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# Proposed “Homeless Ban” in Australia cause for concern – UN Expert

Australia homeless

13 March 2017

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### STATEMENTS

[Statement by Ms. Leilani Farha, Special Rapporteur on Adequate Housing as a component of the right to and Adequate standard of living, and on the right to non-discrimination in this context at the 69th session of the General Assembly - Third Committee, Item 68 \(b & c\)](#)

GENEVA (13 March 2017) - Amendments to a local law in Melbourne, Australia, targeting homeless people living on the streets have triggered serious international human rights concern.

The proposed measures include a ban on camping in Melbourne and the potential for penalties to be imposed on anyone who leaves items unattended in public. The city council is due to vote on the proposed changes on 17 March. If passed, the law would legitimize discriminatory stereotypes of an already marginalized population.

The UN Special Rapporteur on the right to housing, Leilani Farha, said that: “While homeless people are not specifically referenced, it is clear they are the target; the amendment was put forward following the forcible removal of a homeless camp in the city centre last month.”

“The criminalization of homelessness is deeply concerning and violates international human rights law. It’s bad enough that homeless people are being swept off the streets by city officials. The proposed law goes further and is discriminatory – stopping people from engaging in life sustaining activities, and penalizing them because they are poor and have no place to live,” Ms. Farha said.

The Special Rapporteur released a report on homelessness as a global human rights crisis, last year. Ms. Farha has also been in contact with the government of Australia to discuss the issues in question.

Under international human rights law, which applies to national as well as local governments, homelessness is a gross violation of the right to adequate housing. Discrimination against and social exclusion of people who are homeless is strictly prohibited. Governments are required to take immediate steps to ensure the right to housing is enjoyed on a short and long-term basis.

“While it is commendable that the local government is consulting the public on the proposed changes to the law, the discriminatory nature of

public on the proposed changes to the law, the discriminatory nature of the amendments and the accompanying public campaign discouraging donations to homeless people is unacceptable," Ms. Farha stressed.

There has been a 74% increase in the homeless population in Melbourne over a two-year period prompting concern from residents and local advocates. In 2016 it was estimated that 250 people were sleeping rough in the city.

"The local council now has an opportunity to reverse its course at the next vote and reconsider the proposed changes. I encourage the city to focus on its human rights obligations, which leave no room for discrimination," Ms. Farha said. She added she was looking forward to the response from the Australian government and would be watching the situation closely.

ENDS

**Ms. Leilani Farha** (Canada) is the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. She took up her mandate in June 2014. Ms. Farha is the Executive Director of the NGO Canada without Poverty, based in Ottawa, Canada. A lawyer by training, for the past 20 years Ms. Farha has worked both internationally and domestically on the implementation of the right to adequate housing for the most marginalized groups and on the situation of people living in [poverty](#).

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