**Questionnaire**

Name of submitting entity, organization or individual:

**Ministry of Emergency Situations of the Republic of Azerbaijan**

***Impact of climate change on the right to adequate housing***

***In real life***

**1. In your country, what have been the main effects of the climate crisis, on the enjoyment of the right to adequate housing? Please specify whether there have been any climate-induced impacts on the security of tenure, availability, affordability, accessibility, habitability, location and cultural adequacy of housing, including climate crisis related displacement[[1]](#footnote-1).**

Azerbaijan has not been left out of the influence of global climate changes. Over the past 100 years, the average annual temperature in Azerbaijan has increased by 0.4-1.30 C. The temperature rise is distributed unevenly, depending on the regions. Over the past 15 years, there have been a number of natural disasters in the country, which can be regarded as a climate crisis. As a result of flooding of the Kur and Araz rivers in 2010, earthquake in the north-west region in 2012 and in Shamakhi and Aghsu regions in 2019, landslides in different mountainous regions of the republic, including in the capital of the country - Baku, caused damage to many residential buildings and private houses. As a result of this, problems arise in the use of people's right to housing. The population living in regions are getting affected by natural disasters are deprived of the right to housing in whole or in part. As a result of floods and mudslides, houses become damaged and people's lives are getting threatened.

**2. Are there differences how the climate crisis affects the right to adequate housing in urban and rural areas? If yes, is there an interrelationship between the two?**

The difference is mainly due to damage to individual residential houses and farms of people in villages, and in cities-damage to both individual residential houses and farms, as well as apartment buildings and social facilities. In addition, many houses damaged in villages are houses built without full compliance with construction norms and rules. In rural areas, houses fall into disrepair during floods, mainly in settlements located in remote areas. At the same time, while eliminating the consequences of natural disasters in rural and urban areas, some people are temporarily accommodated in hostels and tents by local executive authority until individual houses are built for citizens. When canceling the consequences of a natural disaster in the city, residents are paid a rent in accordance with the living space of their apartments until new apartments are built. As a result of the climate crisis, strong winds and blizzard lead to the complete or partial deprivation of the right of people to housing, causing damage to individual residential houses and buildings, as well as electricity and communication lines in cities and villages.

**3. Are there groups distinctly affected in the enjoyment of their right to adequate housing as a result of the climate crisis? Please describe in what way.**

As mentioned above, the groups clearly affected by the use of sustainable housing rights as a result of the climate crisis are the populations living in rural areas. Nevertheless, all citizens can benefit from this right equally.

**4. How is the right to adequate housing ensured for persons that have been internally or internationally displaced by the climate crisis? How and under what conditions is their right to voluntarily return ensured?**

In Azerbaijan There are not any groups of people who became internally displaced internationally as a result of the climate crisis. Only displacement can occur within the country. Some people are temporarily accommodated in the homes of their relatives, others in dormitories and tents by local executive authorities until the natural disaster is eliminated. In some cases, residents are paid rent in accordance with the living area of their apartments until new apartments are built. When the consequences of the climate crisis are eliminated, after the apartments are brought into a suitable condition for living or new ones are built, they return to their places of residence.

**5. When housing has been damaged or lost due to climate-induced events, what has been the related impact on the lives, health and livelihoods of the affected populations?**

Depending on the damage caused, the houses of a certain percentage of the population were completely, while the dwellings of some people were partially unusable.

**6. How have people been able to access redress and compensation for damages to or loss of their housing as a result of the climate crisis and extreme weather events? What are the main obstacles to accessing timely redress and compensation, and what could be effective solutions?**

Generally, a government (state) commission was established by the relevant order of the head of state (president) to prepare comprehensive measures to eliminate the consequences of the disaster, restore the economy and settlements of the region, compensate the damage caused to the population and prevent such cases in the future. The appointed commissions review the scene and identify the damage caused. The injured population is paid compensation in the form of home construction, repair or cash. In case of damage to residential houses, the victim must first apply to the local executive power. The population waiting for the construction of their home is given a rental fee for temporary accommodation.

**7. Please indicate any key rulings of national courts and tribunals protecting tenants and home owners from the impact of the climate crisis or on their right to adequate housing or related to climate induced displacement? Please also describe their outcome and impact?**

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***In measures***

**8. Please explain how energy efficiency, green urban planning, climate mitigation and adaptation policies and programmes take into account the right to adequate housing. What measures have been taken to ensure that they do not have any (unintended) discriminatory impact on particular population groups?**

The main limitations in the development of energy efficiency and green urban planning in the country are the lack of relevant regulatory framework and requirements for ecological marking of building materials, awareness - raising works related to green/ecological construction and relatively low energy prices in the country.

**9. Please explain how natural disaster preparedness, response and recovery/reconstruction strategies and plans ensure non-discrimination?**

Measures prepared in connection with prevention of natural disasters or elimination of their consequences are firstly drawn up in accordance with the requirements of the Constitution and laws of the Republic of Azerbaijan. These provisions apply to the entire population without being divided into any groups. The amount of damage caused without any discrimination is determined, appropriate (necessary) measures are taken to solve the problems of people deprived of the right to housing (whole and partially).

**10. What are the main barriers to addressing and mitigating the adverse impacts of climate change on the realization of the right to adequate housing?**

Construction of private houses in rural areas without full compliance with the requirements of norms and rules or expiration of the term of operation.

***Impact of housing on climate change***

**11. How does the housing sector in rural and urban areas contribute to climate change? It may be helpful to think in terms of:**

**● energy consumption for heating, cooling, cooking. lighting of housing:**

**●urban sprawl and related climate impacts (soil sealing, commuter traffic etc.):**

**●increase of average per capita living space:**

**•water use:**

**●emission of pollutants:**

**●climate impact of construction and used construction materials;**

**●deforestation, desertification and loss of biodiversity caused by housing development projects.**

**Please provide as well any statistical information on the climate impact of the housing sector compared to other sectors in your country.**

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**12. What measures are being implemented in rural and urban areas to reduce and eliminate the adverse impacts of the housing sector on the climate? How successful have been these programmes?**

The Town-Planning and Construction Code of the Republic of Azerbaijan, which came into force in 2013, provides basic and detailed plans prepared at the level of cities or other settlements for the purpose of construction, parks and other green areas, areas restricted in use or where special environmental protection rules are applied, areas to be cleaned and landscaped, water areas and, it provides for requirements such as the identification of territories for caring for them and taking measures for their development. The above-mentioned requirements must be taken into account when issuing permits for construction, as well as agreeing the construction of individual residential houses within the framework of informational proceedings. These requirements mainly serve to reduce the negative impact of the housing construction sector on climate and environment.

**13. What are the main barriers to reducing and eliminating the adverse impacts of the housing sector on the climate?**

The main obstacle to reducing and eliminating the negative effects of the housing construction sector on the climate is that in some cases, attempts are made to carry out arbitrary construction work in different territories of the Republic. To prevent this, relevant executive authorities carry out state control over urban planning and construction on a regular basis within their authorities.

***Towards a just transition to a rights-compliant, climate-resilient and carbon-neutral housing***

**14. What specific legislation, policies, or programmes have been adopted to put in place and finance a just transition to a rights-compliant, climate-resilient and carbon-neutral housing for all, without discrimination?**

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**15. What measures have been taken to ensure that the costs of green transition in the housing sector are fairly shared between public authorities, taxpayers, homeowners, and tenants/renters or other affected interest groups, and to ensure the continued affordability of housing?**

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**16. What adaptation strategies are needed to ensure the continued habitability of housing in the face of the climate crisis? (protection from c.g. heat, flooding. extreme weather, etc.)**

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**17. How are different interest groups, including marginalized communities, homeowners and tenants, being consulted, and able to participate in the design, implementation, monitoring and evaluation of:**

**●legislation, policies, or programmes been adopted that provide for specific measures to ensure the realization of the right to adequate housing in the face of the climate crisis;**

**●natural disaster preparedness, response and reconstruction, as well as in mitigation and adaptation efforts;**

**●measures to reduce and eliminate the adverse impacts of the housing sector on climate.**

The Town Planning and Construction Code of the Republic of Azerbaijan provides for procedures that ensure the clarity of the proceedings on the preparation of territorial planning documents, as well as the opportunity for the public to get acquainted with the projects of the territorial planning documents and conduct public discussions on the issue.

**18. What is the role of international cooperation, technology transfer and development assistance of States and multilateral agencies to ensure a just transition?**

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**19. What are the main barriers to achieving such a just transition?**

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***Other issues***

**20. Please use this space to indicate any issue that should be considered for this report.**

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1. Under international law, the right to adequate housing is more than having four walls and a roof. It is essentially the right to live in a place in peace, security and dignity. Housing adequacy covers the following seven essential elements: legal security of tenure: availability of services, materials, facilities and infrastructure: affordability; habitability; accessibility: location; and cultural adequacy. For organizations and stakeholders that may not be as familiar with the right to adequate housing in international human rights law, please consult General Comment No. 4 of the UN Committee on Economic, Social and Cultural Rights available here. [↑](#footnote-ref-1)