



PPR's response to the UN Special Rapporteur's call for input on land and the right to adequate housing

1. Please describe the different land tenure regimes in your country, region or city and their impact on the right to adequate housing.

Overview

Northern Ireland – part of the United Kingdom – occupies the northeastern part of the island of Ireland. The rest of the island comprises the Republic of Ireland. Today almost all powers, including those related to housing as well as to the countryside and farming, are devolved from Westminster to the Northern Ireland Assembly.

Northern Ireland covers an area of 14 130 km²¹, equivalent to over 1.4m hectares. Over 1m hectares of this is farmed; of the over 26,000 farms, almost four fifths are classed as 'very small'². These farms are owner-occupied; nearly half of farmers farm part-time. Nearly 70% of farmed land qualifies as 'Less Favoured Area', and only about 5% of it is used to grow crops; the vast majority is used for grazing for beef, sheep and dairy production, much of which is for export outside of NI³. Since 1929, agricultural land has been exempt from property tax⁴.

Around one fifth of Northern Ireland's population of 1.9m live in its main city Belfast⁵, while more than a third (36%) live in rural areas⁶. As of end June 2024, out of 762,000 occupied homes in Northern Ireland, 64% were owner-occupied, 17% privately rented and 16.3% were

¹ European Union Factsheet on 2014-2020 Rural Development Programme for Northern Ireland, June 2023. https://agriculture.ec.europa.eu/system/files/2023-06/rdp-factsheet-northern-ireland_en.pdf

² Department of Agriculture, Environment and Rural Affairs (DAERA) Agricultural Census June 2024, <https://datavis.nisra.gov.uk/daera/ni-agricultural-census-2024.html>

³ Food, Farming & Countryside Commission, NI webpage, <https://ffcc.co.uk/northern-ireland>; also FFCC, Lay of the Land: report of the Northern Ireland Inquiry, 2019 at <https://ffcc.co.uk/publications/lay-of-the-land> p. 7 and Independent Strategic Review of NI Agri-Food Sector Summary Report, 2021 at <https://www.daera-ni.gov.uk/sites/default/files/publications/daera/Independent%20Strategic%20Review%20of%20NI%20Agri-Food%20-%20Summary%20Report.PDF>

⁴ NICVA, A Land Value Tax for Northern Ireland, 2014 at https://www.nicva.org/sites/default/files/d7content/attachments-resources/a_land_value_tax_for_northern_ireland.pdf

⁵ Northern Ireland Statistics and Research Agency (NISRA), https://nisrapopstatsdashboard.shinyapps.io/MYE_Dashboard_2022/

⁶ DAERA 'Key Rural Issues Northern Ireland 2024' at <https://www.daera-ni.gov.uk/sites/default/files/2025-02/Key%20Rural%20Issues%202024%20Final.pdf> p. 6.

social rentals-- – around seven out of ten of them in homes owned by the state body, the Northern Ireland Housing Executive, and the remainder in social homes managed by housing associations⁷.

The two main cities, Belfast and Derry, have areas with high concentrations of acute social housing need. Housing inequalities amongst the then minority Catholic population contributed to the civil rights movement of the late 1960s. The Housing Executive was set up in 1971, in the early days of the almost thirty-year civil disturbance known as ‘the Troubles’, with the express aim of providing housing in response to need rather than for electoral or other motives.

Today social housing in Northern Ireland remains highly segregated by religion, a defensive legacy of earlier violence⁸. In both cities the areas of high housing need are predominately Catholic. Access to social housing is also limited in rural areas, with only 7% of rural households living in social housing (as opposed to 17% in urban areas)⁹.

Housing need is growing across the north, in large part due to a failure to build in response to need and to use public land to do so. The social housing waiting list currently has over 48,000 households. More than six out of ten of them also officially recognised as homeless¹⁰.

NI’s 2021 census showed that for the first time in NI there were more people identifying as being from a Catholic background (45.7%) than Protestant (43.5%)¹¹

Land Tenure system

The evolution of the land tenure system is explained more fully in **the attached supporting document**.

In summary: with the plantation of Protestant settlers in Ulster from the early 17th century, the traditional kinship-based land tenure system was replaced by one where all land was held from the Crown. This remains the case today.

Following partition in 1921, Northern Ireland pursued a more limited land reform than the Republic of Ireland. Large landowners were permitted to retain untenanted land, resulting in the survival of substantial estates in the north only. This, in addition to areas held by the

⁷ There are currently around 20 of these. Their legal basis dates from a 1976 Housing Order and they are described by the NI Federation of Housing Associations as ‘independent, not-for-profit social business that provides both homes and support for people in housing need, as well as key community services’. See NI Department for Communities, 2024 at

<https://www.communities-ni.gov.uk/publications/northern-ireland-housing-bulletin-april-june-2024>

⁸ Moffett, L., Lawther, C., Hearty, K., Godden, A., & Hickey, R., "No longer neighbours": the impact of violence on land, housing and redress in the Northern Ireland conflict", QUB 2020 at https://pureadmin.qub.ac.uk/ws/portalfiles/portal/213711196/Land_Report_ENG_Red.pdf

⁹ Op. cit., DAERA ‘Key Rural Issues’ p. 52: “Rural dwellers (7%) are less likely to live in a socially rented property than their urban counterparts (17%), according to the 2023-24 CHS results, perhaps unsurprisingly with access to social housing more limited compared in rural areas compared with urban areas. Rates of owner-occupation remain substantially higher in rural (83%) than urban areas (67%, Figure 49).”

¹⁰ <https://www.nlb.ie/investigations/FOI/2024-03-what-happens-when-the-state-deprioritises-social-housing>

¹¹ NISRA, Statistical Bulletin: religion, 2022 at <https://www.nisra.gov.uk/system/files/statistics/census-2021-main-statistics-for-northern-ireland-phase-1-statistical-bulletin-religion.pdf>

Crown, of necessity curtails the availability of land. Land reform remains a topic of debate and in recent decades substantive recommendations for change have been fielded from a range of sources (see supporting document) – but they have not been acted on.

2. How is land ownership and land tenure distributed between public and private actors, between genders, different social, ethnic or racial groups and what impact does the distribution of land ownership and land use rights have on the right to adequate housing?

Ownership of Northern Ireland's agricultural land

The 800,000+ hectares of Northern Ireland land owned directly by farmers is largely passed down within families from generation to generation and is largely inaccessible to others:

only a very small proportion of farmland is put up for sale each year. Given the very limited supply, farmers see land purchases as a once in a generation opportunity with the result that land prices can be very high¹².

Moreover, the **religious segregation** seen in social housing also exists around land ownership:

the land itself is often seen as 'belonging' to one community rather than another and there is a marked reluctance to sell land to someone not of the seller's community¹³.

The most recent publicly-available **equality data on NI's farmers** is from 2018. At that point, according to the Department of Agriculture, Environment and Rural Affairs (DAERA)¹⁴, they were a highly non-representative group: nine out of ten NI farmers were men and nearly half were aged 60 or above.

The data indicates that, despite repeal of historic laws limiting their access to land, Catholic farmers have yet to regain an equitable footing in Northern Ireland agriculture.

Amongst NI farmers, 51% reported as Protestant or other Christian; 42% reported as Catholic; and 6% reported as 'other' or no religion. DAERA reported that "Catholic farmers are much more likely than Protestant farmers to farm very small farms" (85% of Catholic farmers and 68% of Protestant farmers). Conversely, 10% of Protestant farmers vs only 2% of Catholic farmers worked 'large' farms. Of Catholic farmers, over half (56%) farmed mainly in 'severely disadvantaged areas' as opposed to 26% of Protestant farmers. Overall, 85% of Catholic farmers worked mainly 'disadvantaged' or 'severely disadvantaged' land, as opposed to 59% of Protestant farmers.

¹² DAERA response SUB-1979-2024 to Trevor Clarke MLA, 6 Nov 2024 at

<https://www.niassembly.gov.uk/globalassets/documents/raise/deposited-papers/2024/dp1829.pdf>

¹³ Op. cit., FFCC 'Lay of the Land' p. 11

¹⁴ DAERA, Equality Indicators for Northern Ireland Farmers, 2018 at [https://www.daera-ni.gov.uk/news/update-equality-section-75-indicators-farmers#:~:text=Half%20\(51%\)%20of%20farmers%20stated%20their%20religion,18%20who%20stated%20another%20or%20no%20religion.](https://www.daera-ni.gov.uk/news/update-equality-section-75-indicators-farmers#:~:text=Half%20(51%)%20of%20farmers%20stated%20their%20religion,18%20who%20stated%20another%20or%20no%20religion.)

Access to housing in Northern Ireland

At the advent of the Housing Executive in 1971, Protestant households were more likely to own their own homes than Catholics. If renters, they were more likely to rent privately, while Catholic households were more likely to be in social housing.

Twenty years later, in 1991, home ownership was more widespread (in part because of the Housing Executive's House Sales ('right to buy') scheme, offering discounts for social housing tenants to buy their homes – over 122,000 formerly social homes have been sold under this programme to date¹⁵, with the Housing Executive currently retaining around 83,000 units¹⁶), with Protestants still more likely to own their own home. 37% of Catholic households were in social housing as opposed to 29% of Protestant households.¹⁷

Housing Tenure in Northern Ireland, by Religion, (1971-1991)

		Protestant	Catholic	Total
	<i>Tenure</i>	(%)	(%)	(%)
1971	Owner Occupied	46.8	42.3	45.7
	Rented Public	32.2	40.9	34.6
	Rented Private	20.5	16.1	19.1
	Not classed/other	0.5	0.7	0.6
1983-84	Owner-occupied	56	49	54
	Rented NIHE	34	44	37
	Rented Private	8	6	7
	Rent free	2	1	1
1985-86	Owner-occupied	58	49	57
	Rented NIHE	33	44	36
	Rented Private	7	6	6
	Rent free	2	1	1
1988-91	Owner-occupied	63	55	61
	Rented NIHE	29	37	31
	Rented Private	7	6	7
	Rent free	1	1	1

(Source: Melaugh, M. Majority Minority Review 3: Housing and Religion in Northern Ireland, 1994)

¹⁵ <https://www.nlb.ie/blog/12/2024-06-social-housing-shortage-and-the-impact-of-the-house-sales-scheme>

¹⁶ <https://www.nihe.gov.uk/getattachment/8706f7ba-34e1-42c8-8c70-d53f2315c30d/Housing-stock-and-housing-benefit-awarded.pdf>

¹⁷ Op. cit., Housing and Religion

Nearly 30 years on from the 1998 Good Friday Agreement, social housing need remains disproportionately prevalent amongst households from a Catholic background. The Department for Communities recently acknowledged that

under religious belief, there are a higher proportion of lead applicants on the waiting list for social housing that are in housing stress, from the Catholic community, relative to the Protestant community.¹⁸

Housing Executive data from end 2022 shows that 36.5% of the households on the social housing waiting list were identified as Catholic, with 23% as Protestant. (Another 24.4% were listed as ‘unknown’, with additional, smaller categories of ‘mixed’, ‘none’, ‘other’ and ‘refused’)¹⁹.

The differential was even greater amongst households listed as being in housing stress (a higher level of housing need, with 30 or more housing points): 38.6% were listed as Catholic and 22.1% were listed as Protestant.²⁰

Religious segregation in social housing

Today, nearly thirty years after the Good Friday Agreement, a reported 90% of NI’s social housing²¹ remains segregated along religious lines. In urban areas, social housing need – while increasingly common – is disproportionately prevalent in predominately Catholic areas. At end 2023, for instance, of Belfast’s 8,725 homeless households at that time, 2,131 were in North Belfast, 78.3% of them in predominately Catholic areas. Another 3,141 were in West Belfast, 89.7% of them in predominately Catholic areas²².

The shortfall in social housing, in a context of intense segregation, has practical impacts:

while housing allocation is based on applicant’s choice and need, there is a housing shortage in West Belfast for Catholics who want to live beside family members and limited NIHE housing stock means that they wait longer. As one community worker remarked, “there is the Springfield Road test- on one side if a Catholic applies for a house they will wait on average 18 months, and if a Protestant applies from the other side of the road they only have to wait 6 months.” There is concern that even when housing is allocated on need, housing shortage in West and North Belfast is a ‘powder keg’ that has the potential to reignite violence if not properly managed.²³

¹⁸ NI Department for Communities, 2024, Housing Supply Strategy: A Home for Everyone 2024-2039 at <https://www.communities-ni.gov.uk/sites/default/files/2024-12/dfc-housing-supply-strategy-2024-2039.pdf>, p. 17

¹⁹ NI Housing Executive at <https://www.nihe.gov.uk/getattachment/d63970a1-d81b-405f-9771-effbe37a3f7d/Waiting-list-and-housing-stress-analysis.pdf>

²⁰ Ibid.

²¹ FactCheckNI, Apr 2025 at <https://factcheckni.org/articles/housing-in-ni-is-90-of-social-housing-segregated/>

²² PPR analysis, 2024 at <https://www.nlb.ie/investigations/FOI/2024-03-child-homelessness-in-belfast-rises-20-in-under-two-years>

²³ Op. cit., “No Longer Neighbours” pp. 48-49

Racist intimidation and violence in housing

3 August 2024 saw a night of targeted racially-motivated attacks in Belfast²⁴. Seven Black-owned businesses in South Belfast were attacked by rioters following a Far-Right march in central and South Belfast at which known paramilitaries were also present. The Police Service of Northern Ireland (PSNI) did little to contain the violence or stop the attacks from taking place. Homes, businesses and places of worship continued to be targeted throughout the week.

The PSNI itself called the violence ‘organised’²⁵, and some civil society groups linked it with elements of loyalist paramilitarism²⁶. The Committee for the Elimination of Racial Discrimination made the same connection:

while noting the efforts by the State party to tackle paramilitarism in Northern Ireland, the Committee is concerned about reports of paramilitary groups and affiliated individuals perpetrating acts of racist violence and intimidation to deter persons belonging to ethnic minorities and migrants from taking up housing or establish business in certain areas. It is also concerned about information indicating that victims do not always report these acts for fear of reprisals and that the response by the authorities and the police has been ineffective²⁷.

Individuals and families around Belfast and around the north were left fearful and isolated, uncertain of what areas were safe for them. In some cases, official responses in the aftermath of the violence reportedly compounded the trauma that people had just experienced²⁸.

Such targeted intimidation aimed at discouraging immigrants from moving into or staying in local homes continues to be reported, with insufficient official response²⁹.

²⁴ See *inter alia* <https://www.bbc.co.uk/news/articles/cgkyyjg3pxpo>

²⁵ <https://www.bbc.co.uk/news/uk-northern-ireland-67126304>

²⁶ <https://www.bbc.co.uk/news/articles/c8erk5zz894o>

²⁷ CERD/C/GBR/CO/24-26, para. 21.

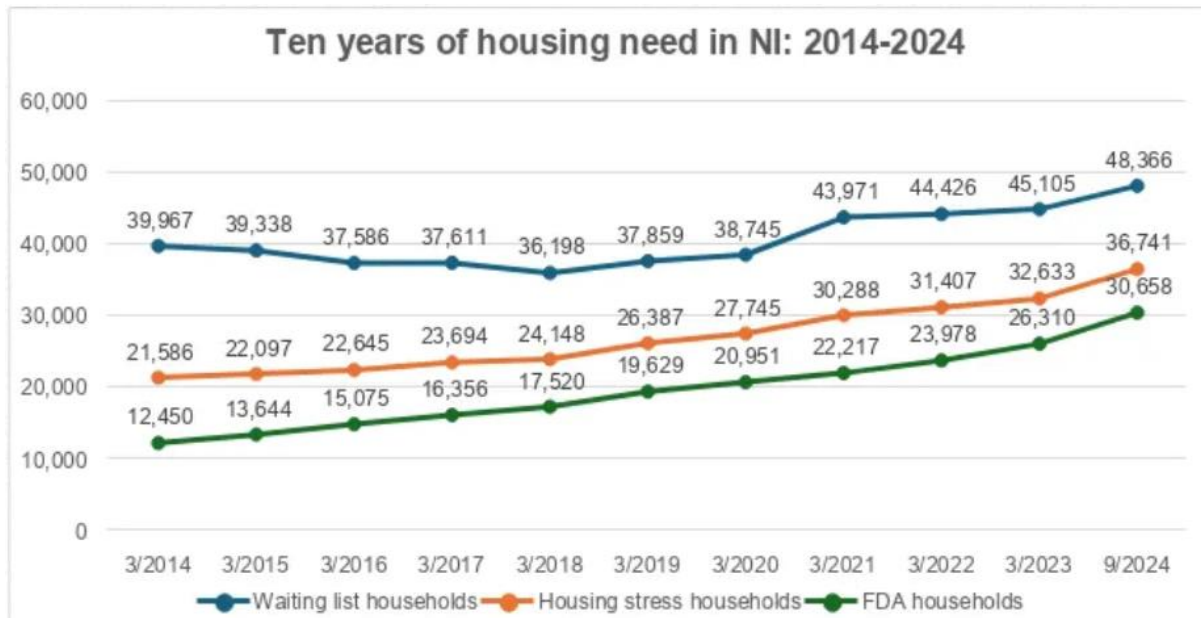
²⁸ <https://www.irishnews.com/news/northern-ireland/psni-watched-on-and-let-rioters-burn-businesses-mlas-told-NTYG4A2E5ZGO5HQ3TZJR7DST4Y/>

²⁹ See *inter alia* <https://belfastmedia.com/racist-attack-on-south-belfast-home-days-before-family-due-to-move-in>; <https://belfastmedia.com/racist-attack-on-south-belfast-home-days-before-family-due-to-move-in> <https://www.bbc.co.uk/news/articles/c4g6xdyx396o>; <https://www.bbc.co.uk/news/articles/cvgplpp49nro>; [‘People are in fear’: Muslim family set to leave Belfast following riots](#)

- What challenges does your country, region, city, or your community face in accessing or acquiring land, land use or access rights for the purpose of the realization of the right to adequate housing?

A/ Failure to build social homes

Department for Communities data³⁰ has shone a light on the rise of housing stress and homelessness in the last decade:



The intensity of housing need – demonstrated by the proportion of homeless households on the waiting list-- has been growing as well, from around 3 in ten in 2014, to half in 2019, to over six in ten in 2024.

Why aren't more social homes available? The failure to replace the 122,000+ social homes sold under Right to Buy³¹ is one contributing factor. Rising costs for construction material and inadequate water infrastructure limiting development have not helped: in 2024 Northern Ireland had lower levels of housebuilding than in any year since the Second World War³²-- the exact opposite of what its population urgently needs at this time.

Moreover, the housing shortage has caused prices to rise, leading to an affordability crisis. NISRA data³³ indicates that in 2022-23, the number of households presenting as homeless due to 'loss of rented accommodation' was 2,892 – an increase of over 70% in three years, and the highest seen since 2007-08, in the wake of the global financial crisis and recession.

³⁰ <https://www.nlb.ie/investigations/policy-watch/162/ten-years-of-steadily-rising-housing-stress-and-homelessness-both-in-belfast-and-across-ni>

³¹ Nevin Economic Research Institute (NERI) at https://www.nerinstitute.net/sites/default/files/research/2019/housing_inbrief.pdf and <https://www.nihe.gov.uk/getattachment/19ee114c-6e00-4702-b4fb-386837a72c9a/House-Sales-Scheme-Report.pdf> p. 40).

³² Pivotal, "Achieving Greater Integration in Education and Housing", Mar 2025 at https://www.pivotalppf.org/cmsfiles/NewsEvents/Pivotal_AchievingIntegration_Art-1.pdf p. 32

³³ <https://www.communities-ni.gov.uk/publications/northern-ireland-housing-statistics-2022-23>, table 3.8

Average NI rents increased by 4.4% in the first half of 2024 to £886/month (up 8.5% on the same period last year)³⁴. The analysts noted that the average NI rent, while varying across regions, was roughly 33.4% of the median household income; but amongst renters in the lower quartile of income, the lower quartile of private rent rose to **45.4%** of their household income.

In response to the housing shortage, PPR and the Take Back the City campaign has been calling for social housing on the 10.5 hectare, publicly-owned Mackie's site in West Belfast, an area that has high housing need. The land – half the size of Belfast's city centre -- has been left vacant and derelict for two decades; it is zoned for employment but PPR and Take Back the City have requested that it be rezoned for residential development and have submitted a masterplan with 550 homes on the site.

B/ Failure to target resources to meet existing housing need

The failure to allocate homes on the basis of need was one of the main rationales for replacing the Housing Trust with a new Housing Executive in 1971. The issue persists.

Analysis of census data shows is that social housing stock is not provided in proportion with deprivation, meaning it does not appear to have been built over the years in response to actual need; or at the very least, is today extremely non-uniform and patchy in relation to deprivation³⁵.

Worryingly, the Department for Communities' Housing Supply Strategy, issued earlier in 2025, cut provisions outlined in the 2021 draft for ringfenced funding to build homes in areas of acute housing need. In fact, all references to the wide variations in levels of unmet social housing need across the north – a defining characteristic of the housing landscape, and hardly one to gloss over – were cut. The final version of the Housing Supply Strategy refers repeatedly to 'housing needs', with no reference to the existence of areas of acute and concentrated housing deprivation, such as in predominately Catholic areas of North and West Belfast and of Derry³⁶.

The Department is not alone in overlooking the needs of the most deprived. In Belfast, the City Council's local development strategy set ambitious targets for new housing aimed at new residents³⁷ – without explicitly addressing the acute housing need of the city's (currently over) 9,000 homeless households³⁸.

³⁴ https://www.ulster.ac.uk/data/assets/pdf_file/0010/1655173/PrivateRentalReport_H1-2024.pdf, pp. 3 and 9.

³⁵ Inter alia, <https://www.nlb.ie/investigations/policy-watch/3/11-2024-part-3-what-can-the-census-tell-us-about-the-relationship-between-deprivation-and-social-housing-provision>

³⁶ <https://www.nlb.ie/blog/221/gordon-lyons-housing-supply-strategy-the-view-from-the-cutting-room-floor>

³⁷ https://www.belfastcity.gov.uk/getmedia/473f71a1-e0d2-431a-971b-def39e550934/DPS001_DPS.pdf, p. 34.

³⁸ See <https://www.nlb.ie/blog/2021-09-the-equality-cant-wait-build-homes-now-campaigns-input-to-the-belfast-agenda-call-for-evidence> and <https://www.nlb.ie/investigations/FOI/2024-06-12-726-households-on-the-social-housing-waiting-list-and-no-sign-of-a-solution>

C/ Failure to challenge the status quo around land segregation

A recent NI publication noted that

a supply of affordable housing is the essential starting point for increasing mixed housing and building new communities open to all. Infrastructure and planning should aim to unite communities, not keep them apart.³⁹

As far back as 1994, researchers raised questions about the potential for Housing Executive policy to entrench segregation, noting that Catholics and Protestants tended to “be more segregated from one another in the public sector than in the private sector” and identifying factors such as building public housing in areas already defined as belonging to one group. They noted that without a policy promoting integration, “the status quo persists and that the segregation of Protestants and Catholics becomes the norm”, with “the possibility that the policies and practices of the Housing Executive are a factor contributing to residential segregation between Protestants and Catholics in Northern Ireland.”⁴⁰

In recent years housing authorities have made greater efforts to build ‘shared’ social housing, but all too frequently these have seen families from the ‘minority’ group in the local setting intimidated out of the development, with little or no repercussions^{41,42}.

As mentioned above, 10.5 hectares of vacant public land at the Mackies site, located in an area of high housing need in west Belfast, has been left empty rather than developed to build homes for local people who need them; officials appear reluctant to challenge the status quo that leaves it vacant and unused while local families are placed in emergency temporary accommodation elsewhere.

D/ Residual concentration of land in the hands of a few

As explained, a limited land reform in Northern Ireland in 1925 allowed historic landowners to hold onto far more of their estates than their southern counterparts.

This is a relatively under-scrutinised topic, which is beginning to come more into public consciousness following the scandal around mismanagement of Lough Neagh that has frequently led to proliferation of toxic blue-green algae⁴³. The bed and soil of the lough, the

³⁹ Pivotal, “Achieving Greater Integration in Education and Housing”, Mar 2025 at https://www.pivotalppf.org/cmsfiles/NewsEvents/Pivotal_AchievingIntegration_Art-1.pdf p. 5

⁴⁰ Op. cit., CAIN Archive, ‘Discrimination and Housing’.

⁴¹ Inter alia, op. cit., No Longer Neighbours p. 3.

⁴² [Loyalists linked to ‘heartless’ sectarian attack on new home of nine year-old disabled boy in shared housing development – The Irish News](https://www.irishnews.com/news/northernirelandnews/2019/10/15/news/one-of-the-last-two-catholics-left-in-mixed-belfast-housing-development-fears-for-safety-after-sectarian-attack-1738782/content.html); <https://www.irishnews.com/news/2018/05/29/news/flags-put-up-again-outside-belfast-shared-housing-development-1341559/>

⁴³ <https://www.bbc.co.uk/news/articles/cd7vyw4z02po>

largest lake in the UK and the source of much of Northern Ireland's water, is owned by the Earl of Shaftesbury whose family acquired it in the 19th century from the Chichester family, which was granted it in the 17th.

The Earl makes a royalty sand dredged from permitted areas of the lough. While he has said he is open to selling, he has resisted calls for him to give the lough into public ownership⁴⁴.

More work is required to detail how much of Northern Ireland's land remains in the hands of large landowners, and the impact this has on land availability generally.

E/ Failure to use public land to meet housing need

International law requires governments to progressively realise rights, including the right to adequate housing, and to mobilise all available resources to do so. However, it is clear that in Northern Ireland, public resources are frequently not being mobilised as they should. The Take Back the City coalition continues to argue for land justice for homeless families through our campaign to build homes on the disused, publicly-owned 10.5-hectare Mackies' site.

An investigation into such land in 2023-24 found that Stormont departments owned 940 acres of empty buildings or disused land, costing the public purse £6.4m to maintain since 2019; despite this, it said, "there is currently no centralised record of properties and land owned by the various Stormont departments"⁴⁵.

The Department of Finance does have guidance on disposal of surplus land and property⁴⁶; in response to a Freedom of Information request, however, the Department for Communities said in March 2025 that with regard to the vacant Mackies site, it had never taken the initial step of declaring it 'surplus'.

F/ Prioritisation of profit motive

In 2015, PPR's Equality Can't Wait campaign activists photomapped large vacant sites in their areas, in a push to identify empty land for housing. Mackies-- part of the which has been used to build a greenway path, but the vast bulk of which remains derelict and unused-- was the largest of these, but land was also identified at Glenmona in west Belfast, Hillview in north Belfast and along the waterfront in the city centre. Since that time, only the first -- a site formerly owned by the Catholic Diocese of Down and Connor -- has seen extensive construction of social homes, with 500+ built in west Belfast⁴⁷. In north Belfast, a retail park --

⁴⁴ BBC at <https://www.bbc.co.uk/news/uk-northern-ireland-66996132>

⁴⁵ <https://www.belfasttelegraph.co.uk/news/politics/stormont-pays-out-more-than-6m-on-empty-buildings-and-disused-land/a1124210548.html>

⁴⁶ DOF 2018 at https://www.finance-ni.gov.uk/sites/default/files/publications/dfp/Disposal%20of%20surplus%20public%20sector%20property%20in%20Northern%20Ireland%20-%20guidance%20-%20Nov%2018_0_0.pdf

⁴⁷ <https://belfastmedia.com/glenmona-housing-development-progress>

and, after a fair bit of controversy and dispute, 18 social homes⁴⁸ – have been built at the Hillview site.

In the city centre, the former Sirocco Works site (renamed ‘Waterside Belfast’) received planning approval in 2019 for mixed development including 675 housing units (of which at least 67 were to be social homes)⁴⁹; but years on, construction had yet to begin⁵⁰.

2023 saw development of the ‘City Quays 4’ riverside apartment complex, part of larger £275m masterplan for ‘office led regeneration’⁵¹ of Belfast Harbour land in the city centre. City Quays 4 received council planning approval for its scheme of ‘build to rent’ apartments on the waterfront, meeting the new LDP requirement for 20% affordable homes by committing to construction of 71 ‘affordable’ units on a separate site several streets inland⁵².

The overall picture is therefore one, not of a deliberate, targeted state response to meet housing need where it is most acute, but rather of a primarily developer-led, for-profit process, in which new planning regulations may well produce more ‘affordable’ housing for purchase or rent by ‘intermediate’ earners than previously, but social homes remain a low priority.

4. To what extent are **communal/collective land ownership, use or access rights recognized in law and practice in your country?** What impact do such tenure arrangements have on the right to adequate housing?

Northern Ireland has nothing comparable to either the community right to buy established in Scotland by its Land Reform Act 2003 or the Scottish Land Fund, set up to help support community organisations in acquiring land⁵³.

5. Please describe the legal regime governing the expropriation of land in your country for public purposes. Please explain to what extent the legal regimes governing expropriation or the withdrawal of land use or access rights are compliant with international human rights standards and the protection against forced evictions, arbitrary resettlement and forced displacement in law and practice.

The Housing Executive has the ability to vest private land to enable housing associations to build social housing, and guidelines for doing so⁵⁴; guidelines for using public land for these purposes also exist⁵⁵. However as seen in response to activists’ campaigns for social housing

⁴⁸ <https://www.belfastlive.co.uk/news/belfast-news/controversial-north-belfast-housing-scheme-28114069>

⁴⁹ <https://www.bbc.co.uk/news/uk-northern-ireland-48631183>

⁵⁰ <https://www.theplanner.co.uk/2024/02/02/question-mark-over-another-major-belfast-development>

⁵¹ <https://www.belfast-harbour.co.uk/real-estate/city-quays/>

⁵² <https://www.belfasttelegraph.co.uk/business/northern-ireland/belfast-harbour-plans-its-first-social-housing-project-with-71-units-in-sailortown/1977404884.html>

⁵³ Land for the Many, 2019 at <https://landforthemany.uk/2-making-land-visible-unlocking-information/>

⁵⁴ <https://www.communities-ni.gov.uk/articles/compulsory-acquisition-landproperty-housing-association-schemes>

⁵⁵ Op. cit., Department of Finance 2018.

at the privately-owned Hillview site in North Belfast and the publicly-owned Mackies site in West Belfast, the Housing Executive has successfully resisted calls for it to use its powers to acquire the land for the purposes of building social housing.

6. Please share any examples of land use, land governance or land management policies that have been successfully employed in your country, region or city to realize the right to adequate housing for all without discrimination.

n/a

Additional information: PPR response to the UN Special Rapporteur's call for input on land and the right to adequate housing

- I. Origins of the land tenure regime
- II. Concentration of key assets in the hands of the Crown Estate
- III. Land used for forestry
- IV. A note about the land registry system

I. Origins of the land tenure regime

Historically, Irish land tenure was based around kinship groups⁵⁶. From the 12th century, Anglo-Norman forces began making incursions into Ireland from England, though for a number of centuries this limited largely to the area around Dublin; their settlements introduced a feudal system of land tenure in which all land was owned by and held from the Crown in exchange for duties or services. Even today in Northern Ireland, a property owner most often technically owns 'an estate in land' and not the land itself⁵⁷. (For more on current Crown holdings in Northern Ireland, see below).

Land dispossession and redistribution

In the early years of the 17th century the English crushed an uprising by the native Irish and expelled many of their leaders in what became known as 'the flight of the earls'. Those who remained saw Irish land expropriated and granted to persons loyal to the Crown, including gentry, former soldiers and Presbyterian settlers from Scotland answering the Crown's call to take part in the 'plantation' of Ulster. Native Irish became tenants or labourers and were increasingly marginalised⁵⁸.

A further uprising began in 1641, at which time "three million of the three and one half million acres of Ulster was owned and controlled by the new lords, sanctioned by English law"⁵⁹. Following the end of the Civil War in England in 1649, Oliver Cromwell and his forces came to Ireland to suppress the rebellion. In 12 years of warfare, a fifth to a quarter of the

⁵⁶ NI Land Matters Taskforce, Towards a Land Strategy for Northern Ireland, 2015 at <https://www.nienvironmentlink.org/site/wp-content/uploads/2022/05/Towards-a-Land-Strategy-for-NI-2015-Main-Report.pdf> p. 5

⁵⁷ NI Law Commission, Land Law consultation paper, 2009 https://www.nilawcommission.gov.uk/consultation_paper_land_law_-_nilc_2_2009_.pdf p. xvi

⁵⁸ Uster University, CAIN Archive, 'Discrimination and Housing' from 'Perspectives on Discrimination and Social Work in Northern Ireland' at <https://cain.ulster.ac.uk/issues/discrimination/gibson3.htm#:~:text=3.1%20Tenure%20An%20analysis%20of%20data%20from,is%20analysed%20by%20socioeconomic%20groups%20and%20religion.>

⁵⁹ James H. Thomas, Univ. of Maine, "A History of Land Tenure Arrangements in Northern Ireland", 1997 at <https://dlc.dlib.indiana.edu/dlcrest/api/core/bitstreams/0d3f7c7b-9cd4-4e65-80a7-76b9359f4158/content>

Irish population were reportedly killed, in the violence or through famine and disease following the use of 'slash and burn' tactics⁶⁰. Westminster's 1652 Act of Settlement laid the groundwork for further land expropriation from Irish Catholics, systematically carried out by Cromwell's forces on the basis of the 1656-1658 Down Survey of Ireland, described as "the first ever detailed land survey on a national scale anywhere in the world"⁶¹. The expropriated land was redistributed to Crown loyalists, including former soldiers.

The impact of restricted access to land amongst Irish Catholics

In the early 18th century, new Penal Laws severely restricted the rights of Catholics, including to land ownership⁶²; people were pushed into tenant farming on ever-smaller and more divided plots of rented land. As the population increased, so did competition for land, driving up rental rates. As a result, many farmers were forced into poor quality homes on tiny parcels of land, where they grew grain to sell for export in order to make rent, and potatoes-- which could be grown intensively on poor soil-- to feed their families.

This reliance on the potato for subsistence set up the conditions for the Great Famine of 1845-1851, in which potato blight caused successive crop failures, leading to the loss of around 2 million people through emigration or death by starvation or disease⁶³.

In the years following the famine, a series of reforms introduced contractual relationships between tenant farmers and landowners (Landlord and Tenant Law Act (Ireland) (Deasy's Act) 1860) and allowed leasehold tenants to purchase the freehold to the land for the first time (Land Purchase Acts 1885)⁶⁴. However, the 'New Domesday Book', a land ownership survey published in 1876, highlighted the marked concentration of land in the hands of wealthy families in what was to become Northern Ireland:

The pattern of landownership in the six counties of the north-east followed this pattern of a concentration of land in the hands of a few; indeed, there seems to have been a preponderance of very large estates in the region... there were 110 landowners with estates of 2,500 acres or above whose principal country house and core estate was situated in these six counties; out of this group, twenty percent were in possession of estates of 20,000 acres or more.⁶⁵

Partition and a version of land reform

In Ulster, particularly in Belfast and its environs, a marked focus on industrialisation saw growth in the shipbuilding and linen industries. Thousands migrated from the countryside for

⁶⁰ Trinity College Dublin, the Down Survey of Ireland webpage at <https://downsurvey.tchpc.tcd.ie/>

⁶¹ Ibid.

⁶² Varia, including Mary Dobbs, Sarah Hamill and Robin Hickey, Queens University Belfast 2023, "Land Law and Land Use" at <https://pure.qub.ac.uk/en/publications/land-law-and-land-use>; and Tomas O'Dubhda, Land Ownership in Ireland Part 1 at <https://tintean.org.au/2024/08/10/land-ownership-in-ireland-part-1/>

⁶³ Ibid., also see Cynthia E. Smith, Marquette University, "The Land Tenure System in Ireland: a fatal regime", 1993 at <https://scholarship.law.marquette.edu/mulr/vol76/iss2/6>

⁶⁴ Op. cit., James H. Thomas; also op. cit., Land Matters Taskforce 2015 pp. 8-9.

⁶⁵ Olwen Purdue, Queens University Belfast, 'The Price of Our Loyalty': Ulster landlords, tenants and the Northern Ireland Land Act of 1925', 2022 at <https://pure.qub.ac.uk/en/publications/the-price-of-our-loyalty-ulster-landlords-tenants-and-the-norther>

work in these industries, exacerbating overcrowding and sectarianism, especially in working class areas⁶⁶.

Following the Irish war of independence, in 1921 six of the nine counties of Ulster – site of the most industrial development and the most Protestant settlement-- were split off from the other 26 counties on the rest of the island to remain part of the United Kingdom.

In 1923 the new Republic of Ireland passed Irish Land Act, which forcibly purchased the estates of former landlords and enabled tenants to buy the land⁶⁷. In the new Northern Ireland – with several large landowners in high-ranking government positions, facing potential discontent amongst reform-minded unionists, not to mention landless nationalists-- land purchase was deemed to be a matter reserved for decision in London.

A Land Purchase Commission Northern Ireland was set up in 1923, and the 1925 Northern Ireland Land Act vested 'all tenanted land' in large estates, allowing this Commission to purchase and resell it to the farmers working it⁶⁸. Crucially however – unlike the Irish Land Act down south – it allowed landlords to retain their untenanted land, amongst other exemptions, leaving large parts of some estates protected and intact. The Commission was reported to have bought 805,500 acres of tenanted land from landlords and sold it to 38,500 tenants under the 1925 Act.⁶⁹.

As one academic concluded:

the compulsory purchase of remaining landed estates represented by the Northern Ireland land act of 1925 may have ended landlordism in Northern Ireland; however, it certainly did not destroy the landed class. Instead, by its favourable terms and, most importantly, by the fact that it preserved for landed families the land which they held in hand, it allowed them to develop their remaining resources in a way that would enable them to continue to maintain their country house and demesne and remain living and playing an active part in the life of the region. Through the opportunity to farm remaining land on a viable basis, to develop other natural resources on their estates and, in latter days, to capitalise in the tourist and leisure market which has finally taken off in Northern Ireland, owners of many country houses have managed to continue the struggle to maintain their cash-greedy, labour-intensive mansions. In contrast to the situation in the Free State where compulsory land purchase legislation left an open door for the stripping of land from country houses by a land-hungry population, [in the north] the compulsory purchase legislation passed by Westminster protected the interests of the landed class, not only in the short term but, by ensuring that they remained in possession of their untenanted land, for many years to come.⁷⁰

⁶⁶ Moffett, L., Lawther, C., Hearty, K., Godden, A., & Hickey, R., "No longer neighbours": the impact of violence on land, housing and redress in the Northern Ireland conflict", QUB 2020 at https://pureadmin.qub.ac.uk/ws/portalfiles/portal/213711196/Land_Report_ENG_Red.pdf

⁶⁷ Inter alia, op. cit., Dobbs, Hamill & Hickey; also BBC <https://www.bbc.co.uk/news/uk-northern-ireland-65684388>

⁶⁸ Ibid., Dobbs, Hamill & Hickey.

⁶⁹ Op. cit., Purdue.

⁷⁰ Ibid., pp. 28-29.

A system of electorally-motivated housing provision

Meanwhile, access to housing remained a significant issue. 1945 saw the creation of the Northern Ireland Housing Trust, to work with (predominately Protestant-dominated) local authorities to try to improve local housing provision. At this time in the north, voting rights were tied to home ownership; in councils, particularly those with slim majorities, it was in elected officials' interest to house people from their own community and limit others' access to homes in the area⁷¹.

By 1971 the Trust had "completed 48,500 dwellings; half its original target"⁷² but was criticised for prioritising housing for industrial workers in and around Belfast, who tended to be disproportionately from the Protestant community. It also failed to halt councils' use of housing provision for electoral ends. As one commentator put it,

the housing record during the period between 1945 to 1971 was one of missed opportunities, mismanagement, and deliberately unfair allocation policies by a number of local authorities, geared to secure voting patterns rather than meet housing need.⁷³

Awareness of the Trust's failure to ensure housing for those in the greatest need and to reduce the pervasive shortage of housing was recognised as a driver of the civil rights movement in the 1960s.⁷⁴

The civil rights movement

The Campaign for Social Justice began in 1964 in the wake of reported housing discrimination against Catholic households by local councils. Its work helped to document discrimination in housing and jobs. Only householders were allowed to vote in local elections; CSJ estimated that this requirement disenfranchised 25% of voting-age adults who due to the shortage of homes were living with relatives or sub-letting, and that those excluded were disproportionately Catholic⁷⁵.

A case of particular note, highlighted by the NI Civil Rights Association and others, was the 'Caledon incident' in 1968. A Nationalist MP at Stormont squatted in a house that had been allocated to an unmarried Protestant woman (secretary to a local Unionist politician) over a Catholic family who had three young children and whose house had been condemned as unsanitary for years.

Following violence and forced displacement that followed growing civil rights protests, the 1969 report by Lord Cameron into 'Disturbances in Northern Ireland' concluded that housing was a primary motivator of the civil rights movement:

⁷¹ Op. cit., "No Longer Neighbours" p. 5; also Martin Melaugh, "Housing and Religion in Northern Ireland", Ulster University CAIN Archive 1994 at <https://cain.ulster.ac.uk/issues/housing/docs/mm32.htm>

⁷² Ibid. ("Housing and Religion")

⁷³ Ibid.

⁷⁴ Ibid.

⁷⁵ Ibid.

Having carried out as full an investigation as lay within our competence we can summarise our conclusions upon the immediate and precipitating causes of the disorders which broke out in Londonderry on 5th October 1968 and continued thereafter both in Londonderry and elsewhere on subsequent dates. These are both general and particular.

(1) A rising sense of continuing injustice and grievance among large sections of the Catholic population in Northern Ireland, in particular in Londonderry and Dungannon, in respect of (i) inadequacy of housing provision by certain local authorities (ii) unfair methods of allocation of houses built and let by such authorities, in particular; refusals and omissions to adopt a 'points' system in determining priorities and making allocations (iii) misuse in certain cases of discretionary powers of allocation of houses in order to perpetuate Unionist control of the local authority.⁷⁶

Following on from these findings, in 1971 the Housing Executive Act (Northern Ireland) created the Northern Ireland Housing Executive, a new public body designed to provide housing on the basis of need only, using an objective points-based allocation system. It assumed control of roughly 150,000 publicly-owned homes in the north. One commentator described the extent of the challenges it faced:

public housing at this stage was mainly allocated by the local councils, and there was much evidence of discrimination in housing allocation against members of the Catholic community... In 1971, only 63 percent of Catholic homes in Northern Ireland had hot water, a fixed bath or shower, and an inside WC, as opposed to 72 percent of Protestant homes.⁷⁷

In coming years the Housing Executive's first House Condition Survey, completed in 1974, would find that nearly one fifth of homes were "legally unfit for human habitation"⁷⁸.

The conflict

Meanwhile, sectarian violence was leading to mass population movement, particularly in urban areas, as people who were a minority in their area left for places that felt safer. Ulster University's CAIN archive cites findings that "between 1969 and 1974 an estimated 60,000 people, or nearly one-quarter of all households in Belfast moved house"⁷⁹. (This will also have included people who had been burnt out of their homes as well as those whose homes had been damaged in bombings or other armed violence.)

⁷⁶ Ulster University CAIN Archive, Cameron Report- Disturbances in Northern Ireland, 1969 at <https://cain.ulster.ac.uk/hmso/cameron2.htm#chap16>

⁷⁷ Ulster University, 'Background information on Northern Ireland society: housing' at <https://cain.ulster.ac.uk/ni/housing.htm>

⁷⁸ Housing Executive, Insight Briefing Nov 2018, "NI's Housing Stock: evidence, comparisons and innovation" at <https://www.nihe.gov.uk/getattachment/e6422a19-1bce-4c3e-80bc-09d3316f60e2/november-2018-insight-briefing.pdf>

⁷⁹ Op. cit., Ulster University CAIN Archive, 'Discrimination in Housing'

During the nearly 30-year period of civil disturbance known as ‘the Troubles’, thousands of families from both communities were forcibly displaced from their homes. The move towards segregation in Belfast was described as follows:

in the most part the pattern of population movements often followed a defensive one, wherein mixed families or minority Catholic or Protestant families often moved to majority dominated estates of their own community. The size of the community was also governed by the ‘defensive need to be able to recognise everyone who lived in it and therefore in times of conflict to immediately recognise strangers.’ The conflict also influenced planners, where estates were defensively planned as a means to ‘spatially’ contain violence. The police emphasised the importance of ‘realistic security input’ into housing planning, which included creating neutral zones between interfaces to separate them and reduce hostilities, such as creation of the Westlink dual carriageway separate Catholic and Protestant interfaces in south-west Belfast. Subtler ways to mitigate community interfaces in planning also included facing houses so that they did not look onto houses in the other community and the planting of trees to visibly obscure. However, as a consequence such ‘defensive planning’ resulted in cutting off and curtailing the provision of new housing, economic growth, access to jobs and inward investment thereby in turn further marginalising, both socially and economically, this part of the city as a whole.’⁸⁰.

In rural areas these tensions surfaced in some similar ways, with some families – particularly in border areas of counties Tyrone and Fermanagh-- displaced from their farms following intimidation or attack by members of the other community⁸¹.

Peace

The 1998 Good Friday Agreement brought this period to a close. Under that agreement, certain matters such as security and immigration remain ‘reserved’ to Westminster decision-makers, but the remaining functions have been devolved to a local power-sharing government based at Stormont. Despite the centrality of housing to the civil rights struggle that preceded the conflict, the agreement did not directly address land or housing matters, nor did it lay the groundwork for any mechanism to address displacement, resettlement or redistribution⁸².

Power-sharing has collapsed at different points since devolution, most recently between February 2022 and February 2024 following the withdrawal of the Democratic Unionist Party from government over the UK’s Brexit deal. Sitting ministers remained as ‘caretakers’ until end October 2022; after that the UK’s Secretary of State for Northern Ireland became responsible for the NI budget, while departments were run by civil servants, with many decisions made without elected political oversight or deferred.

Research published in 2023 found that many of the historic issues remain today:

⁸⁰ Op. cit., “No Longer Neighbours” p. 18.

⁸¹ Ibid. pp. 27-28.

⁸² Inter alia, *ibid.*, p. 32.

over twenty years on from the Agreement, housing has continued to be a peripheral issue and does not feature in discussions on dealing with the past. Efforts at integrated housing have struggled to take hold in the face of ongoing paramilitary influence in communities and more structural reform has lacked political will, so as to avoid upsetting electoral boundaries and representation in the Northern Ireland Assembly and Westminster.⁸³

Given the ever-deepening housing crisis – felt throughout Northern Ireland, albeit most drastically in areas of acute social housing need such as West and North Belfast – it is clear that access to housing is still a highly problematic issue here.

⁸³ Ibid. p. 48.

II. Concentration of key assets in the hands of the Crown Estate

In one obvious issue, today in Northern Ireland the Crown Estate is a very significant landowner, directly holding

1. The seabed out to 12 nautical miles (with interests including “renewable energy, telecommunications, power cables and pipelines”) as well as rights to the resources on the continental shelf “such as natural resources and offshore energy, but excluding fossil fuels”;
2. around 65% of the foreshore and riverbed, with interests in aquaculture (oyster, mussel and seaweed cultivation) as well as coastal interests including commercial ports, recreational harbours, marinas, jetties, wharves and slipways; and
3. rights to deposits of gold and silver, including “one Mines Royal lease in place in Northern Ireland, along with a further thirteen Mines Royal option agreements with five companies”⁸⁴

In February 2025, in response to a parliamentary question, the value of the Crown Estate’s Northern Ireland assets was reported to be “£25,970,540 across telecommunication cables, coastal, interconnectors, pipelines, power cables, storage, and mines royal”⁸⁵.

In 2025, additional mining licenses were approved in three Northern Ireland counties, over widespread public opposition⁸⁶. These will presumably increase the Crown Estate’s profits for the coming year.

III. Land used for forestry

Of the around 111,000 hectares dedicated to forestry, just over two thirds is managed by DAERA’s Forest Service and the remainder is private sector (including some large landowners who receive state support for forestry activities on their estates)⁸⁷. In addition, the National Trust has acquired a range of forests, coastal areas and properties in Northern Ireland⁸⁸:

the Trust has been active in Northern Ireland since 1936 and it owns and manages around 12,000 hectares (46 square miles) of countryside and 200 kilometres of the local coastline⁸⁹.

⁸⁴ The Crown Estate, Northern Ireland Highlights 2020/21 at <https://www.thecrownestate.co.uk/media/3871/northern-ireland-highlights-2021.pdf>. See also https://www.datocms-assets.com/136653/1721826960-01_northern_ireland_review_2023_24_v21.pdf

⁸⁵ See Hansard at <https://questions-statements.parliament.uk/written-questions/detail/2025-02-21/32185>

⁸⁶ <https://www.irishnews.com/news/northern-ireland/concern-as-seven-mining-licences-granted-across-three-northern-ireland-counties-CQRQMIL5XZFKHE5PTBLKVWFDVM/>; also Friends of the Earth April 2025 at <https://friendsoftheearth.uk/nature/beyond-extractivism-northern-ireland>

⁸⁷ DAERA at <https://www.daera-ni.gov.uk/articles/forestry-planning>

⁸⁸ <https://www.nationaltrust.org.uk/discover/history/discover-the-national-trust-land-map>

⁸⁹ <https://www.nienvironmentlink.org/our-members/national-trust/>

IV. A note about the land registry system

Since the late 19th century NI has had a functioning fixed tenure and cadastral (ordnance survey-based land registry) system⁹⁰. The current [Land & Property Services](#) (LPS) is part of the NI Department of Finance. It [holds](#) three registries: the Land Registry records map-based registrations and guarantees legal title; the Registry of Deeds registers documents for unregistered land; and the Statutory Charges Register records certain restrictions or conditions affecting properties.

In April 2025 the Department of Finance [awarded](#) a minimum 15-year, £125m contract for a new digital land registry system to the Japanese company Fujitsu – despite the company having [publicly promised](#) to pause all public sector bidding in the UK.

Fujitsu had made this promise as the company which provided the UK Post Office with the Horizon IT system, notorious for failings which led to the [wrongful prosecutions for theft](#) of a reported 900 sub-postmasters between 1999 and 2015 (including in NI) and to the havoc in the personal, family and professional lives that ensued. The scandal, described as the UK's most widespread miscarriage of justice, led Fujitsu to [announce](#) in early 2024 voluntary limitations on its UK actions-- including a pause on bids for new government work. NI's Department of Finance was [reported](#) to be working closely with the Cabinet Office in Westminster on the issue of Fujitsu contracts.

Over the course of 2024, a rival IT firm [legally challenged](#) the DOF's decision-making during the bidding and evaluation process; the NI Finance Minister faced [questions](#) from legislators about the potential awarding of public contracts to Fujitsu; and the NI Assembly's Committee for Finance [formally queried](#) whether the Department "considers Fujitsu run systems safe and reliable". Nonetheless in April 2025 the Department announced that Fujitsu had won the digital land registry contract.

Meanwhile the [Post Office Horizon IT inquiry](#)-- begun in 2020-- completed its public hearings phase and has begun compiling its final report.

⁹⁰ <https://dlc.dlib.indiana.edu/dlcrest/api/core/bitstreams/0d3f7c7b-9cd4-4e65-80a7-76b9359f4158/content>
James H Thomas (Univ of Maine), A History of Land Tenure Arrangements in Northern Ireland, Apr 1997