

17 October 2011

Carlos Alberto Teixeira Dias
President of the Municipality of Loures
Paços do Concelho - Praça da Liberdade
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Dear Mr Teixeira Dias,

The European Roma Rights Centre (ERRC), an international human rights law organisation combating anti-Roma racism and discrimination, is writing to call off the forced eviction of a settlement in Bairro da Torre in Loures municipality.

During a field trip to Lisbon, Portugal, on 14 October 2011, ERRC staff members were notified by a local NGO “Solidariedade Imigrante” about a planned eviction in Bairro da Torre in Loures municipality (near Lisbon airport), which is reportedly to take place on 18 October 2011. The settlement is inhabited by approximately 86 families, out of which 38 families are of Romani ethnicity and the remaining are immigrants of African descent. The residents reported that one part of the settlement is on public land, owned by the airport (where the majority of African families and two Romani families live), and another part of the land is privately owned (where the remaining Romani families live).

The situation in the settlement is very grave already, in particular the extremely poor living conditions which the people endure. These deplorable conditions are further exacerbated by the fact that the settlement contains a large number of vulnerable residents, including some 30 children attending school in the nearby neighbourhood, about 20 elderly residents, as well as sick residents, who require constant medical care and assistance (including physically and visually impaired residents and several residents with life-threatening diseases) and pregnant women. Eviction orders were served to the residents on 25 March 2011 and as some residents reported to ERRC staff, several houses have been demolished since then – houses that have since been reconstructed again by the residents. In addition, the residents reported that the municipality of Loures will not provide persons alternative accommodation following the evictions.

Further evictions planned on 18 October 2011 raise serious concerns regarding Portugal’s national¹ and international legal obligations. The planned evictions would directly violate not only to the right of housing, but also to the right to be free from inhuman and degrading treatment, the right to private life, numerous children’s rights and the rights of women and disabled.²

¹ In particular, the Constitution of Portugal contains provisions protecting the right to housing, including Article 34 on the inviolability of the home and correspondence, and Article 65 on the right to housing and urban planning.

² Article 11 of the International Covenant on Economic, Social and Cultural Rights; Article 31 of the Revised European Social Charter. The right to housing is furthermore guaranteed in Article 5(e)(iii) of the International Covenant on the Elimination of Racial Discrimination; Article 14(2)(h) of the Convention on the Elimination of All Forms of Discrimination Against Women and Article 27(3) of the Convention on the Rights of the Child; Articles 5, 6, 7 of the Convention on the Rights Persons with Disabilities and Article 3 of the European Convention on Human Rights. Portugal has ratified the above mentioned treaties.

The ERRC calls on relevant Portuguese authorities to halt the forced evictions in Bairro da Torre, respect and act in accordance with their obligations under national and international law and refrain from any acts and/or measures that would interfere with these most fundamental and basic rights. The ERRC further urges relevant Portuguese authorities to urgently and efficiently address and resolve the housing problems of the Romani and other residents by providing, at a very minimum, alternative accommodation for evicted persons.

Sincerely,

Dezideriu Gergely
Executive Director

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