

Mandate of the 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

Ref.: AL AUS 6/2026

(Please use this reference in your reply)

17 July 2026

Excellency,

I have the honour to address you in my capacity as 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, pursuant to Human Rights Council resolution 61/16.

In this connection, I would like to bring to the attention of your Excellency's Government information I have received concerning **the decision of the Government of Victoria to demolish 44 public housing towers in Melbourne, and the resulting forced evictions and mass displacement of approximately 10,000 residents, reportedly carried out in the context of a severe shortage of affordable housing in Victoria, and raising concerns regarding the absence of prior meaningful consultation with affected communities, the lack of transparency and consideration of possible alternatives, the potential loss of public housing stock, the adequacy of relocation arrangements offered to displaced residents, the absence of a guaranteed right of return, and the possible disproportionate impact of these measures on individuals and groups in vulnerable situations.**

According to the information received:

For the last several decades, Australia has faced a sustained housing unaffordability crisis. In the State of Victoria, 90% of tenants rent through private rental providers and rents have risen far more rapidly than wages over the past few years. This situation has led to difficulties in accessing housing and widespread tenant debt. Many renters - in particular households with limited income - are paying more than 30% of their earnings on housing. This has occurred alongside a steady decrease in the availability of public and social housing.

From 2014 and 2023, the share of Victorian households in social housing fell from 3.5% to approximately 2.9%, the smallest proportion among all Australian states and territories. The public housing offer has remained largely stable in the face of growing demand, while community housing has only partly been able to compensate the lack of affordable housing. During this same period, homelessness has increased, with over 30,000 people recorded as homeless in Victoria in 2021. By December 2025, approximately 56,420 households, representing around 82,000 people, were on waiting lists for public housing, with waiting periods sometimes extending for several years.

Public housing can offer long-term and secure accommodation for people and families with very low incomes, including older persons, persons with disabilities, and households that are homeless or otherwise vulnerable.

However, the supply of public housing has not kept pace with demand, therefore contributing to a severe shortage of affordable housing for low-income and marginalised groups.

Policy framework and decision to demolish public housing towers

In response to the housing crisis, the Government of Victoria introduced the Public Housing Urban Renewal Program in 2017 with the objective of modernising ageing public housing stock and increasing overall housing supply. The program includes redevelopment projects involving the relocation of current residents, the demolition of large housing complexes, and reconstruction in partnership with private developers and community housing providers. Apart from a limited social housing component, much of the new housing will be sold by the government on the private market, thereby generating funding for the redevelopment.

On 18 September 2023, the Victorian government, through Homes Victoria—the housing agency of the Government—decided to demolish all 44 public housing towers in Melbourne. These public buildings, built between the 1950s and 1970s, have long been home to communities that are socially and economically disadvantaged. Their residents include a large proportion of persons from diverse cultural and linguistic backgrounds, as well as children, older persons, people with disabilities, and households dependent on social security benefits. Many have lived there for many years and have built strong social, cultural, and support networks within these housing complexes. Concerns have been raised that this approach will come at a significant social cost for existing residents, who are being relocated elsewhere resulting in considerable disruption to their lives and to the affected communities.

The demolition program is expected to displace approximately 10,000 residents. After relocation, the housing solution for these families is expected to be a mix of private and community housing, with no legal guarantee that public housing will be rebuilt on the sites or that current residents will be able to return.

Implementation of the demolition program and relocation of residents

The demolition program began with three towers located in North Melbourne and Flemington, housing approximately 484 households. The residents were said to have been informed of the demolition decision on 20 September 2023 by a public announcement from the Prime Minister, and without any prior consultation. A meeting was subsequently held to communicate the decision, and formal written notices were then distributed, compelling residents to move out.

According to information received, relocation procedures were characterised by the absence of transparency and meaningful consultation. A parliamentary inquiry found that the relocation practices were coercive and deceptive, with some residents being given strict deadlines to move. Meetings reportedly occurred without adequate translation services or legal aid, and some residents did not fully understand the documents they were asked to sign.

Residents were required to accept relocation offers or face eviction. Some received an eviction notice after refusing relocation. It was also reported that refusal of two offers could result in removal from priority waiting lists for public housing, thereby placing individuals on general waiting lists with considerably longer delays and thus increasing their risk of homelessness.

Residents relocated within the public housing system were often moved to suburban areas, far from their social networks and employment opportunities. Larger households were sometimes spread across several dwellings because of a lack of suitable housing. Residents relocated to community housing were reportedly not adequately informed of differences in tenure conditions, including higher rental costs and more limited rights and protections.

Later phases of the program are expected to involve other towers, progressively relocating thousands more residents. While the renovation may increase overall housing capacity in the long term, these benefits are not expected to materialise for several decades, and the immediate relocation risk exacerbating the already critical situation of the housing system.

Oversight, parliamentary inquiry and legal proceedings

In March 2024, a parliamentary inquiry was established to investigate the redevelopment of Melbourne's public housing towers. The inquiry attracted significant public interest, receiving more than 800 submissions from residents, community organisations, researchers and other stakeholders. The inquiry found that the Government had failed to provide essential documents justifying the demolition decision, thereby limiting public scrutiny of the necessity of the demolition and the possibility of considering alternative options, such as refurbishment or retrofitting.

The inquiry also discovered that residents suffered from significant distress, stemming from inadequate communication and misunderstandings regarding relocation arrangements, the difference between public and community housing, and whether rights of return were guaranteed.

Residents then brought a legal action to contest the decision to demolish. In February 2026, the Victorian Court of Appeal granted an injunction preventing Homes Victoria from issuing notices to vacate to the remaining residents of the first three towers in North Melbourne and Flemington pending consideration of an application for special leave to appeal to the High Court of Australia. However, this injunction did not apply to the wider redevelopment programme. On 14 May 2026, the High Court granted special leave to appeal, agreeing to hear the case on the merits. The grant of special leave did not itself suspend the redevelopment programme or determine the lawfulness of the demolition decision, but reflected the High Court's view that the legal issues raised warranted consideration by Australia's highest court.

Impact of the demolition program on residents

Based on the information received, the demolitions and relocations had considerable impacts on the residents affected. Many of them experienced uncertainty, and psychological distress due to the threat of eviction and the upheaval of their established living situations.

Residents expressed concerns about being relocated far from essential services such as healthcare facilities, and community networks. Elderly people and people with disabilities have reported difficulties related to relocation, especially in maintaining their access to healthcare. Families with children are worried about the disruption the relocation could cause to their children's education and the stability of their housing.

Residents also describe the public housing towers as well-established communities characterised by strong social ties and mutual support systems. The relocation of residents therefore entails not only the loss of their homes, but also the disruption of social networks and support systems that are integral to their daily lives.

While I do not wish to prejudge the accuracy of the information made available to me, I would like to express my serious concern regarding the decision of the Government of Victoria to demolish 44 public housing towers in Melbourne and displacement of approximately 10,000 residents because of that decision. The required relocation of so many residents, requires a resettlement plan and policy that is in conformity with the right to adequate housing and Guiding Principles on Resettlement (A/HRC/61/43), including their right to resettlement, information, to meaningful participation and consultation and the transparency obligation set out in them.

I am particularly concerned that the measures described above may constitute a violation of the right to adequate housing as enshrined in article 11(1) of the International Covenant on Economic, Social and Cultural Rights, to which Australia is a State party. The right to adequate housing must be understood not only as a right to shelter, but as including security of tenure, affordability, habitability, accessibility, location, and cultural adequacy.

My first concern in this regard is that the process of demolition and redevelopment appears to be undertaken without the procedural safeguards required under international human rights law. It is reported that affected residents were not consulted in any meaningful way before the decision to demolish their homes was made and were instead informed of the decision as one of *fait accompli*. I am concerned that affected residents have primarily been treated as occupants of public property rather than as rights-holders entitled to participate in decisions fundamentally affecting their homes and communities. The lack of genuine consultation and participation of affected people in decisions about their homes raises serious concerns in relation to compliance with international standards, which require that all feasible alternatives be explored in consultation with those affected, and that evictions are only undertaken as a measure of last resort, as specified by general comment No. 7 of the Committee on Economic Social and Cultural Rights.

I am also concerned that the process of relocation may not satisfy the adequacy standards of international human rights law. According to information received, residents are being relocated to places far away from their communities, job opportunities, and essential services such as healthcare and education. In some cases, relocation means moving to community housing where there is less security of tenure and possibly higher costs for tenants.

In addition, I am concerned that the reported lack of a guaranteed right to return to redeveloped sites may result in the permanent displacement of residents from their communities (Guiding Principles on Resettlement, Principle III, 5). International human rights law requires that evictions do not result in homelessness and that adequate alternative accommodation is made available, preferably close to the original place of residence. The absence of enforceable guarantees of return raises concerns about long-term displacement and social exclusion of affected people.

I am also concerned that such large-scale demolition of public housing, without the immediate replacement of equivalent public housing stock, can be a retrogressive measure in violation of the right to adequate housing under international human rights law. In the face of severe housing shortage and rising levels of homelessness, scaling back secure public housing could deepen existing inequalities and threaten the progressive realisation of the right to adequate housing.

With around 30,000 persons experiencing homelessness, and 80,000 persons on waiting lists for public housing in Victoria, Australia and the Victoria State Government are already failing to ensure the satisfaction of the enjoyment of essential levels of the right to adequate housing to a significant number of persons in their territory in violation of the right to adequate housing. This serious shortcoming requires urgent attention, given that Australia is a developed high-income country and cannot claim to lack the required financial resources or technical capacities to ensure that everyone can access suitable housing that meets elementary standards of privacy, adequacy and security.

Densification measures to improve housing supply must avoid any unnecessary displacement of low-income households and should result in a significant increase of public housing or other forms of affordable housing in central locations of the city. The authorities must respond not only to the rights and needs of the tenants living in the 44 towers, but also to those of the over 100,000 persons currently lacking a stable housing solution and registered on the waiting list for public housing.

Homelessness is the most profound denial of the right to adequate housing and indication that the concerned State is failing to ensure essential levels of the right to adequate housing under international law. Excessive and long waiting lists for public housing are similarly an indicator that the State faces significant challenges to realise basic housing for everyone. Given this situation it must be reasonably feared that the destruction of 44 public housing towers in central locations or the city will rather amplify these problems and not be a suitable measure to address these preexisting violations of the right to adequate housing with the required urgency and priority. This could only be ensured if they are refurbished or replaced by a significant larger stock of public housing or community housing in central locations that would be accessible to those without any home or on waiting lists for public housing.

Furthermore, I am concerned by allegations that the decision to demolish the towers was made without transparency regarding the evidence supporting it and without a thorough examination of possible alternative solutions, such as refurbishment or retrofitting. This lack of transparency and access to information appears to have prevented affected residents from understanding the decision-making process or actively participating in it.

Finally, I am concerned that the reported measures constitute forced evictions within the meaning of international human rights law, namely the removal of individuals or communities from their homes without appropriate legal or other protection. Forced evictions are *prima facie* incompatible with the ICESCR and may only be justified in exceptional circumstances and with strict adherence to procedural safeguards, including genuine consultation and the provision of adequate alternative housing as specified by the general comment No. 7 of the Committee on Economic, Social and Cultural Rights.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is my responsibility, under the mandate provided to me by the Human Rights Council, to seek to clarify all cases brought to my attention, I would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned situations.
2. Please provide detailed information on the legal and policy basis for the decision to demolish Melbourne's 44 social housing towers, including any studies or assessments the relevant authorities relied on, as well as information on whether alternative measures, such as refurbishment or retrofitting, were considered.
3. Please provide information on the measures taken to ensure that all affected residents, including vulnerable groups, were consulted in a meaningful manner prior to the demolition and relocation process, and explain how their views were considered in the decision-making process.
4. Please give details of the steps taken to ensure that any eviction or relocation is in conformity with international human rights standards, including safeguards such as adequate notice, access to information and the availability of legal remedies.
5. Please provide detailed information on the arrangements made for the affected residents to relocate, including the type of alternative housing offered, its location, its affordability, and its security of tenure, and explain how these arrangements ensure adequate housing as defined in international human rights standards.

6. Please state whether the residents in question have a legally enforceable right to return to the redeveloped sites, and if so, under what conditions such a right exist, including whether the site to which they would return is public housing or another form of housing.
7. Please provide detailed information on the expected effects of the demolition and relocation scheme on the availability of public housing in the State of Victoria. In particular, please outline whether there will be a reduction or increase in public housing stock in the short and long term, and how this aligns with the obligation to progressively realise the right to adequate housing under international human rights law, and ensures that Victoria is able to significantly reduce homelessness and the number of persons on waiting lists for public housing.
8. Please provide detailed information on the measures adopted to prevent homelessness among affected residents, in particular those who may not be able to find alternative accommodation, including safeguards for those who refuse relocation offers.
9. Please give details on the measures taken to ensure that the demolition and relocation scheme does not disproportionately affect vulnerable individuals and groups, including persons with disabilities, the elderly, children, women, Indigenous Peoples, and migrants, and how potential discriminatory impacts have been mitigated or eliminated.

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the 60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, I urge that the executions of the measures leading to the alleged violations be suspended, to undertake an impact assessment and to develop with meaningful participation of the affected residents living in the 44 towers a resettlement and redevelopment plan that is in line with human rights obligations Australia has assumed under international law.

Please accept, Excellency, the assurances of my highest consideration.

Koldo Casla

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

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, I would like to draw your Excellency's Government's attention to the applicable international human rights norms and standards, as well as authoritative guidance on their interpretation.

The International Covenant on Economic, Social and Cultural Rights (ICESCR) was ratified by Australia on 10 December 1975. ICESCR guarantees under article 11(1) the right of everyone to an adequate standard of living, including adequate housing. The Committee on Economic, Social and Cultural Rights (CESCR) has clarified in its general comment No. 4 that the right to adequate housing should not be interpreted narrowly as a right to shelter alone, but rather as "the right to live somewhere in security, peace and dignity". The right includes, *inter alia*, legal security of tenure, affordability, habitability, accessibility, location, and cultural adequacy. The Committee has further emphasised in this General Comment that States parties must adopt appropriate measures to ensure the full realisation of the right to adequate housing, including through extensive genuine consultation with, and participation by, all those affected.

I would also like to refer to the CESCR's general comment No. 7 on forced evictions, which establishes that "forced evictions are *prima facie* incompatible with the provisions of the Covenant" and may only be justified in the most exceptional circumstances. The Committee has underscored that "evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights". The Committee further noted that "where those affected are unable to provide for themselves, the State must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement, or access to productive land is available".

In this regard, I wish to recall that any eviction must comply with strict procedural safeguards listed in this General Comment, including genuine consultation with those affected; adequate and reasonable notice prior to the eviction; access to relevant information; the possibility of legal remedies; and the provision of adequate alternative housing.

I would further like to underline that, under article 2(1) of the ICESCR, States parties have an obligation "to take steps, (...) to the maximum of their available resources, with a view to achieving progressively the full realization of the rights recognized in the Covenant". The Committee has clarified in its general comment No. 3 that "any deliberately retrogressive measures (...) would require the most careful consideration and would need to be fully justified". Measures which result in a reduction of access to adequate housing, including through reduction of the affordable housing stock, the loss of existing housing or security of tenure, may therefore constitute a violation of the Covenant unless they are duly justified.

I would like to draw attention to the Guiding Principles on Resettlement (A/HRC/61/43). The Guiding Principles apply all instances of planned, lawful and rights-compliant relocation of persons from their homes or lands to a new location where they reestablish a habitual place of residence and rebuild their lives and

livelihoods, including to urban renewal and urban development. They specify among other that “all affected persons have the right to resettlement, without undue delay, that ensures equal or improved living standards, including the right to adequate housing, sustainable livelihoods and cultural cohesion”. The Guiding Principles also specify the rights to voluntary, safe and dignified return, to fair compensation, to information and meaningful participation and consultation. They prohibit forced evictions and require States to consider and present alternatives to resettlement, to avoid and minimise evictions, to undertake displacement impact assessments, and to develop a resettlement action plan with meaningful participation of the affected persons. The Guiding Principles furthermore specify that any resettlement should not take place until affected persons have access to alternative, safe and adequate housing at resettlement sites or other locations of their choice, meeting the standards of habitability, affordability, security of tenure, accessibility, cultural adequacy, availability of services, appropriate location and sustainability. They also oblige States to publish such resettlement plans and to monitor and evaluate their implementation.

The right to adequate housing must be guaranteed without discrimination, in accordance with article 2(2) of the ICESCR. The Committee has clarified in its general comment No. 20 that discrimination may be direct or indirect, and that States must pay particular attention to individuals and groups who are especially vulnerable or marginalised, such as persons with disabilities, the elderly, children, women, Indigenous Peoples, and migrants.

In addition, I wish to draw attention to Australia’s obligations under other international human rights instruments, including the International Covenant on Civil and Political Rights (ICCPR), in particular article 17, which protects against arbitrary or unlawful interference with one’s home and family. I further recall the obligations arising under the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Rights of Persons with Disabilities (CRPD), all of which require States to ensure that housing policies and measures do not disproportionately affect individuals and groups in vulnerable situations and that their specific needs are taken into account. All these Conventions have been signed and ratified by Australia.