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PROPOSAL OF A EUROPEAN CHARTER FOR HOUSING

Introduction

Terrible current events have recently brought to mind that housing is still a field at the heart of the societal problems met by all the European Union countries. Many European cities experience real housing difficulties such as high cost of housing or antiquated buildings, which undeniably affect the quality of life of the citizens.

Although housing is not *sensu stricto* a European Union skill, yet the policies developed and supported by the European Union have an undeniable impact on this matter. Indeed, the lack of decent accommodations at a moderate price constitutes an obstacle to competitiveness, employment and social inclusion insofar as it weakens even more the most exposed people. Without a proper home, it becomes really difficult finding a job, studying, in brief : living the way one has the right to live in Europe.

Aware of the seriousness of the housing problems in the European Union, the European Parliament has voted, on July 6th, 2005, the eligibility to Structural Funds of expenditures which relate to renewal of vocational social housing.

On September 29th, 2005, the “URBAN-Housing” Intergroup held a first session dedicated to the housing problems existing on the territory of the European Union. During that session, a working document has been presented in order to begin a reflection about the need to adopt a proposal of a European Charter for Housing.

This text represents an opportunity to enunciate several principles, such as the right to housing, and to stress the need for the European Union to lead community policies able to create a favourable and incentive framework for the Member States housing policies.

To that purpose, it has been decided to bring before the Members of the European Parliament, Members of the Intergroup and partners taking part in the works of the Intergroup, that Proposal of a Charter. After receiving the contributions and comments of all consulted people, they will be invited to a discussion about the Proposal for a Charter during an informal meeting of the Intergroup, which should be held during the month of December.

With the background of those consultations, the “URBAN-Housing” Intergroup will be in a position to make a stand on the Proposal of a European Charter for Housing, which might be the starting point of a discussion to be communicated to the Conference of Presidents of the European Parliament with the purpose to lead him to pronounce on that issue.

PROPOSAL OF A EUROPEAN CHARTER FOR HOUSING BY THE « URBAN-HOUSING » INTERGROUP

Having regard to the conclusions of the European Council of Lisbon ;

Having regard to the revised social Charter of the European Council ;

Having regard to the Charter of the Fundamental Rights ;

Having regard to the resolution of the European Parliament of January 14th, 2004 ¹;

Having regard to the resolution of the European Parliament of May 26th, 2005 on the Agenda for social Policy 2006-2010 ² ;

Having regard to the resolution of the European Parliament of July 6th, 2005 on the proposal for a Council regulation laying down general provisions on the European Regional Development Fund, the European Social Fund and the Cohesion Fund ³;

Whereas housing is at the heart of the societal problems met by all the European countries, and whereas all the Member States recognise the access to a healthy and decent accommodation as an essential condition for social integration, participation to social life and as an indispensable vector of social cohesion;

Whereas housing is an essential element to achieve the Lisbon strategy and that it is the European Union's interest that the Member States develop housing policies which fully meet the social, urban and territorial cohesion issues of the European Union; whereas the access to a decent housing for everyone has been established as a common objective by the European Council of Lisbon and, as such, relieves from a coordination in the frame of the European inclusion strategy;

Whereas employment pools, so much as building, renewal, settlement and community services, are linked with the field of housing;

Whereas it is an essential component of the European social pattern since it contributes improving the life conditions; whereas it is a structuring element of the sustainable urban development of the European Union, a key factor of social inclusion and of the struggle against exclusions and discriminations, a vector for creating employment as well as a factor of competitiveness and attractiveness of the territories;

Whereas the right to aid for housing is recognised in the Charter of the Fundamental Rights of the European Union, and that the right to housing was integrated as a fundamental social right in the revised social Charter of the European Council;

Whereas the lack of accommodations at a moderate price holds back competitiveness and employment since it alters professional mobility within the European Union ; whereas

¹ P5 – TA (2004) 0018

² P6 - TA-PROV (2005)0210

³ P6 – TA PROV (2005) 0277

well-balanced housing markets encourage professional mobility and contribute to the development of the financial services sector;

Whereas European cities are in need of investments and long-term planning in view to improve the quality of life of all the European citizens and to promote a sustainable urban development ;

Whereas the housing park needs to be renewed, particularly in the new Member States where the town centres have been damaged and where the existing housing park has often become unhealthy, bringing on that a great part of the mid-classes are leaving those city centres ; whereas, at the same time, self construction of a disorderly type is growing in the peri-urban areas, in contrast with the requisites of sustainable urban development; reinforcing the risks of making worse the urban crisis and of spoiling social and territorial cohesion of the European Union ;

Whereas improving the energy efficiency of the residential sector to meet the Kyoto requirements leads to a better quality of life for all, as well as to massive employment creation and constitutes a priority of the European Union energy policy;

Whereas, even though housing is not a European Union skill, yet interactions between community policies and matters concerning housing are many and increasing, and show multiple dimensions; whereas the role of housing in the European social pattern must be fully recognised by the Community Institutions and, in accordance with the constitutional tradition of the Member States, the right to accommodation should be set up as a fundamental right of the European Union and integrated as such in the Charter of the fundamental rights consistent with the social Charter of the European Council;

Whereas the intervention conditions of the Member States' public authorities and of the housing actors are increasingly being supervised by the community regulations (VAT and States Aid regulations, general interest services, public markets) ;

Whereas European standardization also aims at extending its intervention field to the services linked with housing and societal matters such as urban security and ill will prevention through construction and urbanism, without any democratic control;

CHAPTER ONE : HOUSING AND THE EUROPEAN COHESION POLICY

Article one :

Housing : a necessary good, a fundamental social right, component of the European social pattern

§ 1. Housing is an essential element of human dignity, an essential component of the European social pattern and of the social protection systems of the Member States;

§ 2. Any person living on the territory of the European Union has the right to access a healthy, decent and affordable accommodation and to benefit from an aid for housing in order to guarantee a dignified life in accordance with the constitutional tradition of the Member States, as referred to in Article 34 of the Charter of the Fundamental Rights and Article 31 of the revised social Charter of the European Council.

§ 3. The European Union and the Member States attend to the effective implementation of that fundamental social right in accordance with the measures of the Treaties and respecting the national regulations and practices. In this purpose, they will support the creation and the renewal of social housing or transit housing destined for people earning the lowest incomes. The Union and the Member States should also take fitted measures in order to make more attainable the renting of average housing for people with average incomes, who meet increasing housing problems, particularly in the huge cities on one hand, and improve the access to property for people with average or low incomes, namely by making easier the lending of mortgage at conditions adapted to their situation.

Article 2.

Housing : a key factor to preserve social cohesion of the European Union

§ 1. The access for everyone to a decent and adapted accommodation is a key condition for maintaining social cohesion within the European Union.

§ 2. Exclusion from housing, homelessness and unworthy housing conditions must be struggled according to the fundamental rights of the European Union and in view of the interest of the Community.

§ 3. Social inclusion of vulnerable people involves taking into consideration the importance of the access to housing.

§ 4. All kinds of discrimination through housing are prohibited and must be punished in accordance with the Community regulations.

Article 3.

Housing : a lever for economic cohesion of the European Union

§ 1. As a sector with an important labour force, housing constitutes a privileged employment pool, either direct or induced.

§ 2. Tension in the housing markets holds back professional mobility and harms the European Union competitiveness.

§ 3. Speculative practices in the housing markets must be struggled in consideration of their negative impact on the capital markets stability.

§ 4. The importance of needs in terms of construction and adaptation of the existing housing park linked with the market evolution should be taken into account.

Article 4.

Housing : an inescapable component of the European Union territorial cohesion

§ 1. The development of phenomenons of spatial segregation and social specialisation of territories linked with housing conditions must be struggled in name of the European Union territorial cohesion.

§ 2. Social balance and social diversity of the territories should be a guideline for the European Union and Member States policies.

§ 3. The settlement of the Community space should integrate the goals of balancing socially injured territories and reducing cohesion differences.

Article 5.

A full-fledged component of the European Union sustainable urban development

§ 1. Housing is a privileged tool for implementing a sustainable urban development in the European Union.

§ 2. The control of peri-urban spreading over and urban sprawl should be a Community interesting goal, in the perspective of a sustainable urban development.

§ 3. Housing is a privileged vector for controlling energy demand on a scale of both the European Union and the development of renewable energies.

CHAPTER II : THE ROLE OF THE EUROPEAN UNION AND THE IMPULSE OF THE EUROPEAN PARLIAMENT

Article 6.

The role of the European Union

The European Union should make sure that its policies contribute establishing a favourable and incentive framework for the Member States housing policies, in accordance with the Community interest and having regard for their contribution to the effective carrying out of the Lisbon Strategy and the Union's objectives, in terms of cohesion and sustainable urban development. The European Parliament should see to the

implementation of this principle and assure an even evaluation within the frame of its Regional Development Committee.

Article 7.

The cohesion policy

§ 1. Housing should be integrated into the economic, social and territorial cohesion policy of the European Union respecting the European Union and the Member States jurisdictions, as well as the subsidiarity and additionality principles. In that capacity, expenditure in terms of renewal of vocational social housing, with a view to saving energy, meeting the social cohesion objective and protecting environment in the sustainable urban development context, should be eligible to the Structural Funds.

§ 2. The upturn of the European Union's sustainable urban development strategy should fully integrate the housing aspect, notably in terms of sustainable urban growth, spatial planning and reduction of the cohesion gaps within the cities.

§ 3. Community policies in the fields of energy efficiency, renewable energies, noise, pollution, health should integrate their action in favour of sustainable housing and improvement of urban environment. The European Investment Bank should be able to make loans available to the Member States for investments related with these matters, in synergy with these policies.

Article 8.

The social inclusion strategy

§ 1. The European social inclusion strategy should be fully integrated in the Community policies. The role of housing must be recognised thereto as it deserves. Quantitative objectives should be set to fight exclusion with a view to reinforce readability of social inclusion for the European citizens. In order to allow a coherent analysis of the housing situation in Europe, indicators common to the Member States should be defined and the European Union should promote the exchange of good practices in terms of effective implementation of the right to housing.

§ 2. According to Articles 16 and 86.2 of the Treaty and to the jurisprudence of the Court of Justice, the policies of the Member States aiming at promoting an offer for accommodations accessible to all, are a full part of the general interest services framework and, to this end, enjoy the clause of primacy for the achievement of their missions on the conditions of the Treaties.

§ 3. The procedures in effect concerning reduced VAT rates for the housing field should be maintained having regard to the necessary aspect of housing and to a significant presence of labour force in this sector.

Article 9.
Standardization and the role of the European Parliament

As far as European standards for housing and related societal matters are concerned, such as urban security and ill will prevention, the extension of the services standardization should be realised with a democratic control by formally consulting the European Parliament.