The Human Right to Adequate Housing
in the case of al-Akhdam (Yemen)

Housing and Land Rights Network
Habitat International Coalition

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The Akhdam, Yemeni citizens of presumed African descent, are estimated to number between 200,000 and 500,000 individuals. They are severely marginalized social status as society’s outcasts, having a severely impoverished economic status as scavengers who live in continuous exile, inhabiting both urban and rural areas in physical and social isolation from the rest of society. …many researchers hold the view that the role of government and the nongovernmental organizations operating in Yemen are totally absent and no attention is drawn to their problems.

Contrary to the State report, the extreme economic marginality of al-Akhdam is not a vestige of Yemen’s feudal rural society but a product of a long history of practices of ethnic/descent/racial-based persecutions and discrimination;

In September 2005, Abduraheem Mohsen, a Yemeni reporter from a prominent local newspaper, The Yemeni Times, published the following critical view that clearly shows the State party’s direct involvement in maintaining the brutal discrimination against the minority:

“It is quite unfortunate that more than 50 thousand people of African origin living in Taiz are going through extremely harsh conditions. The only desire of the Akhdam in Taiz is to find a safe community where they can live peacefully and be treated equally as others. They have become vagabonds, an oppressed class, and above all, a deprived sector of the community. It is truly a pity that no one seems to care about them. They are seen as persons of African origin, who do not have a specific home or place. They are considered as the odds and ends of the Abyssinians. They are treated on many occasions as slaves without any status or social deportment in the society.

The security and aspirations that generally come to the public through the possibility and endeavor of permanent family housing, association to a native village, an a social position from which one can choose [her/his] economic activities and to bargain for the worth of one’s labor and services are all denied to the members of this community. Subsequently, their extremely precarious and insecure conditions make their life one characterized by an eternal exile, continuous displacement, and perpetual itinerary existence in which they move from one place to another through evictions and the destruction of temporary shelters. It is a condition that unleashes unprecedented forms of systematic social exclusion, disintegration, and multiple levels of economic exploitation and marginalization. The magnitude of such ethnic based socioeconomic persecution against this minority is amply captured in the following popular proverb: Purify
(your plate) if touched by a dog. Break it if it comes into contact with one of the “al-Akhdam.”

- **Security of tenure, freedom from dispossession/forced eviction**

The above practices of discriminatory civil employment in urban cities and towns such as Sana’a, Ta’iz, al-Hudaidah, and Ibb, have created enclaves of makeshift dwellings that are exclusively inhabited by al-Akhdam. While some of the residents of these enclaves are native to the cities and towns in which they are found, a large number are either exiled from rural areas or have migrated voluntarily in search of an alternative to the repressive and closely-knit rural environment of subordination described above. Despite the fact that all the residents of this shanties work for the government as “sanitation laborers,” there are no public services such as water or electricity being provided. Legally, they are “squatters” who can be evicted at any time and without notice. al-Akhdam’s continuous existence in this ghoulish margin is an inhumane entrapment, and clearly stands apart from mainstream society’s aspiration to economic mobility within a continuously transforming Yemeni society.

In the mountainous rural area such as Ibb and Tai’z, this minority is forced to live in undignified housing by prohibiting them from constructing residential dwellings that allow minimum dignity and security. Village headmen have the full power to demolish the dwellings of anyone who does not comply with such rules.

They hold no titles to their residential spaces nor have any right to own property and so they are often raided, evicted and destroyed with no compensation whenever the need for such space arises.

And because of their abject poverty and untouchable status, this minority has neither the means nor the right to choose or purchase their place of residence anywhere in the country.

…the last five years have seen violent modes of eviction by government authorities. With the fast expansions of city and town limits and the increasing demands for new construction sites at the outskirts, Government officials have resorted to raiding and burning slums and settlements whenever these settlements become too close to mainstream neighborhoods to force marginalized communities to flee their dwellings. With the consistencies of patterns, residents have become conscious of such criminal schemes and have put lots of resistance that only exposed them to more violence.

In addition to these extreme violent acts, residents who resist moving from a burned site or insist on rebuilding their dwellings on the same site are intimidated by police authorities.
Although *al-Akhdam* are categorically denied any property rights, …the particular practices of discrimination, marginalization and caste-like exclusion of *al-Akhdam* from mainstream society have no affinities or similarities with the economic marginalization of landless peasants in Yemen’s semi-feudal rural areas. physical endangerment through burning of settlement, forced and illegal evictions and displacement)

**Forced Evictions and Intentional Physical Endangerment:**

A consistent and collective physical endangerment of this minority is a common practice. This generally takes the form of forced eviction, destruction of dwellings, and the physical abuse of those who try to resist eviction. And because of their abject poverty and untouchable status, this minority has neither the means nor the right to choose or purchase their place of residence anywhere in the country. The only places open to them are the outskirts of cities, towns and villages and close to communal dumpsites also located outside main neighborhoods for sanitation purposes. These places are always the least desired places. But with population explosion, economic growth, and increased government infrastructure in the Republic, often previously undesirable places where this minority erects their makeshift slums may suddenly become desirable. In these cases the processes of evicting them are always outrageously cruel and physically violent.

Often they are deceitfully told they will be given another site if they left their slum dwellings only to find themselves without any slum. Often the minority community puts resistance and refuses to leave in which case the State uses violent physical means of eviction by forcefully removing the slum dwellers out of their homes. Entire families and a whole community may find itself without a shelter in one act of bulldozing their homes as well as their belongings. Other times, police may just raid a slum neighborhood and order all residents to leave immediately without any explanation and simultaneously fencing the entire settlement and allowing people only to exit the site but not enter. This process of eviction usually takes about four to six hours with several casualties. A recent incident took place in the capital Sana’a as reported in the following newspaper:

The violent actions made against Akhdam (the black people who live near Bab Al-Yemen) by the security police are still taking place in an attempt to force them to leave the neighborhood and construct a government building. Their living conditions are tragic and their harassment represents a blatant infringement on human rights granted by the constitution and divine jurisprudence. We want this problem to be known by the Minister of Human Rights, Dr. Waheeba Farae, and the diverse human rights organizations presenting Yemen.¹

For a long time and up to this moment, Akhdam have been known as the black people in Yemen, particularly those who move from one place to another searching for shelter. Therefore, they are restricted to inferior jobs, such as street-cleaners and shoe-makers. Akhdam have diverse rituals, but their permanent ritual is misery, torture and slavery. They work like donkeys and they have a wretched life in Yemeni society.
Three Akhdam were seriously injured by the police. At the same time, two women miscarried due to the horrible terror performed by the policemen. A source in the Human Rights Organization said that what has been practiced against Akhdam constitutes a flagrant infringement of human rights, and our government must reconsider these agreements as an international commitment. This critical issue should be treated rationally, and a sense of respecting the freedoms of human rights should be carefully considered. Above all, we are in dire need of national action and strong political will to save this inferior class, the class of Akhdam.

Over the last five years, however, the State has resorted to an even more violent means. There have been at least ten fires over the last two years in slums that were dwelled by this minority. These recent incidences of violence have instigated some responses from civil society as exemplified in the following editorial piece:

National Organization for Defending Rights and Freedom (HOOD), a local NGO has demanded that the Ministry of Human Rights and Parliament members form a joint commission of investigation into the fire incident last week in al-Wahda, Sana’a City, which destroyed 55 homes belonging to the marginalized “al-Khadam” (black minority).

The organization, in its letters, expressed its conviction that the fire was set intentionally, as the alternative method to force the inhabitants to vacate the location following failed attempts to relocate them peacefully.²

In March 2005, another huge fire destroyed an entire settlement in Sana’a this time causing even more damage and human casualties. It was the third fire in the same settlement within a period less than five years. As in all other cases fire fighters showed up when there was nothing left to be saved and the entire settlement was turned into ashes. The news is hardly considered fit for television but make it was to small columns in several local newspapers. As was the case with all other fire incidents, no investigation was considered uninvestigated. The following is one of the longest coverage the fire incident received:

A huge fire broke out on Tuesday March 28 in one of the Sana’a zones near Adhban School that is resided by Akhdam, a marginalized category in the Yemeni society, left 14 people injured. A number of modest huts and tents were also destroyed by the fire whose causes are still unknown.

This is considered the third fire incident in the zone over the past few years. The horror-stricken Akhdam expressed melancholy over such incidents that compelled them to sleep on the streets. Many of the residents were cited carrying their furniture and kitchen tools to escape the fire to safer places in the neighborhood.

Fire vehicles were also cited at the scene, in an attempt to put out the fire and save the lives of women and innocent children.

Some of the victims confirmed that such fire incidents cause recurrent catastrophes and makes their living standards go from bad to worse, also saying that the government does not pay any attention to them.
They added that they do not receive any help except at the times of catastrophes and most of the previous aids were tents and kitchen tools that were destroyed by the fire.

They demanded that the concerned sides build them houses out of stones and cement instead of tents in order to enable them to maintain their dignity and live equally like other people in the society. They cried that they live in tents where no public services such as electricity and water are provided.3

These include Aser al-Kasara (6 June 2003), al-Wahdah (June 2004) and near Adhan (28 March 2005). Several sources in Yemen including the National Organization for the Protection of Rights and Freedom (HOOD) are convinced that these fires were set intentionally to force the inhabitants of these slums to give up the sites on which their makeshift huts were built. These fires have left entire communities devastated and homeless.

Their status as squatters constantly poses them to collective and systematic evictions, often violent in nature, via state agents whenever the larger society has a need for such squatter spaces. If they refuse eviction, violent methods of destroying the dwellings along with whatever material possessions they owned are used to force residents to leave. On these occasions, there are always brutal clashes and casualties and even deaths for which no one accounts. …the State role in these issues has been reserved only to destroy and force residents to leave when public or private needs for such spaces arise.

[Do the Akhdam squat primarily on State lands? Does the State maintain statistic on the numbers of Akhdam legal tenure holders or percentages as compared with the general/non-Khadim population? Or are al-Akhdam universally squatters? Is it possible to assess the number of Akhdam forced-eviction cases in the past five years (with statistics as to number of persons/families/household affected and/or values lost? Cases could be presented in a table form with basic data on each case. (See HLRN Violations Database at: http://www.hlrn.org/violation.php and http://www.hlrn.org/violation_add_form.php.) Are there any cases of Akhdam opposing their eviction by legal or administrative means? Are there any NGOs or legal services to defend al-Akhdam’s right to remain/freedom from dispossession and forced eviction? ]

- Public goods & services

In situation of emergency, the police and firemen hardly offer help except when the situation is already out of control and the settlement is irredeemable with no choice but to abandon it. On these cases, entire communities are instantly displaced and turned into homeless people. The city officials, especially in the capital Sana’a, where most of the fire incidents took place, never pursued any investigation in the causes of these incidents.
In all the urban slums and settlements there are no public services such as water and electricity, water, waste removals and sanitation. Residents of these slum settlements must walk hours to obtain water or find a place to wash their bodies;

Unlike the rest of the society, al-Akhdam neighborhoods do not receive services such as running water and electricity.

Children from this minority are not considered like other children -requiring the collective protection of society; (’att or hanan) hence orphanages (dar al-aitam) throughout the Republic will not accept them nor provide shelter to them knowingly;

[Has the privatization of public services affected al-Akhdam? Is there any direct or indirect statutory prohibition barring al-Akhdam’s access to services, either by zoning or other restrictions? In practice, do other Yemeni squatters fare better in accessing public goods and services?]

Environmental natural resources (land & water)

In rural northern Yemen, which embraces about 75 percent of the country’s northern agrarian population, subsistence and commercial use of land remains to be the main source of livelihoods. Village Headmen, whether from tribalist or sayyid social groups, remain to occupy decisive economic roles both as feudal-like landlords and by virtue of their role in controlling communal land. In this setting, the primary and symbolic sociocultural subordination of al-Akhdam minority is materially effected by systematically denying them access to land, thereby condemning them to a status of perpetual economic exclusion and marginality. To this day individuals from this minority group cannot own land even when and if they were somehow able to amass enough money, by means suggested earlier, to buy such fundamental resource. Under this absolute denial of land their subordination is ensured as they are forced into labor as seasonal and migrant laborers who wonder from village to village in search of work.

Despite the revolutionary rhetoric of the Northern republic, no changes where introduced in land tenure and subsequently social stratification and the subjugation of al-Akhdam remained unaltered. All these differences changed since the unification and the two regions seem very much identical since the unification of the two economies and the subsequent imposition of World Bank sponsored structural reforms of liberalization and privatization.4

Within Yemen’s largely agrarian society, al-Akhdam are prohibited from owning land

In rural villages where economic endeavors are narrowly focused on access to land through ownership or sharecropping, abuse is more prominent and
outrageous. They are prohibited not only from owning agricultural land but also from engaging in the widely practiced sharecropping activities.

In rural area, al-Akhdam are not allowed to farm or gain access to land as tenants or sharecroppers even if someone generated the income to buy a plot of land or engage in sharecropping. The very few who gained access to cash via illegal short term labor migration to neighboring Saudi Arabia are unable to own affordable piece of land because the “tradition” of social stratification does not allow such mobility.

In page 53, paragraph 159, the Yemeni State report to CERD avoids the particularity of the ethnic based discrimination pertaining to al-Akhdam by referring to the larger issue of landlessness as the root cause for social inequality and impoverishment. In doing so it not only refuses to accept/admit the human rights atrocities perpetrated against this minority but it also obstructs future intervention on behalf of this minority. A consequence of this is that it misleads the Committee through the simplification of Yemen’s otherwise complex hierarchical social groups, all of which are tied within a web of social relations of power.

The Hujour and Zuboud, unlike “al-Akhdam,” are historically landless rural population and provide the bulk of agricultural labor through their sharecropping activities in Yemen’s semi feudal society.

[Does the law or other regulation directly or indirectly bar al-Akhdam’s access to land (ownership), or is this institutional discrimination “informal”? Has the Yemeni government applied land-privatization schemes that would offer individual (or collective) land titles to slum dwellers (whether or not applied to al-Akhdam)?]

- Affordability

Labor link to housing and living conditions

Most of these people work as street cleaners and their career has become prominent over the last period of time in the main cities.

are prohibited from...participating in agricultural activities as sharecroppers; Subsequently they are admitted only as itinerant laborers who can engage only in thrashing during harvest season, an activity considered to cause minimum bodily contacts with agriculture. In exchange they are paid an abysmal part of the product or simply offered one meal a day for a day’s work.

In carrying out other demeaning tasks enforced upon them, they are hardly compensated for their labor hence they live in conditions of abject poverty and perpetual misery that are unparalleled in a society where poverty is already rampant.
In addition they are hardly hired for agricultural tasks except as itinerary thrashers during harvest seasons in different villages, an arduous journey for which they are paid one meal a day (‘asha’) and an abysmal share of crops. These are precarious conditions that perpetuate dependency on those who own land and force this minority to perform demeaning tasks for which they are hardly compensated fairly.

[Are public or private financial services available for Yemenis to build or improve housing, but formally or informally bar al-Akhdam for reasons of race or economic status?
According to UN estimates, meeting the MDG 7, Target 11 would require about $42 a year per beneficiary globally for land purchase and transfer, housing, network infrastructure (roads, internal paths, curbs, water and sanitation, power and electricity), community facilities, and planning and oversight. Has the Yemeni government begun to budget and program the improved living conditions and, if so, how is government ensuring that the process follows the HRAH framework? How has Yemen already implemented the ESCWA Regional Secure Tenure Campaign to the benefit of al-Akhdam?]

- Accessibility (physical)
[This element of the human right to housing usually pertains to those persons with special needs, due to disability, age, or other physical condition. However, physical accessibility could also be impaired by some other material obstacle (different from poor location). Do al-Akhdam face such obstacles, including curfew or other restriction against their accessing their homes (say, at night)?]

- Habitability
It is worth mentioning that marginalized Akhdam is considered one of the poorest categories that dwell in different areas all over the country and they mostly live in thatched huts.

The corrugated cardboard sheets that make these makeshift dwellings are lined to provide shade from the scorching heat of the summer months, but fail to provide any protection during the rainy and cold seasons. During the annual flood season, entire communities of al-Akhdam are often literally washed away.

The aggregate outcomes of these conditions of neglect render these settlements unfit for peaceful existence, hazardous to health especially those of infants and children, and extremely unsafe living environments that are not conducive to dignified human existence and social development.

While the State party in their report refers to the construction of new housing units for this group, these constructions are abysmal in number and in kind and even though are constructed unilaterally by a European Union project that has nothing to do with the State party [effort or initiative].
Lack of supply of power/gas pushes them to carry out their everyday life activities using dangerous methods of generating power for cooking, and for keeping warm during the cold winter months, especially in the capital, San’a’. Communal and familial vulnerabilities are also reflected in their constant exposure to homelessness whenever their makeshift dwellings are destroyed by the slightest storms. These unsafe dwellings coupled with a lack of clean water pose inhabitants to extreme health risks such respiratory diseases, eye infections, skin problems. Limited communal sanitation also increases chances of infant mortality from parasitical warms and infections.

[What kind of pathogens, diseases and other physical afflictions arise from al-Akhdam’s squalid housing and living conditions?]

- **Location : spatial segregation**
  ...
because of their abject poverty and untouchable status, this minority has neither the means nor the right to choose or purchase their place of residence anywhere in the country. The only places open to them are the outskirts of cities, towns and villages and close to communal dumpsites also located outside main neighborhoods for sanitation purposes. These places are always the least desired places.

These enclaves, which represent undesirable locations and lowland plains and valleys that are annually devastated by floods, comprise the only real estate where this minority can erect their makeshift cardboard dwellings. ... During the annual flood season, entire communities of al-Akhdam are often literally washed away.

In major urban cities and towns such as Sana’a, Aden, Ta’iz, Ibb, and Zabid, collectivities from this minority group are not allowed to live with mainstream society. Rather they are forced to exist only as squatters at the outskirts of main neighborhoods and around communal dumpsites or market places where they subsidize their existence through scavenging and recycling societal refuse. Nor would they be allowed (even though they are unable to afford) to rent or buy properties in neighborhoods.

As is the case in rural setting, this minority is prohibited from inhabiting in close proximity with the larger society. So their makeshift dwellings are aggregated in settlements outside towns and cities.

...the last five years have seen violent modes of eviction by government authorities. With the fast expansions of city and town limits and the increasing demands for new construction sites at the outskirts, Government officials have resorted to raiding and burning slums and settlements whenever these settlements become too close to mainstream neighborhoods to force
marginalized communities to flee their dwellings. With the consistencies of patterns, residents have become conscious of such criminal schemes and have put lots of resistance that only exposed them to more violence.

**Physical exclusion, social isolation and physical endangerment**

Members of this minority are condemned to live in physically and geographically marginal spaces outside mainstream society as pariah. Members are condemned to live in social exile and physical exclusion from the rest of society. In recent attempts, the government has burned wholesale entire communities in shanties and slums to force inhabitants to move away further from mainstream society in major northern cities like Sana’a, Taiz and Ibb; Due to the speedy way in which the population is expanded, members from this minority are constantly and violently evicted from their shanties to push them further away into new marginal spaces.

- **Cultural appropriateness**

In the mountainous rural area such as Ibb and Tai’z, this minority is forced to live in undignified housing by prohibiting them from constructing residential dwellings that allow minimum dignity and security. Village headmen have the full power to demolish the dwellings of anyone who does not comply with such rules. … Breaching…social rules can lead to homicide or expulsion from one’s own home village;

Whereas the body of a woman from this minority is not considered “private” or in the local sense ‘aurah, that demands respect and privacy, hence publicly open to all forms of abuses and violations.

Due to the precarious and unpredictable circumstances of their living conditions and because of their social vulnerability vis-à-vis village and urban authorities, al-Akhdam families tend to be dispersed and disintegrated. In such cases, emotional and social support for individuals can often be provided only by the surrounding community of squatters and not through family or lineage connections, as is the case in the larger society. For this reason among others, shared experiences of exclusion, marginality, and maltreatment provide the core of communal cohesion and affinity and provide an identity of belonging for Al-Akhdam individuals.

- **Participation, association, peaceful assembly & self-expression**

In moments of severe humiliation or aggression, it often happens that al-Akhdam community organizes itself to seek justice through public displays of lamentation and complaint - gestures of anguish that are simply overlooked by authorities when not prosecuted outright by the police as “public safety disturbances.” Dominant social groups tend to interpret such communal outcries, lamentations,
and organized recourse to justice by these minority communities as negative “intrinsic” cultural traits and behaviors that attest to al-Akhdam community’s innate vulgar nature and non-Arab background. In other words, social responses to structural violence and survival mechanisms launched as recourse from such violence in marginal spaces are used by the dominant discourse as an attestation to the margin’s immorality. Often, when the sense of communal exclusion and experiences of humiliation are particularly harsh, al-Akhdam communities surrender to defeat through dispersion into other similar communities. A child dropping out of school to avoid public violence is a common expression of such resignation.

[Are al-Akhdam directly or indirectly, formally or informally prevented from participation in local decision making? Have they formed any tenants’ unions or similar formations? Have local NGOs or the international charity or development agencies included a component promoting participation?]

- **Education, information, capability and capacity building**

  [It would be appropriate here to explain how inferior educational levels, including illiteracy, impede al-Akhdam’s access to information about physical development and housing options available to them. If social discrimination at the level of civil servants is an obstacle to information and capabilities, that also should be explained here.]

- **Movement, resettlement, restitution, rehabilitation, return, compensation**

  They hold no titles to their residential spaces nor have any right to own property and so they are often raided, evicted and destroyed with no compensation whenever the need for such space arises.

  If expelled, a person loses not only the right to live in one’s birth village but also one’s entire civil status and civil history. In Yemen where state bureaucratic penetration into rural social life is very minimal, an expulsion from one’s birth village not only amounts to the loss of access to one’s birth place but also carries with it the possibility of one becoming a non-existent civil entity whose actuality can not be substantiated.

  [It would be useful to compare the reality with the guidelines recently developed in the UN system on the rights and functions of resettlement, restitution, compensation, etc., including the Pinheiro Principles (2005), the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims (2005) and the IDP Guiding Principles (1998), as well as the Guidelines on Force Evictions in Development and Other Situations that the Special Rapporteur on adequate housing has proffered.]
Security (physical), VAW, privacy

In rural highland Yemen, where local architecture reflects a cultural regard for female modesty through the practice of gender segregation and female seclusion, *al-Akhdam* are forced to live in dwellings where the residents cannot aspire to achieve these cultural values. There dwellings cannot rise above one level nor maintain enclosing fence that would permit family privacy or female seclusion subsequently denying families, and especially female members of *al-Akhdam*, are denied opportunity to acquire these moral codes of modesty and respect to which the larger society aspires. Consequently, families or groups of families are forced to live in communal flat and open dwellings where the open interiors do not permit the maintenance of family privacy. This inability subsequently consigns them, especially the female members, to a state of "accessibility," which instigates "shamelessness" and "immorality," both of which forfeit one's ability to demand respectability and safety from subordination and humiliation. Family privacy is virtually impossible in these arrangements thereby making impossible to strive for the dominant moral codes of sexual segregation and modesty. For women, it means they can not demand safety from the common sexual harassment and abuses. Similarly, failing to show "expected" physical humility - such as crawling or walking backward with head down required to be demonstrated when a member of *al-Akhdam* passes in front of a member of higher social group - is often reprimanded with sever physical punishment and verbal abuses.

Breaching the …prescribed architectural codes, or expected social/physical humility often leads to severe retributions and retaliatory punishments amounting to permanent expulsion from one's birth village or homicide in extreme cases.

Lack of any opportunity outside this prescribed role pushes families to endure further abuses such as rape (including those of children), torture, homicide, and persistent violence, aggression and public humiliation.

Whereas the body of a woman from this minority is not considered “private” or in the local sense ‘aurah, that demands respect and privacy, hence publicly open to all forms of abuses and violations;

physical endangerment through burning of settlement, forced and illegal evictions and displacement)

There are also the everyday brutality of continuum exile, displacement and lack of personal, family and communal security all of which are created through forced evictions, displacement, and destruction of homes, and endangerment through the burning of residential cites.

Living conditions and “protection of the family”
These precarious conditions also force families to be separated in search of subsistence. Men often travel in search of food consequently causing families to disintegrate and women and children to depend on begging and receiving alms. These conditions are recipes for generating cyclical vulnerability of women and children who became further exposed to abuses and violence.

[Are statistics on violent crimes, including domestic violence, available for the Akhdam communities? If not, are statistics available on other segments of society, but lacking for al-Akhdam? In the absence of quantifiable data, are anecdotal testimonies available that give a sense of the scale of the problem? Is religious fundamentalism a phenomenon in the Akhdam slums, like in most other slums in the region?]

- Over-riding principles of implementation

_Self-determination_

[As it seems clear that the Yemeni State does not represent or serve the Akhdam community of Yemeni citizens, is there a way to gauge that representativity or lack thereof? For instance, is it accurate to assert that al-Akhdam have no representation at the local or national level in Yemen? Self-determination of communities is also arguably an element of the inalienable right and over-riding implementation principle of human rights law, although ICERD is not so explicit about self-determination. However, the ICERD preamble makes reference to other instruments enshrining self-determination as a right, including: Charter of the United Nations, Universal Declaration of Human Rights, Declaration on the Granting of Independence to Colonial Countries and Peoples of 14 December 1960 (General Assembly resolution 1514 (XV)), and the United Nations Declaration on the Elimination of All Forms of Racial Discrimination of 20 November 1963 (General Assembly resolution 1904 (XVIII), which makes similar references. Community self-determination (as explained in the HLRN “Toolkit” means the capability to determine the nature and content of local social and physical development, as well as self-representation to parties and forums outside the community.]

_Nondiscrimination_

Dominant social groups, namely tribalist and Sayyids, in Yemen maintain the cultural myth of perceiving themselves as superior castes of ethnically Arab origins (the former as being the first settlers in Yemeni and the latter as the descendents of Prophet Muhammad). On the basis of this claim they maintain moral superiority that must be perpetuated through guarded lineage and kingship systems and genealogies. Social differences are also maintained by refraining from engaging in certain occupational tasks considered to be demeaning, shameful, and polluting. For these reasons, dominant social groups have
historically and collectively castigated *al-Akhdam* and other intermediary social group as their antithetically morally inferior “Others.”

One must then weigh all the above claims to Arab ethnic originality and nobility against the cultural allegation that claims *al-Akhdam* have historically originated from Ethiopia hence are categorically non-Arab. To this extent, they are the only social minority, unlike other minorities (economic, social or religious) in Yemen, who are openly identified as non-Arab. On the basis of these claims and cultural allegations *al-Akhdam* communities in the country are considered not only non-native outsiders but also ethnically non-Arabs who cannot uphold the values and moralities of the larger Arab culture.

In order to legitimate the atrocities against the Muslim yet allegedly non-Arab *al-Akhdam* under the otherwise forbidding Islam, the *al-Akhdam* are charged with an inability to uphold Islamic morality and religious piety. In other words, they are not only allegedly ethnic non-Arab but are also charged of being “fallen” Muslims who have failed to “properly” uphold Islamic moralities and piety.

**Gender equality**

[Does the deprivation in which *al-Akhdam* live affect or exacerbate gender inequality within the *Akhdam* community? How?]

**Rule of law**

In rural Yemen, especially in the tribalist areas, customary laws often collapse into positive laws and the two are often indistinguishable. In this context the traditional authorities of the village headmen (*shaikh al-qariyah* or *al-‘aqil*) embody the law including those involving personal status, *al-ahwal al-shaqsiyyah*. State authorities, when present, rarely supersede those of the traditional village Headman. In most cases and places, these Headmen are representative of the state. In villages where the contemporary state bureaucracies hardly infiltrate the social fabric, and traditional authorities reign supreme, the headman also serves as the village historian and institutional memory. For example, the headman’s [oral]and/or written “testimonies” are crucial in establishing individual and family civil histories and in obtaining birth certificate, the basis for establishing all other subsequent documentation from government officials such as civil identity cards, *bitaqa shakhsiyyah*, driver’s license, and passport.

Legal protection from these cruel “traditions” and sociocultural persecution is unknown where traditional village headmen embody the law and represent the State;

this lack of mention of the reality of *al-Akhdam* in the Constitution attests that *al-Akhdam* are outside the category of citizens or at least not a full citizen. Hence and for example it the general attitude in newspaper coverage as well as local
officials, to constantly juxtapose *al-Akhdam* and the “citizen” as two distinctly different categories of people. There never has been on instance in which such juxtaposition is reprimanded by State officials as incorrect or unlawful. On the contrary, it is taken for granted;

The Constitution in southern Yemen had somewhat larger implications that fostered wider social transformation for many people, including historically marginalized landless groups as well as women from all social groups. Subsequently the rights currently guaranteed by the Constitution do address neither the centuries-old and rampant sociocultural practices of discrimination against *al-Akhdam* minority nor the rights of Jewish religious minority.

While forced evictions are carried out often and systematically through various means including the application of physical force via police units, setting fire on an already vulnerable dwellings of an entire neighborhood have become the State’s preferred mode in the last few years. Vulnerabilities posed by a lack of protective housing also pose extreme susceptibility to the victimization of and violence against women and children through many incidents of rape which often take place in broad daylight. When residents seek protection against the violence meted to them, they are never given any opportunity for legal protection against their culprits

One August afternoon in 2003, Naseem, an eight year old girl, left to play in a street close to her family’s simple makeshift home in the highland city of Ibb, in the Republic of Yemen. She never came back. After several days of search her tiny corpse was found stuffed in a plastic bag in one of the public garbage container dispersed around main cities of the Republic of Yemen. From the injuries of skin wounds and broken bones that were visible on the corpse, it was evident that the child had gone through a hideous torment and inhumane death following torture and sexual abuse.

Despite the obvious criminality suggested by the victim’s mutilated and raped body, the Yemeni police authority immediately dismissed Naseem’s death as a case [un]worth[thy] of criminal investigation once the identity of the child victim was determined as belonging to *al-Akhdam*

By engaging in this form of indirect forced employment, the Yemeni government apparently violates Articles 29, 40 and 41 of the Yemeni Constitution, which guarantee equality and the right to choose dignified work and “to participate freely in the economic life of the country.” Similarly, by denying *al-Akhdam* individuals economic opportunities outside the sanitation occupation, the state also denies *al-Akhdam* the rights stipulated under Article 47, which guarantees all citizens personal freedom, preservation of dignity, and provision of security. The state also unconstitutionally denies *al-Akhdam* security (Article 29) by paying them unfair wages that disproportionately do not allow for a minimum standard of
living or even a modicum of dignity. As the testimonies at the beginning of this paper

[In the case of al-Akhdam, how has the Local Authority Act No. 4 of 2000 succeeded or not to ensure a fair distribution of services, programmes and projects to the widely decentralized administration of social affairs. Does the Yemeni Constitution provide for the human right to adequate housing? What are the legislative guarantees, and are they enforced effectively for al-Akhdam?

Are evictions and demolitions carried out on the pretext of law, with or without court orders? Do punitive evictions/demolitions comply with General Comment No. 7 of CESCR and with the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, particularly in compliance with the principles or necessity and proportionality?

Has the State party undertaken to provide human rights training to law enforcement officials to ensure their compliance with the Convention as agents of the State party, particularly ensuring their obligation to respect (refrain from violation), protect (against third party violations) and fulfil the human right to adequate housing for al-Akhdam?

Has Yemen adopted legislation (i.e., revision of the Penal Code) such that criminally penalizes racial discrimination in order to implement provisions under Article 4 of the Convention?

Do al-Akhdam have equal access to courts in protection of their housing rights?]

International cooperation

imposition of World Bank sponsored structural reforms of liberalization and privatization.

During the annual flood season, entire communities of al-Akhdam are often literally washed away. Yet unlike other disasters, these do not receive any government or international humanitarian attention.

[Is there a source that would assess the consequences of the World Bank structural adjustment and subsequent programs in Yemeni, and with particular focus on the Akhdam community?]

Nonregressivity

[Is it possible to determine whether or not the living conditions of al-Akhdam have declined or improved in the past few years/decades?

Surely evictions and displacement deepen poverty, but there may be other factors (policies) combining to create regressive social, political and material conditions.]
Conclusions and recommendations

We, therefore, call the State party’s attempt to lump the severe marginalization of al-Akhdam ethnic minority with other forms of marginalization an insupportable

a. Lack of access to publicly provided services (education and health);
b. Lack of access to property rights including residential communal residential areas;
c. Lack of access to secure, peaceful, and dignified family and communal life;
d. Severe deprivation of physical liberty;
e. Lack of protection (social and legal) against collective and individual persecution, public and official aggressions, and violence;
f. …
g. Lack of protection (especially children and women) against violence: rape, public beatings, torture, and homicide;
h. Lack of criminalization of crimes perpetrated against this minority; (aggression, violence, and criminal conducts)

- Lack of protection against collective and individual violence perpetrated by the public and the State (homicide, beatings, evictions, destruction of dwellings)
- Lack of access to legal protection and representation in front of the law,
- Lack of State intention to criminalize and persecute violent acts against this minority especially children and women;
- Lack of State intention to change societal attitudes of prejudices against this minority;

Respond to the causes of the many fire “incidents” that destroyed al-Akhdam slums in San`a`, the capital of Yemen.

Housing/Residence Discrimination: In major urban cities and towns such Sana`a, Aden, Ta`iz, Ibb, and Zabid, collectivities from this minority group are not allowed to live with mainstream society. Rather they are forced to exist only as squatters at the outskirts of main neighborhoods and around communal dumpsites or market places where they subsidize their existence through scavenging and recycling societal refuse. Nor would they be allowed (even though they are unable to afford) to rent or buy properties in neighborhoods. Their status as squatters constantly poses them to collective and systematic evictions, often violent in nature, via state agents whenever the larger society has a need for such squatter spaces. If they refuse eviction, violent methods of destroying the dwellings along with whatever material possessions they owned are used to force residents to leave. While the State
party in their report refers to the construction of new housing units for this group, these constructions are abysmal in number and even so are constructed by international organizations namely international NGOs with funding from the European Union; This insignificant change represents a drop in a bucket compared to the magnitude of miseries faced by this minority; the mention of it and the State’s claim of ownership shows that the State has nothing to show; The preponderance of discrimination and persecution is more rampant in rural areas where it has its roots. Yet neither the State party nor any other foreign donor has addressed the issue of persecution and systematic discrimination in the rural areas of Yemen. Subsequently this abysmal urban housing becomes a cosmetic effort. But more importantly, these abysmal housing units still maintain segregationist ideologies hence still maintains this community outside the mainstream society;

Solutions:
If 30% of the investment for slum upgrading could be recovered through small loans and 10% were contributed by residents themselves, about $39.9 billion, or $400 per person, would have to be provided in the form of subsidies over the period 2005–20. (See table.)

<table>
<thead>
<tr>
<th>Costs of Meeting MDG 7, Target 11</th>
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<tbody>
<tr>
<td><strong>Component</strong></td>
</tr>
<tr>
<td>Construction of basic housing</td>
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<tr>
<td>Purchase of land or transfer</td>
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<tr>
<td>Relocation</td>
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<tr>
<td>Provision of networked infrastructure</td>
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<tr>
<td>Provision of bulk infrastructure</td>
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<tr>
<td>Construction of schools and clinics</td>
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<td>Construction of community facilities</td>
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<td>Planning and oversight</td>
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<tr>
<td>Capacity building</td>
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<tr>
<td><strong>Total cost per person</strong></td>
</tr>
<tr>
<td>Number of people (millions)</td>
</tr>
<tr>
<td>Total cost ($ billions)</td>
</tr>
</tbody>
</table>

*Source: Flood (2004), World Bank (2003), FISE (2004).*
## Projected types of funding for upgrading slums, by region, 2005–20

<table>
<thead>
<tr>
<th>Source</th>
<th>Arab states, Turkey, and Iran</th>
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<tbody>
<tr>
<td>Subsidies</td>
<td>3.2</td>
</tr>
<tr>
<td>Loans</td>
<td>1.6</td>
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<tr>
<td>Savings and self-help</td>
<td>0.5</td>
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<tr>
<td><strong>Total cost ($billions)</strong></td>
<td><strong>5.3</strong></td>
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<tr>
<th>Element</th>
<th>Indicator</th>
<th>Footnotes</th>
<th>Data availability/source</th>
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<tbody>
<tr>
<td><strong>Habitability (2)</strong></td>
<td>1. Indicator on sufficient living area (persons per room)</td>
<td>This indicator should ideally also capture privacy aspect for women (i.e. persons per room not enough for security of women in the home).</td>
<td>Quantitative indicator. Data available. Continuously collected from national census (censuses would normally allow disaggregation by gender and age, and sometimes also by ethnicity). Also collected through sample surveys (but hard to disaggregate by ethnic groups). UN-HABITAT collects through MDGs (at city level).</td>
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<td></td>
<td>2. Indicator on durability (percentage living in permanent structures in compliance with building codes and bye-laws)</td>
<td>Indicator to mention compliance with building codes and bye-laws to capture location issues, such as proximity to hazardous sites, as well as dignity/privacy (e.g. for women needing private space; their vulnerability to violence, etc.).</td>
<td>Quantitative indicator. Data available. Can be collected through household surveys and census. UN-HABITAT collecting through Urban Indicators Programme (UI) and MDGs.</td>
</tr>
<tr>
<td><strong>Accessibility to services (2)</strong></td>
<td>3. Proportion of households with access to potable water</td>
<td>Indicator to include specific element on time or distance dimension (to capture gender aspects).</td>
<td>Quantitative indicators. Available and most collected data. UNICEF Multiple Cluster Surveys, DHS UN-HABITAT through UI and MDGs</td>
</tr>
<tr>
<td></td>
<td>4. Proportion of households with access to adequate sanitation</td>
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<td></td>
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<tr>
<td><strong>Affordability of housing</strong></td>
<td>5. Proportion of median monthly household housing expenditure to median household expenditure/ income.</td>
<td>Housing expenditure to include rent and imputed rent. Could be reformulated to percentage of population spending more than an acceptable percentage of their income on housing. Additional sub-indicators to be included on household expenditures on (a) water; (b) sanitation; (c) energy; (d) garbage disposal, and (e) transportation.</td>
<td>Quantitative indicator. Housing surveys, useful for disaggregating data. Censuses do not normally include monetary data (and are unreliable). Income/expenditure surveys a better source.</td>
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<tr>
<td>Element</td>
<td>Indicator</td>
<td>Footnotes</td>
<td>Data availability/source</td>
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<td></td>
<td>It might here be useful to agree on an “upper limit” (e.g. to define “acceptable percentage of income”) Additional (possible) sub-indicator also on women’s access to credit?</td>
<td></td>
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<tr>
<td>Element</td>
<td>Indicator</td>
<td>Footnotes</td>
<td>Data availability/source</td>
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<tr>
<td>Security of tenure</td>
<td>6. Proportion of households with legally enforceable contractual, statutory or other protection</td>
<td>“Other” should be explained.</td>
<td>Quantitative indicator. Data available to some degree. Only possibility through specific housing surveys, samples, etc. Urban data available from local government property taxes.</td>
</tr>
<tr>
<td>Homeless population</td>
<td>7. Homeless persons per 100,000 population, over 5 year period</td>
<td>Include disaggregating by sex, rural/ urban, age and ethnicity. For this particular indicator may also want to disaggregate by mental disability. Sub-indicator on the proportion of homeless persons who receive shelter.</td>
<td>Quantitative indicator. Extremely important, and needs discussion on possibility of collecting. Difficult to find criteria on as this tends to be country specific. Good practice example from India: night time collection of data to better capture homeless.</td>
</tr>
<tr>
<td>Population in slums</td>
<td>8. Proportion of urban population living in slums, over 5 year period</td>
<td>Definition of “slums”, based on 5 criteria as elaborated in UN-HABITAT documentation.</td>
<td>Quantitative indicator. Data available. UN-HABITAT UI and MDG for Goal 7-11 collection.</td>
</tr>
<tr>
<td>Forced evictions</td>
<td>9. Persons subjected to forced eviction per 100,000 population over the past 5 years or over a specified period</td>
<td>Focus group on women, or persons disaggregated by sex, age, and race and ethnicity.</td>
<td>Quantitative data. Data available, especially from NGOs (e.g. COHRE) UN-HABITAT question on forced eviction in slum data collection. Consider UNHCR and OSCE data and other organizations.</td>
</tr>
<tr>
<td>Legal framework (3)</td>
<td>10. Can international norms and standards on rights to adequate housing be invoked in court?</td>
<td>With additional information to ensure a supplement to the simple yes/no answer.</td>
<td>Data should be available. State reports to CESCR. State reports to all human rights bodies. Special Rapporteur reports.</td>
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</table>

1 Forced eviction as defined in General Comment No. 7 paragraphs 3 and 15 (combined).
<table>
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<tr>
<td></td>
<td>[11. Is there a legal entitlement to free or subsidized legal aid in cases of violation of the right to adequate housing?]</td>
<td>Violations such as forced eviction or disconnection from essential services. (Refer to Article 14 of ICCPR) Additional information to be requested to supplement a yes/no answer. Indicator in square brackets – requires testing on availability of data.</td>
<td>Data should be available. Available in legislation, specific questionnaire if not already in reports.</td>
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<td></td>
<td>12. Average time taken to settle disputes related to the right to adequate housing in the courts and tribunals.</td>
<td>To be tested in reality. May require qualitative rather than quantitative response.</td>
<td>Not clear if this is an actual indicator. Ministries of Justice. Questionnaires. Disputes need to be clearly defined (with examples). Information from human rights mechanisms.</td>
</tr>
<tr>
<td>Institutional policy framework (3)</td>
<td>[13. What is the proportion of a target group (e.g. living below poverty line) that receive assistance related to housing?]</td>
<td>Defining what is meant by assistance. Indicator in square brackets – to be reformulated with statisticians and tested.</td>
<td>Data should be available. Administrative information, social surveys, charities. Reports from NGOs and evaluation reports. Questionnaires from governments. Some governments are producing national housing reports where this is stated for target populations (but not all). Those existing can be used as best practice examples and check reliability/quality of data.</td>
</tr>
<tr>
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<tr>
<td>14.</td>
<td>Do individuals have a legal entitlement to access information or consultation about decisions that may violate their right to adequate housing?</td>
<td>Additional information to be requested to supplement a yes/no answer, e.g. what are these entitlements? Could perhaps be merged with indicator 15 below.</td>
<td>Data should be available. Legislation (yes/no answer). Questionnaire, information to housing rights mechanisms. UN-HABITAT indicator used in UI.</td>
</tr>
<tr>
<td>15.</td>
<td>Are there public institutional mechanisms accessible at the local level that provides information and assistance for redress of housing rights?</td>
<td>Additional information to be requested to supplement a yes/no answer, e.g. what are these mechanisms?</td>
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Monitoring Millennium Development Goal No. 7, Target 11:

“A slum is a contiguous settlement where the inhabitants are characterized as having inadequate housing and basic services. A slum is often not recognized and addressed by the public authorities as integral or equal part of the city.”¹² That is insecure residential status (tenure insecurity), inadequate access to safe water, inadequate access to sanitation and other infrastructure, poor structural quality, and overcrowding.

Whereas insecure residential status is a key characteristic of slum dwelling and secure tenure is a Goal indicator (indicator 32), “secure tenure is the right of all individuals and groups to effective protection by the State against unlawful evictions.”¹³

A slum household as “a group of individuals living under the same roof that lack one or more [emphasis in the original] of the (listed) conditions”¹⁴ and a slum community is a “geographical entity where more than half of the households showed a slum characteristic.”¹⁵

The United Nations system initially assigned two indicators for Target 11:

- **Indicator 31**: Proportion of people with secure tenure;
- **Indicator 32**: Proportion of people with access to improved sanitation.

**Indicator**

**Proportion of households with access to improved water supply.**

**Components**

This includes the proportion of households with:

- Direct connection (piped water) to the dwelling or plot
- Access to public stand pipe shared by a maximum of two households
- Access to nonpiped water:
  - bore dug well
  - protected spring
  - rain water collection

The water should be **affordable** and at a **sufficient quantity** that is available **without excessive physical effort and time**. “Not improved” water supply are: unprotected well, unprotected spring, vendor-provided water, bottled water (based on concerns about the quantity of supplied water, not concerns over the water quality), tanker truck-provided water.

**Data sources and methodology**

Access to improved water supply is routinely collected by the national and subnational levels in most countries using censuses and surveys. It is also collected in Multiple Indicators Cluster Surveys (MICS), Demographic and Health Surveys (DHS), living standard measurement surveys and other surveys.

This indicator requires definitions for several elements:

- **Affordable**: water should not take an undue proportion of the household income, i.e. less than 10%;
- **Sufficient quantity**: water should be available at a quantity of at least 20 liters per person per day;
• **Without excessive efforts and time:** obtaining water for the households should not take an undue proportion of the household’s time *(less than one hour a day for the minimum sufficient quantity of at least 20 liters per person per day).*

These definitions should be adapted to the local contexts. Definitions, sources and results should be confirmed via focus groups which can include city planners and city managers, experts in the particular area of water supply, selected key informants in slum and nonslum areas, etc.

**Indicator**

**Proportion of households with access to adequate sanitation facilities.**

**Components**

This includes the proportion of households with:

• a direct private connection (to the dwelling or plot)
  - to the public sewer
  - to septic system (with sufficient capacity)
• a pour flush latrine, private or shared (not public)
• a ventilated improved pit latrine, private or shared (not public)

Pour flush latrines and ventilated improved pit latrines should be connected to nonclogged sewer systems. Inadequate sanitation include service or bucket latrines (where excreta are manually removed), public latrines, latrine with an open pit.

**Data sources and methodology**

Access to sanitation facilities is routinely collected by the national and subnational levels in most countries using censuses and surveys. It is also collected in Multiple Indicators Cluster Surveys (MICS)⁴, Demographic and Health Surveys (DHS), living standard measurement surveys and other surveys.

These indicators require **definitions** for several elements:

• **Shared:** the facilities should be shared by a *maximum of two households*;
• **Sufficient capacity:** the septic system should have a sufficient capacity in order not to be clogged.

These definitions should be adapted to the local contexts.

Definitions, sources and results should be confirmed via focus groups that could include city planners and city managers, experts in the particular area of water supply, selected key informants in slum and nonslum areas, etc.

**Indicator**

**Proportion of individuals which have secure tenure; i.e., that have:**

1. evidence of documentation that can be used as proof of secure tenure status;
2. either *de facto* or perceived protection from forced evictions.
**Component Indicator 1**

Proportion of urban households with documents that can be used as evidence of tenure. This includes households:

- with formal title deeds to both land and residence;
- with formal title deeds to either one of land or residence;
- with enforceable agreements or any document as a proof of a tenure arrangement only;
- with formal rental contracts (tenant households);
- that have customary tenure or irregular occupants, with tax payment documents (property tax, municipality tax, etc.) only;
- with customary tenure or irregular occupants who possess utility bills.

Household is given an enforceable agreement by public authorities in cases where the inhabitants do not have a formal title deed, but are protected against eviction for several reasons. Among such reasons are: i) traditional rights to land, customary practices, or ii) the political clout of the illegal occupants. Land which is traditionally owned, without legal documents is generally a rural phenomenon. However, as a result of urban sprawl embracing rural areas, they are managed by public authorities as “urban” land, subject to modern legislation, which may make residents seem “illegal” when, actually they are not. Through individual or organized negotiations the residents can be given documents which protect them from evictions. Another mode in which occupants can get enforceable agreements from public authorities is through civil society movements. In such cases, even though neighborhoods originate from illegal occupation of land, over the years, they can get “occupancy” rights from local authorities against being evicted.

**Data sources and methodology**

This indicator can be estimated using National Census data on tenure types that are generally the following:

- Member of household **owns** a housing unit
- Member of household **rents** all or part of housing unit
- Member of household rents all or part of housing unit as a **main tenant**
- Member of household rents all or part of housing unit as a **subtenant**
- **Other** arrangements.

Data obtained from the census can be used as a base for estimations.

**Other sources** should also be used such as special housing and land studies, studies on homeless and squatters, etc. An expert group should be formed, including city planners and city managers, selected key informants in slum and nonslum areas, land and housing market specialists, tenure experts, etc., in order to estimate whether the number of households falling in the above census categories can be acknowledged as having or not having sufficient documents in order to qualify to security of tenure. The expert group should first set up the criteria for the local definition of security of tenure, bearing in mind the general definition; i.e., **Secure Tenure is the right of all individuals and groups to effective protection by the State against forced evictions**. All local tenure categories that do not protect effectively against forced eviction should be considered as non secure. Experts should assess which proportion of the reported owners and tenants are likely to have a formal rental agreement or
other evidence of tenure that prevent them from being evicted. Specific data obtained on homeless or pavement dwellers should be added to the number of secure households which do not have secure tenure.

**Component Indicator 2**

**Evictions**: Proportion of men and women who are evicted from their residence in the past ten years.

**Data sources and methodology**

An estimate on the number of persons evicted in the last 10 years provides an indication on the magnitude of the problem. However, it does not indicate the number of persons who lack secure tenure. This information might not be available as official information. It is usually collected through specific studies on the subject. Non-governmental organizations dealing with housing rights issues, including consumer associations, may produce estimates on the number of evicted persons per year.

**Component Indicator 3**

**Perception** of security of tenure: Proportion of household heads who believe that they will not be evicted from their present residence within the next five years.

**Data sources and methodology**

Data for this indicator can be obtained through households surveys asking several questions about the perception that individuals have about their own tenure security.

Household survey questions may include:

- If there is a political change (country/city) do you think your documents proving secure tenure status will still be protecting you from eviction? Yes/ No
- Do you think that there is a possibility that you could be evicted from this dwelling without due legal process? Yes/ No
- If yes, by whom? By my spouse / By other family members / By the public authorities / By my landlord.

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• If yes, by whom? By my spouse / By other family members / By the public authorities / By my landlord.

Indicator

Proportion of households with three persons or more per room.

Data sources and methodology

This indicator can be estimated using National Census data on the number of persons per room. A room is defined as a space in a housing unit or other living quarters enclosed by walls reaching the floor to the ceiling or roof covering, or to a height of at least two meters, of an area large enough to hold a bed for an adult, that is at least four square meters. The total number of types of rooms therefore includes bedrooms, dining rooms, living rooms, studies, habitable attics, servants room, kitchen and other separate spaces intended for dwelling purposes7.

Sufficient living area

Endnotes

1 “War against Akhdam at Bab al-Yemen,” Yemen Times (November 2001).
6 Basic principles and guidelines on the right to a remedy and reparation for victims of gross violations of international human rights law and serious violations of international humanitarian law,” as developed with the contributions of Special Rapporteurs Theo van Bowen and Cherif Bassiouni: UN Commission on Human Rights resolutions 2005/35 (19 April 2005).
8 See “Basic principles and guidelines on development-based evictions and displacement.” In Report of the Special Rapporteur Miloon Kothari on adequate housing as a component of the right to an adequate standard of living, and on the right to nondiscrimination in this context, E/CN.4/2006/41 (14 March 2006).
10 Oxfam, op cit.
11 Joe Flood, “Cost Estimate for Millennium Development Goal 7, Target 11 on Slums.” Background report for UN Millennium Project Task Force on Improving the Lives of Slum Dwellers and UN-HABITAT. (Elsternwick, Australia: Urban Resources,, 2004); World Bank, “Costing the MDG of Universal Primary Completion,” Barbara Bruns, Alain Mingat, and Ramahatra

12 UN-HABITAT and Global Urban Observatory 2003, p. 6.
15 UN-HABITAT 2004. p. 3.