

CONCLUDING OBSERVATIONS AND RECOMMENDATIONS FROM REDESCA AFTER ITS VISIT TO LOS ANGELES ON THE HUMAN RIGHTS SITUATION OF UNHOUSED PEOPLE

JULY 2023

A. Introduction

1. REDESCA observes that the crisis of homelessness in the United States is a complex and widespread problem that is not limited to certain geographic areas. As stated by a report from the United States Interagency Council on Homelessness, alongside structural drivers, severely underfunded programs and inequitable access to quality education, health care (including treatment for mental health conditions and/or substance use disorders), and economic opportunity have led to an inadequate safety net that fails to keep individuals and families from falling through the cracks when they fall on hard times¹.

2. Regarding to Los Angeles, this Office observes that the current situation of inequality, exacerbation of poverty, criminalization, and the absence of safety nets have devolved into an unbearable crisis that at its current rate could reach almost anybody in the general population. In this regard, the Special Rapporteur observes that the required minimum income to attend the most minimal needs of a single adult with no children in Los Angeles amounts to 37,836 dollars (USD), after taxes². This would require a living wage of \$21,22/hr³, however the minimum wage in the city will only increase to \$16,78/hr in July 2023.⁴ Currently, the median rent in Los Angeles is \$3000 per month, which amounts to \$36.000 per year.⁵ Rising median rental prices contribute to a rising cost of living that makes it even more likely that someone who can barely make minimum wage cannot survive in the city.

3. As such, REDESCA is deeply concerned that according to civil society organizations and activists in Los Angeles, five unhoused people are dying every day in the county and that prior to the pandemic the rate was 3. Additionally, up to 1500 people passed away from March 2020 to July 2021, where the most common cause of death was overdose and 78% of those who died were afro descendants. Furthermore, it was stated that more unhoused people die of hypothermia in Los Angeles than in San Francisco and New York

¹ USICH, All In: The Federal Strategic Plan to Prevent and End Homelessness, State of Homelessness:

<http://usich.gov/fsp>

² Massachusetts Institute of Technology, *Living Wage Calculation for Los Angeles County, California*,

³ *Id.*

⁴ City of Los Angeles, *Memo to All Employers and Employees Subject to the City of Los Angeles Minimum Wage Ordinance*, Feb. 1, 2023. (<https://wagesla.lacity.org/sites/g/files/wph1941/files/2023-02/2023%20MWR%20Increase%20Notice.pdf>)

⁵ Zillow, *Los Angeles, CA Rental Market*, March 25, 2022, <https://www.zillow.com/rental-manager/market-trends/los-angeles-ca/>.

City combined. Also, unhoused people made up nearly half of those who died of heat exposure or heat illness in Los Angeles in 2022. The average age of death for a homeless person is 47 years old. As well, it is striking to note that activists and volunteers have reported that most of these people are dying in shelters, public housing, hotels and within programs supposed to keep them safe. REDESCA notes with concern that these alarming statistics are likely underreporting the true situation.

4. In this context, the Office of the Special Rapporteur observes that although the State and the city offer programs to provide temporary shelter to those who desire it, most people opt to shelter in the streets, whether by using tents, building makeshift refuges, or living in their cars if they have one. As such, this has created communities of unhoused people in different areas of the city that are visible, which generates a challenge for urban organization and city services and requires constant attention by local authorities to provide sanitation and health services. REDESCA recognizes the challenges facing the implementation of these measures by public officials, amidst vast negative public perception and opposition.

B. Response to the situation in Los Angeles by all levels of Government

5. REDESCA took ample note of the measures that have been taken by the State at the various levels of government. In this sense, the City of Los Angeles, and Los Angeles County work closely together to provide services to the unhoused. The City of Los Angeles, as well as other cities such as Culver City, are geographically within Los Angeles County. While the cities have their own government structures, the county still plays a role, as the city government and county government share responsibilities for overlapping constituencies. In this context, regardless of their level of government, REDESCA observes that all authorities have acted in some way to address the situation.

6. First, at the federal level, the Office of the Special Rapporteur met with the Department of Housing and Urban Development (HUD) and with the United States Interagency Council on Homelessness (USICH). REDESCA positively notes the issuing of a federal strategy on homelessness (known as *All In*), that aims not only to address the needs of unhoused individuals, but also to prevent homelessness in the country, with a goal of reducing it by 25% by 2025. This is focused in part on addressing gender and racial discrimination factors that are associated with this matter and increasing supply of housing. Furthermore, HUD indicated that, through a housing first model, it is seeking to allocate federal resources to secure homelessness encampments and making sure that those funds are reaching the targeting population. In this vein, federal agencies are providing funds for rental assistance and other items, such as case management, so that people transitioning to housing are covered in most of their services.

7. Also, REDESCA notes that the Federal Government continued an eviction moratorium (until it was struck down in the courts), took extraordinary steps through the American Rescue Plan to put in place measures that prevented evictions and housing loss (Emergency Rental Assistance), as well as provide income supports through the Child Tax Credit that according to public officials prevented a spike in homelessness during 2021.

8. Likewise, the USICH is in charge of coordinating and catalyzing with different federal agencies a multilayered response on this issue. To this purpose, in collaboration with various federal agencies and stakeholders, it has developed the Federal Strategic Plan to Prevent and End Homelessness, which not only includes measures to reduce and ultimately end homelessness in the country, but prevention strategies.

9. Considering all the above, REDESCA also takes note that President Biden has requested Congress to make housing a priority in the mandatory side of the federal budget, which will allow them to rebuild their capacities and support their programs appropriately. Additionally, REDESCA acknowledges that, during the hearing held in the 182nd Period of Sessions, the United States stated that the current administration is tasked with realizing housing as a human right.

10. Second, at the local level, the mayor's office issued three Executive Directives focused on aiming to relieve specific situations to address this matter. Before addressing these measures in depth, the Special Rapporteur would like to point out the issuance of an Emergency Declaration on the 12th of December of 2022⁶, which reflects the political willingness of the Mayor of Los Angeles to provide for further coordination with other levels of government. Regarding the three Executive Directives, each of them focuses on three different aspects of the unhoused crisis.

11. Executive Directive 1 focuses on the capacity of temporary shelters and affordable housing by expediting permits. It tackles those policies which have constricted the housing supply, slowed down housing creation, and allowed housing prices to skyrocket while incomes stagnate. Executive Directive 2 is the plan behind the Inside Safe Initiative, that looks to provide interim housing for people living in encampments. The plan is for people to stay in interim housing for 30 to 90 days and then be moved into permanent supportive housing. Local officials say that while police are present during Inside Safe encampment operations coordinated by the mayor's office, they are in the background, and it is the service providers who instead do intakes and have the most contact. Finally, Executive Directive 3 looks at the emergency use of viable city owned property for the development of affordable housing, looking to accelerate the bureaucratic process for this purpose. Under this Executive Directive, each department of the city gave lists of the surplus lands so they can assess what these properties are (dirty site, vacant, partly used,

⁶ https://clkrep.lacity.org/online/docs/2022/22-1545_rpt_mayor_a_12-12-22.pdf

etc.) and look at what their uses are and could be. In this sense, the office of the mayor reported that this type of transitional measures looks to reduce the amount of people who are currently living in makeshift camps and tents, by providing alternatives in other shelters or rented hostels that serve for this manner while they work on providing more permanent housing.

12. Los Angeles voters also passed a measure called Measure ULA in 2022 by adding an additional sales tax on homes sold for over 5 million USD to help create new affordable homes, provide short term rental assistance to vulnerable households, and fund legal services for low-income households facing eviction⁷. However, this measure is already the target of lawsuits against Los Angeles⁸. City officials told REDESCA that there are several challenges regarding its implementation.

13. Representatives of Culver City shared their initiatives to combat this crisis too. These include a mobile crisis intervention team that has a mental health clinician, a mental health specialist, and a case manager dispatcher, and the conversion of an existing parking lot into a safe sleeping spot with showers, bathrooms, laundry, and three meals per day.

14. At the state level, California has provided funding and leadership. State led projects include Project Homekey, in which the state provides funding to acquire unutilized hotels and apartment buildings to convert into affordable housing (\$1.45 billion granted so far)⁹ and the Encampment Resolution Fund to help cities and counties engage with people on the streets (\$350 million granted).¹⁰ California also provides a tax credit to employers who hire formally or current unhoused people.

15. On the other hand, the Los Angeles Homelessness Services Authority (LAHSA), noted that it oversees advocacy for people on the verge of homelessness and provides services to enable them to secure housing. As such, REDESCA notes that LAHSA is coordinating with the city government to provide services under the Inside/Safe initiative, especially looking to rehouse people as fast as possible and connect providers with people in need of assistance, whether it be clothing, health services or other necessity they may have.

16. Lastly, representatives from the Los Angeles Unified School District (LAUSD) stated that they are working to secure access to education for everyone regardless of their housing status. LAUSD indicated that they have assured that students have access to

⁷ Laura Pitter and Pete White, HRW, *Los Angeles Ballot Measure Raises Hope for a Housing Solution*, Dec. 28, 2022.

⁸ Benjamin Oreskes, *The Los Angeles Times*, *Howard Jarvis group, apartment owners sue to block L.A.'s new housings tax*, Dec. 23, 2022.

⁹ California Department of Housing and Community Development, *Homekey Funding Overview*, <https://www.hcd.ca.gov/grants-and-funding/homekey/funding-overview>.

¹⁰ State of California Business, Consumer Services and Housing Agency, *Encampment Resolution Funding (ERF) Program*, https://www.bcsd.ca.gov/calich/erf_program.html.

transportation, food, and clothing in case they need it. Within these efforts, they have also provided computers and school supplies to students who are not housed and look to provide further support if need it. While it was stated that all these actions are not part of their foundational duties, they recognize that the reality of the situation compelled LAUSD to take action to ensure the well-being of students.

C. Challenges to the full enjoyment of human rights in the context of homelessness in Los Angeles

17. REDESCA stresses the value of these measures but, notes with concern that although those actions are aimed to tackle some of the root causes of the housing crisis in the city and country, still several challenges remain to address this situation from a human rights approach. In this regard, despite measures such as the Inside/Safe initiative, the Special Rapporteur received several reports indicating the criminalization of homelessness, for example through the current municipal legislation (specifically Section 41.18 of the Municipal Code of the city), which provides that no person can sit, rest, or stand in any public space. This has allowed for the enforcement of this provision by private entities and the city government, particularly by the City Council office.

18. REDESCA also received troubling reports that the police are on the front line of the enforcing municipal legislation, which results in the clearing of tent encampments and the confiscation of unhoused peoples' belongings including tents, medication, and clothing. These actions are mainly related to complaints that came from City Council offices. In this sense, the Special Rapporteur observes that Los Angeles is divided into 15 districts, each of which has an elected City Council Member. As such, each representative will act in their sole capacity as a representative of that district. Furthermore, according to civil society, police have been used to also prevent activists from entering when an encampment is being cleared. Activists described the structural attacks against unhoused people, including the construction of fencing and the planting of cacti to prevent future encampments.

19. In this context, the Special Rapporteur received testimonies in which activists and people who live in encampments explained how Section 41.18 affect the exercise of their rights, including the ability to function in a safe and healthy manner. They also stated that when an unhoused person passes out from sleep deprivation, they may be awoken by law enforcement, cuffs slammed onto their wrists, followed by a trip to the city jail. Consequently, people manifested that due to these impositions, there is a genuine consistent fear of falling asleep. As a result, people are obliged to address these fears with drugs and other substances. This has led them to feel that none in the city, including city government, cares for their wellbeing.

20. Pertaining to the actions taken by local and state government, civil society stated that most of the actions led by authorities are motivated by public opinion and not by the general interest and the welfare of people who are unhoused. As such, certain measures like Project Roomkey, have been deemed ineffective since they have constituted carceral housing, given that once people are being put in place in those programs; they do not have access to free movement within the premises of the location, security guards placed at every floor of the hotel, not allowed to lock their rooms and residents have provided accounts of staff entering and searching their rooms while they are out. In addition, due to the rules in these places, it would not be possible to build or maintain their communities. Civil society also described temporary accommodation such as hotel rooms far away from the communities of these people, sometimes an hour or more away.

21. In relation to federal efforts, REDESCA received information from federal authorities about the lack of enforcement of source of income laws enacted at the state and local government level. In this sense, they noted that even if local authorities are doing their best to apply voucher programs, the way those vouchers are calculated is based on estimates by private companies. In this sense, federal officials also linked these challenges with the lack of proper pricing control competencies that can be exercised by local authorities. As well, they have noted that in some cases landlords are not taking in voucher clients and as such there is a de-facto income-based discrimination, by which the enforcement of source of income laws by local governments is not at the level of compliance desired.

D. Groups in Situation of Special Vulnerability

22. The office of the Special Rapporteur notes that gender, race, age, mental health and/or immigration status are amongst factors that are clearly involved in the housing crisis in Los Angeles. Thus, REDESCA observes that women, especially unaccompanied women, are at a high risk of suffering further violation of their rights. According to testimonies retrieved during the mission, women experiencing homelessness are more likely to be victims of extorsions, violence and sexual harassment. Additionally, a lot of the women who are unhoused are fleeing domestic violence situations from their partners or are sexual abuse survivors who, without a social safety net, were not able to secure a housing opportunity. In this vein, women are facing an additional layer of trauma, increasing their vulnerability. For example, one of these women shared with REDESCA that one of her friends was assaulted for no reason and that this is a common occurrence, so to minimize risks she had to build a community that was able to protect her while she was without shelter. However, other women mentioned that they also experience safety issues when being placed in shelters and temporary housing. Furthermore, they also shared their significant challenges to access to feminine hygiene products and single mothers expressed their constant fear of being separated from their children.

23. In this same line, REDESCA observed with concern that migrants or undocumented people are also experiencing a differentiated impact. As such, language barriers tend to be one of the greater challenges these people face to secure any type of humanitarian attention to their needs. Also, this office received troublesome information were residents of the neighborhood of Skid Row¹¹ stated that coach buses filled with undocumented individuals were parking in the vicinity and letting them out without any instructions or information of where they should look for information or aid.

24. Additionally, the Office of the Special Rapporteur also received reports that people who have been previously incarcerated and are released, also face challenges in securing housing. Since the State only offers a small stipend once they are out of the detention centers, they are not receiving support to reintegrate into civilian life. Also, REDESCA observed that older people and people with disabilities face similar challenges to secure permanent housing.

25. REDESCA also received information on the mental health problems that affect the entire homeless population, particularly those already suffering from severe trauma from past events, those who have developed trauma during their time on the street, and mental health problems resulting from substance abuse. In this regard, a special group to pay particular attention to are veterans in Los Angeles, who face mental health issues stemming from trauma. According to civil society there are 3.900 unhoused veterans in the Los Angeles area. While the federal government has committed to ending houselessness among the veteran population and provide unhoused veterans with vouchers, there remain challenges such as difficulty in identifying veterans. REDESCA received information that those who get less than honorable discharge are more likely to be unhoused, but because of this status they face barriers accessing Veterans Affairs services. Additionally, not everyone who would qualify as a veteran identifies as one.

26. In this sense, REDESCA heard from a veteran who has experienced abuse and homelessness. Specifically, this person stated that after his experience in the military he has suffered continuous mental and physical trauma. As such, he mentioned that he has not had stable housing in the last 15 years, while he has faced multiple issues regarding his healthcare coverage. Further, although REDESCA acknowledges multiple efforts implemented by the Department of Veterans Affairs for these issues, this person explained the hurdles he has experienced in accessing benefits, to access healthcare, and housing opportunities given that he was dishonorably discharged after he placed a complaint against a senior officer.

¹¹ [Skid Row is a section of Downtown Los Angeles with the densest concentration of people experiencing homelessness.](#)

27. Similarly, REDESCA received reports that children and adolescents who have lived in foster care have issues in securing housing. In the United States, it is estimated that 20% of those in foster care become homeless the moment they turn 18 and that nearly half of the homeless population has spent time in foster care¹². The lack of a support system that leads them to foster care continues as, without a family to turn to, it is more difficult to find a stable place to live.

E. Human rights at risk

28. Considering this, a human right approach is absolutely essential to tackle the unhoused crisis, especially to fight the dehumanization of those who are unhoused. The Special Rapporteur observes that the lack of a guarantee of the right to housing impedes the enjoyment of all human rights and ESCERs in particular, as the ability to regain housing. The lack of enjoyment of these ESCERs for the unhoused can impact people's ability to remain indoors.

Social Safety Net and Dignified Life

29. The Inter-American system, through the American Declaration, protects the right to social security, housing, sanitation, health, education, work, and the right to live a dignified life. These rights are all interconnected in the unhoused crisis in Los Angeles and the Special Rapporteur observed serious limitations to their access and enjoyment in this context.

30. Without housing, people do not have access to water, sanitation, and food. The Special Rapporteur witnessed the consequences of being unhoused in relation to the lack of access to water and sanitation. In Skid Row, REDESCA saw the only hand washing station for all the people living there (installed during the pandemic), which was never refilled with water or napkins. Civil society told the Special Rapporteur that there were only five bathrooms there. Further, while the neighborhood is home to trucks carrying fresh produce from nearby cold storage, the only food that is available to the unhoused are those high in sugar and salt, and Skid Row corner stores do not provide any healthy options or alternatives.

31. In relation to the right to health, civil society reported that at the beginning of the pandemic, people on Skid Row were not informed of the order to quarantine and were not provided protection, such as masks. Additionally, indicated that mental health care is not provided to the unhoused. According to civil society, this lack of healthcare leads people to self-medicate, which in turn leads to substance abuse problems. In this context,

¹²National Youth Foster Institute, *Housing & Homelessness*, <https://nfyi.org/issues/homelessness/>.

it is worthy to highlight that drug overdoses are the leading cause of death among the unhoused, and unhoused people are 36 times more likely to die of a drug overdose than the general population in Los Angeles. Consequently, the lack guarantees to the right to health, if it does not kill people, serves to keep people unhoused. Thus, living on the street is traumatic, which requires a strong psychosocial approach that reaches out to the homeless and to society, fighting stigma and fostering solidarity.

32. The climate crisis has also a disproportionate impact on the unhoused, from which they should be protected. The Special Rapporteur observes that in this crisis people die of hypothermia, being without shelter and unable to dry out during long periods of rain. In 2021, 14 unhoused people died from hypothermia in Los Angeles¹³. Civil society reported that while unhoused people can call 211 to access one of the additional shelter beds open during inclement weather, most callers are placed on hold for two to three hours and the people who need shelters often do not have phone access. Additionally, thousands of people throughout California are losing their homes to wildfires, which further decreases the amount of housing available and increases housing prices¹⁴. In this vein, REDESCA heard from a woman in an encampment who lost her house from a wildfire in 2022. She stated that she was unable to recover anything from insurance and that she lost most of her belongings from that event. Although she worked her entire life in different service jobs, she was never able to be covered by some form of social security or long-term retirement plan. Consequently, she informed REDESCA that with her own savings she was able to purchase a camper truck for shelter. However, she mentioned that she has been imposed many burdensome parking fines from the city, adding up to 1.600\$ USD.

33. The Commission and REDESCA have noted that the climate emergency has disproportionate impacts on vulnerable population, including unhoused people. In this sense, [Resolution 3/2021](#), indicates that States must provide differentiated approaches to people living in front line communities and who are experiencing disproportionate impacts due to climate change.

34. Furthermore, pertaining to labor rights, REDESCA emphasizes that to help people get off the streets it is crucial to guarantee access to quality and good paying jobs. However, unhoused people in Los Angeles experience significant barriers to work in dignified conditions. Further, even if they can secure a job, the payment is not sufficient to assure someone a standard of living suitable for themselves and for their family. The Special Rapporteur evidenced that there is a high volume of people who are unhoused even with a job. In this regard, several unhoused people that the Special Rapporteur met indicated that they were employed but that rent prices and the cost of living were so high that the payment of their salary was not enough to take care of all their bills and transition

¹³ Danny Hernandez, *The Number of Homeless People Freezing to Death in L.A. Is on the Rise*, LA Magazine, Oct. 4, 2022.

¹⁴ Claudia Boyd-Barrett, *How Wildfires Impact California's Housing Crisis*, YES! Magazine, Aug. 3, 2022.

to full housing, pushing them to continue living in shelters or in their vehicles. This especially considering the low supply of affordable housing.

35. In this line, the protection of the right to social security is crucial, as it aims to protect people from the consequences of unemployment, old age, and disabilities that severely limit the possibility of having sufficient resources to earn a living. Thus, the lack of guarantee of this right, coupled with high prices and disproportionate eviction procedures are forcing people onto the street.

36. As part of this situation, REDESCA points out that there is a critical need to guarantee these basic rights for the fulfillment of a dignified life for the unhoused people. In this sense, it emphasizes that the American Declaration recognizes that: “(...) the peoples of the Americas have dignified the human person and that their national constitutions recognize that the principal purpose of the juridical and political institutions that govern life in society is the protection of the essential rights of man and the creation of circumstances that allow him to progress spiritually and materially and to attain happiness”. In this vein, the State at every level of government has the duty to ensure that all unhoused people are tendered to their most basic needs.

37. To this purpose, REDESCA makes an urgent call to combat the stigmatization and discrimination of homeless people, as well as the adoption of economic and fiscal policies that guarantee long-term sustainable solutions to this situation. In this regard, to enable effective public policies, a comprehensive and disaggregated data survey on unhoused people should be carried out, making their housing context visible and allowing for a detailed monitoring of the progress of the measures implemented.

Access to Justice

38. REDESCA observed that those who are unhoused are victims of a lack of access to justice, sometimes even before becoming unhoused, this is especially true for those facing eviction. In this sense, 90% of tenants facing eviction do not have access to counsel, while 90% of landlords do¹⁵. Many tenants do not know their rights or duties, such as how they must file a sufficient response within five business days to avoid having a default judgment entered against them permitting their eviction, which not only puts them on the street but can also impact their ability to get future housing.

39. For this reason, REDESCA notes with concern that there are not enough resources allocated to public defenders and other agencies that can provide free legal services that are required not only for people who are facing evictions but also to people arrested in the streets. For instance, REDESCA notes that this could ease the stress on people living in their vehicles, who are facing legal issues for traffic violations.

¹⁵ The Los Angeles Right to Counsel Coalition, <https://rtcla.org>.

40. Therefore, REDESCA points out that according to testimonies and information received, there are currently no effective remedies in federal or local legislation that can adequately redress the damages caused by this type of practices, hindering the right of access to justice for people who live without housing or who are at risk of being so.

Business and human rights

41. In relation to the role of business in the current human rights crisis, REDESCA notes that real estate businesses are incentivized to get as much revenue as possible, meaning developers are disincentivized from providing more affordable housing than required when building new apartment complexes. Similarly, landlords are raising rental prices and evicting people, not always legally, to get more money from each apartment. Thus, showing the lack of a large strategy to implement federal housing legislation in the State.

42. According to civil society organizations, companies have also been displacing people when building offices, such as tech companies in Venice. These organizations testified that companies are removing culturally significant sites to build offices and do not contribute to the provision of public services. Companies are also taking measures to prevent the unhoused from sleeping in their areas - some have their own private security teams that will run unhoused people off while others use sprinkler systems on the sides of their buildings to spray the sidewalks next to them-.

43. The Special Rapporteur notes that with the upcoming World Cup (2026) and Olympic Games (2028), Los Angeles city officials have an opportunity to demonstrate that it is moving forward with humane solutions to this crisis, so other cities in the country and in the Americas can emulate.

44. In this regard, the Interamerican standards developed in the report [Interamerican standards on business and human rights](#) should be taken into account for any measure to address this situation.

F. Conclusions and Recommendations

45. Considering the above-mentioned information, REDESCA is deeply concerned with the situation of the unhoused population in Los Angeles, but also in the whole of the United States. The pandemic has exacerbated the inequalities that have already existed, which is in part a consequence of the current economic model. The climate emergency will only worsen the situation.

46. REDESCA also considers that this is an issue rooted in ongoing legacies of residential segregation, economic and institutional inequality, and racism. Mainly due to these legacies of systemic inequalities, entrenched disparities in laws and institutions, and the lack of comprehensive social safety guarantees and welfare programs aimed at

supporting low-income families who are not capable of earning enough in wages to live a dignified life. Along with a staggering increase in the cost of living, with a notable gap in real estate regulation, and stagnant wages, the Office of the Special Rapporteur notes with concern that if the State, at all levels of government, does not take articulated and comprehensive measures to regulate this market, more and more people will be left without options to own property and be able to secure housing.

47. As such, even if federal and local authorities try to appease the situation by creating programs and properly funding entities, none of those actions will give way to proper long-term solution if the root issues are not addressed. Primarily, REDESCA notes with concern that the current system by which people can access property is largely inaccessible to people living in poverty and extreme property, children and adolescents transitioning from foster care, women -especially women survivors of domestic violence, as well as for afro descendant people, people of Hispanic descent, older people, people with disabilities and other vulnerable groups, such as LGBTIQ+ populations.

48. Considering the above, stronger enforcement of the Fair Housing Act should be a priority. Given that this is a federal statute that protects people from discriminatory practices in housing, there needs to be appropriate resourcing and more positive actions to secure its enforcement and resolution of allegations of discrimination by the federal government and local authorities with substantially equivalent laws.

49. In this sense, REDESCA acting in its capacity as a special office of the IACHR, by the authority of article 18 of the Statute of the Commission, issues the following recommendations to the United States regarding this visit, to protect the rights of people who are unhoused and those in risk of becoming homeless by:

I. Adopting an integral human rights approach in the prevention and eradication of homelessness, which considers ESCE rights, with an intersectional and gender perspective. Such approach must include measures to address structural and non-structural causes at all levels of government.

II. Implementing structural measures and policies, to the maximum of available resources, to guarantee the human rights of the unhoused people, with an emphasis on their access to housing, healthcare, social security, food, water, and sanitation.

III. Reviewing the regulatory framework to ensure non-discrimination and non-criminalization of unhoused people, eliminating provisions to the contrary, including section 41.18 of the Los Angeles Municipal Code. This, together with the implementation of positive measures to ensure non-discrimination in access to housing.

IV. Developing and funding a federal, state, and/or local ombudsperson who will have the duty to represent the interests of the unhoused population and those at risk of eviction

before a court of law. It is the responsibility of all levels of government to fully fund the entity that will work not only in legal representation but also in prevention of these issues.

V. Securing the implementation of the “All In” initiative at all levels of government, by including public participation mechanisms that will prioritize the role of a community-based approach. These must consider the experiences and worries of the people who have or are currently living in this situation.

VI. Strengthen the role of the Interagency Council on Homelessness and other relevant government institutions, to make more efficient the coordination and articulation amongst government entities; especially between federal, state, and local governments.

VII. Implementing a nationwide program to address the health needs - particularly mental health - of the homeless population and people living in poverty and extreme poverty. This will help reduce the number of people who will eventually fall into homelessness and help those who are currently unhoused.

VIII. Designing, implementing, and executing public policy at all levels of government towards risk and harm reduction that is thought to investigate transitioning unhoused people to stable housing, without the use of force or other means of coercion.

IX. Developing a program to advance data collection from a human rights, gender, and intersectional approach that considers structural factors -including root causes-, which will help the decision-making process.

X. Developing an information campaign aimed to combat the stigma and dehumanization of those living on the street, to enable broader public support for any policy implemented.

XI. Designing and implementing mechanisms towards stronger tenant protections programs and social safety nets policies to better protect people on the verge of being unhoused.

XII. Adopting economic and fiscal policies that guarantee long-term sustainable solutions to this situation in line with the Sustainable Development Goals. In this regard, special attention should be paid to challenges such as excessive increases in housing costs, forced evictions, the impacts of climate emergencies and natural disasters, among others. Additionally, it is essential to establish effective channels so that the resources destined do indeed reach those unsheltered or in encampments.

XIII. Ratifying the American Convention on Human Rights, the Optional Protocol of the American Convention on Economic, Social, and Cultural Rights (Protocol of San Salvador), the International Covenant on Economic, Social, and Cultural Rights, and the implementation of article 3 of the Convention against Racial Discrimination in all its forms.

XIV. To the United States government, companies and local borrowing entities, to implement the standards and recommendations contained in the report [Business and](#)

[Human Rights: Inter-American Standards](#) in relation to the business activities related to the situations addressed during the visit.

REDESCA is at the disposal of the United States to provide technical assistance for the implementation of these recommendations.