



PERMANENT MISSION OF PORTUGAL
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The Permanent Mission of Portugal to the United Nations Office and other International Organizations in Geneva presents its compliments to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, to the Special Rapporteur on extreme poverty and human rights and to the Independent Expert on minority issues and referring to the joint urgent appeal (PRT 1/2012), dated 23rd July 2012, has the honour to enclose the reply of Portugal on the situation in Bairro de Santa Filomena, Amadora, Portugal.

The Permanent Mission of Portugal avails itself of this opportunity to renew to the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, to the Special Rapporteur on extreme poverty and human rights and to the Independent Expert on minority issues the assurances of its highest consideration.

Geneva, 11 September 2012



To the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, to the Special Rapporteur on extreme poverty and human rights and to the Independent Expert on minority issues
Office of the United Nations High Commissioner for Human Rights
Geneva



**REPLY OF PORTUGAL TO THE JOINT URGENT APPEAL SENT BY
THE SPECIAL RAPPORTEURS ON ADEQUATE HOUSING AND ON
EXTREME POVERTY AND BY THE INDEPENDENT EXPERT ON
MINORITY ISSUES ON THE SITUATION IN BAIRRO DE SANTA
FILOMENA, AMADORA, PORTUGAL**

Portugal would like to thank the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living and on the right to non-discrimination in this context; the Special Rapporteur on extreme poverty and human rights and the Independent Expert on minority issues for having issued this joint urgent appeal on the situation in Bairro de Santa Filomena, Amadora, Portugal.

We highly value and welcome the work developed by your mandates and we recognize the important contribution they give to the realization of human rights.

In line with our continuous support of and commitment to the work of the Human Rights Council's Special Procedures and to the improvement of the Human Rights situation in our country, to which the work of the Special Procedures contribute immensely, we took due consideration of your joint urgent appeal and we have immediately circulated it to the relevant public departments and to the Municipality of Amadora.

The clarifications we are submitting below are the result of the information provided by the Mayor of Amadora, the Ministry of Solidarity and Social Security and by the Ministry of Agriculture, Sea, Environment and Territorial Planning, responsible for the policies related to housing.

The Facts about Bairro de Santa Filomena and about PER (Special Re-housing Programme) – Questions 1, 4, 5 and 7

"Bairro de Santa Filomena" is a neighbourhood in Amadora, a city in the outskirts of Lisbon. Given the high number of illegal settlements (mostly shacks) in this neighbourhood, it has been included in the National Special Re-housing Programme (*Programa Especial de Realojamento – PER*).

The Special Re-housing Programme was created in May 1993, through Decree-Law no. 163/93 of May 7, and aimed at eradicating shacks in the country. It includes a mechanism which allows for the re-housing of residents who meet the eligibility



criteria for the programme (permanent residence since 1993 and lack of alternative housing). It applied initially only to the metropolitan areas of Lisbon and Porto.

The Special Re-housing Programme, as amended by Decree-Law no. 271/03 of October 28, covered around 21,000 people in Amadora which resulted in a need for 6,688 homes.

In "Bairro de Santa Filomena", an initial number of 562 households were identified within the PER. Out of these, 393 were already re-housed through the construction and purchase of houses, as well as through alternative housing programmes of assisted accommodation, namely PER – Families (*PER – Famílias*), the Return Programme (*Programa Retorno*) or the Programme of Support to Self Re-housing (*Programa de Apoio ao Auto Realojamento*).

The process is undergoing for the remaining 169 households within PER. All of them will be re-housed as this programme contemplates the necessary financial resources to that end.

Prior to the issuing of eviction notices, the municipality's social services, in cooperation with the Institute for Social Security of the Ministry of Solidarity and Social Security, made an in-depth evaluation of the situation at hand. This evaluation includes visits to the neighbourhood and direct contact and consultations with the affected communities, in order to identify the most vulnerable situations, which would require particular assistance and alternative re-housing solutions. In this exercise 40 families have been identified outside the framework of PER programme (questions 4 and 5).

It is also important to note that Amadora's social service team maintains a permanent presence on the ground, which results also in a continuous registration update of the PER programme.

The first demolitions started on July, 27th. 2012 (social service staff is present at all times during the demolitions).

Questions 3 to 6

All the families involved, irrespectively of being included or not in the PER programme, were contacted and informed about the plans of the Municipality to start the demolition of the illegal settlements in that neighbourhood. They were informed about the PER programme and were encouraged to seek alternative housing with or without the support of the local structures of social support (question 3).



Regarding the 40 abovementioned families, living in Bairro de Santa Filomena and not covered by PER, their situation has been constantly monitored by the Social Services of Amadora. An integrated social service approach has been applied to these cases (combining the services of the municipality, of the parish as well as of the Institute for Social Security) in order, not only to find alternative re-housing options adjusted to their cases but also to empower these families in other relevant aspects of their lives (such as access to the labour market).

Out of these 40 families, 12 were identified as the most vulnerable. Three of them were paid by the social security a month's rent, in the absence of an immediate alternative re-housing option, in order to allow them to find another option during that period., The other 9 families refused the attempts of the social security services to contact them and to find alternative housing solutions and refuse to leave the neighbourhood.

One of those 9 situations is a single parent family (mother plus 2 minor children). The Municipality is studying an alternative re-housing option for this case and they are living now, temporarily, at a friend's home.

Another family, who refused the assistance from the municipality, has been conducted to the "Santa Casa da Misericórdia da Amadora" (a private non-profit social security organization) and is currently benefiting from the social insertion income.