

## THE JERUSALEM DECLARATION

### Draft charter of the Palestine Housing Rights Movement

29 May 1995

#### DECLARATION

The Palestine Housing Rights Movement is a coalition of non-governmental organizations, community-based groups and activists who are committed to promoting the housing rights of all Palestinians. We understand this to mean the right of every woman, man and child to a place to live in security and dignity.

We affirm that housing is a fundamental human right and that adequate housing is essential to the freedom, dignity, equality and security of persons, families and communities.

We emphasize the inseparable relationship between the right to adequate housing and the right to life, the right to livelihood and the right to an adequate standard of living.

We affirm that Palestinians, like all people, have the right to adequate housing, including the right to active participation in all decisions in the process toward achieving that right for all Palestinians.

Recognizing that the national liberation movement of the Palestinian people is informed by the longing and struggle for the homeland as a place of security, peace and dignity for the Palestinian family, we call upon the Palestinian people to join us in ensuring that our housing policy serves as the cornerstone of our nation-building effort.

We affirm that priority must be given to all Palestinians who have lost their homes, first of all to all Palestinian refugees returning to their homeland, to those who have lost their homes through demolitions, evictions and other dispossession as a result of Israeli occupation policies, and to all Palestinians who suffer from inadequate housing and conditions of homelessness.

We commit ourselves to ensuring that housing resources and community services are managed equitably and efficiently so as to protect and promote the progressive and daily realization of our right to self-determination.

We commit ourselves to the special efforts and cooperation required to plan, build, preserve and restore our housing resources to ensure adequate housing and sustainable development of our communities for all Palestinians.

We consider Jerusalem to be our capital city, the centre of our political, social, economic, cultural and religious life. We are committed to ensuring that all Palestinians have free and open access to Jerusalem, and we are further committed to promoting the housing rights of Palestinians in Jerusalem, in accordance with the principles of this Charter. Toward this end, and recognizing the particular threats to our capital city and to the rights of Palestinians to a place to live in security and

dignity in Jerusalem, we have launched a Jerusalem Housing Rights Campaign.

We consider that the principles and responsibilities of this Charter concern all Palestinians, men and women, in all parts of the country and in exile, in all sectors of our society, and at all levels from the individual and the local community to the nation. The Housing Rights Movement seeks to link with and unite its activities with similar groups committed to the principles of this Charter in exile, especially in Lebanon, where Palestinians are threatened with yet another displacement, as the plans for rebuilding Beirut infringe on existing camps.

We consider these principles and responsibilities binding on the Palestinian Authority, on the Israeli Government as the occupying power, and on our international partners who are fulfilling their international obligations to support and assist us in realizing our national goals.

We draw the attention of all these Governments to their binding obligations to respect, protect and fulfil the right to adequate housing and to the continuous improvement of living conditions as enshrined in article 11(1) of the International Covenant on Economic, Social and Cultural Rights.

We see ourselves as part of a global movement of grass-roots efforts by women, men and children struggling for a place to live in security and dignity. We draw inspiration from these efforts and act in solidarity with them.

We are committed to the realization, protection and promotion of all human rights - civil and political rights as well as economic, social and cultural rights - inalienable, interdependent and indivisible - for all human beings, free and equal in dignity, without exclusion or discrimination. We respect and promote these principles in all our actions and programmes.

## PLAN OF ACTION

The Palestinian Housing Rights Movement's Plan of Action is organized around four principles:

1. Ensuring access to adequate housing for all Palestinians without discrimination and in full equality.
2. Empowering all Palestinians by promoting democratic processes that enable all people, especially women, to participate fully and actively in decisions affecting their housing and community.
3. Building toward a sustainable development in which adequate housing is considered an essential right around which to design community services and integrated development programmes, utilizing local human and material resources.
4. Enabling all Palestinians to take effective control of housing and community projects through education and training and through provision of adequate financial support and other resources needed to realize their housing rights.

1. Ensuring access to adequate housing for all Palestinians requires sustained solidarity and concerted attention, including corrective and restorative actions where necessary, to ensure that all Palestinians, without discrimination and in full equality, enjoy these seven internationally recognized entitlements:

Secure tenure for everyone, tenants and owners, including legal protection against eviction, harassments or other threats to the security, peace and dignity of the household.

Sustainable access to the services, materials and infrastructure essential for health, security, comfort and nutrition.

Affordable housing, with provision for housing subsidies and protection to ensure that the financial costs of housing do not threaten or compromise the attainment and satisfaction of other basic needs.

Habitable housing, with adequate space and protection from the elements and other threats to health and safety.

Full and sustainable access to adequate housing and housing resources, including entitlement to land, for everyone, with priority to those who have lost their homes through demolition, eviction, land expropriation or other means, and those with special housing needs, particularly children, the elderly, and the disabled.

Housing located in a safe and healthy place, with respect for the environment and close to community services, places of worship, work and income-producing opportunities, health-care facilities, schools and child-care centres, recreation centres and parks.

Housing and communities designed, built and managed in conformity with Palestinian culture and values to maintain our cultural identity and skills, to preserve our national heritage and to promote our sense of being and belonging to a place, so crucial to our survival as a people.

The Palestinian people, living under occupation, as refugees, and in exile, have been denied these basic entitlements through the Israeli occupation policies of land confiscation, house demolitions, property destruction, forced eviction, denial of residency and citizenship, separation of families, discriminatory zoning and planning, and other policies of dispossession and disenfranchisement.

An essential first step in ensuring access to adequate housing, therefore, is to address the legacy of occupation by developing strategies aiming toward the restoration of land rights, compensation for property destruction and confiscation, reversal of discriminatory planning, reunification of families, and rebuilding of homes and communities, with particular attention to refugee housing.

Secondly and of equal importance, the Palestinian people working with and through the Palestinian National Authority must ensure that planning and building of homes and communities are conducted through transparent mechanisms and procedures based on housing rights principles.

2. Empowerment requires that all actions with regard to housing, services and infrastructure include all the population, especially women, in orientation and key decisions. This means:

Guaranteeing the exercise of fundamental civil and political rights, including the right to information and to freedom of movement, expression, assembly and association.

Ensuring that no important decision regarding housing policy, planning, implementation and management is taken without the participation, through consultative bodies, of the people concerned, and especially women who are the first ones responsible for the management of the household, the care of the home, and the use of community services for the family.

Reinforcing the power of the basic community, and the participation of women, in their capacity to contribute to the design and implementation of housing projects and their management.

Structuring the partnership between international donors and technical support so that the true initiators of housing design and community development are the Palestinian communities themselves.

3. Sustainable development requires that housing be integrated into a global approach to political, social, economic and cultural development. This means:

Considering adequate housing an essential right around which to design integrated development programmes of health, sanitation, waste management, preservation of the environment, education, economic activities, community and recreational facilities.

Planning actions to preserve, renovate, and restore existing housing - taking particular care to preserve and revitalize architecture expressive of our heritage and culture - while creating new housing that is equitable and accessible and fulfils all other housing rights entitlements.

Emphasizing in all housing and community development projects the use of existing local resources in terms of expertise, employment, equipment and technology, in order to simultaneously contribute to the full employment of the Palestinian people and the economic development of the country.

Promoting regional cooperation within Palestine and throughout the Arab world to reinforce and enhance our social and cultural identity as a people.

4. Enabling Palestinians to take effective control of housing and community projects requires education, training, financial support and other resources.

Housing projects that aim simply to provide technical and physical solutions cannot in and of themselves create and sustain homes and living communities. Therefore, all housing projects and programmes must incorporate measures to enable men and women equally to take effective control of all aspects of housing and community

projects, utilizing participatory approaches and relying on local skills and resources. In this regard, certain programmes should be given high priority:

Training in home maintenance and renovation, with full and equal access to necessary resources.

Community management programmes facilitating full and representative participation through democratic structures and procedures.

Comprehensive community-based environmental training on public health and hygiene, utilities and waste management, community services, and environmental protection.

Legal literacy training, particularly on tenants rights, land and property ownership.

Financial support for self-help projects, with provision for fair and equal access to credit.

International cooperation and support, responsive to community determined priorities and supportive of participatory approaches.

#### Note on sources

The principles of this Charter are based upon the recognition of the right to adequate housing enshrined in the Universal Declaration of Human Rights (25.1), the International Covenant on Economic, Social and Cultural Rights (1.1) and 10 other international conventions and declarations. The Charter also draws upon the articulation of entitlements and State obligations regarding the right to adequate housing by the Committee on Economic, Social and Cultural Rights in its General Comment No. 4 (1991), and from the resolutions adopted and other specific steps taken towards the implementation of economic, social and cultural rights by the Commission on Human Rights and the Subcommission on the Prevention of Discrimination and Protection of Minorities. In particular, we acknowledge the reports of the Special Rapporteur on the right to adequate housing, who visited here at our invitation in June 1994. In addition to these international developments, we draw inspiration from the work of grass-roots movements advocating for the right to adequate housing, most notably the draft bill of housing rights of the National Campaign for Housing Rights in India, and the work of Habitat International Coalition and its member NGOs. For further background on the legal sources and implications of the human right to adequate housing, see Human Rights Fact Sheet No. 21, published by the Centre for Human Rights (1994).