



24th November 2008

## Draft communiqué of the informal Housing Ministers meeting

Document to approval

The 17<sup>th</sup> European Union Housing Ministers' meeting was held on 24 November 2008 in Marseille, France, on the theme of "*access to housing for persons with difficulties*".

The meeting is followed by two ministerial meetings of ministers of Urban Development and on Spatial Planning and Cohesion Policy. The Housing ministers expressed their satisfaction with this programme, as housing is linked to urban and inclusive development issues and contributes to territorial cohesion.

The ministers thanked the Slovak delegation for having held a focal points meeting on June 6<sup>th</sup> 2008, which gave the opportunity to agree on the basis for discussions during the November 24<sup>th</sup> 2008 meeting.

After thanking the European Union French presidency for hosting the meeting, the ministers expressed their satisfaction with the participation of representatives from the European Commission, the European Parliament and of the Committee of the Regions. They also acknowledge the presence of the president of the European Housing Forum.

### **Referring to the following documents :**

- the International Covenant on Economic, Social and Cultural Rights of 16 December 1966 and in particular, article 11<sup>1</sup>,
- the European Social Charter of 18 October 1961 as well as the Revised European Social Charter of 3 May 1996 when ratified by State members and in particular, article 31,
- the Istanbul Declaration on Human Settlements issued at the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996 as well as the joint document "Habitat Agenda", in particular paragraphs 39 to 41,
- the Treaty on European Union and of the Treaty establishing the European community (consolidated version after the Treaty of Nice which entered in force on 1 February 2003)<sup>2</sup>,
- the European Union Charter of Fundamental Rights signed on 7 December 2007,
- the Leipzig Charter on Sustainable European Cities of 24 May 2007,
- the previous communiqués of the informal European Union housing ministers' meetings, and in particular the commitments developed under the Czech presidency at the Meeting on 14 and 15 March 2005 in Prague.

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<sup>1</sup> Adopted and enabled for signature, ratification and membership by the General Assembly in its resolution 2200 A (XXI) dated 16 December 1966.

<sup>2</sup> *Official Journal*, C 321E of 29 December 2006.

## Whereas :

- (1) Housing policy is not a competence of the European Union and is under the entire responsibility of the Member States; some aspects of European legislation and European programmes do, however, impact on the housing sector.
- (2) Access to decent housing at an affordable price is an objective shared by all Member States of the European Union. It is recognised as a fundamental right by international treaties and by several Member States; decent housing is an important condition for the exercise of fundamental rights such as the right to privacy and family life, the right to education, to employment and to social security.
- (3) In many Member States, a considerable proportion of the population, and not only the most vulnerable, can no longer find housing under market conditions; the increasing costs of housing and the impact these will have on households, particularly vulnerable households, as well as the considerable levels of housing exclusion and homelessness in most Member States of the European Union<sup>3</sup> are issues to be taken into account, especially in the current context linked to the financial and economical crisis.
- (4) Housing is part of the Lisbon Agenda which in 2000 defined priority objectives in the field of social inclusion; the effective access to quality social services, including to housing, for people furthest from the labour market is one of the pillars of the social inclusion strategy; a shortage of decent housing at affordable prices can contribute to exclusion and it must be taken fully into account when elaborating social inclusion policies.
- (5) This strategy helped the development and improvement of social inclusion policies concerning homelessness and housing exclusion even though the full potential of this strategy has not yet been exploited.
- (6) The annual joint reports on Social Protection and Social Inclusion of the Commission and the Council since 2005 call for more attention to be paid to housing exclusion and to improve access to quality services, including decent housing.
- (7) A shared European understanding on the issues of homelessness and housing exclusion is needed; the 7th Round Table on poverty and social exclusion, which took place on 15-16 October 2008, called for a European consensus conference on homelessness; such a conference could generate valuable dialogue and stimulate a constructive dynamic. The outputs of the conference could also inform European strategies under the social protection and social inclusion open method of coordination.
- (8) The Lisbon informal summit of 18-19 October 2007, recalls in particular *“the essential role and the wide discretion of national, regional and local authorities in providing, commissioning and organising services of general economic interest as closely as possible to the needs of the users”*; this article is particularly relevant to housing policies.
- (9) The European Commission communication dated 20 November 2007 concerning *“services of general interest, including general interest social services: a new European commitment”*<sup>4</sup> recalls that the national public authorities, at the relevant level, are responsible for deciding on the nature and scope of an service of general interest

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<sup>3</sup> “16% of the EU population lives below the poverty threshold”, in European Commission, *Monitoring progress towards the objectives of the European Strategy for Social Protection and Social Inclusion*, Brussels, 6.10.2008, SEC (2008).

<sup>4</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions accompanying the Communication on "A single market for 21st century Europe" - Services of general interest, including social services of general interest: a new European commitment, COM (2007) 725 final.

amongst which is social housing and will monitor the Commission's subsequent work with interest<sup>5</sup>.

- (10) The European Commission decision of 28 November 2005<sup>6</sup> exempts the social housing sector as a service of general interest from the requirement to provide notification of state aid; as mentioned in the decision handed down by the Court of First Instance of the European Union<sup>7</sup>, it is the Member States who define services of general interest, and thus social housing, according to the different national conceptions; accordingly, they will follow with particular interest the assessment of the Services of general economic interest package begun by the Commission in the above-mentioned decision.
- (11) The directive issued by the European Parliament and the Council dated 12 December 2006 on services in the internal market<sup>8</sup> excludes, under certain conditions, social services relating to social housing from its scope.
- (12) The ministers take note of the proposal for a Council directive of the European Commission of 7 July 2008 amending the provisions of the directive 2006/112/CE concerning reduced VAT<sup>9</sup>; this proposition includes the possibility of applying reduced rates to the whole housing sector including renovation, maintenance and cleaning.
- (13) The future developments of the draft European Charter on Housing adopted by the European Parliament's URBAN-Housing intergroup on 4 April 2006 will be followed closely.
- (14) The work of the European Parliament on housing issues especially the European Parliament resolutions concerning the social aspects of housing of 29 May 1997<sup>10</sup>, the social policy agenda for 2006-2010<sup>11</sup> of 26 May 2005, housing and regional policy of 10 May 2007<sup>12</sup> and the European Parliament written declaration on ending street homelessness of 10 April 2008 should be taken note of when studying housing issues.
- (15) The building sector accounts for 40% of the European Union's energy consumption offering a large potential for energy efficiency and for reducing greenhouse gases. As energy prices have increased, the burden of energy costs for space heating and warm water has also increased. Hence in many EU Member States "fuel poverty" is an increasing phenomenon.
- (16) Due to the lack of housing statistics at the European level, the Member States themselves have produced the publication series "Housing Statistics in the European Union". In this regard the ministers warmly thanked Italy for preparing and publishing "*Housing Statistics in the European Union 2005/2006*" and the Netherlands for their commitment in publishing the next edition.
- (17) There is a need for more comparable housing statistics; the ministers therefore welcome the regulation of the European Parliament and the Council on Population and Housing Censuses including a housing section in the European population census programmes<sup>13</sup> and the UNECE/CES Recommendations for 2010 Censuses of Population and Housing

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<sup>5</sup> The ministers welcome in particular the document regarding the frequently asked questions concerning the application of the state aid rules as well as the interactive information service on the application of Community law to services of general interest.

<sup>6</sup> Decision which is part of the Services of general economic interest or Monti-Kroes package.

<sup>7</sup> Case T-289/03 *BUPA* dated 12 February 2008.

<sup>8</sup> Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, *JOCE*, L 376, 27/12/2006, p. 36.

<sup>9</sup> Proposal for a Council Directive amending Directive 2006/112/EC as regards reduced rates of value added tax, Brussels, 7.7.2008, COM (2008) 428 final.

<sup>10</sup> ECOJ no. C 182 dated 16/06/1997 p. 70.

<sup>11</sup> P6-TA (2005) 0210.

<sup>12</sup> ECOJ No. C 76 E/125, 27/03/2008, p. 130.

prepared in cooperation with EUROSTAT<sup>14</sup> both of which strive for comparability of compiled housing census figures.

- (18) A study on the allocation of authority and responsibility on housing issues could inform the development of national, regional and local policies on promoting access to adequate and affordable housing.

**The ministers recommend,**

- (a) to be aware of the situation of those who don't get access to social housing and suffer the worst housing conditions. Urgent national action is needed to end this form of extreme exclusion. The ministers consider that only cross-cutting housing policies to support access to decent, affordable housing could contribute to effective solutions;
- (b) to encourage the Commission to conduct a study on housing expenditure for the European Union citizens and residents as well as a study on the costs of poor housing and of the lack of housing;
- (c) to encourage the Social Protection Committee to develop housing indicators on homelessness and inadequate housing in particular through transnational projects and EU-funded research. . That work could include a series of quality indicators defining the concepts of "*adequate*", "*decent*", and "*affordable*" housing which should take national, regional and cultural differences into account;
- (d) that the Statistical Office of the European Communities Eurostat should collect data and statistics on housing for future publications of the European Housing Statistics; it is also important to collect data on energy efficiency issues in the housing sector;
- (e) to include access to housing when considering urban policies and sustainable development of regions; housing issues must, in this regard, be an integral part of spatial planning, by promoting architecture, urban design and new technologies;
- (f) to ensure that the needs and specific features of all persons are taken into account in housing refurbishment and construction programs, in particular access to quality services;
- (g) to highlight the importance of integrated strategies at the appropriate level in housing renovation and construction, which include housing management, maintenance, energy savings, urban development and approaches concerning social policy such as housing support services;
- (h) to include energy savings, energy efficiency and use of renewable resources in new buildings and in urban renewal;
- (i) to support the campaign and the action plan launched by the European Commission to promote renewable energy and energy efficiency aiming at heightening European citizens awareness of domestic energy consumption and encouraging behavioural changes.
- (j) to make sure that any additional costs due to energy saving investments should not result in the imposition of undue extra costs for the most vulnerable.
- (k) to ask the European Commission to facilitate the dissemination of new technologies and more efficient construction products in the housing sector to ensure lower energy

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<sup>13</sup> Regulation (EC) n° 763/2008 of the European Parliament and the Council of 9 July 2008 on population and housing censuses.

<sup>14</sup> United Nations, "*UNECE CES Recommendations for the 2010 censuses of population and housing*", UN, New York and Geneva (2008).

consumption;

- (l) to encourage the Commission to intensify research programmes to increase energy efficiency in the existing housing stock.
- (m) to encourage the Commission to provide an effective response to the pilot action for the social housing sector, which is a part of the SAVE programme, in order to promote and circulate exemplary projects with regard to energy efficiency.

**The ministers require that :**

- 1- the Social Protection Committee manages detailed studies in 2009 dedicated to housing exclusion and homelessness within the scope of the EU social protection and social inclusion strategy;
- 2- housing issues, including housing exclusion and homelessness, are taken into account within the 2010 European Year for Combating Poverty and Social Exclusion. Appropriate post 2010 policies to tackle housing exclusion must also be developed within the framework of the European social inclusion strategy;
- 3- homelessness and housing exclusion should be taken into account fully within European Union social inclusion strategy in order to allow significant progress on these issues;
- 4- (new) a consensus conference on homelessness should be organised at the European Union level to generate a shared comprehension and a common diagnostic of the situation;
- 5- the ministers support the European Parliament request for a study on the allocation of authority and responsibility between national, regional and local levels, as well as the legal framework for housing should be taken into account by the Commission.

As a conclusion, the housing ministers consider that this meeting was fruitful and constructive. They agree on the necessity of establishing more regular meetings to compare problems encountered and exchange information.

Taking into account the importance of the issues at stake, the impact of European Union policies on national housing policy should be a permanent item on the agenda of future European Union housing ministers' meetings. In order to improve the follow-up of these meetings and to enable the further development of specific themes, the ministers suggest that working groups should be established under the initiative of a Member State. The ministers would also welcome the participation of the European Commission in the discussions. The theme-based groups could bring together willing State representatives on access to housing, energy efficiency and on the impact of European Union policies on national housing policies.

The Czech Republic will host a housing focal points meeting during EU-Czech Presidency on 24<sup>th</sup> and 25<sup>th</sup> June 2009. Austria also wishes to organize next focal points meeting in the second half of 2009.

The next meeting of the ministers with responsibility for housing will take place in .....  
... and will be held by .....