b>WWW.BDA.UK.COM</b>	Provides information and news on diet, and downloadable factsheets.
<b>CHILDREN’S FOOD TRUST</b> <b>WWW.CHILDRENSFOODTRUST.ORG.UK</b>	Exists to help protect every child’s right to eat better – and so, to do better – by providing specialist advice, training and support to anyone who provides food for children.
<b>INSTITUTE FOR FOOD, BRAIN &amp; BEHAVIOUR</b> <b>WWW.IFBB.ORG.UK</b>	Conduct research into the link between food and behaviour and makes positive recommendations to bring about change.
<b>BRITISH NUTRITION FOUNDATION</b> <b>WWW.NUTRITION.ORG.UK</b>	Exists to deliver authoritative, evidence-based information on food and nutrition.
<b>CAROLINE WALKER TRUST</b> <b>WWW.CWT.ORG.UK</b>	Dedicated to the improvement of public health through good food. Produces expert reports that establish nutritional guidelines for vulnerable groups.
<b>CHILDREN’S FOOD TRUST</b> <b>WWW.CHILDRENSFOODTRUST.ORG.UK</b>	Provides specialist advice, training and support to anyone who provides food for children.
<b>DIABETES UK</b> <b>WWW.DIABETES.ORG.UK</b>	Connects with and campaigns on behalf of every person affected by or at risk of diabetes.
<b>EDINBURGH CYRENIANS GOOD FOOD</b> <b>WWW.CYRENIANSGOODFOOD.ORG.UK</b>	Social enterprise with a mission to bring good food and healthy lifestyles to people who are experiencing disadvantage, isolation, poverty and homelessness.
<b>FARESHARE</b> <b>WWW.FARESHARE.ORG.UK</b>	National UK charity supporting communities to relieve food poverty.
<b>FOODCYCLE</b> <b>WWW.FOODCYCLE.ORG.UK</b>	Community meals cooked by volunteers, tackling food waste and food poverty.
<b>FOOD AND BEHAVIOUR RESEARCH</b> <b>WWW.FABRESEARCH.ORG</b>	Advancing scientific research into the links between nutrition and human behaviour and to makes its research findings available to the widest possible audience.
<b>FOOD CHAIN</b> <b>WWW.FOODCHAIN.ORG.UK</b>	Provides vital support to HIV-positive people struggling to access the food they need due to ill-health or poverty.
<b>FOOD COMMISSION</b> <b>WWW.FOODCOMM.ORG.UK</b>	National non-profit organisation campaigning for the right to safe, wholesome food.
<b>FOOD FOR THE BRAIN</b> <b>WWW.FOODFORTHEBRAIN.ORG</b>	Educational campaign promoting the link between food and mental health.
<b>IBS NETWORK</b> <b>WWW.THEIBSNETWORK.ORG</b>	Patient-led charity for people with Irritable Bowel Syndrome.
<b>MIND</b> <b>WWW.MIND.ORG.UK/INFORMATION-SUPPORT/TIPS-FOR-EVERYDAY-LIVING/FOOD-AND-MOOD/</b>	Mental health charity produces a guide to food and mood, with information about what you can do to get support.
<b>SPECIAL RAPPORTEUR ON FOOD</b> <b>WWW.SRFOOD.ORG/EN</b>	Website of Olivier De Schutter, the UN Special Rapporteur on Food.
<b>TRUSSELL TRUST</b> <b>WWW.TRUSSELLTRUST.ORG</b>	Tackles poverty and exclusion by supplying food from a nationwide network of foodbanks.





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## WATER & SANITATION

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR) THE HUMAN RIGHT TO WATER IS PROTECTED UNDER ARTICLES 11 AND 12 OF THE ICESCR. ARTICLE 11 GUARANTEES “THE RIGHT OF EVERYONE TO AN ADEQUATE STANDARD OF LIVING FOR HIMSELF AND HIS FAMILY, INCLUDING ADEQUATE FOOD, CLOTHING AND HOUSING, AND TO THE CONTINUOUS IMPROVEMENT OF LIVING CONDITIONS.”

### Committee on Economic, Social and Cultural Rights

The content of the human right to water has been authoritatively interpreted by the UN Committee on Economic, Social and Cultural Rights in General Comment No. 15 (2002):

### SIGNIFICANCE

Water is a limited natural resource and a public good fundamental for life and health. The human right to water is indispensable for leading a life in human dignity. It is a prerequisite for the realisation of other human rights.

### OVERVIEW

The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. An adequate amount of safe water is necessary to prevent death from dehydration, to reduce the risk of water-related disease and to provide for consumption, cooking, personal and domestic hygienic requirements.

### AVAILABILITY

The water supply for each person must be sufficient and continuous for personal and domestic uses including, drinking, personal sanitation, washing of clothes, food preparation, personal and household hygiene.

### QUALITY

The water required for each personal or domestic use must be safe and of an acceptable colour, odour and taste for each personal or domestic use.

### ACCESSIBILITY

Water and water facilities and services have to be accessible to everyone without discrimination.

**Physical accessibility:** Water, and adequate water facilities and services, must be within safe physical reach for all sections of the population. Sufficient, safe and acceptable water must be accessible within, or in the immediate vicinity, of each household, educational institution and workplace.

**Economic accessibility:** Water, and water facilities and services, must be affordable for all.

**Non-discrimination:** Water and water facilities and services must be accessible to all, including the most vulnerable or

marginalised sections of the population, in law and in fact, without discrimination on any of the prohibited grounds.

**Information accessibility:** Accessibility includes the right to seek, receive and impart information concerning water issues.

### EQUALITY

States parties should ensure that the allocation of water resources, and investments in water, facilitate access to water for all members of society. States parties have a special obligation to provide those who do not have sufficient means with the necessary water and water facilities. Even in times of severe resource constraints, the vulnerable members of society must be protected by the adoption of relatively low-cost targeted programmes. For example, investments should not disproportionately favour expensive water supply services and facilities that are often accessible only to a small, privileged fraction of the population, rather than investing in services and facilities that benefit a far larger part of the population.

### MOST AT-RISK GROUPS

States parties should give special attention to those individuals and groups who have traditionally faced difficulties in exercising this right. Deprived urban areas, including informal human settlements, and homeless persons, should have access to properly maintained water facilities.

### PROGRESSIVE REALISATION

States parties have a constant and continuing duty under the Covenant to move as expeditiously and effectively as possible towards the full realisation of the right to water.

### IMMEDIATE CORE OBLIGATIONS

States parties have a core obligation to immediately ensure the satisfaction of, at the very least, minimum essential levels of the right to water including:

**Minimum:** To ensure access to the minimum essential amount of water, that is





sufficient and safe for personal and domestic uses to prevent disease;

**Non-discrimination:** To ensure the right of access to water and water facilities and services on a non-discriminatory basis, especially for disadvantaged or marginalised groups;

**Sufficient:** To ensure physical access to water facilities or services that provide sufficient, safe and regular water; that have a sufficient number of water outlets to avoid prohibitive waiting times; and that are at a reasonable distance from the household;

**Equitable distribution:** To ensure equitable distribution of all available water facilities and services;

**Strategy:** To adopt and implement a national water plan of action addressing the whole population;

**Most at-risk groups:** To adopt relatively low-cost targeted water programmes to protect vulnerable and marginalised groups;

**RETROGRESSION**

There is a strong presumption that retrogressive measures taken in relation to the right to water are prohibited under the Covenant.

**VIOLATIONS**

**Respect:** Violations of the obligation to respect follow from the State party’s interference with the right to water. This includes:

- arbitrary or unjustified disconnection;
- exclusion from water services or facilities and discriminatory or unaffordable increases in the price of water.

**Protect:** Violations of the obligation to protect follow from the failure of a State to take all necessary measures to safeguard persons within their jurisdiction from infringements of the right to water by third parties. This includes:

- failure to effectively regulate and control water services providers;

failure to protect water distribution systems (e.g. piped networks and wells) from interference, damage and destruction. States parties should take appropriate steps to ensure that the private business sector and civil society are aware of, and consider the importance of, the right to water in pursuing their activities.

**Fulfil:** Violations of the obligation to fulfil occur through the failure of States parties to take all necessary steps to ensure the realisation of the right to water. Examples include:

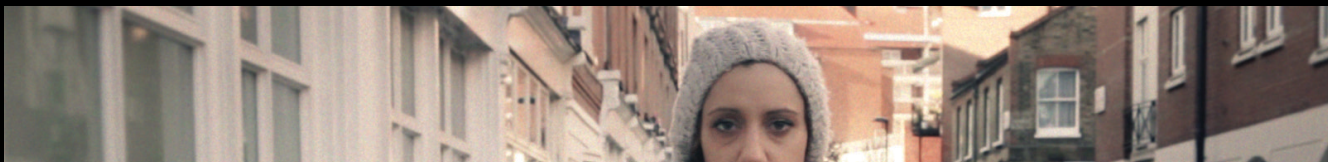
- failure to adopt or implement a national water policy designed to ensure the right to water for everyone;
- insufficient expenditure or misallocation of public resources which results in the non-enjoyment of the right to water by individuals or groups, particularly the vulnerable or marginalised;
- failure to monitor the realisation of the right to water at the national level,
- failure to take measures to reduce the inequitable distribution of water facilities and services.

**REMEDIES AND ACCOUNTABILITY**

Any persons or groups who have been denied their right to water should have access to effective judicial or other appropriate remedies at both national and international levels. All victims of violations of the right to water should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition.

**INCORPORATION**

The incorporation in the domestic legal order of international instruments recognising the right to water can significantly enhance the scope and effectiveness of remedial measures and should be encouraged in all cases.



SHELTER

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR) THE HUMAN RIGHT TO ADEQUATE HOUSING IS PROTECTED UNDER ARTICLES 11 AND 12 OF THE ICESCR. ARTICLE 11 GUARANTEES “THE RIGHT OF EVERYONE TO AN ADEQUATE STANDARD OF LIVING FOR HIMSELF AND HIS FAMILY, INCLUDING ADEQUATE FOOD, CLOTHING AND HOUSING, AND TO THE CONTINUOUS IMPROVEMENT OF LIVING CONDITIONS.” ARTICLE 12 GUARANTEES “THE RIGHT OF EVERYONE TO THE ENJOYMENT OF THE HIGHEST ATTAINABLE STANDARD OF PHYSICAL AND MENTAL HEALTH.”

**Committee on Economic, Social and Cultural Rights**

The content of the human right to adequate housing has been authoritatively interpreted by the UN Committee on Economic, Social and Cultural Rights in General Comment No. 4 (2002):





## OVERVIEW

The human right to adequate housing, which is derived from the right to an adequate standard of living, is of central importance for the enjoyment of all economic, social and cultural rights.

## EQUALITY

Individuals, as well as families, are entitled to adequate housing regardless of age, economic status, group or other affiliation or status and other such factors. In particular, enjoyment of this right must not be subject to any form of discrimination.

## BEYOND ‘SHELTER’

The right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one’s head. Rather it should be seen as the right to live somewhere in security, peace and dignity.

## DIGNITY

To guarantee “the inherent dignity of the human person”, “housing” must be interpreted so as to take account of a variety of other considerations, most importantly that the right to housing should be ensured to all persons irrespective of income or access to economic resources.

## PRIVACY

The right not to be subjected to arbitrary or unlawful interference with one’s privacy, family, home or correspondence constitutes a very important dimension in defining the right to adequate housing.

## ADEQUATE HOUSING

Article 11 refers not just to housing but to adequate housing. Adequate shelter means adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location re work and basic facilities – all at a reasonable cost. A number of factors must be taken into account in determining adequacy:

**Legal security of tenure:** All per-

sons should possess a degree of security of tenure which guarantees legal protection against forced eviction, harassment and other threats. States parties should consequently take immediate measures aimed at conferring legal security of tenure upon those persons and households currently lacking such protection.

**Availability of services, materials, facilities and infrastructure:** An adequate house must contain certain facilities essential for health, security, comfort and nutrition. All beneficiaries of the right to adequate housing should have sustainable access to natural and common resources, safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services.

**Affordability:** Personal or household financial costs associated with housing should be at such a level that the attainment and satisfaction of other basic needs are not threatened or compromised. Steps should be taken by States parties to ensure that the percentage of housing-related costs is, in general, commensurate with income levels. Housing subsidies should be established for those unable to obtain affordable housing. Tenants should also be protected by appropriate means against unreasonable rent levels or rent increases.

**Habitability:** Adequate housing must be habitable, in terms of providing the inhabitants with adequate space and protecting them from cold, damp, heat, rain or other threats to health.

**Accessibility:** Adequate housing must be accessible to those entitled to it. Disadvantaged groups must be accorded full and sustainable access to adequate housing resources. Thus, such disadvantaged groups as the elderly, children, the physically disabled, the terminally ill, HIV-positive individuals, persons with persistent medical problems, the mentally ill, victims of natural

disasters, people living in disaster-prone areas and other groups should be ensured some degree of priority consideration in the housing sphere. States parties must give due priority to those social groups living in unfavourable conditions by giving them particular consideration.

## LOCATION

Adequate housing must be in a location which allows access to employment options, healthcare services, schools, childcare centres and other social facilities.

## CULTURAL ADEQUACY

The way housing is constructed, the building materials used and the policies supporting these must appropriately enable the expression of cultural identity.

## PROGRESSIVE REALISATION

For a State party to satisfy its obligations under article 11 (1), it must demonstrate that it has taken whatever steps are necessary to ascertain the full extent of homelessness and inadequate housing within its jurisdiction. The state must demonstrate that, in aggregate, the measures being taken are sufficient to realise the right for every individual in the shortest possible time in accordance with the maximum of available resources. The Covenant clearly requires that each State party take whatever steps are necessary for that purpose, including:

**Housing strategy:** Adoption of a national housing strategy which defines the objectives for the development of shelter conditions, identifies the resources available to meet these goals and the most cost-effective way of using them and sets out the responsibilities and time-frame for the implementation of the necessary measures. This strategy should reflect extensive genuine consultation with, and participation by, all of those affected, including the homeless, the inadequately housed and their representatives.

**Monitoring effective:** Monitoring of the situation with respect to housing is another obligation of immediate effect. The State needs to provide detailed information about those groups within society that are vulnerable with regard to housing. They include, in particular, homeless persons and families, those inadequately housed and without ready access to basic amenities, those living in ‘illegal’ settlements, those subject to forced evictions and low-income groups.

**Legal remedies:** Many component elements of the right to adequate housing are at least consistent with the provision of domestic legal remedies. Such areas include:

- (a) legal appeals aimed at preventing planned evictions or demolitions through the issuance of court-ordered injunctions;
- (b) legal procedures seeking compensation following an illegal eviction;
- (c) complaints against illegal actions carried out or supported by landlords (whether public or private) in relation to rent levels, dwelling maintenance, and racial or other forms of discrimination;
- (d) allegations of any form of discrimination in the allocation and availability of access to housing; and
- (e) complaints against landlords concerning unhealthy or inadequate housing conditions.

## FORCED EVICTION

Instances of forced eviction are prima facie incompatible with the requirements of the Covenant and can only be justified in the most exceptional circumstances.

## EVICTED AND HOMELESS

Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party



must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing is available.

**ECONOMIC CONTRACTION**

Despite externally caused problems, the obligations under the Covenant continue to apply and are perhaps even more pertinent during times of economic contraction.

**HOUSING DECLINE**

A general decline in living and housing conditions, directly attributable to policy and legislative decisions by States parties, and in the absence of accompanying compensatory measures, would be inconsistent with the obligations under the Covenant.



**FOOD**

INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR) THE HUMAN RIGHT TO FOOD IS PROTECTED UNDER ARTICLE 11 OF THE ICESCR. ARTICLE 11 GUARANTEES “THE RIGHT OF EVERYONE TO AN ADEQUATE STANDARD OF LIVING FOR HIMSELF AND HIS FAMILY, INCLUDING ADEQUATE FOOD, CLOTHING AND HOUSING, AND TO THE CONTINUOUS IMPROVEMENT OF LIVING CONDITIONS.” THE HUMAN RIGHT TO ADEQUATE FOOD IS OF CRUCIAL IMPORTANCE FOR THE ENJOYMENT OF ALL RIGHTS.

**Committee on Economic, Social and Cultural Rights**

The content of the human right to food has been authoritatively interpreted by the UN Committee on Economic, Social and Cultural Rights in General Comment No. 3 (2002):





### SIGNIFICANCE

The right to adequate food entitles everyone to sufficient, safe, acceptable, physically accessible and affordable food. It is a prerequisite for the realisation of other human rights.

### OVERVIEW

Adequate food must be accessible to all, including the most vulnerable or marginalised sections of the population, in law and in fact, without discrimination on any of the prohibited grounds.

### AVAILABILITY

Food must be available in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture.

### QUALITY

The food must be available in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture.

### ACCESSIBILITY

Adequate food has to be accessible to everyone without discrimination.

### PHYSICAL ACCESSIBILITY

Adequate food must be accessible to everyone, including physically vulnerable individuals, such as infants and young children, elderly people, the physically disabled, the terminally ill and persons with persistent medical problems, including the mentally ill.

### ECONOMIC ACCESSIBILITY

Adequate food must be affordable for all.

### EQUALITY

States parties should ensure that the allocation of food resources, and facilitate access to adequate food for all members of society. States parties have a special obligation to provide those who do not have sufficient means with the necessary amount of food. Even in times of severe resource

constraints, the vulnerable members of society must be protected by the adoption of relatively low-cost targeted programmes.

### MOST AT-RISK GROUPS

States parties should give special attention to those individuals and groups who have traditionally faced difficulties in exercising this right. Deprived urban areas, including informal human settlements, and homeless persons, should have access to adequate food.

### PROGRESSIVE REALISATION

States parties have a constant and continuing duty under the Covenant to move as expeditiously and effectively as possible towards the full realisation of the right to adequate food.

### IMMEDIATE CORE OBLIGATIONS

States parties have a core obligation to immediately ensure the satisfaction of, at the very least, minimum essential levels of the right to food including:

**Minimum:** To ensure access to the minimum essential food which is sufficient, nutritionally adequate and safe, to ensure their freedom from hunger.

**Non-discrimination:** To ensure the right of access to food on a non-discriminatory basis, especially for disadvantaged or marginalised groups;

**Sufficient:** To ensure physical access to food in a quantity and quality sufficient to satisfy the dietary needs of individuals, free from adverse substances, and acceptable within a given culture;

**Equitable distribution:** To ensure that changes in availability and access to food supply as a minimum do not negatively affect dietary composition and intake.

**Strategy:** To adopt and implement a national food plan of action addressing the whole population;

**Most at-risk groups:** To provide food to individuals and groups who, for reasons beyond their control, cannot enjoy the

right to adequate food by the means at their disposal.

### RETROGRESSION

There is a strong presumption that retrogressive measures taken in relation to the right to food are prohibited under the Covenant.

### RESPECT

Violations of the obligation to respect follow from the State party's interference with the right to food. This includes:

denial of access to food to particular individuals or groups;  
adoption of legislation or policies which are incompatible with legal obligations relating to the right to food;  
failure to regulate activities of individuals or groups so as to prevent them from violating the right to food of others.

### PROTECT

Violations of the obligation to protect follow from the failure of a State to take all necessary measures to safeguard persons within their jurisdiction from infringements of the right to food by third parties. This includes:

failure to effectively regulate and control food production and distribution sectors;  
failure to devise appropriate institutional mechanisms to secure a food strategy, drawing on all available domestic expertise relevant to food and nutrition, and set out the responsibilities and timeframe for its implementation. States parties should take appropriate steps to ensure that activities of the private business sector and civil society are in conformity with the right to food.

### FULFIL

Violations of the obligation to fulfil occur through the failure of States parties to take all necessary steps to ensure the realisation of the right to food. Examples include:

failure to adopt or implement a national

food policy designed to ensure the right to adequate food for everyone to be free from hunger;

discrimination in access to food, as well as to means and entitlements for its procurement, on the grounds of race, colour, sex, language, age, religion, political or other opinion, national or social origin, property, birth or other status;  
failure to provide an environment that facilitates implementation of the responsibilities to ensure adequate food by local communities, NGOs, civil society organisations, and the private business sector;

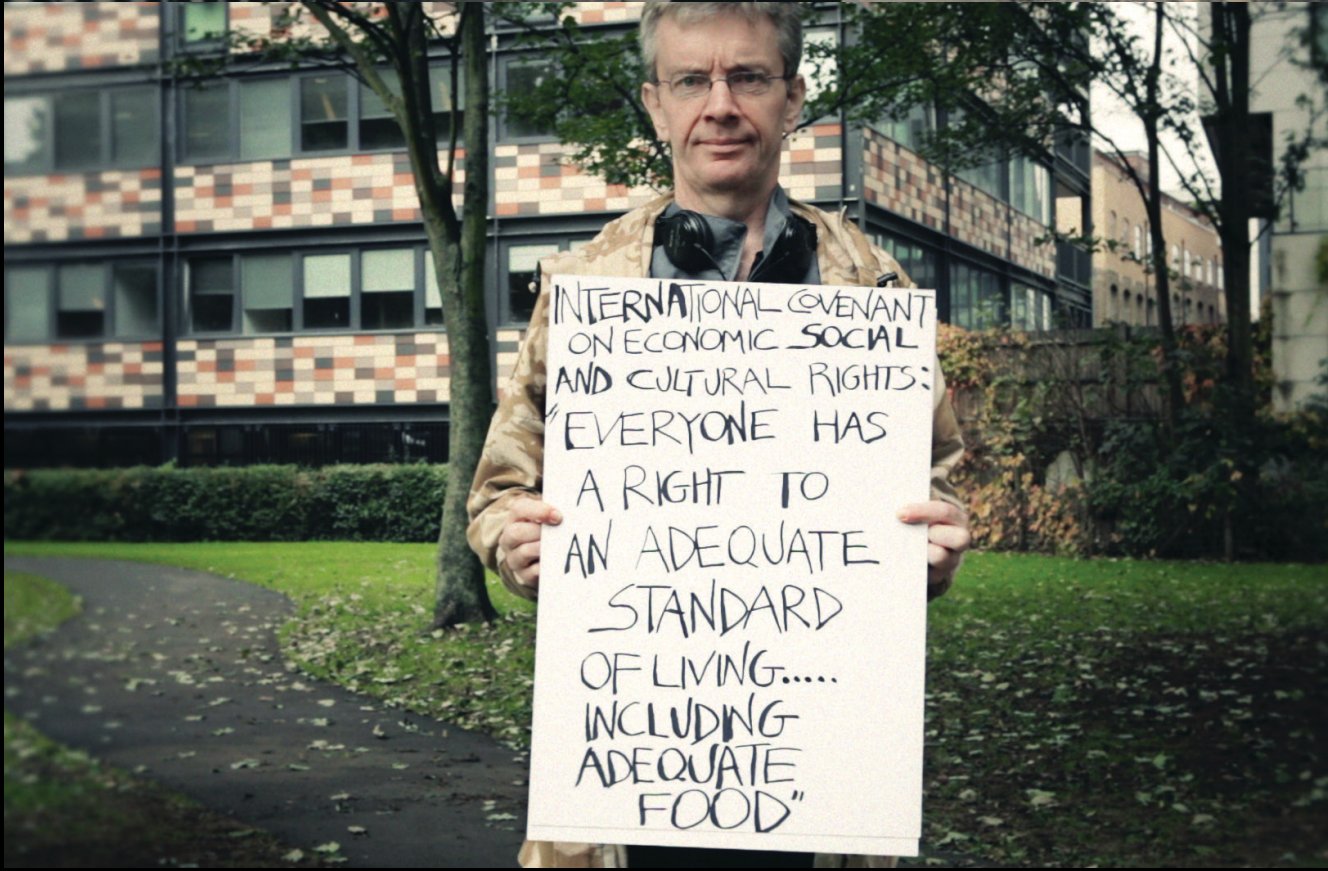
### REMEDIES AND ACCOUNTABILITY

Any persons or groups who have been denied their right to adequate food should have access to effective judicial or other appropriate remedies at both national and international levels. All victims of violations of the right to adequate food should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition.

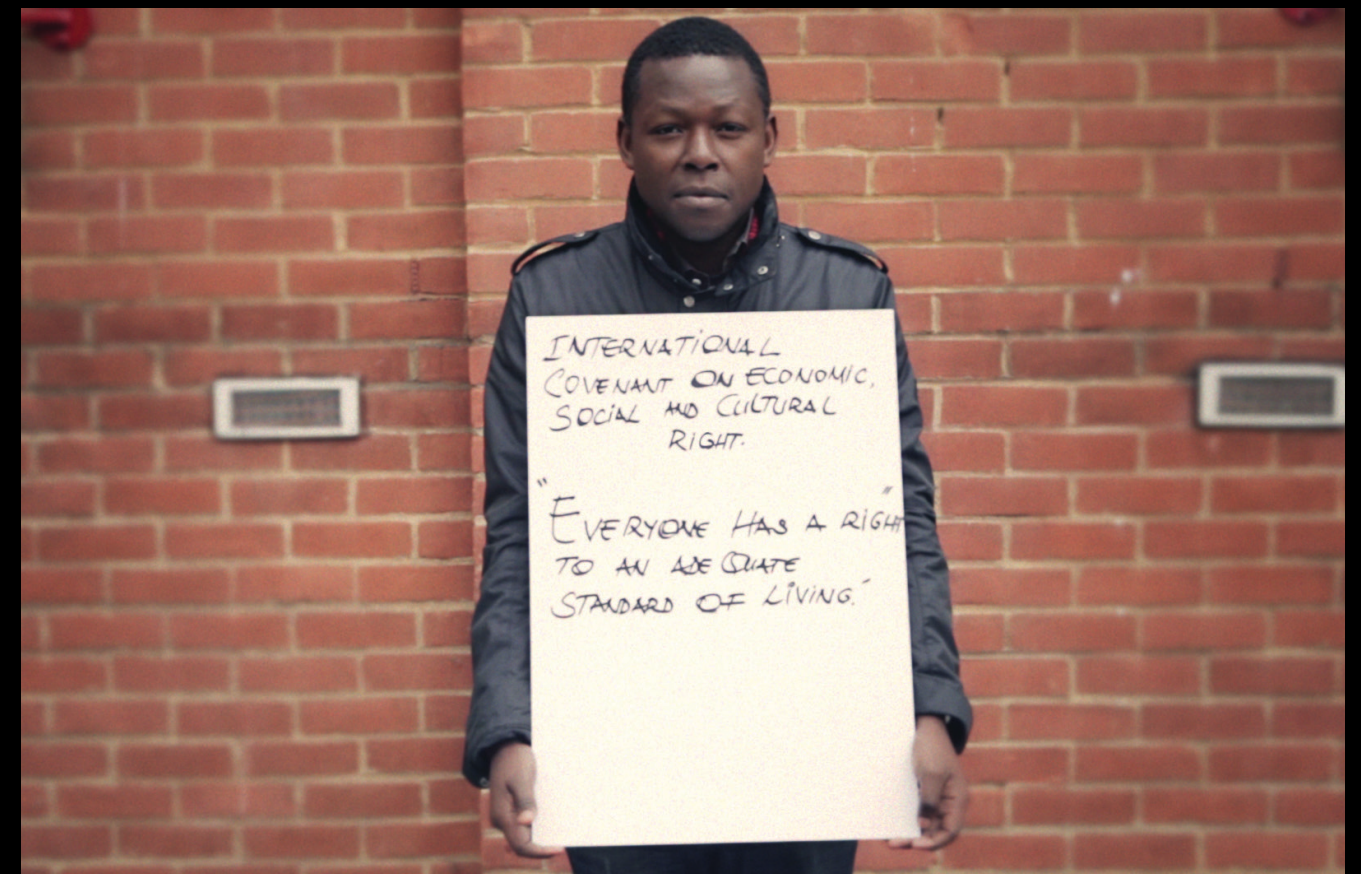
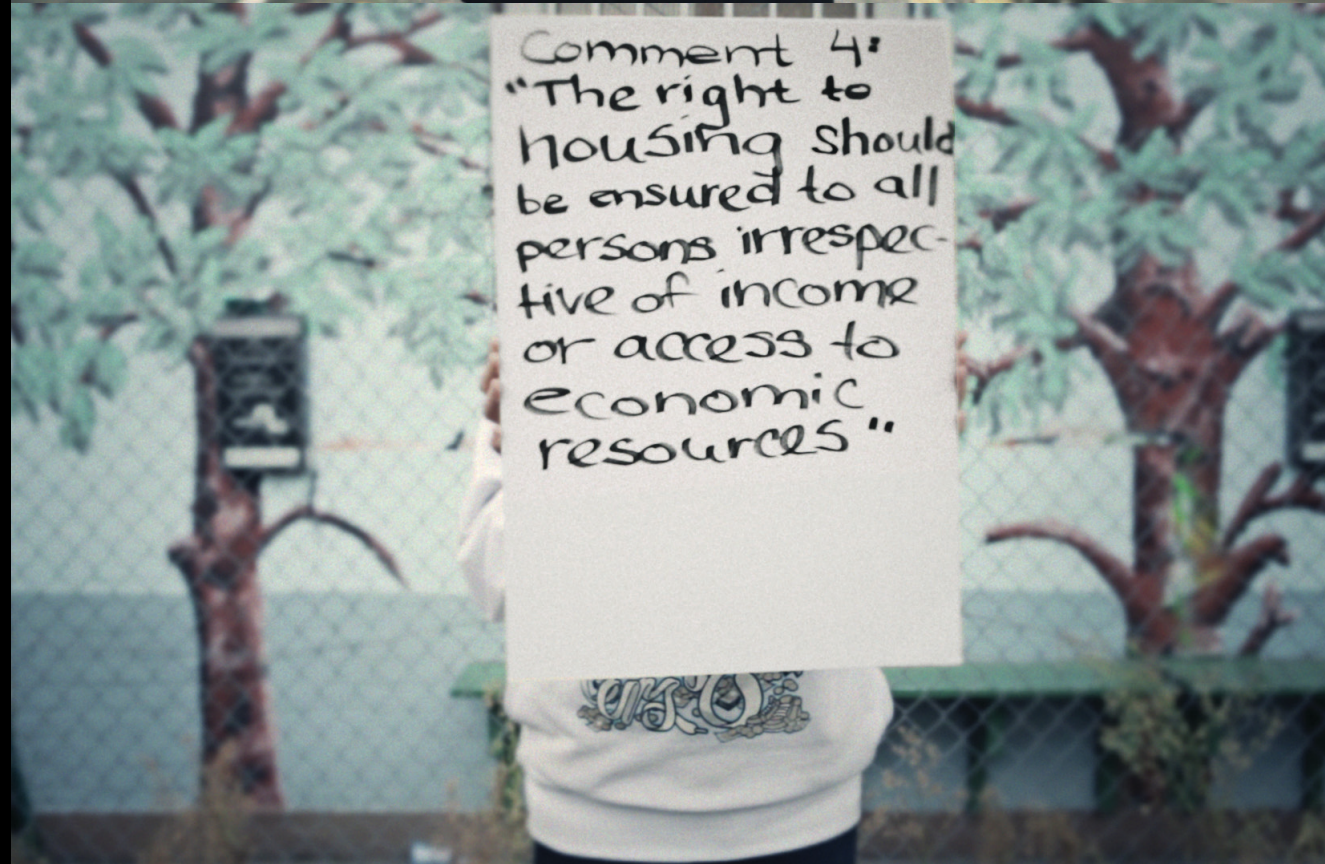
### INCORPORATION

The incorporation in the domestic legal order of international instruments recognizing the right to adequate food can significantly enhance the scope and effectiveness of remedial measures and should be encouraged in all cases.











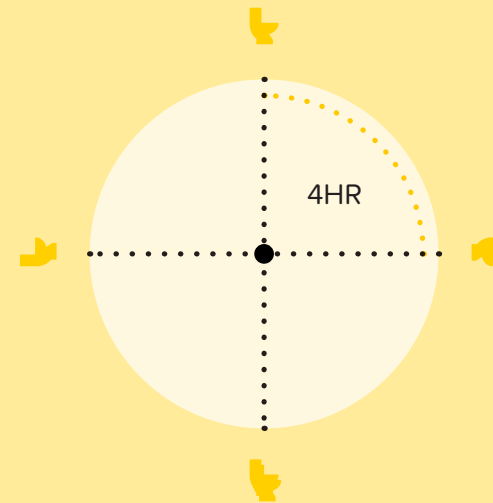


FOR THE VIDEO, SEE: COMMONRIGHTS.ORG.UK

INDEX Page i03  
Section: Immediate core obligations  
To ensure access to the minimum essential amount of water, that is sufficient and safe for personal and domestic uses to prevent disease.

# The Human Right to Sanitation

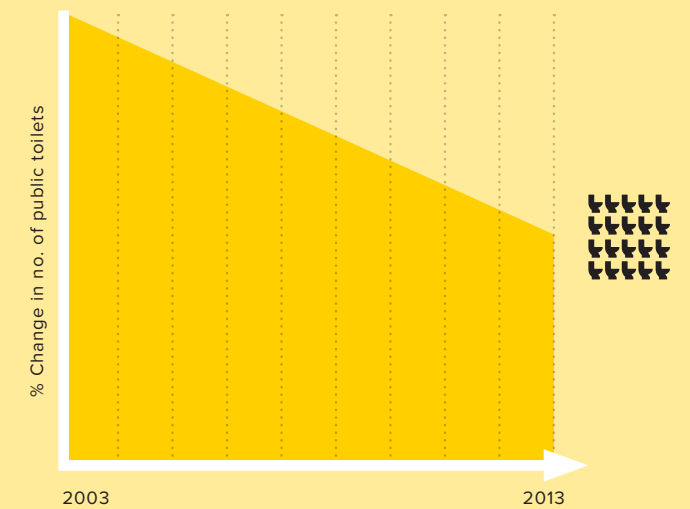
[FIG. 1A] TOILETS USE



[FIG. 1B] TOILET CHARGES

$$\text{Person icon} + \text{Toilet icon} = \text{Hexagon icon} \ 50P$$

[FIG. 2] PUBLIC TOILETS



[FIG. 2B] TOILET AVAILABILITY

$$>10K \text{ Person icon} = \text{Toilet icon} \ 1$$

## ● TOILETS [FIG. 1 A+B]

Public toilets are very important to older and disabled people, women, families with young children and tourists. Over half the respondents to a Help the Aged survey said fear of not finding a toilet kept them at home. Blue Badge Tourist Guides found that a large number of people reduced their water intake while out and about in order to avoid the hassle of searching for a loo. The average person needs to pee every three or four hours every day and many loos charge up to 50p, so you start to see the problem for homeless people.

## ● ACCESS [FIG. 2 A+B]

The Public Health Act 1936 gives local authorities a power to provide public toilets, but imposes no duty to do so, though the government recommended this in 2008. Half of the UK's public toilets have closed in the last decade – Manchester city council has closed all but one. The British Toilet Association estimate that there is now fewer than one for every 10k people in the UK, excluding tourists and visitors. The Mayor

of London's Health Inequalities Strategy recognises the importance of public toilets, but some London boroughs provide none. Shops and pubs that are part of the community toilet scheme can refuse entry and are open only during business hours. Women are less keen on going into pubs than men, and Muslims would not use them. And women cannot use the new "street urinals"!

## ● WASHING

Washing your hands with soap and water after going to the toilet can reduce diarrhoeal diseases by nearly half. Perhaps that's why every £1 spent on sewage saves £8 in lost productivity. Unfortunately, £10.4 million was been cut from spending on public toilets in the past two years – councils across England are spending 13 per cent less on maintaining and repairing toilets than they did in the financial year 2010/11.





International Covenant on Economic, Social and Cultural Rights

In 2012, the UK government announced its support for including commitments to the right to safe drinking water and to sanitation as a human right in the Rio+20 outcome document and now “recognises the right to sanitation as an element of the right of everyone to an adequate standard of living under article 11 of the International Covenant on Economic, Social and Cultural Rights.”

Water is essential for life and health. Inadequate sanitation is the primary cause of water contamination and diseases linked to water.

Everyone is entitled to enough water to reduce the risk of water-related disease and to provide for consumption, cooking, personal and domestic hygiene requirements. It must be available, accessible and affordable for all of us.

The government must ensure that vulnerable members of society are not disadvantaged by the way it allocates water resources and invests in water. It should pay special attention to the most at-risk groups, including homeless people, who should have access to properly maintained water facilities.

Governments must ensure the minimum essential levels of the right to sanitation now, but they have a duty to move as quickly as possible towards full rights. People or groups who have been denied their right to sanitation should have access to effective judicial or other appropriate remedies. All victims of violations of the right to sanitation should be entitled to adequate reparation, including restitution, compensation, satisfaction or guarantees of non-repetition.

The human right to sanitation is protected under Articles 11 and 12 of the International Covenant on Economic, Social and Cultural Rights.

“Sanitation is more important than independence.”  
Mahatma Gandhi



**Herman:** “When I became homeless, I had 10 days without a shower. [Someone in the shelter] said: ‘OK, there’s places we go. Would you like to come with us?’ There were possibly 30 people queuing up for one single shower. By the time I did get showered, it could have been possibly 12.30 and half of the day gone.”

**Tiazarah:** “I was living in storage for a while. I had to come all the way into the West End from Middlesex to use a shower because there wasn’t anywhere like that in the area where my storage facility was.”

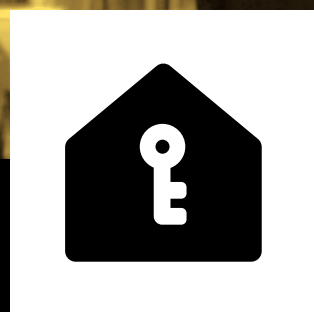


USEFUL LINKS

BRITISH TOILET ASSOCIATION WWW.BRITLOOS.CO.UK	Campaigns for better public toilets for all.
CHANGING PLACES WWW.CHANGING-PLACES.ORG	The Changing Places Consortium is campaigning for highly accessible toilets to be installed in public places.
CROHN’S AND COLITIS UK WWW.CROHNSANDCOLITIS.ORG.UK	UK Aims to improve life for everyone affected by Crohn’s Disease and Ulcerative Colitis – collectively known as Inflammatory Bowel Disease.
ERIC (EDUCATION AND RESOURCES FOR IMPROVING CHILDHOOD CONTINENCE) WWW.ERIC.ORG.UK	Campaigns for better toilet facilities for children.
IBS NETWORK WWW.THEIBSNETWORK.ORG	The patient-led charity for people with Irritable Bowel Syndrome campaigns for better access to public toilets.
RADAR WWW.RADAR-SHOP.ORG.UK	Disability Rights UK believes that everyone should have the confidence to go out, knowing that public toilets will be available, accessible and will meet their needs.
WATER UK WWW.WATER.ORG.UK	Provides a framework for the water industry to engage with government, regulators, stakeholder organisations and the public.
WATERAID WWW.WATERAID.ORG	Wateraid works to provide safe water and sanitation in 27 countries worldwide.
WORLD TOILET DAY WWW.WORLDTOILETDAY.ORG	World Toilet Day (19 November each year) aims to draw attention to the global sanitation challenge.
BLADDER AND BOWEL FOUNDATION WWW.BLADDERANDBOWELFOUNDATION.ORG	The UK-wide charity for people with bladder and bowel control problems.
OPEN LONDON SCHEME LEGACY.LONDON.GOV.UK/MAYOR/PRIORITIES/ OPEN-LONDON/	Sets out to increase access to toilets by asking businesses to open up their toilets to the public.



FOR THE VIDEO, SEE: COMMONRIGHTS.ORG.UK



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### Section: Beyond 'shelter'

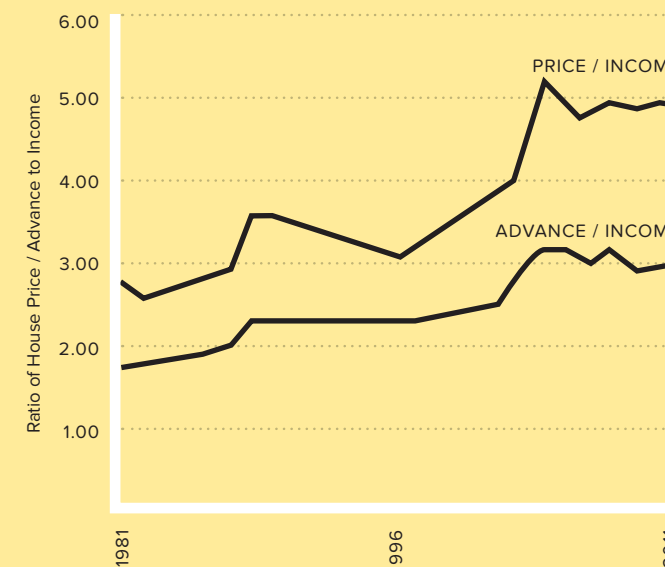
The right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head.

Rather it should be seen as the right to live somewhere in security, peace and dignity.

# The Human Right to Shelter

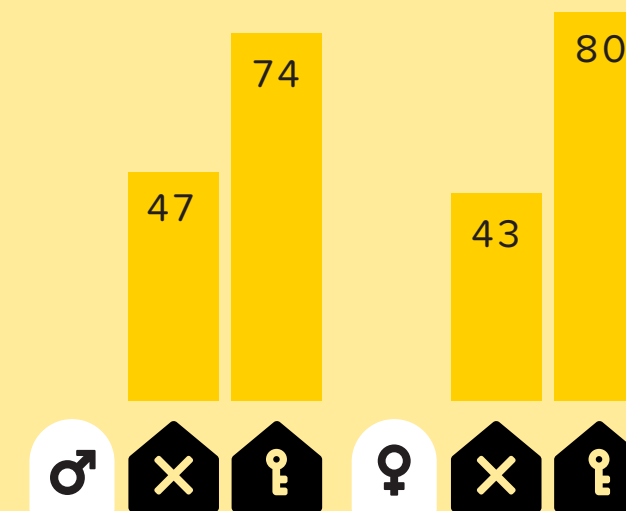
UKCRP REPORT

[FIG. 1] HOUSE PRICE & INCOME RATIO



SOURCE: WWW.ECONOMICSHelp.ORG/BLOG/5568/HOUSING/UK-HOUSE-PRICE-AFFORDABILITY/

[FIG. 2] AGE OF DEATH



## ● PRIORITIES

Local authorities must ensure that suitable temporary accommodation is available for homeless households who are eligible for assistance, in priority need and unintentionally homeless until they can be found settled accommodation. Children living in temporary accommodation develop problems at school and are twice as likely as their housed peers to leave school with no academic qualifications, often because constant moves disrupt their education. The children's mental and physical health also suffer, as the government recognises.

## ● HIDDEN HOMELESS

There is no official number of 'hidden homeless' people, which includes people who are living in grossly overcrowded conditions, sofa-surfing and squatting. Squats tend to lack utilities, and are damp and vermin-infested, but they can be better than sleeping outside. Most squatters are not regarded as in priority need, generally because they are "single homeless".

They are, however, vulnerable: 46 per cent of single homeless people who had squatted had mental health problems; nearly half had drug dependency issues; and a third had been in care. Often, their local authority had failed to fulfil their duty to "advise and assist" them or given them inadequate advice.

## ● HEALTH [FIG. 2]

The average age of death of homeless people is shockingly lower than that of the general population (47, compared with 74 for men; and 43 compared with 80 for women), and homeless people are more than three times more likely to kill themselves than the general population. Rough sleeping harms homeless people's mental and physical health; however, even though rough sleeping is rising, 4,000 bed spaces in hostels and move-on accommodation have disappeared since 2010.



International Covenant on Economic, Social and Cultural Rights

Article 11 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) secures the “right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.”

The right to housing is not just having a roof over your head: it should be seen as the right to live somewhere in security, peace and dignity, regardless of your income or access to economic resources. Individuals and families are entitled to adequate and affordable housing regardless of age, economic status, group or other affiliation or status and other such factors. It includes sustainable access to safe drinking water, energy for cooking, heating and lighting, sanitation and washing facilities, means of food storage, refuse disposal, site drainage and emergency services, and it must protect people from cold, damp, heat, rain or other threats to health. A national housing strategy should be adopted that enables homeless and vulnerably-housed people and their representatives to express their views.

Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the government must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing is available.

“People who are homeless are not social inadequates. They are people without homes.”  
Sheila McKechnie



**Khadra:** “To get a referral [to a shelter], you have to be a priority. And if you don’t have kids or don’t have alcohol problems or a drugs problem, then they won’t listen to you. I try to find safe places like a police station or whatever and they told me: ‘Don’t come here, we are not a hotel’. So you are back outside again.”

**Jon:** “You get used to being a bit cold. You can get used to being perhaps a little bit hungry, but it’s the lack of sleep... When you don’t sleep, the next day you can’t think properly. And when you can’t think you start to... personally, I start to panic. After about three nights, you’re so tired you can’t do anything.”

USEFUL LINKS

4IN10 WWW.4IN10.ORG.UK	Coalition campaigning against the crisis of child poverty in London.
CHILD POVERTY ACTION GROUP WWW.CPAG.ORG.UK	National charity working to end poverty among children, young people and families in the UK.
CITIZENS ADVICE BUREAU WWW.CITIZENSADVICE.ORG.UK	Provides the legal advice people need to deal with their problems.
CRISIS WWW.CRISIS.ORG.UK	National charity for single homeless people, dedicated to ending homelessness by delivering life-changing services and campaigning for change.
GINGERBREAD WWW.GINGERBREAD.ORG.UK	Provides expert advice and practical support for single parents.
HOUSING JUSTICE WWW.HOUSINGJUSTICE.ORG.UK	Christian campaign on housing and homelessness. Supports church and community night shelters.
NATIONAL HOUSING FEDERATION WWW.HOUSING.ORG.UK	Yes to Homes: campaign for more affordable housing.
NATIONAL PRIVATE TENANTS ORGANISATION WWW.NPTO.BTCK.CO.UK	Campaigns for decent and affordable private rented homes.
SQUASH WWW.SQUASHCAMPAIGN.ORG	Squatters action for secure homes. Campaign against the criminalisation of squatting.
SHELTER WWW.SHELTER.ORG.UK	Works to alleviate the distress caused by homelessness and bad housing.
CENTREPOINT WWW.CENTREPOINT.ORG.UK	National charity supporting homeless young people across the UK back into education, training and employment.

# WHAT NEXT?

*The campaign goals of the UK Common Rights Project are:*

- to increase public awareness of basic human rights and of the hardships faced by people without homes;
- to improve confidence and self-esteem among people without homes in London; and
- to foster better and more hospitable responses to the needs of street homeless people.

.....  
Following the launch event and media campaign in December, the UK Common Rights Campaign will be taken forward in a number of ways – and this is where we need your involvement!  
.....

Please link to the website, and share on social media and blogs. Use the hashtag **#ComRights** to keep the conversation going!

#ComRights

commonrights.org.uk



@ComRights



youtube.com/ukcrp



facebook.com/ComRights



vimeo.com/ukcrp

## ONLINE

The UK Common Rights website will remain online as a point of contact and a portal for resources, including the film, the report and publicity materials for the campaign. Organisations and individuals who share the goals are invited to join the campaign – please get in touch with Alastair Murray at Housing Justice (a.murray@housingjustice.org.uk) to be added to the project's list of supporters.

## WORKING GROUPS

Housing Justice will take the project forward in London with two borough working groups. These will meet between January and March 2014 and ideally comprise the local MP, ward councillors, local business people, community representatives, people with personal experience of homelessness, and representatives of the neighbourhood police or Safer Streets Team.

The working groups will meet up to three times to analyse the possibilities for practical solutions to the lack of homeless peoples access to basic rights. For example, shops, churches or other religious buildings may allow access to toilets; cafés and pubs could be encouraged to give people water etc.

If you are interested in forming a working group in your town or borough, please get in touch with Alastair Murray at Housing Justice (a.murray@housingjustice.org.uk).

## EVENTS AND SCREENINGS OF THE FILM

We would like the common rights film to be shown as widely as possible. Could you arrange a showing in your town or borough? It may be possible for us to arrange a speaker or be part of a panel discussion, working with you to involve local people. Please contact us.

## PROGRESS OF THE COMMON RIGHTS

Under each of the common rights, there are additional and specific ways in which access could be improved.

**Shelter** – through the Housing Justice network of church and community night shelters, we aim to increase access to this provision in all parts of London and the UK.

**Food and Water** – joining together with food banks, Fare-share and church and community drop-in facilities, we aim to improve access to nutritious food for people in poverty and suffering deprivation.

**Sanitation** – we urge supporters to join the local campaign for public loos.

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