



MISSÃO PERMANENTE DE PORTUGAL
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The Permanent Mission of Portugal to the United Nations Office and International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to enclose the reply of the Portuguese Government to the joint allegation letter of 28 March 2013, issued by the Special Rapporteur on adequate housing, the Special Rapporteur on extreme poverty and human rights and the Independent Expert on minority issues.

The Permanent Mission of Portugal avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 10 July 2013



Special Procedures Branch
Office of the United Nations High
Commissioner for Human Rights



**REPLY OF PORTUGAL TO THE JOINT ALLEGATION LETTER SENT
BY THE SPECIAL RAPORTEURS 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, the Special Rapporteur on extreme poverty and and the Independent Expert on minority issues for their joint letter on the situation in Bairro Santa Filomena, Amadora, Portugal.

We highly value and welcome your work and we recognize your important contribution the realization of human rights.

In line with Portugal's continuous support to the work of the Human Rights Council's Special Procedures and to the improvement of the Human Rights situation in our country, careful consideration was given to your joint letter and it was forwarded to the relevant public departments and to the Municipality of Amadora.

The following information was provided by the Ministry of Solidarity and Social Security, the Ministry of Foreign Affairs and by the High Commission for Immigration and Intercultural Dialogue.

The Facts alleged about Bairro Santa Filomena and about PER (Special Re-housing Programme) – Questions 1 to 6

In addition to the information already provided on 11th September 2012, we would like to reiterate that Bairro de Santa Filomena is a neighbourhood composed of illegal settlements (shacks). For this reason, it was included in the National Special Re-housing Programme (*Programa Especial de Realojamento – PER*), a plan created in 1993 with the goal of eradicating illegal settlements.

The National Special Re-housing Programme (PER) has the necessary financial resources to re-house residents who meet the eligibility criteria for the programme (permanent residence since 1993 and lack of alternative housing). All households identified within the PER in Bairro Santa Filomena were 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 first demolitions started on 27th July, 2012 (question 1). The demolition plan of Bairro Santa Filomena has 9 phases. The first five phases were executed and the Municipality of Amadora is now preparing the sixth phase of demolitions. The complete demolition of Bairro Santa Filomena should be finished by the end of 2013.

In the course of the demolition process, 40 families were identified outside the framework of the PER programme (question 4).

We reiterate that all the families involved, both those included and not included in the PER programme, were contacted and informed about the plans of the Municipality to start the demolition of the illegal settlements in the neighbourhood. All families were duly informed about the date and eviction procedures (question 2). Social services were present at all times during the demolitions and maintain a permanent presence on the ground.

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 included visits to the neighbourhood and direct contact and consultations with the affected communities, in order to identify the most vulnerable situations, which would require special assistance and alternative re-housing solutions. This evaluation encompassed both the families included and excluded from the PER framework. During this process, the High Commissioner for Immigration and Intercultural Dialogue, Ms. Rosário Farmhouse, met with families involved, the Municipality of Amadora, the Embassy of Cape Verde in Lisbon and with other interested groups.

All the families were informed about the PER programme. They were encouraged to seek alternative housing with or without the assistance of the local structures of social support. They were also encouraged to regularize their situation in Portugal.

The situation of the 40 abovementioned families not covered by PER has been constantly monitored by the Social Services of Amadora. These families were offered different options in order to avoid a situation where they would become homeless (question 5). An integrated social service approach was followed (combining the services of the Municipality, of the parish as well as of the Institute for Social Security) in order to find alternative re-housing options adjusted to their cases and to empower these families in other relevant aspects of their lives (such as access to the labour market).



The options offered to these families not covered by PER (question 5) included the payment by the social security of a month's rent (in order to allow these families to find another option during that period) and temporary housing at private non-profit social security organizations such as the "Santa Casa da Misericórdia da Amadora".

In addition, the Housing and the Social Action Offices of the Municipality of Amadora closely monitor the social background of the families not covered by PER. In the three-month period before the expected demolition date, meetings (every two weeks) are organized by those municipal services with these families. The meetings aim to help these families in the search of a new housing solution. In order to unite efforts and to explore all the alternative housing options, the High Commissioner for Immigration and Intercultural Dialogue as well as representatives from the Embassies of the countries of origin of some of the families (if this is the case) also participate in these meetings. If, at the end of this procedure, the families do not have an adequate alternative housing, the Municipality and the Institute for Social Security provide the necessary assistance (ie. solving bureaucratic hurdles, giving initial financial support to rent a place to live in, grant social support).

So far, the Institute for Social Security has helped 8 affected families (not covered by PER) to rent a new place to live, in the private real estate market, spending until now a total of € 4125 (which included the payment of the first rental month and of the compulsory rental guarantee).

Moreover, the National Immigrant Support Centre, within the High Commission for Immigration and Intercultural Dialogue (ACIDI), has been monitoring the demolitions and the re-lodgement of the families, particularly of those which are more vulnerable or economically fragile. For these cases, and due to the close cooperation between ACIDI, the Institute for Social Security and the Municipality of Amadora, it was already possible to exceptionally include families, that did not meet the required criteria, in the PER; to help families regularising bureaucratic aspects which were preventing them from benefiting from social benefits such as the social insertion income or other subsidies; to help families benefiting from social canteens or food banks; regularising their migratory status in Portugal; benefitting from judiciary support or providing a provisory deposit for their goods during the demolition and until a new lodging solution is found.

Notwithstanding the efforts undertaken by the competent authorities and the options provided, some families, have systematically refused to engage with relevant authorities and to attend meetings

Finally, the Ministry of Foreign Affairs has been following this issue closely with the Embassy of Cape Verde in Lisbon (the majority of the affected families are of Cape-Verdean origin) and the demolition of Bairro Santa Filomena is also discussed in the Permanent Commission Portugal-Cape Verde.