

Human Rights Council, 47<sup>th</sup> session  
22 June 2021

### **Item 3 – Interactive Dialogue: SR on adequate housing**

Statement by the European Region of the International Lesbian and Gay Federation  
Co-sponsored by International Lesbian and Gay Association

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Madam President,

We welcome the thematic report of the Special Rapporteur on adequate housing, and we especially commend his inclusion of discrimination in housing among the priorities that will guide his future work.

The mandate has been instrumental in recognising and protecting the right to housing of lesbian, gay, bisexual, trans and intersex (LGBTI) persons. Since 2011, the mandate has addressed problems faced by LGBTI people in accessing housing, in 8 thematic and 7 country visit reports. The mandate has been consistently recognising that LGBTI people in general, and their specific groups such as young people, suffer housing disadvantages, and calling on states to address these problems and ensure LGBTI participation in the development of housing strategies. We encourage the new Special Rapporteur to continue addressing housing discrimination from the intersectional perspective.

LGBTI persons around the globe face discrimination in accessing housing, and the COVID-19 pandemic has deteriorated this situation. ILGA-Europe's Annual review on LGBTI human rights in Europe and Central Asia in 2020, provided multiple examples<sup>1</sup>. A study in Albania found that one in four LGBTI respondents struggled to pay rent during the pandemic, with many having to move back to their families and suffering from increased violence. In Armenia, three cases of trans people evicted due to their gender identity have been documented. In Denmark, homeless organisations reported a drastic increase in homelessness among LGBTI youth. Strict quarantine restrictions had a dramatic impact on LGBTI people, particularly trans sex workers many of whom could not pay their rent and had to leave their homes.

At the same time, several housing initiatives aimed at LGBTI populations, have been launched in 2020 in Germany, Greece, Kosovo, Malta, Portugal and Switzerland. We ask the Special Rapporteur and all states to use this as a good practice example and to provide support to civil society groups helping to ensure access to housing for LGBTI persons.

We also welcome the Special Rapporteur's report following the country visit to Aotearoa/New Zealand.

During the COVID-19 lockdown, many people worked for reduced wages or were made redundant. The crisis has had a disproportionate effect on those who were already living on or below the poverty line, with insecure housing and work. Certain industries, such as tourism and hospitality, are likely to

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<sup>1</sup> ILGA Europe, *Annual review of the human rights situation of lesbian, gay, bisexual, trans and intersex people in Europe and Central Asia, 2021*, <https://rainbow-europe.org/sites/default/files/annual-report/Annual-Review-Full-2021.pdf>.

take longer to recover and there is a real risk of prolonged unemployment within regions, and among LGBT+ communities.

According to data obtained through a homelessness count in Auckland in 2018, LGBTQI+ persons were disproportionately represented among individuals living in situations of homelessness.

It should be noted that New Zealand has, through section 21 of the Human Rights Act of 1993, comprehensive non-discrimination legislation that prohibits discrimination by public and private actors on the grounds of sexual orientation, among others. Section 53 of the Act explicitly prohibits discrimination in the areas of land, housing and accommodation. For example, a property owner cannot turn down a potential tenant because of their sexual orientation.

We recommend the government of Aotearoa/New Zealand to improve the monitoring and implementation of housing policies by establishing independent accountability and monitoring mechanisms and by regularly publishing disaggregated data. We also recommend to expand the grounds of discrimination not just to sexual orientation, but to include gender identity, gender expression and sex characteristics.

I thank you, Madam President.