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### SHORT STORY

## Acting Transnationally. A Case from Lisbon's Housing Social Movement in Time of Pandemic

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#### ABSTRACT:

With the changes and limitations due to the pandemic, social movements for housing rights readjust their activities and experiment with new practices. This short story aims to narrate how, through cooperation with groups in other countries, a collective in Lisbon reformulates its activities and achieves unprecedented results. I will tell how the Habita! association began working on new popular advocacy strategies, and how it managed to appeal to UN Committee on Economic, Social and Cultural Rights in order to avoid evictions of vulnerable subjects and force local governments to offer housing solutions.

#### KEYWORDS:

right to housing, housing struggles, transnational activism, transnational flows, Lisbon

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Nowadays Lisbon is placed in the atlas of fashionable European capitals. This new image of the city has contributed to the worsening of the housing crisis affecting the so-called middle class, the young and the elderly, adding up to the population groups that have always been victims of housing policies, such as Roma, migrants and Afro-descendants. For a long time, the main housing problem that emerged was that of “shacks”. In the late 1980s, in fact, self-built neighbourhoods were widespread throughout Lisbon's metropolitan area. The demolition of these neighbourhoods and the rehousing of the inhabitants in the new social housing neighbourhoods began in the 1990s through the Plano Especial de Realojamento (Special Programme for

Rehousing) and lasted until the present day (Tulumello et al., 2018). These processes generated exclusions, expulsions but also conflicts, as many inhabitants were excluded. In this context, once the rent liberalisation, the explosion of the short-term rental model, and tax incentives for international investment (i.e. golden visa) were added, rents and house purchase prices soared (Mendes, 2020). The housing crisis from the suburbs returned to the centre, and inhabitants from the centre were pushed to ever more distant suburbs. In response to a deregulated market, the wave of simplified evictions and the selling off of public property, a new movement for the right to housing has taken shape in the city since 2017. On the one hand, this movement has succeeded in placing the housing issue within the public discourse, and on the other in producing moments of resistance that have prevented evictions, demolitions and abuses by landlords, while also succeeding in establishing itself as a credible interlocutor both with local administrations and with the government (Mendes, 2020).

In the first months of the Covid 19 pandemic, social movements were able to make proposals and bring solidarity and action where institutions were failing, as in the case of the evictions by the Lisbon municipality in the Alfredo Bensaúde neighbourhood (Faria Moreira, 2020)<sup>1</sup>. With the prolongation of the health crisis, the possibilities and capacities for mobilisation that had characterised previous years seem to have weakened. The organisations at the base of the movement have therefore chosen to systematise the knowledge and experience they have accumulated and sought other ways of carrying out the struggle. Part of this work has been to highlight the lack of adequate solutions on the part of the state and local administrations regarding the right to housing. In fact, while formally recognising the protection of minors and vulnerable people in case of eviction, for example, in practice the administrative machinery does not offer solutions but a continuous bouncing of responsibilities between municipalities, government, ministries and so on. Faced with its own failure to guarantee the right to housing, the Portuguese state claims to have solutions, but in fact people are left alone.

To break this impasse and publicly denounce the inconsistency of government policies, Habita! – an association for the right to housing, among the protagonists of Lisbon's struggles –, presented a complaint against the Portuguese State at the UN Committee on Economic, Social and Cultural Rights in order to suspend the imminent eviction of a family without alternative housing, alleging the violation of Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR). On October 28<sup>th</sup> 2021, the High Commissioner for Human Rights decided in favour of the request for the adoption of a precautionary measure, having informed that it has requested the Portuguese State to take measures to avoid possible irreparable harm while the case is being examined by the Committee. This consists of suspending the eviction from the flat in which the family resides or, alternatively, providing them with alternative accommodation appropriate to their needs (Monarca Almeida 2021). Following the decision of the High Commissioner, not only the family's eviction has been suspended, but within a few days the Sintra municipality allocated a social housing flat to the family, when up until few weeks before it denied the possibility of doing so and also the family's very right to receive it, because it did not meet the selection criteria. This is the first time that Portuguese civil society has successfully appealed to supranational institutions on housing issues. However, the path that led to this result was long and not at all straightforward and it is worth retracing it.

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<sup>1</sup> Here, mismanagement had meant that many flats had been unoccupied for years. Dozens of people, most of them enrolled in the municipality's housing programmes, had been occupying them for some time. In February 2020, the municipality had started a series of evictions of the occupied flats, without providing any alternative for those involved, including many minors. At the beginning of the health crisis, the inhabitants had been resisting and demonstrating for weeks. The mediation that the inhabitants and the movement managed to achieve in the week in which the country went into a state of emergency resulted in a halt to evictions and the rehousing of evicted people by the municipality. Furthermore, the struggle allowed the campaign "Como se faz quarentena sem casa?" (How does one quarantine without a home?) to gain visibility and many of the extraordinary measures demanded by the movement were then taken by the government in the following weeks.

Habita! is part of the European Action Coalition for the Right to Housing and to the City (EAC). The coalition was established in 2013 with the initial objective of coordinating a series of demonstrations in different countries of the European space. To date, the network count more than 30 member organizations from 20 countries, and aims at sharing knowledge, analysis and strategies, as well as at building strong relationships between members to create the conditions for the organization of joint actions at a transnational scale. If on the one hand collective action has struggled to unfold continuously over the years, concentrating mainly on the organisation of Housing Action Days, on the other hand the coalition has created an invaluable space for discussion and sharing of knowledge and practices of struggle. This permanent forum is carried out by digital means, but also and above all through presential meetings organised in different cities. During these meetings bonds are established not only between different groups but also interpersonal, based on common interests, similar situations experienced in different geographies. Thanks to the coalition there is thus the possibility of financing militant trips between cities, attending events and daily work, a very important resource especially for the more peripheral organisations or collectives, with fewer possibilities of self-financing, but also for the less structured or those belonging to contexts where mobilisation is less frequent.

It was therefore during the EAC meeting organised in Lisbon in September 2018 that Habita! heard for the first time about the possibility of appealing to the High Commissioner for Human Rights to challenge national court decisions on evictions. Indeed, activists from the Plataforma de Afectadas por la Hipoteca (PAH) were telling about the first successes achieved in the Spanish state through such appeals. This was of great interest because being able to block an eviction with anticipation actually avoids the violence of the act of eviction for the people involved, provides an additional argument for the struggle and the right to housing as a fundamental right, and allows action even in contexts where the presence of activists is less widespread.

Since September 2018, an intensive exchange of information, procedures and documents began between Habita! and PAH. In November 2018, a workshop was held with members of the PAH's international commission in Lisbon. Again there had been a chance to work together in the winter of 2019 in Barcelona, on the occasion of the 10th anniversary of PAH, which in the meantime was grinding out appeals in its favour but also its first rejections. The main problem for Habita! at this stage is that it does not have a legal team in its ranks, all the work is carried out by activists with no legal training. In March 2019, the collective managed to find a lawyer, who has been accompanying all the association's activities since then. But the recourse to the High Commissioner for Human Rights is prevented by a series of bureaucratic obstacles that do not allow the collection of the necessary documentation. For instance, people under eviction could not obtain their social report from their social workers, a document describing their vulnerability, which was essential in the proceedings that PAH had conducted. For many months, therefore, evictions could not be stopped through this procedure.

With the onset of the pandemic, the enforcement of evictions was suspended for more than a year by special measures, so there were no opportunities to appeal. At the same time, online activities and exchanges with activist groups in other countries, within and beyond the EAC, have intensified. In one of these online exchanges, activists in Lisbon realised that in Rome there are some cases of evictions that the local network Sciopero degli affitti - Roma (Rent Strike – Rome) is trying to avoid. So they suggested the possibility of using Article 11 of the Covenant. From Rome, the suggestion was seized upon and Sciopero degli Affitti managed to get proceedings in favour of people under eviction in a very short time. This success and speed surprised Habita! activists, and prompted them to try the procedure again after a long stand-by period, thanks to the exchange of information and advice with the movement in struggle in the Italian capital. After three years, Habita! has finally managed to obtain this first important ruling in its favour, suggesting that this can be just the beginning.

This case, apparently marginal compared to the protest activities of social movements, nevertheless allows us to underline certain aspects of interest both for the actors in the field and for scholars. First of all, the movements seem to be developing an increasing capacity to act on different scales, and seem to understand the importance of a transnational articulation for the affirmation of the right to housing. They are acquiring new technical and legal knowledge, while at the same time using experts from outside the movements to integrate them into their ranks. In addition, the transnational dimension - the ability to ally with movements that operate in other contexts but under the same sky of the commodification and financialisation of housing - seems to be decisive in identifying new strategies and techniques that allow movements to readjust their repertoire of actions in constantly changing contexts with a certain flexibility.

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## Short Bio

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