

Belgium

BERGERIE 2016 TO HABITAT III



RIGHT TO HOUSING

Belgium provides its citizens with the right to adequate housing as the **Belgium Constitution** (Article 23, paragraph 3) reads, “Everyone has the right to enjoy a life in conformity with human dignity». Towards this end, the law, the decree or rules established under **article 134** guarantees, taking into account the corresponding obligations, economic, social, and cultural rights of which they determine the conditions for their implementation.” These rights include, in particular, the right to decent accommodation.

Belgium ratified the **Revised European Social Charter** on 02/03/2004, accepting 87 of the Revised Charter’s 98 paragraphs, excluding the Article 31 on the right to housing. It accepted the Additional Protocol providing for a system of collective complaints on 23/06/2003, but has not yet made a declaration enabling national NGOs to submit collective complaints.

(Source : FEANTSA,2012)

The right to housing regularly finds itself in conflict with the right to private property. Social movements seeking to impact housing policy must be able to identify and connect the different levels of responsibility if they are to advance their demands. (...)



Homeless with dogs : On the street, many people suffer from mental health problems. - BELGA credit

INTERESTING PRACTICES

THE REQUISITION LAW

A requisition law (the so-called “Onkelinks” law) was adopted several years ago, but has been little used due to difficulties implementing it. Governments have preferred what is known as “soft requisition,” which consists of offering proprietors incentives to place their properties back on the renting market.

EVICTION PROCEDURES

Article 1344 of the legal code lays out procedures for eviction. It is noteworthy that public services (the Public Center for Social Assistance) are required to provide help to the evicted and that eviction noticed must be made in writing or by citation. (...) Social movements have protested the latter cause, as many mayors use this strategy to “cleanse” city centers of their poorest residents.

PUBLIC RENTAL HOUSING AGENCY

Belgian authorities have created housing agencies working in the public interest. They mediate between the proprietor and the tenant. These agencies locate through the market proprietors who want to put their properties up for rent without having to manage them, knowing that they will have underprivileged or low-income renters. The Public Housing Agency (L’Agence Immobilière Sociale) sublets the property to renters and takes responsibility for all related issues (renovation, non-occupancy, unpaid rent, etc.).

«SLIDING» LEASES

This is a slightly more complicated version of the procedure discussed above: if the “public” proprietor determines that the renting arrangement between the tenant and proprietor is working well, it may choose to withdraw from this three-way relationship, “sliding” the lease to the de facto tenant. This procedure requires acquainting proprietors with the challenges their tenants may face.



RENTING PERMITS

In the Walloon Region, proprietors who want to rent out communal housing units or small individual units must obtain a renting permit from the appropriate government authority. The latter ensures prospective renters that their housing units are healthy and in good condition. However, health standards are increasingly strict and the cost of renovations can be passed onto the tenant. This can even lead to evictions when the housing unit does not meet the standards required to obtain a renting permit.

THE COMMUNITY LAND TRUST

This new access to land and property modality comes in line with the United States. The subprime crisis has shown that this model could purchase housing through financial crises. It is a very social promote ownership by implementing three important mechanisms: (...)

MAJOR PROBLEMS

HOMELESSNESS IN THE MIDST OF VACANT BUILDINGS AND FINANCIAL SPECULATION

According to Feantsa, Belgium, in 2010, had 17,000 homeless or people with no fixed residence. Social movements like the Common Homeless Front (Front commun des sans abri) and Daklooze Actie Komiteit (DAK) actively support the mobilization of the homeless. the DAK announced that the number had risen to 50,000 people, with only a minority consisting of the “visible” homeless. The remainder—including many young people—is the submerged part of the iceberg.

“ALTERNATIVE” HOUSING HAS EMERGED IN THE MIDST OF THE HOUSING CRISIS

Living in residential camping grounds, in chalets, and camping cars. It is estimated that in southern Belgium 10,000 people live in this kind of housing, whether by choice or by necessity. Associations offer support to these families, who are often harassed by local authorities. (...)

The arrival of refugees in Belgium: how to house them ?- BELGA credit



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Problems of European Building in the center of Brussels



Public Housing

HABITAT WORLDMAP

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