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VOLUNTARY BONDS: THE IMPACT OF HABITAT II ON U.S. HOUSING POLICY

JANET ELLEN STEARNS*

Here in Istanbul, independent, sovereign nations have come together in pursuit of a common goal: a world in which all people have access to decent and affordable housing; a world with neighborhoods that are free of street crime and assaults on personal safety; a world in which all people have access to the educational opportunities necessary to compete in rapidly changing job markets, and a world in which all people have an opportunity to live in healthy surroundings with clear air, safe drinking water, green public spaces, and efficient and accessible transportation systems.... Despite the many challenges that we face, the international community is moving towards a shared sense of participation whose bonds, though voluntary, will hold us together in the face of those forces that would otherwise divide us.1

I. INTRODUCTION

In today's world, many people live without affordable, decent housing. Consider, for example, Sam Brown, who was recently highlighted on CNN as paying more than two-thirds of his monthly income to keep his family in a twelve foot by twelve foot room with one bed and no kitchen.2 Housing officials estimate that five million working families (nationally) are facing similar housing problems, and some of these families, not so fortunate as Sam Brown, are homeless. A recent telephone study revealed that 12 million Americans had been homeless at some point in their lives.3

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2. CNN Morning News: Many Veterans Are Homeless (CNN television broadcast, Nov. 11, 1996).
These numbers become staggering when considered worldwide. According to the United Nations, 100 million human beings, mostly women and children, are homeless, and of these, some 50,000 die daily as a result of poor shelter, water or sanitation. Moreover, at least 600 million people live in shelters that are life or health threatening.4

The compelling dimensions of these international trends prompted 20,000 people to gather in Istanbul, Turkey in June of 1996 at the Second United Nations Conference on Human Settlements, commonly known as Habitat II.5 Habitat II was a significant event that focused world attention on housing and urban development issues. Although it had its successes and failures, as I will discuss below, Habitat II does represent the most substantial recent attempt to confront and present solutions that will continue to live into the twenty-first century.

Habitat II also presents an opportunity to reconsider the relationship between the United States government and the United Nations. This topic is not a new one. However, it is quite timely given the events of recent months. President Clinton has been elected to a second term in office and appears committed to focusing increased attention on international affairs. Madeline Albright, the former U.S. Ambassador to the United Nations, has been sworn in as the first woman to serve as Secretary of State and seems poised to play a strong role in the administration's second term. Finally, the United Nations has a new Secretary-General in Kofi Annan of Ghana—elected in large part due to pressure by the U.S. government to reform the U.N. bureaucracy. This state of flux creates a tremendously important moment to reflect on the impact of U.S. policy on international institutions, as well as the impact of international institutions on U.S. policy.

This paper will provide some background to the Habitat II conference and then discuss in greater detail the policy documents generated. After assessing the strengths and weaknesses of this international meeting, I will focus on the impact of Habitat II on U.S. housing policy.

II. THE ROAD TO HABITAT II

Twenty years ago, the United Nations convened the first Conference on Human Settlements in Vancouver, Canada ("Habitat I"). The conference produced the Vancouver Declaration on Human Settlements and Plan of Action ("Vancouver Declaration"), which included general principles, guidelines for action, and sixty-four recommendations.6 This declaration, as one recent critic

5. See infra note 10.
noted, was "a statement of grandiose demands, almost none of which were fulfilled.\textsuperscript{7} However, the \textit{Vancouver Declaration} included several specific and important references to housing rights, including the following:

Adequate shelter and services are a basic human right which places an obligation on governments to ensure their attainment by all people, beginning with direct assistance to the least advantaged through guided programmes of self-help and community action. Governments should endeavor to remove all impediments hindering attainment of these goals. Of special importance is the elimination of social and racial segregation, \textit{inter alia}, through the creation of better balanced communities, which blend different social groups, occupations, housing and amenities.\textsuperscript{8}

In addition, Habitat I was the genesis of the U.N. Centre on Human Settlements based in Nairobi ("Centre"), and the fifty-eight member U.N. Commission on Human Settlements ("Commission"). However, neither the Centre nor the Commission focused on housing rights during the first seventeen years of its existence, and were in fact most noteworthy for their "failure to undertake any program of relevance."\textsuperscript{9} Only in the past three years, with changes in administration and the events leading up to Habitat II, has the Commission become more active.

In 1992, the U.N. announced that Habitat II would be held in 1996 as the last in a series of major international conferences to be held during this decade.\textsuperscript{10} The conference was convened to undertake the following:

(a) In the long term, to arrest the deterioration of global human settlements conditions and ultimately create the conditions for achieving improvements in the living environment of all people on a sustainable basis, with special attention to the needs and contributions of women and vulnerable social groups


\textsuperscript{8} SCOTT LECKIE, \textit{TOWARDS AN INTERNATIONAL CONVENTION ON HOUSING RIGHTS: OPTIONS AT HABITAT II} (American Society of International Law Issue Paper on World Conferences No.4, 1994).

\textsuperscript{9} Leckie, \textit{supra} note 8, at 9.

whose quality of life and participation in development have been hampered by exclusion and inequality, affecting the poor in general;

(b) To adopt a general statement of principles and commitments and formulate a related global plan of action capable of guiding national and international efforts through the first two decades of the next century.\(^{11}\)

Then, in a meeting of the Commission in 1993, two central themes for Habitat II were selected: (a) sustainable human settlements in an urbanizing world; and (b) adequate shelter for all.\(^{12}\) An international preparatory committee was formed to set the agenda for the meeting and write a draft document. This committee met four times between 1993 and 1996.\(^{13}\) Wally N'Dow, Assistant Secretary-General of the U.N. from Gambia and current head of the United Nations Centre, served as chair of the Habitat II Conference. In 1994, the U.N. Sub-commission on Prevention of Discrimination and Protection of Minorities received a very strongly worded draft of an international convention on housing rights, written by Mr. Rajinder Sachar of India, the U.N. Special Rapporteur on Housing Rights.\(^{14}\) These and other drafts were debated by the international preparatory committee.

In anticipation of Habitat II, many activities took place within the United States, and in countries all over the world. Organizers requested that each country provide a national report, and encouraged them to involve broad constituencies in the process.\(^{15}\) On April 12, 1995, the first of five meetings of the U.S. Preparatory Committee for Habitat II was held. Secretary Henry Cisneros, as chair of the U.S. delegation, convened this sixty-four person working group for three purposes: (1) to provide input on the U.S. National Report, which was completed in May, 1996 and called *Beyond Shelter: Building Communities of Opportunity*;\(^{16}\) (2) to identify "best practices"—examples

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\(^{12}\) U.N. Commission on Human Settlements Res. 14/20, 14th Sess., U.N. Doc. HS/C/14/20 (1993); *Habitat Agenda*, at ch. I, pmbl. (1996) <http://www.undp.org/un/habitat/agenda/ch-1.html>. Although both goals are equally important within this context, this paper will focus significantly on the right to housing.

\(^{13}\) March 3-5, 1993 (New York); April 11-22, 1994 (Geneva); April 24-May 5, 1995 (Nairobi); and February 5-16, 1996 (New York).


of developments utilizing the principles of sustainable development highlighted by Habitat; and (3) to raise public awareness about Habitat II. The national report, in about forty-five pages, sets out a broad analysis of the shifting demographics in the United States, four principles for future development, and some highlights of cities and community based developments that have been successful.18

The planners of Habitat II placed a special focus on the involvement of constituencies other than just national governments. Private businesses, non-governmental organizations, community based organizations (NGOs), and local government officials were all encouraged to attend. The U.S. Network for Habitat II was created as a coalition of NGOs to encourage grassroots input into the national planning process and the international meeting. Six issues forums and twelve regional meetings were held for local authorities, businessmen, and community members to discuss the Habitat agenda and resulted in a separate statement entitled A Call for a Just and Sustainable United States.19

The actual conference, held June 3-14, 1996, in Istanbul, Turkey included representatives of 171 countries, and approximately 16,400 people.20 Over 300 statements were delivered in plenary sessions by government ministers, heads of state, NGOs, local authorities, and U.N. agencies. In addition, two committees were created, one to finalize negotiations on the written reports of the conference, and the other to hear reports from conference partners, including the World Business Forum, Foundations Forum, Academies of Science and Engineering Forum, Professionals and Researchers Forum, Parliamentarians Forum, Labor Unions Forum, and representatives of the World Assembly of Cities and Local Authorities.21 National reports were submitted by 124 countries, of which 100 included five-year national plans of action.22

The U.S. sent an official delegation of forty-two people, including mayors, business people, governmental representatives, and community leaders. The

BEYOND SHELTER]. These four principles were: (1) promoting locally crafted solutions; (2) tapping into a new economic frontier; (3) developing a regional approach; and (4) sustaining the urban environment.

17. The "best practices" initiative was an international effort; best practices were catalogued, and are available for review at <http://www.bestpractices.org/>.

18. See supra note 16.


The conference issued two related written documents: 1) the *Istanbul Declaration on Human Settlement*, comprised of fifteen paragraphs highlighting the major themes of the meeting; and 2) the *Habitat Agenda*, an eighty-five page document outlining goals, principles, and commitments, as well as a detailed global plan of action. The U.N. Secretary-General then issued an implementation report in September of 1996.

### III. HABITAT II: THE SUCCESS STORY

"The Habitat II Conference on Human Settlements succeeded in all of its major goals of putting the problems of human settlements at the center of local, national and international agenda and sharing solutions aimed at improving life in human settlements," declared Secretary General Wally N'Dow in a press release. Though N'Dow may have overstated his case, Habitat II did in fact make some important contributions towards the future of housing and urban development. The convening of the meeting generated important activity that will be important for future housing development. Further, the policy statements adopted at Habitat, and the mechanisms for ongoing cooperation are significant accomplishments that should have lasting impact.

#### A. The Value of Meeting

Habitat II successfully convened leaders from 171 nations to focus on issues of housing and urban development. Many heads of state, if not high level representatives, participated in the meetings. Over the course of two weeks, in plenary sessions, panels and caucuses, people focused on the two target issues: the right to housing and the means of creating sustainable development. This resulted in a four-part agenda agreed to by consensus of all the participating nations.

The very existence of the conference created a focus and debate on these important issues. Habitat II, like the other U.N.—sponsored conferences that preceded it, attracted international press and attention. Raising awareness was one of the major objectives of the conference, and in this regard it was a

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27. HUD Assistant Secretary Michael Stegman, Remarks to Preparatory Committee, Apr. 12, 1995.
great success. This international press attention undoubtedly also contributed
to local press attention. Some of the concrete results of this meeting included
the Vatican's public commitment for contributions to nonprofit organizations
working in Chile, Ecuador, Columbia and Rwanda.\footnote{28}

Habitat II also resulted in unprecedented collaboration among community
sectors. According to United Nations Secretary-General Boutros Boutros-Ghali, "Habitat is the first United Nations conference to have given, as part of
its official machinery, a platform to representatives of civil society."\footnote{29} The
Secretary-General later declared this collaboration to be one of the "main innova-
tions" of the Istanbul meeting.\footnote{30} Committee II, which was charged with fo-
cusing on these partnerships, held fourteen meetings, during which testimony
was given by representatives of the World Assembly of City and Local
Authorities, the World Business Forum, the Foundations Forum, the Labor
Unions Forum, the Academy of Science and Engineering, NGOs and commu-
nity-based groups, and the United Nations System.\footnote{31}

The preparatory process was also beneficial in encouraging dialogue
among countries and sectors within countries prior to the conference. As dis-
cussed earlier, in the United States and other participating countries, prepara-
tory committees for Habitat II were meeting for over a year in advance of the
Istanbul meeting. This process involved business leaders, community activists,
governmental officials, and academics discussing housing and urban develop-
ment in their respective countries. The process also included community-
based meetings where citizens were able to contribute to the dialogue on de-
velopment policies—locally, nationally and internationally. In the United
States, these meetings continued even after Istanbul.\footnote{32}

Another contribution of the Habitat II conference was the extensive com-
munication taking place between parties via the electronic highway. The
United Nations placed all key organizing documents, minutes of preparatory
committee meetings, and other information relevant to participants and observ-
ers of Habitat II on an interactive web page.\footnote{33} Further, about fifty web pages
were created for coalitions participating in the meeting, including groups from
Finland, Australia, South Africa, Sweden, Brazil and Italy—many of which
provided documents translated into languages other than English.\footnote{34} A discus-

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\textit{Habitat II Described as a Remarkable Process at Second Day of High-Level Segment},
\footnote{28}}

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\textit{Report of the Secretary General, supra note 22, at ¶ 2c.}
\footnotesize
\textit{United Nations Doc. A/CONF.165/14.}
\end{flushleft}
sion group focusing on Habitat II was also created. This information continues to make this U.N. meeting readily accessible to interested parties, even those who were unable to attend the Istanbul meeting. All of this activity has helped interested parties to network and share information which will doubtless contribute to the benefit of housing and urban developments internationally.

In all of these ways, the meeting itself contributed to ongoing attention and dialogue of critical issues relating to housing and urban development policy.

B. Istanbul Declaration, Agenda and Global Plan of Action

Although not legally enforceable, the Habitat Agenda, consisting of three integral parts, Declaration, Commitments and Global Plan of Action (GPA), does contain some strongly worded commitments to support housing rights and sustainable development. These documents jointly comprise the product of the meeting, but I will discuss them separately.

1. Declaration

Significantly, the Declaration commences by endorsing "the universal goals of ensuring adequate shelter for all and making human settlements safer, healthier and more livable, equitable, sustainable, and productive." It continues:

1. We affirm our commitment to the full and progressive realization of the right to adequate housing as provided for in international instruments. To that end, we shall seek the active participation of our public, private and non-governmental partners at all levels to ensure legal security of tenure, protection from discrimination and equal access to affordable, adequate housing for all persons and their families.

We shall work to expand the supply of affordable housing by enabling markets to perform efficiently and in a socially and environmentally responsible manner, enhancing access to land and credit and assisting those who are unable to participate in housing markets.

As a policy statement, this Declaration strives to support housing rights, at least symbolically, in spite of the unwillingness of some participating nations to address the specific means of fulfilling these rights. While far weaker than what U.N. Special Rapporteur Sachar and other housing advocates would have


recommended, this section does succeed in unifying countries around the world in symbolic support of the right to housing.

2. Commitments

The Commitments set forth a series of more specific goals, principles, and commitments to guide future activities. One set of commitments is dedicated to "adequate shelter for all." Following a general statement of introduction, the Commitments contain fourteen basic objectives, which primarily fall into the following categories.38

**Legal**—The legal objectives included providing legal security of tenure and equal access to land to all people, including women and those living in poverty; ensuring comprehensive systems in transferring land rights and legal security of tenure; eradicating and ensuring legal protection from discrimination in access to shelter and basic services; protecting the legal rights of indigenous people to land and other natural resources; and protecting all people from and providing legal protection and redress for forced evictions that are contrary to law, and when evictions are unavoidable, ensuring that alternative suitable solutions are provided.

**Financial**—The financial objectives included ensuring consistence and coordination of macroeconomic and shelter policies and strategies as a social priority; and promoting non-discriminatory access to housing finance for all people, including mobilizing innovative financial resources.

**Housing Development**—The housing development objectives included promoting access for all people to safe drinking water, sanitation and other basic services; promoting locally available, appropriate, affordable, safe, efficient and environmentally sound construction methods and technologies; designing and implementing standards that provide accessibility to persons with disabilities; increasing the supply of affordable housing including home ownership and the supply of rental, communal, and cooperative forms of housing; and promoting the upgrading of the existing housing stock through renovation.

**Social**—The social objectives included helping the family to recognize its important role, and encouraging social and economic policies that are designed to meet the housing needs of families; and promoting shelter and basic services for education and health for the homeless, displaced, indigenous people, survivors of family violence, disabled, older persons, victims of natural and man-made disasters and people belonging to vulnerable and disadvantaged groups.

These Commitments appear to commit participating nations to respecting, promoting, and protecting significant housing rights.

38. Commitments, supra note 35, ¶¶ 39-41. Paragraph 41 pertains to international support to refugees in identifying a just, durable solution. The objectives have been placed into these categories by the author.
3. **Global Plan of Action**

The *GPA* is intended to set forth more specific strategies for implementing the goals of the *Declaration* and the *Commitments*. According to its introduction, the *GPA* is based upon "enablement" of the private sector, NGOs and community groups to fully contribute to the achievement of adequate shelter for all. The *GPA* focuses on three specific areas: shelter policies, shelter delivery systems, and vulnerable groups and people with special needs.

Within Shelter Policies, the *GPA* advocates decentralizing policies to the subnational and local level wherever possible, integration with macro-economic, social, demographic, environmental, and cultural policies, and promoting "enablement" by encouraging broad-based participatory strategies at all levels of policy making. The fundamental principle of shelter delivery systems is a market-based approach, and urges governments to ensure market efficiency through a variety of specific means; further, the *GPA* endorses facility community-based production of housing, ensuring access to land, mobilizing sources of finance, ensuring access to basic infrastructure and services, and improving planning, design, construction, maintenance and rehabilitation of shelters. The final section, addressing vulnerable/special needs populations, is vague in its approach, but seems to encourage collaboration with private and nonprofit sectors to provide housing for people with disabilities, older persons, and women subjected to violence; further, this section asked governments to "consider" becoming parties to United Nations agreements protecting to refugees, women, children, migrant workers and persons with disabilities.

Moreover, the *GPA* also makes some more specific commitments. The most important of these involves the ongoing financing of housing development efforts. The *GPA* recommends raising the priority of adequate shelter for all and sustainable development for all among multilateral and bilateral donors. Most significantly, the *GPA* calls for all countries to:

strive to fulfill the agreed target of 0.7 per cent of the gross national product

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39. *GPA*, supra note 35, ¶ 58. Note that the *GPA* includes substantive sections on *Adequate Shelter for All, Sustainable Human Settlements Development in an Urbanizing World, and Capacity-Building and Institutional Development*. It is beyond the scope of this paper to analyze the latter two.


41. *GPA*, supra note 35, ¶ 68.

42. *GPA*, supra note 35, ¶¶ 71-92. Each of these sections includes some more specific proposals for implementing these strategies.

of the developed countries for official development assistance as soon as possible and to increase, as necessary, the share of funding for adequate shelter and human settlements development programmes commensurate with the scope and scale of activities required to achieve the objectives and goals of the Habitat Agenda.\textsuperscript{44}

The GPA goes on to recommend that existing international agreements calling for the redistribution of .15% of the gross national product of the developed countries to the least developed countries "as soon as possible" and to increase the share of funding to support the activities envisioned by the Habitat Agenda.\textsuperscript{45} Thus, the participating nations do agree to the concept of an international redistribution of resources to ensure that the world's citizens are appropriately housed. They also call for some readjustment of domestic funding priorities, such as "recognizing the negative effects of excessive military expenditures and trade in arms" and "agreeing on a mutual commitment between interested developed and developing country partners to allocate, on average, 20 percent of official development assistance and 20 percent of the national budget, respectively, to basic social programmes."\textsuperscript{46}

Technology transfer and technical cooperation are other important areas for international action. The most specific of these proposals is to disseminate "best practices" on sustainable human settlements in rural and urban areas, and to explore means for conducting "electronic conferences" for updating these best practices. The Centre is charged with acting as a "catalyst" for this technical cooperation.\textsuperscript{47}

Finally, the GPA calls for implementation and follow up of the Habitat Agenda. Governments are charged with implementation at the national level as "enabling partners" with other important sectors; internationally, all states, together with the United Nations, and more specifically the Commission on Human Settlements are responsible for implementation. The Centre is delegated fifteen specific responsibilities, which include monitoring the provision of adequate shelter for all; facilitating the global exchange of information, promoting collaboration among local authorities, the private sector, and NGOs; maintaining a directory of consultants and advisers to assist developing countries and economies in transition; and generally serving as the focal point for the implementation of the Habitat Agenda.\textsuperscript{48}

IV. HABITAT II: FALLING SHORT OF THE VISION

In spite of its accomplishments, Habitat II was truly a missed opportunity

\textsuperscript{44} GPA, supra note 35, \S 204(b). See also Commitments, supra note 35, \S 50(a).
\textsuperscript{45} GPA, supra note 35, \S 204(c).
\textsuperscript{46} GPA, supra note 35, \S 204(dd).
\textsuperscript{47} GPA, supra note 35, \S 207.
\textsuperscript{48} GPA, supra note 36, \S 228.
to create a legally enforceable international right to housing. This section will analyze the most significant of these shortcomings.

A. Definition of Housing Rights

The content of the Habitat documents could have taken many directions in addressing housing issues. For example, the right to housing in fact can be seen as including four governmental "layers of obligations"—the duty to respect, to protect, to promote and to fulfill.\(^4\)

*Respect:* The state must refrain from sponsoring or tolerating any practice, policy or legal measure which violates the individual's right to use available resources for housing.\(^5\)

*Promote:* The state must take steps to ensure that no governmental actions deliberately erode housing rights, including repealing or altering legislation or policies, and reconciling conflicting policies.

*Protect:* The state must prevent violations of individual housing rights by other individuals or nonstate actors, such as abuse by landlords, property owners, or developers, and create legal remedies for any abuses that do occur.

*Fulfill:* The most aggressive of these rights, requires states to make budgetary allocations and regulate the housing market to guarantee housing for those persons that cannot obtain it through personal efforts.

The distinction between these different types of rights must be kept in mind when considering to what extent Habitat II addressed housing rights. The *Istanbul Declaration,* as will be discussed below, certainly did set policy goals on some aspects of housing rights, but did not require governmental participants to *fulfill* housing expectations of its citizens.

In addition, housing advocates may have differed in their visions of an appropriate role for the government in providing solutions. For example, Wally N'Dow, when asked about the "key strength" of the *Habitat Agenda,* stated that it moved away from the concept of "government as provider" to "government as enabler."\(^5\) Other conference organizers may have wished for a stronger statement of governmental responsibility, but realized that such a platform was divisive among conference participants.

Nevertheless, many models existed for the type of policy statement

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49. Leckie, *supra* note 8, at 21, citing to a synthesis of the jurisprudence of the Committee on Economic, Social and Cultural Rights, the European Commission, and Court on Human Rights, the European Committee of Independent Experts, and the contents of U.N. resolutions and legal texts addressing housing rights issues.

50. Leckie, *supra* note 8, at 22. This right includes advocating or condoning forced or arbitrary eviction of persons from their homes, a major issue for some countries subject to large populations of refugees.

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adopted. Within the United Nations, other models were circulating prior to the Habitat meeting, one of the strongest being the Sachar draft promulgated by the United Nations Sub-commission on Prevention of Discrimination and Protection of Minorities in 1994.\textsuperscript{52} This draft, which is very assertive of housing rights, begins: "Whereas the non-fulfillment of housing rights is a widespread and growing phenomenon and that no single country can claim to have satisfied in full their existing legal obligations arising out of the right to adequate housing..."\textsuperscript{53}

Sachar then proceeds to assert that homeless individuals have an enforceable right to the immediate provision of adequate, self-contained and appropriate housing space, and have an automatic right to appeal the refusal to provide such housing space.\textsuperscript{54} With respect to accessibility, the report asserts that all people have a right to obtain subsidies to ensure that any necessary housing modifications are made, including for the mentally and physically disabled, elderly, terminally ill, HIV-positive individuals, and persons with persistent medical problems. Housing finance and credit must be available on equitable terms to owner-occupiers and tenants, and should not benefit persons with mortgages.

Finally, Sachar would require governments to take legislative action, develop monitoring systems, and actively ensure the "full realization of the housing rights of everyone,"\textsuperscript{55} including housing affordability, adequacy, infrastructure and services.

Such a zealously worded statement of policy had little chance of adoption at the Habitat II meeting by member nations. Although not evidenced in official minutes of the preparatory committee meetings, this draft must have lead to some significant debate among conference planners on the direction of any policy statement. The Sachar draft thus provided an interesting counterpoint to the Habitat Agenda adopted.

The GPA fails to make any commitment to fulfill housing rights. Although many aspects of the Declaration and Agenda refer to the responsibility to protect and promote, and implicitly to respect housing rights, no clear obligation is set forth to guarantee access to every individual to safe and affordable housing, and to expend public funds in the event that this guarantee is not met. A right of fulfillment would create an entitlement on behalf of citizens poorly housed, who then would have the right to seek legal redress from the government that was denying that entitlement.\textsuperscript{56}

\textsuperscript{52} Sachar Draft, supra note 14, at 3, 27-35.
\textsuperscript{53} Id. at 28.
\textsuperscript{54} Id. at 29. This draft specifically notes that emergency shelters, hotels and bed and breakfast accommodations are insufficient to comply with this requirement.
\textsuperscript{55} Id. at 32-33.
\textsuperscript{56} Carlos Manuel Vasquez, Treaty-Based Rights and Remedies of Individuals, 92 Colum.

Few world leaders were willing to directly confront this controversy during the conference's plenary session. Archbishop Renato R. Martino, Head of the Holy See Delegation, did make reference to the Vatican's belief that "adequate shelter and housing are a right of each and every person" and that such rights are derived from preexisting international instruments, as well as "a spiritual, moral and ethical vision which is based in a recognition of human dignity." The Minister of Social Affairs and Health for Finland, Mrs. Sinikka Monkare, noted that her country adopted a constitutional amendment on fundamental rights in 1995 which explicitly recognized a right to housing. She argues that such a legally recognized right to housing is not incompatible with the "enabling" role of government, and that an "explicit and strong commitment to this human right should be included in the Habitat Agenda." The strongest statement was made by Professor K.P. Bhattacharya from the Centre for Human Settlements International, on behalf of the NGOs, who attacked the "refusal of some governments to recognize adequate housing as a human right."

Despite the remarks of these speakers, the prevailing view of the Habitat participants was towards a more moderate statement. In the interests of reaching consensus, this moderate path was the one pursued in Istanbul.

B. Form of Agreement

The Declaration, Agenda, and Global Plan of Action are good-faith statements of goals and objectives rather than enforceable documents. From the initial mandate for the meeting in 1992, the United Nations General Assembly called for the preparation of a "Global Plan of Action." The legacy of this international summit unfortunately depends upon the voluntary actions of participating nations.

Instead of the nonbinding Declaration, Agenda, and Global Plan of Action, what other formats could have been considered? Leckie, an advocate for


60. This tradeoff was not unique to Habitat II. For example, as Bodansky notes in commenting on the Convention on Climate Change, infra note 62, a stronger environmental agreement with firm targets and timetables for compliance could not have been reached with the support of the United States. "Are we better off with a Convention that includes the United States but not firm targets and timetables, or one that contains targets and timetables but not the United States?" Daniel Bodansky, The United Nations Framework on Climate Change: A Commentary, 18 YALE J. INT'L L. 451 (1993).
legally binding housing rights strategy, observes that the following paths were possible:

- Adopt and open for signature and ratification, a full treaty during the Habitat II Conference itself;
- Adopt a draft treaty during Habitat II which is then forwarded to either the commission on Human Settlements or the U.N. Commission on Human Rights for further refinement and subsequent adoption;
- Adopt a draft treaty or statement of general principles and forward these directly to the U.N. General Assembly for eventual adoption; or
- Include the types of principles which should be included in a treaty within both the Statement of Principles and Commitments and Global Plan of Action, as a preliminary exercise leading, in the longer term, to the conclusion of a housing right treaty.61

This dilemma regarding the nature of the objectives underlies all of the U.N. sponsored international summits. While many of the U.N. conferences have not resulted in the development of treaties, the Rio de Janeiro conference on the environment did result in two conventions—on biodiversity and climate change.62 Such treaties, once adopted, have resulted in enforceable legal rights with more impact than the policy statements adopted at Habitat II. In the Climate Change Convention, a mechanism was established for reviewing national status reports, resolving disputes through a multilateral consultative process, and finally enumerated mechanisms for bilateral dispute resolution including the International Court of Justice, compulsory arbitration or conciliation commissions.63 The Global Plan of Action clearly does not create these types of remedies.

Thus, while the Habitat II organizers may have sought a less controversial format, in order to achieve unanimous support, a legally enforceable treaty would have had longer lasting results. As a result, the signatories to the statements—the participating nations—have no recourse under international law with which to require compliance with agreements. For example, developing nations which may not be receiving funds under the redistribution plan do not appear to have any formal means of requiring contributions from developed countries. Moreover, the beneficiaries of these agreements—homeless and poorly housed citizens of the world—lack the ability to seek redress in international or domestic legal arenas.

61. Leckie, supra note 8.
63. Id. at arts. 7(2), 13, 14 (discussed in Bodansky, supra note 60, at 499).
C. Reliance on Partnerships

While it fails to assert the role of governments in ensuring housing rights, the Habitat Agenda does reach consensus on delegating a large part of Habitat's implementation to partnerships between government and private actors. The Declaration describes that "the enabling strategy and the principles of partnership and participation as the most democratic and effective approach for the realization of our commitments."64 According to the Goals and Principles of the Habitat Agenda: "Partnerships among countries and among all actors within countries from public, private, voluntary and community-based organizations, the cooperative sector, non-governmental organizations and individuals are essential to the achievement of sustainable human settlements development and the provision of adequate shelter for all and basic services."65

The GPA proceeds to discuss many examples of partnership with the private sector, NGOs, local governments, labor unions and others. As discussed above, this shift in philosophy was cited by N'Dow as one of the "key strengths" of the Habitat Agenda.66 However, not all constituencies participating in Habitat agreed with this position. Reliance on the private sector was a controversial issue with the Women's Caucus of the NGOs in Istanbul. The Caucus argued that governments were the only group that could contain "corporate greed."67 A group of 300 NGOs from forty countries submitted their own draft Habitat Agenda arguing for greater government legislation, particularly to ensure gender equality in housing markets.68

The principle of partnership in resolving the housing crisis may be appropriate, to an extent, given that the causes of homelessness and lack of affordable housing are multidisciplinary. For example, financial markets, land use policies, design methods, housing construction, social services, transportation policy and job creation are but some of the pieces of the puzzle. Coordinating the work of key professionals and experts is essential for effective and long-lasting solutions.

The problem with relying on partnerships, however, in the context of international agreements such as Habitat, is that no one party becomes accountable for performance. For example, the GPA highlights the problems of vulnerable groups in society and people with special needs. The report discussed

64. Declaration, supra note 35, ¶ 12.
68. Id.
some actions to be taken with respect to this problem, and suggests: "To provide for the shelter needs of those belonging to vulnerable groups, Governments at the appropriate levels, including local authorities, in cooperation with all interested parties, as appropriate should (a) provide, where appropriate, targeted and transparent subsidies, social services and various types of safety nets to the most vulnerable groups ...."  

A member of a vulnerable group who may be homeless, or an advocate of such person, is completely unable to identify where responsibility should fall in the event that subsidies, social services or other "safety net" items are nonexistent. Is the federal government, or the local authority, or the other "interested parties" charged with compliance? And what are the consequences if they do not comply? According to the GPA, all of these parties should self-evaluate their performance.

All partners of the Habitat Agenda, including local authorities, the private sector and communities, should regularly monitor and evaluate their own performances in the implementation of the Habitat Agenda through comparable human settlements and shelter indicators and documented best practices.  

Again, these partners are not accountable to each other, or to any third party, for any specific action, making performance difficult and objective evaluation of their performance nearly impossible. Compliance with creating reform in housing policy will occur only to the extent that these partners choose to do so.

D. Oversight and Enforcement

The Declaration, Agenda and GPA do not create any real mechanism for providing oversight and enforcement. The Commission is charged with considering follow-up activities to the Habitat II meeting, and the Centre is deemed to be the "focal point" for implementation of the Habitat Agenda, including establishing an appropriate process for analyzing and monitoring trends in urbanization and the impact of urban policies.

National governments are directed to identify and disseminate best practices, as well as unspecified shelter and human settlement indicators. As discussed above, partners are charged with their own monitoring and self-evaluation. The GPA asserts, "It is essential to evaluate the impact of policies, strategies and actions on the provision of adequate shelter and the achievement of human settlements development." Most significantly, this phrase fails to identify any one entity to undertake this evaluation. One of the most critical

69. GPA, supra note 35, ¶ 97.
70. GPA, supra note 35, ¶ 240.
71. GPA, supra note 35, ¶ 223.
72. GPA, supra note 35, ¶¶ 229, 239.
73. GPA, supra note 35, ¶ 239.
deficiencies, therefore, of the Habitat statement, is that no system has been created to evaluate government and partner activities to enforce compliance with the standards as stated.

Typically, when a treaty is adopted under the United Nations regime, a corresponding independent entity is formed to monitor compliance. Thus, were the international community to adopt an enforceable agreement with respect to housing rights, one would expect a specific committee dedicated to the enforcement of those rights.

A number of different legal and administrative remedies could exist to ensure international compliance with stated goals for housing rights. While increasing the role of the Centre is one option, others exist. However, without any independent monitoring or enforcement mechanism, full compliance with any stated goal of housing rights is doubtful.

This debate about oversight mechanisms took place within the United Nations during the preparatory phase of Habitat II. One of the discussion papers distributed at the second Preparatory Committee meeting in Nairobi was entitled *Towards a Housing Rights Strategy: Proposals on How Effective and Integrated Monitoring and Advocacy Systems Can Be Developed by UNCHS (Habitat) Concerning Housing Rights.* This report outlines an array of functions that the Centre could undertake, including training, database development, governmental counseling, and monitoring through the development of a housing rights index. The report also suggests action in the event of housing rights violations, particularly as may result from forced evictions, relocations, and resettlement.

Leckie recommended the adoption of a specific U.N. Housing Rights Committee, but also recognizes that if that were deemed too costly, some institutional alternatives do exist within the U.N. structure, including the U.N. Commission on Human Settlements, and the U.N. Human Rights Advisory Services Programme. Although many options existed for the City Summit, the planners and participants—shaped by political concerns, economic realities, and competing visions—settled on a more moderate path.

Unfortunately, the United Nations failed to commit resources for the Centre or any another organization to review objectively the actions of governments and other entities to address the critical issues of housing and sustainable development. This level of potential confusion is particularly evident in

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74. As Leckie notes, currently monitoring bodies exist under the *Covenant on Civil and Political Rights*; the *Covenant on Economic, Social and Cultural Rights*; the *Convention on the Elimination of All Forms of Racial Discrimination*; the *Convention on the Elimination of All Forms of Discrimination Against Women*; the *Convention Against Torture*; the *Convention on the Rights of the Child*; and the *Convention Against Apartheid*. Leckie *supra* note 8, at 65.


the follow-up report to the Habitat II conference, when the Secretary-General comments on the system-wide undertaking that the Istanbul meeting symbolized and the Administrative Committee on Coordination, the Centre, the United Nations Development Programme, and eighteen other U.N. entities that have a role to play in parts of the Habitat agenda.77 Again, without greater organizational clarity, Habitat II will probably not have much lasting impact for those participating nations that lack the will to act of their own accord.

E. Financing

The most significant part of the Habitat II plan—that which calls for redistribution of financial resources—also lacks any specific mechanism for implementation. The GPA calls for a target of .7% of the GNP of developed countries for official development assistance, and .15% of gross national product of developed countries for assistance to the least developed nations. These goals lack any discussion of the timing of such payments, the mechanism for transfer, or the entity responsible for holding the funds and making the reallocation decisions.

Such financing plans were likely controversial, given competing financial demands of the United Nations itself. The United Nations is currently in a precarious situation financially. As of 1994 the U.N. needed $400 million each month to meet its ongoing expenses and had only $375 million in cash reserves.78 One billion dollars is owed by the United States, and overall outstanding dues have climbed to $2.5 billion.79 Habitat Secretary-General N'Dow asked, "How can you expect [countries] to give us $700 billion [for Habitat] when they are not even paying their dues to the United Nations?"80

However, without any mechanism for obtaining the funds or redistributing them, observers should be clear that these provisions are but empty promises. This is ironic given that the funding commitment was one of the sections of the Habitat Agenda highlighted by the United Nations in its press release follow-

79. Collymore, supra note 67. There was also significant controversy surrounding the funding of the Habitat II conference itself. The United States and several western countries demanded an accounting when it was revealed that $1.4 million of the Centre's budget was allocated to cover preparatory committee expenses. Thalif Deen, United Nations: U.S. and U.N. Quarrel Over Housing Fund, INTER PRESS SERVICE, Feb. 14, 1996. As another example of waste, United Nations spending for its Food Summit was criticized as excessive—5 million people could have been given Thanksgiving dinner for the price of the meeting. Food Summit Tab Could Buy 5 Million Meals, CHI. TRIB., Nov. 19, 1996, at 10.
80. Collymore, supra note 67.
ing the conclusion of the Istanbul meeting.\textsuperscript{81} Although only history will tell, full compliance with these commitments seem improbable.

V. HABITAT II: WHAT IMPACT ON U.S. HOUSING POLICY?

Having reviewed the Habitat conference—both the strengths and weaknesses, this paper will now focus more directly on Habitat's legacy for United States housing policy. This legacy involves both the impact of the United States on the future of United Nations and other international policy, as well as the impact of these international forces on domestic housing policy.

A. United States Policy Towards the United Nations

If U.S. support was needed for a housing rights platform, the timing of the Habitat II conference was unfortunate. The meeting came within several months of the party conventions, and five months before the national elections. Further, the Republican party actively pursued anti-U.N. rhetoric, to the point that Bob Dole even mentioned the U.N. Secretary-General by name in his speech accepting the Republican party's nomination.\textsuperscript{82} President Clinton, in his presentation before the U.N. in September 1996, asserted, "In this time of challenge and change, the United Nations is more important than ever because our world is more interdependent than ever."\textsuperscript{83} Nevertheless, the incumbent administration was reluctant to show excessive support of U.N. activities.

The period of time between the Habitat meeting and January 1997 has been particularly tumultuous for U.S.-U.N. relations. In November, then U.N. Ambassador Madeline Albright exercised her veto right in the Security Council to block the re-election of Boutros Boutros-Ghali to a second term.\textsuperscript{84} Albright then worked hard to find an acceptable U.S. candidate, eventually coming to Kofi Annan from Ghana.\textsuperscript{85} Within days of President Clinton's inauguration, Annan met with Clinton and received promises that the U.S. would pay its "debt and dues" owing to the U.N. in exchange for promises of "real reform."\textsuperscript{86}

As demonstrated by these events, the U.S. has not been reticent about using its influence to accomplish its goals at the United Nations. So, not sur-

\begin{footnotesize}
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\item \textsuperscript{81} U.N. Press Release, \textit{supra} note 21.
\item \textsuperscript{82} Michael Sonnenfeldt, \textit{Only the U.S. Can Save the U.N.}, WASH. TIMES, Sept. 20, 1996, at A1.
\item \textsuperscript{83} \textit{U.S., Other Powers Sign Treaty to End All Nuclear Testing}, ST. LOUIS POST-DISPATCH, Sept. 25, 1996, at 4A.
\item \textsuperscript{84} Stanley Meisler, \textit{Kofi Annan, Reform and the Real Purpose of the U.N.}, FT. WORTH STAR-TELEGRAM, Jan. 12, 1997, available in Westlaw at 1997 WL 4814432.
\item \textsuperscript{85} Daniel Berger, \textit{Kofi Annan Poised to Be Best Known U.N. Secretary General}, TIMES UNION, Dec. 30, 1996, at A7.
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prisingly, many commentators have noted that the United States government actively worked to subvert the Habitat II international process by opposing any strong platform on housing rights that would have created an enforceable legal remedy. Many advocates have suggested that the United States was in fact the leader among nations in the years preceding Habitat II to fight any strong statement of housing rights in the Habitat Agenda. One author suggests that the U.S. "waged a campaign to exclude any such language from conference documents."

Although it is difficult to find much direct evidence of this activity in official meeting minutes, all of the public statements and documents relating to Habitat clearly endorse, at best, a vague approach to any housing rights platform. According to David Hales, Director of the Global Environment Center at the U.S. Agency for International Development, "We want [Habitat] to be a conference that's more focused on the needs of mayors than on the needs of human-rights lawyers." Additionally, the failure of either the President or Vice-President to consider the conference of sufficient importance to attend personally was evidence to some commentators of a lack of commitment to these issues.

As a result of American efforts, the Istanbul Declaration and Global Plan of Action are extremely general statements of policy that lack clear benchmarks for action, enforcement, or oversight.

On a more positive note, by participating in the Habitat meeting, the U.S. government did demonstrate a recognition of the increasing globalization of American problems and resources. Throughout the preparatory process, as well as the Istanbul meeting itself, representatives of government, local communities and the private sector engaged in an international debate regarding housing and development policy. While the American government appears to have been a moderating influence on Habitat's outcome, not participating at all would have sent a terrible message to the rest of the international community. Another motivation for this participation may have been less altruistic. Ac-


88. Korten, supra note 87, at 1.

89. Jackson, supra note 87.

90. Barham, supra note 87. The U.S. official delegation to Habitat was comprised of forty-two people, included mayors, business people, governmental representatives and community leaders, and was chaired by then Housing and Urban Development Secretary Henry Cisneros.

91. Note the similar position of the Clinton Administration at the World Food Summit, where reportedly an international "right to be fed" was defeated in favor of vague pledges. Celestine Bohlen, Food Summit Echoes Familiar Issues, Orange County Reg., Nov. 18, 1996, at A18; Not Enough to Eat, Bost. Globe, Nov. 20, 1996, at A14 (editorial).
ccording to then Secretary Cisneros, unless Americans take a much stronger interest in exploding populations around the globe, "[w]e'll later be called on to solve everything from revolutionary outbreaks to health epidemics."92

B. The Impact of International Law on U.S. Housing Policy

Habitat II will not require any changes in U.S. housing policy. Although the U.S. government is a signatory to the Istanbul Declaration, without any clear standards or enforcement mechanisms, no legislative or administrative actions should be expected as a direct result of this international event. But the broad-based preparatory process, and the interest of community-based groups such as the U.S. Committee for Habitat may lead, at least in a general way, towards increased support for housing development in the future.

The U.S. government's report to Habitat II, entitled Beyond Shelter, fails to acknowledge government responsibility for addressing housing problems in our country:

Most Americans are among the best housed persons in the world... However, the goal of a decent home in a suitable living environment for every American family, which was first articulated in the National Housing Act of 1949, has remained elusive for far too many Americans. The primary housing problem in the U.S. today is not an inadequate supply of decent housing, but lagging affordability due to stagnant incomes and rising housing costs.93

The report endorses a number of examples of private-public partnerships to provide low-income housing and discusses initiatives underway in the Clinton administration, but it fails to make any concrete proposals for future government action or spending. With this foundation, we should not expect to see any dramatic changes in domestic policy as a result of Habitat II.

A different type of international agreement than the Istanbul Declaration may have had a significant impact on this American affordability crisis. For example, the Sachar draft would have mandated government subsidies to all who could not afford housing, would have required assistance to disabled people to make necessary housing modifications, and would have allowed people whose housing was sited near sources of pollution to claim compensation from public authorities—all of which would have required significant federal expenditures at a time when deficit reduction was a stated priority of the U.S. Government. Sachar also would restrict finance policies which favor individuals with mortgages—a proposal which would have intriguing results on the U.S. tax system.94

Even if the Sachar draft or some other document with a clearer statement of housing rights had been generated by Habitat II, a dramatic change in domestic policy would not necessarily have resulted. The U.S. government has several options when faced with international legal norms that it believes are contrary to domestic policy:

1. As pursued at Habitat, the government may work through the international political process to shape those policies in a manner which is more consistent—and less restrictive—of U.S. policy. This option would include lobbying to prevent any strong housing rights platform from being adopted in Istanbul.

2. The government may refuse to sign international agreements, thereby not becoming legally bound to their obligations. This strategy was pursued by the U.S. with respect to several major international human rights treaties which contained strong statements of housing rights. For example, the Convention on the Elimination of All Forms of Racial Discrimination, the American Convention on Human Rights, the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights all include provisions on the right to housing—treaties which the U.S. has not executed. According to a report by the National Coalition for the Homeless, "signing the treaties would go a long way in creating the necessary legal protection for the right to housing in the United States." According to a report by the National Coalition for the Homeless, "signing the treaties would go a long way in creating the necessary legal protection for the right to housing in the United States."  

3. The government may become signatories to treaties, and then ignore its obligations or may pursue contrary policies without regard to these treaties. Although treaties are the supreme law of the land, the Supreme Court has frequently supported government action in contravention of a treaty, with regard to both self-executing agreements (effective upon ratification) and non-self-executing agreements (requiring congressional statute to implement before they are enforceable). For example, since 1987 the U.S. has excluded immi-


grants and travelers who are HIV positive—a policy which violates the International Health Regulations, a treaty binding on the U.S.\textsuperscript{98} The United States government has many options when faced with international norms that compromise domestic policy; however, this result should not necessarily lead housing advocates, and other human rights advocates, to abandon the pursuit of these norms. Habitat II clearly will be difficult to enforce legally—either domestically or internationally—to require change in U.S. housing policy. But the aspirations and goals set forth in the Istanbul Declaration, and Global Plan of Action, may still carry some weight in the court of public opinion.

VI. VOLUNTARY OR MANDATORY HOUSING RIGHTS?

Habitat II was an attempt by the international community to reach a consensus on whether an international right to housing should exist. The consensus was that it should not.

In my view, citizens should have a right to housing, and this right should be enforceable.\textsuperscript{99} The United States Constitution recognizes many rights—the right to assemble, the right of the people to keep and bear arms, the right to be secure against unreasonable search and seizures, and the right of the accused to a speedy and public trial by an impartial jury, with the assistance of counsel.\textsuperscript{100} These rights are fundamental to our conception of democracy, and our legal system enforces them rigorously. Why should people living on the street have fewer rights than those who face a criminal trial without counsel? And why should those property owners denied of the full use of their property have greater protection from the Constitution than people like Sam Brown, who must pay more than two-thirds of their income to live.\textsuperscript{101}

American courts have generally not recognized any right to shelter in the absence of an express constitutional provision or statute granting that right.\textsuperscript{102} Although many advocates and scholars have theorized about the source of a right to shelter, the fact remains that an unambiguous pronouncement of that right will be needed before any consistent judicial enforcement will occur.\textsuperscript{103}
The lack of a federal constitutional provision has prompted some advocates to consider state and local initiatives, but those have still met with mixed results.104

The right to shelter, while absent in the United State Constitution, is recognized in the Constitutions of fifty-one countries in the world.105 Although they vary widely, all of these constitutions provide a basis for placing shelter and housing on an equal legal standing with other fundamental rights. Although many of these countries are developing nations, some counterpart developed nations have also recognized housing rights. For example, Finland has acted most recently by amending its constitution in 1995 to recognize the government's duty to promote adequate housing and by urging Habitat II to follow a similar course.106 The American government would do well to study the experiences of these countries, and reconsider its strong opposition to the recognition of legally enforceable housing rights.


105. Leckie, supra note 8. According to Annex 5, the following countries have constitutions recognizing some version of housing rights: Afghanistan, Albania, Argentina, Bahrain, Bangladesh, Belgium, Brazil, Burkina Faso, Cambodia, Columbia, Costa Rica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Fiji, Greece, Guatemala, Guyana, Haiti, Honduras, Iran, Italy, Kenya, Republic of Korea, Democratic People's Republic of Korea, Lithuania, Mali, Mexico, Nepal, Netherlands, Nicaragua, Nigeria, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Russian Federation, Sao Tome and Principe, Seychelles, Spain, Sri Lanka, Suriname, Switzerland, Turkey, Venezuela, Vietnam. See also Deborah Kenn, One Nation's Dream, Another's Reality: Housing Justice in Sweden, 22 BROOKLYN J. INT'L L. 63 (1996); Sheila O'Leary, The Constitutional Right to Housing in the Russian Federation: Re-thinking the Guarantee in Light of Economic and Political Reform, 9 AM. U. INT'L L. & POL'Y 1015 (1994).

VI. BACK TO THE BEGINNING

This paper must end where it began, and that is with recalling those people living in the world today without decent and affordable housing and the 50,000 people who are dying daily because they do not have this housing. As citizens of the world, we cannot tolerate this situation. As lawyers, we must determine if we can contribute to a solution. Anyone who has helped a homeless individual locate to a clean shelter or has helped a family purchase their first home knows the incredible importance of this cause.

Housing advocates, in approaching the Habitat II conference, believed that an international statement of housing rights, combined with appropriate enforcement mechanisms, could help create the incentives for changes in countries around the world that have up until now lacked the political will to act. Clearly stated housing rights, whether based in international treaties or national constitutions, may in fact contribute to policies and actions that ensure that more people are sheltered and that the shelter is of a better quality.\footnote{Additional empirical research is needed to determine if people living in those countries with constitutional housing rights are in fact better sheltered.} The vision continues to be that such statements, when combined with policy initiatives from the executive and legislative branches of government and consistent enforcement from judicial branch, will lead to more and better housing. "Voluntary bonds" are less likely to achieve this goal.

The ongoing struggle for housing the world's citizens does not end with Habitat II though; the lack of a strong affirmation of mandatory housing rights only means that other political strategies must be pursued. The inability of our domestic leadership, as well as the world's international leadership, to act more decisively at Habitat is due in part to the lack of a strong grassroots political coalition to support that change. With hope, many of the 20,000 people that were in Istanbul last June can keep this vision alive.

As the United States looks towards the twenty-first century and its legacy to the world community, Americans must decide whether we want to be remembered for actively opposing a strong declaration of housing rights at Habitat II, or for leading the path towards better and more efficient ways of sheltering those in need. Advocates of this dream should not look narrowly to local, state or national policies, but should recognize the tremendous potential of working within the world community to create legal and political change.