

The Advocacy Initiative

Case study 3: Rialto Rights in Action Group

Applying a Human Rights Based Approach to Real Problems

Background

A Rialto Rights in Action Group (RRIAG) was established in May 2009 as a collaboration between the tenants and the local community development organisations operating in Dolphin Housing estate.

Dolphin House Estate is Dublin's second largest remaining public housing flat complex owned and managed by Dublin City Council (DCC), with 436 units. Built in the 1950's, the living units (flats) are smaller than modern minimum guidelines with much overcrowding; are affected by dampness and mould, sewerage (waste water) penetration, accessibility problems (no lifts, despite being multi-storey), and one-room units (originally designed for older people). The financial and property crash of 2008 resulted in the collapse of the planned regeneration projects for Dolphin as private developers withdrew from the contracts. The collapse of the plans compounded the lack of confidence in housing management by tenants, now facing years of intolerable housing conditions. This frustration and policy failure led tenants and local community organisations to consider new options for articulating their grievances.

In 2009, Community Action Network (CAN) proposed to tenants and community workers (including the Regeneration Co-ordinator) in Dolphin the idea of implementing a Human Rights Based Approach (HRBA) to address the housing issues. Inspiration for this was drawn from the success of the Participation and the Practice of Rights Project (PPPR) in Belfast in securing improvements to local authority housing using a HRBA.

The RRIAG thus set about using the language of human rights, with tenants (the 'rights holders') asserting their rights to adequate housing and regeneration against the 'duty holders' (the Housing Minister, DOELG, and DCC). Tenants gradually became familiar with the Human Rights Based Approach and were empowered as rights-holders to advocate effectively, using indicators and benchmarks to measure compliance.

Approach

The HRBA is concerned with the process as well as the outcome of human rights implementation. It recognises that people are key actors in their own development and that participation is both a means and a goal, strategies are empowering, both outcomes and processes are monitored and evaluated and programmes focus on marginalised, disadvantaged, and excluded groups.

Drawing on the methodology outlined in the international HRBA literature, particularly the PPR Housing Project in Belfast, the HRBA used in Dolphin involved five elements (CAN, 2010):

1. Selection of the human rights issues

Tenants involved in the RRIAG engaged in human rights training where they related their lived experiences of sub-standard conditions to international human rights obligations. The process instilled confidence in tenants to begin to demand, hope for and expect a real change to their housing conditions. The campaigning process was driven, and in as much as possible, carried out by tenants; it ensured that their voices and experiences were dominant and they were the decision makers.

2. Evidence gathering

The RRIAG gathered evidence of housing conditions through a number of methods including:

- * Tenants and community workers undertaking a door-to-door questionnaire survey of a sample of 70 flats.
- * Commissioning scientific testing of the waste water and the spores from the mould and dampness.
- * Gaining the support of a local community television company to undertake a documentary of interviews with tenants.
- * Gathering photographic evidence of the problems with the housing units.

The survey undertaken in April 2010 established a benchmark of the conditions and was repeated in September 2010 and March 2011. The research found that 89% of tenants had problems with sewage invasions and smells including grey and black wastewater repeatedly backing up and overflowing into household fixtures.

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3. Setting indicators

Eight indicators and related targets were agreed by the tenants, which linked the evidence gathered to human rights standards.

4. Human Rights Hearing

The RRIAG organised a landmark ‘human rights hearing’ in May 2010, to which key human rights experts were invited to attend and to witness the tenants presenting their evidence and launch their indicators. Months of preparatory work was undertaken for the hearing, including tenants receiving media training (CAN, 2010). Framing their issues within a human rights context gave tenants the confidence to speak publicly.

5. Engagement with duty bearers and monitoring

Subsequent to the hearing RRIAG set out to engage with the duty bearers (DCC, the Department of Environment and Local Government (DOELG), and the IHRC), organising quarterly monitoring hearings (October 2010 and April 2011), engaging with UN human rights monitoring processes, lobbying political representatives and making a submission to the UN Universal Periodic Review (UPR) of Ireland in October 2011. The realisation of rights for local authority tenants was included in Ireland’s Civil Society UPR Stakeholder Report.

Success Achieved

The RRIAG raised incontrovertible evidence of poor housing standards in state housing, and this was addressed in the media and by the governmental and political system at the highest level.

Subsequently, senior DCC officials met regularly with the tenants and accepted its responsibility in addressing the serious problem of substandard housing conditions. The DCC undertook a conditions survey of each apartment in order to apply for funding to the Department of Environment to renovate, as a short-term measure, the worst affected apartments. A timetable for regeneration of the estate was provided, to commence within two years, and based on comprehensive refurbishment that would address the physical housing conditions and minimise community dislocation to be fully funded by State.

In a very short period of time, by using the HRBA, tenants have transformed the issue to one where obligations are on the landlord, within a human rights framework. This

has included addressing the right to proper housing conditions, the right to participate and the right to regeneration, based on the principles of sustaining the existing community, rather than large-scale displacement and gentrification.

The result is an empowered and articulate group of tenants who can continue to examine and critique, not just the regeneration process, but the operation of all State agencies in their neighbourhood, from a rights perspective. This has led to broad public and political acceptance of their claim on State resources. Other housing complexes are now considering adopting similar approaches in their areas.

However the acceptance by both the Department of Environment and Dublin County Council, at all levels within the institutions, to approach housing and regeneration from a rights perspective, as asserted by the tenants, is still not achieved. In some instances while there is an acceptance that conditions are not right and need to be addressed, the human rights framework continues to be questioned. Thus it must be recognised that the institutional transformation required to operate from a rights framework is clearly a long-term process that requires ongoing advocacy from tenants, their representatives, NGOs, community organisations and the political system at a national level.

Learning

The key lessons from the project are:

- * Agreeing and monitoring indicators and related targets linked to human rights instruments can empower tenants and other groups to see themselves as legitimate rights-holders and facilitates them to self-advocate in human rights terms.
- * The HRBA provides a pathway for marginalised groups to gain access to the public sphere and to access senior decision makers.
- * The HRBA facilitates a methodological approach to gathering evidence which is listened to by decision makers.
- * HRBA hearings can generate positive media coverage, countering previous negative stereotyping.
- * Significant funding, technical expertise and professional training and strong ties with well organised local groups are critical for success.
- * By focusing on socio-economic rights, clashes of values and competing political approaches, especially when combined with working class community advocacy, can be overcome.
- * Build positive relationships with decision makers and highlight achievements and successes along the way.



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