
NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

**Testimony for the UN High Commissioner on Human Rights
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- Thank you for inviting me here today.
- My name is Maria Foscarinis, and I am the Executive Director of the National Law Center on Homelessness & Poverty.
- My organization focuses on homelessness. Especially in the US context, this is an extreme violation of the right to housing. It is also often a violation of the right to food, health, and education. Civil and political rights are implicated too, especially the right to life and to non-discrimination based on status.
- On any given night in the U.S., over 800,000 people are homeless. Between 2.5 and 3.5 million people will experience homelessness sometime during the next year and 12 million, or 6.5% of the population will experience homelessness at some point in their lives.
- There are not sufficient resources to meet even their emergency needs: Nationally, there are about two times as many homeless people as there are shelter beds. Each year, hundreds of people die of exposure, many literally freezing to death
- Beyond those who are homeless, many more are at risk. In fact, in no city in the U.S. can a worker at the minimum wage afford a one-bedroom apartment, and over 14 million are paying more than 50% of their income for housing – putting them just one paycheck or one accident away from homelessness themselves.
- Moreover, housing problems fall disproportionately on racial minority groups. As the Human Rights Committee specifically noted—and expressed concern about—in its Concluding Observations on the U.S. last year, although only 12% of the population is African-American, 50% of homeless persons in cities are.
- Furthermore, residential racial segregation continues. While no longer actively promoted by the government, the inadequate enforcement of fair housing and lending laws continue to allow real estate agents to tacitly endorse segregation. Segregated housing enables segregated education and lack of other health and safety services that put additional human rights at risk. Currently, the emerging mortgage crisis disproportionately puts members of racial minorities at risk of losing their homes.
- In the U.S., housing and other economic, social, and cultural rights “are not explicitly recognized as legally enforceable “rights.” Indeed, the U.S. stated just last month, in its report to the Committee on the Elimination of Racial Discrimination, that it is not required to uphold these rights, only to not discriminate if it chooses to fulfill them.
- Nonetheless, since the time of FDR’s New Deal, the U.S. government has taken steps, outside of a rights-based framework, toward providing housing for low-income Americans, including creating public housing, vouchers to subsidize rent in private accommodations, and emergency shelter programs.

- However, due to this lack of recognition of housing as a human right, over the past two decades the government has taken retrogressive measures, including dramatic cuts to federal housing programs—for poor people. Waiting lists for housing assistance are growing to two years or more, and some cities have simply closed the request lists. At the same time, subsidies to higher income and wealthy Americans have increased.
- Low income people in general and homeless persons in particular have long endured a lack of basic respect for their human dignity, leading to egregious violations of their rights—even beyond simple lack of adequate funding for housing programs.
- Many cities around the country now make it a crime for homeless people to sleep in public places—even though there is no housing or even shelter available—effectively punishing them for their status.
- In St. Petersburg, Florida, for example, in an organized raid, police officers destroyed the tents and personal possessions of homeless persons camped under a bridge.
- Recently, cities have begun punishing those who are trying to help.
- Cities such as Dallas, Orlando, and Las Vegas have passed ordinances that actually criminalize the act of giving food to poor or homeless persons.
- My organization and others are actively fighting against these misguided, punitive and immoral measures—and fighting for housing and other basic rights instead.
- We would welcome your affirmation of the government’s obligation to uphold the right to housing and other economic, social, and cultural rights in any discussions you may have with our government, in your interaction with the CERD members in advance of the review of the US report, and with the public.
- Lastly, we ask you on behalf of those being subjected to these egregious violations to make a public statement specifically condemning Dallas, Orlando, and Las Vegas for passing laws that criminalize the charitable provision of food to homeless and poor persons as a violation of the right to housing, food, health, and most fundamentally, the very right to life. This public condemnation would be of great value to us in our continuing legal and public campaigns against the current ordinances, and hopefully will dissuade other cities from considering such measures in the future.
- We have prepared some brief materials on the right to housing in the U.S. and would be happy to provide you with any additional background you may need. Thank you.