



LEGAL ASPECT

In 1976, Portugal became the first European country to declare in its constitution: "Everyone has the right ... to a dwelling of adequate size satisfying standards of hygiene and comfort and preserving personal and family privacy." The state is responsible for guaranteeing the efficacy of this right by implementing housing policies, in collaboration with local authorities. Similarly, charitable organizations have become—as in all member states—the primary service-providers for the homeless.

### Article 65 of the Constitution

1. Everyone has the right for himself and his family to a dwelling of adequate size satisfying standards of hygiene and comfort and preserving personal and family privacy.

2. In order to safeguard the right to housing, it is the duty of the State to :

- Draw up and put into effect a housing policy that is a part of general regional planning and is based on urban planning that secures the existence of an adequate network of transport and social facilities;
- Encourage and support local authorities' and communities' initiatives aimed at solving their housing problems and promoting the establishment of housing cooperatives as well as individual building;
- Promote private building subject to the public interest, as well as access to privately owned dwelling.

3. The State adopts a policy aimed at introducing a system of rents compatible with family incomes and of individual ownership of dwellings.

4. The State and local authorities exercise effective supervision over immovable property, expropriate urban land where necessary, and lay down the legal requirements for its use.

Source : CETIM (publication COHRE).

However, until the late nineties, public housing policy proved frequently incapable of responding to the housing needs of the poor. **Only in the mid-nineties was the Special Re-Housing Program begin to adequately address the housing problems of thousands of families who had lived for decades in shanties and degrading living conditions.** Yet the system that was established made Portugal's system for investing in public housing almost untenable.

Source: 2012 CECODHAS report.

The Housing Market: A Majority of Homeowners

An analysis of the Portuguese housing market shows that, as in many other southern European countries, far more properties are owned than are rented. This robust tradition of homeownership also creates a problem for low-income groups in terms of access to housing. According to CECODHAS, in 2011, 75% of Portuguese households owned their homes (compared to the European average of 65% ; 18% rented on the private market; 3% were public housing tenants; and 4% were in "other" situations.

Housing quality for many families is fairly mediocre: in rural areas, many people living in dilapidated homes and, in urban areas, in sheds or shanties.

Source: Habitat for Humanity Portugal.



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### PROBLEMS

- The degradation and vacancy of housing in city centers
- Real estate speculation in city centers
- A lack of basic infrastructure
- An overdeveloped property market
- The persistence of shantytowns
- The emergence of public re-housing neighborhoods, often located on outskirts of cities, which deny inhabitants to their right to the city. These public housing neighborhoods are on the verge of imploding, as a result of overpopulation, dilapidated buildings, high concentrations of social problems, the stigmatization of their residents, social division, and so on.
- Homelessness
- Evictions

One source: Article on Lisbon's shantytowns

- the unhygienic conditions in which thousands of people live
- the inaccessibility of the private housing market, primarily in cities
- thousands of abandoned buildings in cities
- the inefficiency of existing legislation
- the state's increasingly hands-off approach

Source : SOLIM association



# HABITAT WORLDMAP

BETTER UNDERSTAND THE CONTEXT : [WWW.WM-URBAN-HABITAT.ORG](http://WWW.WM-URBAN-HABITAT.ORG)

## UNDER CONSTRUCTION

