

CENTRE ON
HOUSING RIGHTS
AND EVICTIONS



Centre on Housing Rights and Evictions
83 Rue de Montbrillant, Geneva, 1202,
Switzerland
Phone: (41-22) 734-1028;
Fax: (41-22) 733-1126
E-mail: cohre@cohre.org
<http://cohre.org>

Oral Statement: Argentina Universal Periodic Review
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COHRE welcomes the attention to indigenous persons, women, children and other members of vulnerable groups in the Universal Periodic Review of Argentina. We particularly welcome recommendations concerning indigenous rights to land. COHRE is nevertheless concerned that the Argentine government's approach to economic, social and cultural rights, as indicated during this process, has to a considerable extent lacked sufficient focus.

There is no reference in the State Report to the realisation of particular standards as they are defined in international human rights law, most notably the International Covenant on Economic, Social and Cultural Rights, which specifically guarantees to all an adequate standard of living and the continuous improvement of living conditions.

Unfortunately, the situation in Argentina has been that the lack of security of tenure and the continuing increase in forced evictions has not been adequately addressed. COHRE is first of all concerned that the number of forced evictions has increased substantially in the last two years. Argentina does not have a policy to prevent forced evictions and does not ensure adequate protection for those who lose their houses. According to our field researchers in Argentina, circa 30% of the population currently lack adequate security of tenure.

COHRE is also concerned that regularization and urbanization programs in informal settlements are carried out on a discretionary basis and with uncertain results. Additionally there are no judicial or administrative remedies effective for inhabitants of informal settlements to enforce their housing rights. Currently existing legal remedies

depend on complex and long-lasting procedures, which are not adequate to the urban reality and are not accessible for poor people.

One example of the general to apply international human rights law standards in the field of housing in Argentina concerns the threat of eviction of Villa 31 and 31bis in Buenos Aires, the oldest slum in the city and one that is located in a real estate hotspot. There have been no efforts to give title to the occupants. Recently the City Major announced a proposal to carry out a plebiscite to decide whether the Buenos Aires slums should be regularized or removed; we find this consultation of basic human rights alarming.

COHRE urges Argentine authorities to transpose into the domestic legal order UN standards concerning housing rights and protection against forced evictions (General Comments No. 4 and 7 of the CESCR). The legislature should adopt clear provisions against forced evictions, ensuring due process for those affected and protecting the right to housing as a fundamental human right.

Moreover, the State must protect tenure and establish administrative and judicial regularization procedures which are efficient and non-discriminatory. The public authority must offer multiple legal mechanisms focused on urban slum regularization.

Thank you Mr. President.