



Summer 2021

◆◆◆ Trial against tenant activists in Barcelona ◆◆◆ EU Fit for 55 Package ◆◆◆
EU platform combatting homelessness ◆◆◆ Slovenia takes over EU presidency
◆◆◆

Trial victory against the criminalization of Tenants' Activists of Sindicat de Llogateres Barcelona

Barcelona tenant's union spokesperson **Jaime Palomera** was one of three people on trial for alleged "threatening and coercive behaviour", after protesting an attempted eviction. The prosecutors have demanded a three-year prison sentence for the activists.

The two co-accused tenants had previously complained to their landlord and city authorities about rats, termites and undrinkable water in their building (see documentation).¹

Their landlord was fined 90,000 euros by the Barcelona authorities shortly before he filed the lawsuit. In the final trial of July 30, the spokesman of the Barcelona tenants' association and two tenants have been acquitted.²



Alpha Geriboni and **Jaime Palomera** (center) after the trial in front of the Ciutat de la Justícia Barcelona

This is an important victory to guarantee the right to protest. What remains extremely critical with regard to human rights is the fact that the authorities even allowed the criminal process- although the journalists and police officers present testified it was a peaceful protest. The international observation of the trial was helpful. Reuters reported³ and IUT involved the **UN special rapporteur on the right to adequate housing, Balakrishnan Rajagopal**, who took up the case.

https://sindicatdellogateres.org/wp-content/uploads/2021/06/PerqueHemGuanyat_Dossier.pdf

¹

² <https://www.publico.es/public/absolts-portaveu->

[sindicat-llogateres-i-inquilins-per-protesta-2018.html](https://www.sindicatdellogateres.org/wp-content/uploads/2021/06/PerqueHemGuanyat_Dossier.pdf)

³ <https://www.reuters.com/article/europe-housing-evictions/analysis-growing-eviction-risk-as-rent-freezes-end-in-europe-idUKL5N2OL4AL>

The IUT has also sent an urgent note of protest to the **Prime Minister of Spain** and the **President of the Catalan government** in view of the imminent imprisonment of the spokesperson of the Barcelona Tenants' Association and 2 tenants.⁴ **IUT president Marie Linder:**

“The right to organise in tenants' associations is inviolable. The right to demonstrate for one's legitimate tenant rights is sacrosanct. Peaceful protest and resistance against evictions and rent-seeking must not lead to criminal prosecution. We call on you to stand in solidarity with the Sindicat de Llogateres. Support them in their struggle for fair tenancy law in Spain and against no-fault evictions. Stop the criminalisation of tenant activists!”

EU platform combatting homelessness

The launch of the “**EU Platform on Combatting Homelessness**” on June 21st in Lisbon was a commitment that national ministers, the EU institutions and cities have signed.⁵ The question remains whether this is a change in the EU and member states approach to affordable housing. “Housing cannot be left to the market” stated **Commissioner Nicolas Schmidt** for Jobs and Social Affairs at a

⁴ <https://www.iut.nu/news-events/solidarity-with-member-organisation-the-sindicat-de-llogateres-barcelona-tenants-rights-activist-threatened-by-prison/>

⁵ <https://www.2021portugal.eu/en/news/lisbon-declaration-on-the-european-platform-on-combatting-homelessness/>

preparatory meeting in the European Parliament.

The platform is a concrete result of the European Pillar of Social Rights Action Plan. It helps to deliver on the renewed commitment of EU institutions, Member States, civil society and social partners taken at the Porto Social Summit in May to support a strong social Europe and a fair and inclusive recovery from the pandemic. Across Europe, governments have put in place emergency responses to housing-related challenges that have arisen as a result of the Covid 19 crisis, such as the moratoria on evictions. IUT, Housing Europe, FEANTSA, and Abbé Pierre Foundation have repeatedly warned of the risk of an exponential increase in homelessness, as these measures come to an end this autumn, with a high risk of evictions of households with rent arrears due to a loss of income.⁶

EU Commission's "Fit for 55 Package"

On 14 July 2021, the European Commission presented its legislative package to reduce the European Union's net greenhouse gas emissions by at least 55% by 2030 compared to 1990 levels and paving the way to climate neutrality by 2050. The so-called “**Fit for 55 package**”⁷

⁶ <https://www.iut.nu/news-events/open-letter-eu-member-states-must-act-to-stop-evictions-and-prevent-homelessness-to/>

⁷ https://ec.europa.eu/info/sites/default/files/chapeau_communication.pdf

contains a total of twelve legislative proposals that envisage a profound transformation of the economy and society.



The most relevant issues for tenants:

Emission Trade System ETS⁸

The Commission proposes that sectors covered by the revised EU ETS (industry and energy) must reduce their greenhouse gas emissions by 61% by 2030 compared to 2005 levels. In addition, the Commission wants to introduce a new ETS covering emissions from buildings and road transport. By applying the ETS to fuels in the buildings sector, the Commission wants to bring cleaner heating fuels to the market, shorten payback times for renovation investments and accelerate the switch to low carbon green fuels in existing buildings. The Commission proposes to apply emissions trading to road transport and buildings from 2026 on.

⁸ https://ec.europa.eu/clima/policies/ets_en

Climate Social Fund⁹

Based on the risk that the extension of the ETS scheme to the transport and buildings sectors will lead to a cost increase for tenants and consumers (e.g. via an increase in car fuel prices and heating and cooling prices in buildings), especially for the most vulnerable households, the Commission proposes the launch of a Climate Social Fund. The new instrument will provide funding to Member States to mitigate the social impacts on vulnerable households, by a total of €72.2 billion from the new ETS for the period 2025-2032. Member States shall be supported to increase investments in energy efficiency and building renovation, clean heating and cooling and renewable energies. 25% of the ETS revenues for transport and buildings shall be reserved for the Climate Social Fund. If Member states make use of the funds, they must add at least 50% of national contributions. The Commission will assess the impact of the Climate Fund in 2028.

Renewable Energies¹⁰

The Commission is also reviewing the Renewable Energy Directive (RED 2018/2001) which sets binding targets for the share of renewables. The European target for the share of renewable energies in the Union's gross final energy consumption shall be raised from at least 32% to 40% by 2030. While this EU-wide

⁹ https://ec.europa.eu/info/sites/default/files/social-climate-fund_with-annex_en.pdf

¹⁰ https://ec.europa.eu/info/files/amendment-renewable-energy-directive-implementation-ambition-new-2030-climate-target_en

target is binding, the Commission is not planning to set binding national targets. A new EU indicative target for renewable energy in buildings of 49 % by 2030 is proposed, with each Member State reporting its own indicative target. In order to meet requirements for a minimum level of renewable energy in new construction and major renovations, a new definition of "efficient district heating and cooling" is introduced too.

Energy Efficiency¹¹

For the revision of Energy Efficiency Directive EED 2018/2002, the Commission wants to maintain indicative national energy efficiency targets by 2030. The obligation for the public sector to renovate 3% of its buildings each year is to be extended from central government buildings to the entire public sector in order to foster the renovation wave, create jobs and reduce energy consumption and costs for the taxpayer. This measure should be extended to all public buildings, with priority given to schools, hospitals and social housing. Social housing providers may not be seen as public authorities effected by the binding renovation rate of 3% p.a., if they are "bodies which operate under normal market conditions, are profit-oriented and bear the losses inherent in the exercise of their activity". Hybrid or private companies providing social housing will finance their investments through the rents of the tenants- and will pass on the

¹¹ https://ec.europa.eu/info/files/proposal-directive-energy-efficiency-recast_en
<https://www.iut.nu/eu/energy/eu-green-deal/>

costs of renovation, not compensated by energy savings. The question of housing cost neutrality- core point of the IUT tenant-friendly Green Deal¹² must again be put on top the EU and national agenda.

Energy Taxation¹³

The Commission has also proposed a revision of the Energy Taxation Directive (2003/96), which sets minimum tax rates for energy products such as heating, fuels and electricity. The incentives for fossil fuel use are to be ended by abolishing the existing tax exemptions. Currently, fossil fuels benefit from tax exemptions and reduced tax rates of around 35 billion euros per year, almost four times of the tax expenditure on renewable energy.

Timeframe for the Fit for 55 package

The Council of Ministers will begin its negotiations in the next few weeks. The European Parliament will appoint the lead committees and its rapporteurs and shadow rapporteurs for the legislative initiatives by September 2021 at the latest, which will meet in parallel with the Council and coordinate the deliberations in the European Parliament. The EU Commission intends to conclude the negotiations on the submitted legislative proposals by the end of 2021 under the Slovenian EU-Council Presidency.

¹²

¹³ https://ec.europa.eu/info/files/revision-energy-tax-directive_en

Start of the Slovenian Presidency¹⁴

On 1 July 2021, Slovenia took over the Presidency of the Council of the EU. The programme of the Slovenian Presidency is based on four priorities. Under the motto "Together. Resilient. Europe.", the aim is to facilitate the EU's recovery and strengthen its resilience.



In order to mitigate the socio-economic consequences of the COVID-19 pandemic, one of the priorities will be the effective implementation of the "Next Generation EU" and the "Resilience Facility" to facilitate the launch of national recovery plans. The Slovenian Presidency wants to ensure that the targets set to achieve a climate-neutral EU by 2050 are translated into binding European legislation.

In order to achieve higher climate targets, two renewed proposals in the field of energy will be presented: the Renewable Energy Sources Directive (RES) and the Energy Efficiency Directive (EED). The Slovenian Presidency is also intending to launch an update of the Energy Performance of Buildings Directive (EPBD). IUT will face a hot legislative autumn.

@ IUT-liaison office to the EU

Barbara Steenbergen

Head of EU liaison office, Brussels

barbara.steenbergen@iut.nu

¹⁴ <https://slovenian-presidency.consilium.europa.eu/en/>