



BWI • Building and Wood Worker's International
BHI • Bau- und Holzarbeiter Internationale
BTI • Byggnads- och Träarbetar-Internationalen
IBB • Internationale des Travailleurs du Bâtiment et du Bois
ICM • Internacional de Trabajadores de la Construcción y la Madera

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Panama City, November 17, 2017

Dear Ms. Leilani FARHA
UN Special Rapporteur on adequate housing

SUBJECT: Contribution for Inclusion in the Thematic Report of the Human Rights Council of the United Nations at its 37TH Session - Occupation of workers seeking adequate housing in the city of São Bernardo do Campo, State of São Paulo, BRAZIL

The Building and Wood Workers International (BWI), represented by its undersigned General Secretary Ambet Yuson, and the affiliated trade union organizations in Brazil listed below, respectfully submit the following:

As you know, Brazil has one of the world's largest housing deficits. Quantitative and qualitative housing deficits that are so large that they are similar only to India and South Africa. Most recent studies point to a quantitative housing deficit of more than 6 million households. That means that almost 20 million Brazilians are homeless, representing about 10% of the population of the entire country.

These same studies show that 51% of Brazilians spend too much money on rent. That is, they stop consuming the basics for survival because of the weight that rent payments represent in the family budget. These problems are complemented by the so-called qualitative housing deficit, which refers to the lack of basic conditions for a decent life. More than 15 million families are in this situation. Most Brazilians who compose these statistics work in the informal sector, are underemployed, underpaid or unemployed.

The housing deficit is a reality in all regions of the country, including in the centers of the largest cities with the most developed infrastructure, such as São Paulo, with a deficit of over 230 thousand units. According to the municipal governments of two of Brazil's richest cities, Rio de Janeiro and São Paulo, more than 15,000 people sleep on the streets of each of these cities every single night.



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There are more than 6 million vacant housing units in Brazil, of which 85% could be occupied immediately. That is, there are almost as many houses without people as people without houses. In theory, very little housing would have to be built to solve the housing deficit problem in Brazil.

According to article 6 of the Federal Constitution, every citizen has the right to decent housing. Despite this, throughout entire history of the country, only two important national housing programs have been developed. The National Housing Bank (BNH), which was created during military dictatorship and the so-called "Minha Casa, Minha Vida" program, created under the administration of President Luis Inacio Lula da Silva in 2009.

According to official statistics, the 'My home, My life' housing program has already put 10.5 million low- and middle-income families into more than 2.6 million housing units across the country. An extremely important, but insufficient program. Important because it represented an unprecedented advance in terms of the subsidies available for the purchase of a home, particularly for low-income families.

This scenario has changed dramatically as the economic crisis has spread and deepened in the country, leaving thousands of housing construction projects linked to the Program paralyzed. Government transfers to the bank responsible for distribution to the builders have been reduced or even frozen. The banks responsible for funding report 2,806 halted construction projects, many without any defined completion date and another 13,620 with approved funding but which have not even started.

According to Beбето Galvão, regional vice president of BWI Latin America and the Caribbean, "paralyzed construction projects cause incalculable losses, stop generating jobs and income for workers in the sector, do not provide improvements and social benefits and create serious problems of deterioration, which in the end, represent huge sums of public money thrown away." Stalled construction work affects the entire community, which sees their properties and small businesses devalue or go bankrupt.

Given that construction is a highly labour-intensive sector, the effects of the economic crisis on employment levels in construction follow a pattern of proportional, but more severe. Although total employment has contracted 0.6% since 2014, the reduction was 9.2% in construction. Informal workers are the first to lose their jobs. Brazil's overall level of informal employment rate is 52.2% while this number reaches almost 80% in the construction sector. Consequently, paralyzed projects must be immediately recovered and resumed. Government transfers for partially completed projects should be completed.



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According to official data, between 2008 and 2014 the average rental cost increased 97% in São Paulo and 144% in Rio de Janeiro. In that same period, inflation measured by the Consumer Price Index (CPI) was 40%. Thus, rent increases were much higher than inflation in urban centers, where 85% of the Brazilian population lives.

In response to this dramatic situation, many people participate in occupations. The Movement of Homeless Workers - MTST has led occupations in many of the largest Brazilian cities. The MTST is a movement that organizes urban workers where they live: in the peripheries of large Brazilian cities. Brazilian urbanization is marked by deep social and spatial segregation, creating two different types of cities in the same space: on the one hand, areas where services and infrastructure necessary for a dignified urban life are concentrated (transport, lighting, sanitation, public safety etc.), while in the peripheries millions of people live in highly precarious conditions. Precarious in every sense.

It is not and never was a choice of workers to live in the periphery. On the contrary, the model of the capitalist city pushes the poorest into ever-distant regions. A pattern repeated and replicated around the world. Workers forced to live in outlying areas are denied the right to live with dignity. The MTST advocates a profound transformation in the way cities are organized and in this, counts on the support of BWI.

Most of the people who organize themselves in MTST occupations are also enrolled in housing programs in their municipalities, including 'My House, My Life'. Tens of thousands of Brazilian families participate actively in occupations throughout the country. A trend deeply integrated with the economic crisis that affects mainly the working class and the construction workers, in particular.

Interestingly, the right to private property in the country is not absolute. It is conditioned by Articles 5 and 170 of the Constitution which clearly state that property has to serve a social function. Consequently, private land or buildings that are vacant or idle while owners speculatively await financial appreciation are in a situation of illegality.

MTST occupations guarantee that land provides its legally (constitutionally) required social function. In this case, popular housing. The City Statute (Brazilian Federal Law No. 10,257, promulgated in 2001) regulates articles 182 and 183 of the 1988 Constitution based on the premise of the necessary social function of land and urban properties. This law was created to define how urban property would be regulated to guarantee the right to housing for all, regardless of income. Existing federal and municipal law is simply not enforced.



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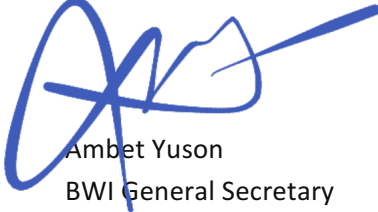
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In view of the above, Building and Woodworkers International (BWI) REQUESTS special attention to the occupation by 10,000 families of workers in an area with 60,000m2 in the city of São Bernardo do Campo, State of São Paulo, Brazil. We are sure that you are already familiar with this occupation given its high visibility in both traditional and social media. This visibility has been generated mainly through public expressions of SOLIDARITY and the SUPPORT of public figures and entities of all types, from Brazil and abroad, including BWI.

As a global union of construction workers, we support the São Bernardo Occupation for two main reasons: First, many of the families living there are workers in our sector who build homes for others and yet have nowhere to live themselves. Second, because meeting the central demand of building housing on the site would have an immediate employment generation effect for many of those living there.

Considering the immense social dimension of the problem and the immediate risks to which the occupants and their families are exposed, we suggest that the matter be brought immediately to the attention of the countries that make up the human rights system of the United Nations, in order to move quickly towards a solution that meets housing and employment needs and brings that land into compliance with the Brazilian constitution.

With sincere gratitude in advance for your consideration of our contributions,



Ambet Yuson
BWI General Secretary

Co-signatories:

- _ Mr. Admilson Lucio Oliveira - President of SINTRACOM São Bernardo do Campo, São Paulo
- _ Mr. Claudio da Silva Gomes - President of CONTICOM CUT Brazil
- _ Mr. Gelson Santana - President of STICC of Porto Alegre, Rio Grande do Sul
- _ Mr. Irailson Oliveira - acting President of SINTEPAV BA, Bahia
- _ Mr. Reinaldim Babosa Pereira - President FETRACONSPAR, Paraná