

Right to housing for young people: On the housing situation of young Europeans and the potential of a rights-based housing strategy

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Abstract: Young adults in Europe have more difficulty than previous generations to maintain or improve on their parents' housing situation. Recommodification, financialisation and the withdrawal of the state as housing provider have transformed housing markets and affected the housing situation of young people. By drawing on various data sources, especially on the EU-Statistics on Income and Living Conditions (EU-SILC), I aim to present a differentiated assessment and comparison of current housing conditions and problems in Europe with a focus on young people. I argue that a rights-based housing strategy with an explicit intergenerational justice perspective is a promising approach to tackle the housing crisis in a way that meets the housing needs of young people.

Keywords: Housing crisis; Right to housing; Commodification; Young people

The housing crisis in its context

All too often, cities like San Francisco, New York, London and Tokyo make headlines with their unaffordable rents and high living costs, and the number and scope of informal settlements whose inhabitants have little access to infrastructural services and housing security continue to increase in cities in the global south. But in Europe too, the situation is becoming critical: Housing in larger cities is increasingly unaffordable, even for the middle classes, and the number of people experiencing homelessness in prosperous countries is on the rise. These developments can be linked to fundamental structural changes in the housing market.

The transformation began in the context of neoliberalisation in the 1980s, with the implementation of market-driven housing policies. The state withdrew from its role as a *provider* of affordable housing and came to be considered a mere *facilitator* for the creation of residential space (Rolnik 2019: 59). This trend towards recommodification with – as I will discuss later – context-specific effects, can be described as follows:

“While in the post-war period, alongside the expansion of national welfare states, housing markets in many West European cities experienced greater state involvement and an expansion of de-commodified housing stocks, it appears that since the 1980s, the overall direction is towards governmental retreat and greater reliance on market housing provision” (Kadi 2015: 247).

Recommodification is a consequence of decreased state intervention and refers to the shift from de-commodified to commodified housing provision, such as the privatisation of social housing in many countries, especially in central and eastern Europe in the late 20th century. As Manuel Aalbers notes, social housing “was either subject to stigmatization and marginalization or its man-

agement was commodified and rents were raised” (2017: 543). Recommodification is closely linked to financialisation. Privatisation can be seen a precondition for financialisation (Aalbers 2016: 3), and where social housing is taken away from the state, providers of social housing are more dependent on financial markets (Aalbers 2017: 543).

Deregulation and liberalisation, as well as the intensified search for lucrative and relatively safe investment opportunities, have transformed the real estate market into a “playground for national and international real estate capital” (Kadi/Verlic 2019: 8, translation VR). In global financial capitalism, characterised by expanded speculative opportunities and the restructuring of welfare, housing becomes privatised and commodified and thus increasingly unaffordable (Fehlberg/Mießner 2015: 28). Where buildings become financial assets, the social function of housing is of secondary importance. Several empirical studies draw attention to the correlation between financialisation, in particular the rise of private equity investment, and decreasing affordability (see for example Fields 2016; Fields/Uffer 2016; Fehlberg/Mießner 2018). Financialisation can be defined as “the increasing dominance of financial actors, markets, practices, measurements and narratives, at various scales, resulting in a structural transformation of economies, firms (including financial institutions), states and households” (Aalbers 2019: 3).

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In many cases, it is members of marginalised groups who do not have access to adequate housing. This is nothing new. However, what has changed significantly compared to the time period from the end of the Second World War to the 1970s is that young adults now have more difficulty than before to maintain or improve on their parents' standard of living and their housing situation. As the intergenerational justice literature highlights, people born since the 1980s – described as the “precarious generation” – “face an increasing economic burden of deprivation, inequality and disadvantage relative to older people” (Bessant/Farthing/Watts 2017: 12). The end of collective upward social mobility (Nachtwey 2016) also implies changes in the housing situation of younger generations. Young adults who leave the parental home are often described as “generation rent” due to their difficulties in accessing homeownership.

Against the backdrop of these structural transformations, the following questions arise: Which explanatory factors have to be taken into

account when analysing the housing situation of young adults in Europe? Is a rights-based housing strategy that incorporates an inter-generational justice perspective a promising approach to tackle the housing crisis in a way that meets the housing needs of young people?

I will focus on the situation in Europe without losing sight of global interrelations and the global scope of the housing crisis. In the first part of the paper, I aim to present a differentiated assessment and comparison of current housing conditions and problems in Europe by drawing on various data sources, especially on the EU-Statistics on Income and Living Conditions (EU-SILC). Since an almost inflationary use is being made of the term “housing crisis”, one might get the impression that there is a general “crisis”. It is therefore necessary to point out the differences between countries, and between urban and rural areas. Due to the great heterogeneity of housing systems in the EU member states, it is not possible to describe all of them in a detailed manner. Several examples are taken from the Austrian and German context. These countries are characterised by a high percentage of renter households but differ regarding the availability of social housing. In Germany, the social housing stock had declined by almost a third between 2002 and 2010 (Fernandez Evangelista 2016: 159). But, as I will show later on, recommodification trends can also be observed in Austria, which is known to have a large proportion of social housing.

In the European Union, housing policies fall within the competence of the member states; however, both on the national and the European level a sustainable long-term solution to the housing crisis is lacking. This becomes particularly evident when looking at the situation of young adults in Europe. Their housing situation and some explanatory factors will be discussed in the second chapter with reference to processes of social transformation in late modernity. As I intend to show in a third step, housing prices are particularly high in big cities such as London, Paris and Berlin. Prices increase at a much faster pace than income which fuels displacement and aggravates homelessness. Since cities attract a large number of young people, rising rents in large cities affect them disproportionately.

Germany and Austria are characterised by a high percentage of renter households but differ regarding the availability of social housing. In Germany, the social housing stock had declined by almost a third between 2002 and 2010. Recommodification trends can also be observed in Austria, which is known to have a large proportion of social housing.

The second part of the paper aims at contributing to the elaboration of a strategy to deal with the growing housing problems of younger people in Europe. Following Leilani Farha and Raquel Rolnik, UN Special Rapporteurs for housing, I argue that the human right to housing should be recognised as a basic constitutional right. This rights-based approach can profit from incorporating an intergenerational justice perspective – an aspect that has received little attention. More effort should be put into elaborating how a rights-based approach can effectively address the current housing problems of younger people in Europe. Since housing problems vary significantly across countries, I do not attempt to elaborate a housing strategy suitable for all contexts. Rather, I argue for the need to discuss and implement context-specific

laws, policies and programmes that alleviate the housing crisis by fighting re-commodification, deregulation and financialisation processes, with special attention to the needs of young people.

Housing in Europe – a comparison

The causes and impacts of the “housing crisis” vary in form and in scope from member state to member state in the EU. These differences can not solely be traced back to economic and cultural factors, but also depend on the success or failure of housing policies in the respective countries. Providing a general overview of the housing situation in Europe is complex due to differences in tenure structure, housing conditions and affordability. In the EU, 70% of the households are owner-occupied, the remaining 30% of homes are rented. However, ownership structures vary greatly across the EU. In the eastern part of the EU and in the Baltic States, the share of homeowners is particularly high, while in Germany, Austria and Denmark the percentage of rental housing is significantly higher than the EU average (European Union 2015: 78). Concerning alternative forms of tenure status, such as housing cooperatives, no EU-wide data are available. On average, the percentage of homeowners is decreasing while the share of renters in the private rental sector is rising (Pittini et al. 2017: 16). The European Index of Housing Exclusion, a report published by the European Federation of National Organisations Working with the Homeless (FEANTSA) and the Fondation Abbé Pierre, provides a detailed analysis based on EU-SILC data. Generally speaking, poorer households are disproportionately affected by decreasing housing affordability because they spend a larger percentage of their income on housing. While the share of EU households that struggle to cover the costs of housing shrunk to 10.4% from 2007 to 2017 (-3.7%), the share increased among low-income households by 2.2% to reach 38% (FEANTSA 2019: 65f). Housing is considered to be a strong financial burden if more than 40% of the available income is spent on housing costs. The risk of exclusion from the housing market is higher for children, 18–24-year-olds, persons who were born outside of the EU and single parents (FEANTSA 2019: 74). In rural areas, the housing cost overburden rate (10%) is lower than in urban areas (13%) (European Union/UN-Habitat 2016: 96). The cross-country comparison indicates that there is a correlation between tenure structure – the percentage of homeownership as well as of private and social rental housing – and the housing cost overburden rate. Especially in countries with a smaller de-commodified housing stock and little regulation in the rental market, the housing problem is more pronounced than in countries such as Germany and Austria, where rent control and tenant protections are more elaborate.

According to a Eurobarometer survey which focuses on the quality of life in European cities, growing dissatisfaction with the perceived housing situation can be observed. In 2015, the majority of inhabitants in two-thirds of the European cities agreed with the statement that adequate affordable housing is hard to find in the city (European Union/UN-Habitat 2016: 97). Although the lack of affordable housing constitutes a problem in nearly all EU countries, a differentiated view is necessary since not all regions are affected in the same way. To give an example, despite the scarcity of affordable housing in larger cities, one out of six of dwellings in the EU are uninhabited or only used as a holiday home or secondary residence (European Union 2015: 75). In the following,

I will show that differences exist not only between countries, but also with regard to *age*.

Young adults without (their own) roof?

Age groups are affected differently by the housing crisis. This form of generational inequality attracted stronger media attention after the financial crisis in 2008 which “dramatised the situation of young people because they were the age group which was hardest hit in terms of rising unemployment and declining real wage” (Green 2017: 7). In 2017, 13% of Europeans aged between 18 and 24 faced pressure due to housing costs. As stated before, the overall average is lower (10%). In 2017, young adults in Greece, Denmark, and the Netherlands were most affected. The number of young people in the EU for whom housing costs constitute a considerable financial burden has shrunk slightly over the last years (-3%). However, in some countries the picture is strikingly different: the percentage of young people who face housing affordability problems rose between 2007 and 2017 in Luxembourg (+198%), Lithuania (+121%), Greece (91%), Austria (+72%), Spain (+44%), Denmark (+38%), Portugal (+36%) and Germany (+17%). The above figures should, however, be analysed by taking into account other factors, since they give no information on the adequacy of the type of housing and the housing conditions. The severe housing deprivation rate shows how many people live in overcrowded and dwellings with poor amenities. Looking at the 15–29 age group, the EU average rate amounts to 6.2% (EU-SILC 2017).

In the EU, 70% of the households are owner-occupied, the remaining 30% of homes are rented. However, ownership structures vary greatly across the EU. In the eastern part of the EU and in the Baltic States, the share of homeowners is particularly high, while in Germany, Austria and Denmark the percentage of rental housing is significantly higher than the EU average.

Little data is available concerning homelessness and housing exclusion. Young adults might face housing exclusion without being recorded in surveys if they do not access homeless supports and services but live in temporary housing. This situation is often referred to as “hidden homelessness” or, according to the European Typology of Homelessness and Housing Exclusion (ETHOS), as “insecure housing”. Since definitions vary, it is difficult to compare statistical data. A report by the European Social Policy Network analyses the situation in EU member states and comes to the conclusion that although in most countries the majority of people registered as roofless are adults older than 30, “a significant group of countries...report a strong presence of young people between 15 and 29 years old, or an increasing share of this age group among homeless people” (Baptista/Marlier 2019: 40).

As the intergenerational justice literature shows, young adults are at a disadvantage compared to the baby-boomer generation when it comes to accessing homeownership. Baby boomers “bought their homes when housing was still affordable and...often found themselves in middle age with valuable housing assets” (Green 2017: 13). Renting thus becomes the only remaining alternative for many young people. However, due to recommodification tendencies in many countries, subsidised housing stocks are shrinking and renting privately can be problematic. In the UK, for example,

the private sector is less regulated than in most other EU countries, which results in poor housing quality, insecure tenure and high prices (Green 2017: 68). A study published in 2015 analysed how far access to the housing market has changed for young adults in Europe since the financial crisis. More precisely, the authors departed from the question whether the crisis has made it more difficult for younger generations to have access to homeownership. In overall European comparison, this tendency could be confirmed. However, the term “generation rent” does not adequately describe the complex housing situation of *all* young adults in Europe, since in many countries also staying in or returning to the parental home has become an increasingly attractive alternative for young people (Lennartz/Arundel/Ronald 2016). But here too, a nuanced analysis is required because in countries like Spain, where the average age of leaving home is higher, the share of young adults who live in the parental household has not increased significantly since the crisis (Lennartz/Arundel/Ronald 2016; Moreno Mínguez 2016).

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Therefore not only the affordability of housing for younger generations but also transformations concerning young people’s housing status, and the question of how far these changes are caused by rising housing costs, should be examined. The transition from adolescence to adulthood becomes increasingly complex and individualised, and happens at a later age. In this context, semi-dependent living arrangements – living with parents or relatives or in shared accommodation with peers – constitute a strategy to face current challenges (Arundel/Ronald 2016: 885f). As already mentioned, the number of young Europeans who live in the parental home is rising. This trend is particularly present in countries in southern Europe where over 50% of 18–34-year-olds live in co-residence with one or more parents (Arundel/Ronald 2016: 895). On the one hand, this phenomenon can be linked to economic – in particular relating to the situation of the labour market – and cultural factors. On the other hand, housing-system and welfare-system contexts play a primordial role that goes beyond short-term economic changes (Arundel/Ronald 2016: 886f). In the United Kingdom, which has a liberal welfare regime with little de-commodified housing stock, the trend to semi-dependent housing is strongest, while in social democratic countries characterised by stronger government support the percentage of young adults who live in co-residence with their parents or in shared living arrangements is lower (Arundel/Ronald 2016: 901).

Young people in Europe have been disproportionately affected by changes in the labour market. However, this is not the only explanatory factor behind the severity of the housing crisis for young people in some countries. The hypothesis presented above, according to which the housing situation of young people is dependent on welfare regimes and housing policies, is also supported by other comparative studies. A study based on EU-SILC data concludes that government support for rental housing can improve the housing situation of young people and foster the

achievement of housing autonomy (Bertolini et al. 2018). Breidenbach examines two explanatory models concerning the differences in age when young adults leave the parental home. While the first concentrates on structural factors such as the availability and affordability of housing, the second model highlights cultural differences that motivate the individual decision to continue living with one's parents. The study concludes that individual choice plays a greater role in countries with a stable labour market, strong welfare state and stable supply of affordable housing (Breidenbach 2018: 286f).

The diversification of the housing careers of young people indicates that the “traditional” transition from living in the parental home to rental housing to homeownership no longer reflects adequately the current situation: “It is apparent that the housing conditions and careers of young adults are more complex than have been presented in the standard housing ladder model, with non-traditional ‘in-between’ phases in the housing career playing a very important role for many young Europeans” (Arundel/Ronald 2016: 900). The increasing informalisation of the labour market, precarious forms of employment, high youth unemployment rates and other developments make long-term planning more difficult and house or apartment purchase less likely. Also, regarding the de-standardisation of biographical pathways and the diversification of relationship and family forms, the question arises if the housing needs of young people can be met with the existing housing stock and institutionalised forms of housing status. Living space is mainly designed for living in the nuclear family, allows for little flexibility and does not respond to changes in employment.

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To sum up, it can be said that not only buying a home has become increasingly difficult for young adults. Green (2017: 67), who provides a detailed overview of the situation in the UK, points out that “other alternatives, whether they be social housing or private renting, are equally problematic” since young people often do not qualify for access to the shrinking supply of subsidised housing and have to pay increasingly high rents on the private market. The phenomenon that young people find it more difficult to cover the costs for adequate housing is closely linked to recommodification tendencies and the financialisation of housing markets. Consequently, the impact of short-term fluctuations on the labour market have to be relativised:

[A]lthough higher post-crisis declines in young-age homeownership is also associated with adverse labour market conditions, it seems to be primarily the volatility of more financialised housing markets that lead[s] to increasing difficulties for younger people to realise housing property ownership. (Lennartz/Arundell/Ronald 2016: 823)

Facilitating access to homeownership is often considered to be a promising strategy to improve the precarious situation of young people on the housing market. However, especially in urban areas purchasing properties is becoming less and less affordable. We will look into urban housing dynamics in a more detailed manner in the next chapter.

The housing crisis as an urban phenomenon

Even more striking than the differences *between* European countries – which are due to cultural and economic factors and, in particular, the type of welfare regime and housing policies – are the differences that exist *within* EU member states. An increasing polarisation between central and peripheral areas can be observed. When analysing the housing situation of young people in Europe, it is interesting to have a closer look at dynamics in urban areas, because larger cities, especially university cities, attract a great number of young people due to education and employment opportunities. On the other hand, structurally weak regions in rural areas face population decline. Housing shortage thus exists parallel to high vacancy rates – not only in areas that face rural flight, but also in large cities where a large number of luxury apartments that serve as capital investment are vacant.

Current trends in Berlin, London, Paris and other cities indicate that large cities, especially those that are part of the network of “global cities” (Sassen 1991), become “spaces of political inequity, social and economic deprivation, and sources of environmental damage” (Susser/Tonnellat 2003: 106). While in 2009 51% of Berlin inhabitants stated that they had no difficulties in finding affordable housing, this percentage had shrunk to 10% by 2015 (European Commission 2016: 8). Social exclusion is increasing in European cities, exacerbating the problem of homelessness. In Paris, for example, the number of people experiencing homelessness increased from 2001 to 2012 by 81%, in London the number went up by 9% from 2014 to 2015 (European Union/UN-Habitat 2016: 104). Issues such as overcrowded and unaffordable housing are particularly present in cities where the population and/or income increase (European Union/UN-Habitat 2016: 97). Also in Austria and Germany the housing deprivation rate is higher in cities than in small towns or in rural areas (EU-SILC 2017). This phenomenon can also be observed in cities and regions where, for a long time, housing costs have not been considered a burden by the majority of inhabitants.

Larger cities, especially university cities, attract a great number of young people due to education and employment opportunities. On the other hand, structurally weak regions in rural areas face population decline. Housing shortage thus exists parallel to high vacancy rates.

Vienna is often taken as an example of a liveable and affordable city and is considered to be one of the few larger cities that have – to a certain degree – resisted the trend towards the recommodification of the housing stock which had become dominant since the 1980s within the framework of neoliberal restructuring. The city has a longstanding tradition of social housing, a tightly regulated private rental market and far-reaching tenant protection. Over 40% of units are public or non-profit housing and thus are not available for investment and real estate speculation (Kadi/Verlič 2019: 7). Despite these particularities, recent policy changes in the social housing sector and liberalisation measures in the private sector have increased market influence and reinforced exclusion (Kadi 2015). In Amsterdam, a similar tendency concerning the impact of neoliberalisation on the housing situation of low-income households can be observed. There is a widening gap between those who are already in the system of social housing

and who have stable access to affordable housing on the one hand, and those who wish to be included on the other hand. Especially for low-income households, people with experience of migration and people facing precarious working conditions with low job security, gaining access to subsidised housing is difficult due to long waiting lists and a lack of information concerning their rights (Kadi/Musterd 2015: 258f).

Increasing inequalities often go hand in hand with spatial reconfigurations, especially displacement, which in turn can aggravate processes of marginalisation. Bringing these complex dynamics down to the term “gentrification” provides only a grossly simplified picture and leads to a situation where urban groups with different socio-economic status are played off against each other. Neighbourhood changes, often described as “revitalisation”, are not solely due to preferences of wealthy groups who settle in city districts inhabited by households with lower incomes and who push out the established inhabitants. An attempt to understand the phenomenon from an economic perspective is the rent gap theory developed by Neil Smith. According to this theory, the gap between the current and potentially achievable housing prices is largest in disinvested neighbourhoods that are close to the city centre (Smith 1987). These considerations draw attention to the role of real estate investors and speculators, to developers and to landlords who try to raise rents by evicting low-income tenants. As a result, the supply of affordable housing for low-income households shrinks. These changes do not happen automatically but are made possible and encouraged by national and municipal decision-making.

Tourism is an additional factor that can intensify gentrification and aggravate the housing crisis. Case studies in cities such as Barcelona (see Cocola Gant 2016) indicate that the presence of Airbnb can fuel neighbourhood changes, hamper access to affordable housing due to the conversion of housing into lucrative short-term accommodation for tourists and contribute to displacement. As a result, cities have developed strategies to regulate short-term rentals (Nieuwland/van Melik 2018: 2).

The above-mentioned urban aspects of the housing crisis fuel an interesting countertrend to the influx of young people into large cities. As a result, affordability issues in the urban context receive more attention, and the question is raised as to how we want to live in urban space in the future. High housing prices in the inner cities as well as a declining quality of life due to traffic and air pollution make living in small and middle-sized towns with good public transport connections more attractive. This fuels housing sprawl and, as Fehlberg and Mießner illustrate by taking Göttingen as an example, makes smaller towns interesting for investors. The low rental price segment in these cities has become scarce due to welfare state restructuring, and new constructions mainly concentrate on expensive rental housing and owner-occupied dwellings because of the higher return potential (Fehlberg/Mießner 2018: 36ff).

In this section, I have shown that housing problems are particularly pressing in urban areas. This is partly due to the fact that changes in welfare measures and market-oriented housing policies had the greatest impact in cities: “Urban housing markets have been particularly affected by welfare state restructuring, as it was here that de-commodified stocks became concentrated in the post-war period” (Kadi 2015: 249). Many young city dwellers rent in the private sector. As a result of decreasing affordability, they are

increasingly pushed out or live in poorly maintained properties (Green 2017: 68). Because in cities the housing crisis becomes increasingly visible, they are fertile grounds for resistance and new initiatives, the potential of which should be more widely acknowledged and analysed. From Berlin to Hong Kong, young people are voicing their demands by taking the streets. As the mentioned example of regulatory efforts concerning Airbnb shows, cities that are directly affected tend to be in a better position to react quickly and in a creative way than the national level. Possible approaches to end the urban housing crisis range from providing inexpensive land for social housing construction and requirements for private developers concerning affordability to measures aiming at reducing vacancy rates (Pittini et al. 2017: 11).

Housing as a human right

Although the right to housing is included in article 25 of the Universal Declaration of Human Rights and in article 11.1 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), the housing situation in many parts of the world does not comply with the criteria for adequate housing established by the UN Committee on Economic, Social and Cultural Rights (CESCR). The committee provides a loose definition of the right to housing as “the right to live somewhere in security, peace and dignity” (CESCR 1991: 2). Despite the fact that the concrete definition of “adequate housing” is dependent on economic and cultural factors, several general aspects can be identified: legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location that allows access to education, employment and health services; and cultural adequacy (CESCR 1991: 3f). The Committee on Economic, Social and Cultural Rights explicitly mentions children and the elderly as disadvantaged groups with special housing needs that “should be ensured some degree of priority consideration in the housing sphere” (CESCR 1991: 4).

Framing housing as a right strengthens the position of people who face housing exclusion and provides a legal basis for eliminating homelessness.

Leilani Farha considers housing to be today’s biggest challenge and deplores the fact that the issue does not receive enough public attention. As Special Rapporteur for the United Nations, she stands up for the right to housing – housing as a human right, not as a commodity – and draws attention to the fact that housing is a prerequisite for a life in dignity. She presents several basic principles for a rights-based housing strategy. Framing housing as a right strengthens the position of people who face housing exclusion and provides a legal basis for eliminating homelessness. In this perspective, homelessness can be seen as a government’s failure to implement the right to housing: “A State is seen to be in violation of international human rights law if any significant portion of the population is deprived of access to basic shelter or housing” (HRC 2018: 5). People who live in inadequate housing and who are dependent on government programmes should not be seen as mere passive aid recipients but as right holders whose participation can help uncovering structural shortcomings of housing programmes and policies.

In order to meet the key requirements for adequate housing stated above, various context-dependent measures have to be

implemented. To address housing affordability, for instance, rent control, housing subsidies, increased tenant protection and other measures and programmes are necessary (HRC 2018: 9). Concerning market regulation, the report of the Special Rapporteur states the principle of the need for strategies to “clarify the obligations of private actors and regulate financial, housing and real estate markets” (HRC 2018: 17). National as well as sub-national decision-makers have to ensure that private actors in the private housing market respect and contribute to the implementation of the right to housing. Implementing the right to housing is a great challenge for countries where the right is already recognised in the constitution, for example in Finland and, since recently, also in Canada. As Farha emphasises, the local level plays an important role. In many contexts, local governments are responsible for the concrete implementation of national strategies and are responsible for land use planning, construction standards and for providing emergency accommodation for homeless people (HRC 2018). It can also be argued that “it is the local authorities which are best placed to build affordable homes where they are needed” (Green 2017: 110). As Farha illustrates by taking Canada as an example, affirming governments’ responsibility to improve access to housing can only be effective if evaluation mechanisms are introduced and the outcome, impact and sustainability of policies and programmes are continuously reviewed:

“Canada’s new model contains the hallmarks of a human rights approach. Not only does it include a legislated right to housing, it also establishes in law creative mechanisms to monitor and hold the Government accountable and ensure access to remedies to address systemic barriers to the enjoyment of adequate housing. This model can serve as an example for countries all over the world” (Farha in OHCHR: 2019).

Despite several positive examples, the situation continues to become more and more critical in many countries. Raquel Rolnik, former Special Rapporteur on the Right to Adequate Housing, has analysed the radical transformations of housing policies and the housing market during the last decades. She argues that the financialisation of homeownership had significant consequences. In the wake of neoliberal globalisation, the state has withdrawn from the housing sector and market-based housing finance models have been strengthened. As a result, the effective implementation of the right to adequate housing has receded into the distance: “No longer was housing conceived as a common good that a society agrees to share, by providing for those with less resources. Instead it became a mechanism of rent extraction, financial gain and wealth accumulation” (Rolnik 2019: 5).

How can the “deconstruction of housing as a social good and its transformation into a commodity and a financial asset” (Rolnik 2019: 15) be countered? Against the background of the above-mentioned dynamics, I argue that framing housing as a right and developing a rights-based housing strategy is a promising approach. As I will show, a housing strategy that addresses the generational dimension of the housing crisis has the potential to effectively improve the housing situation of young people.

Ways out of the housing crisis

In the following, I will present a number of specific recommendations for a sustainable solution for the housing crisis. The potential policy solutions are based on the framing of housing as a right. As stated before, the right to housing is already recognised

in some national constitutions. The concrete implementation, however, proves to be a challenging process. The UN Special Rapporteur advocates the establishment of a human rights-based housing strategy. This comprehensive strategy should build on the cooperation of various actors at all levels of government. A housing strategy consists of policies and programmes that aim to facilitate access to affordable and decent housing and to uncover and eliminate discrimination in the housing sector. A housing strategy thus goes beyond a housing policy:

“A [housing] strategy coordinates a wide range of laws, programmes, policies and decisions to address housing needs that, when taken together, create a housing system. The aim of a housing strategy is not only to provide housing, but also to address gaps and inequalities in existing systems. It provides opportunities to review and change policies and programmes to ensure their efficacy and challenges the stigmatization, marginalization and discrimination that lies behind failures of housing systems” (HRC 2018: 3f).

Recognising the right to adequate housing as a legal right enables the development of laws, programmes and policies adapted to the specificities of local contexts, and to take concrete steps for their implementation to increase access to adequate housing in the long term. Constitutional or legislative recognition gives disadvantaged groups that face discrimination and risk housing exclusion the possibility to draw attention to their situation and to invoke mechanisms to uphold their rights. With a rights-based housing strategy, governments and other actors in the housing sector can be held legally accountable.

As the report “The State of Housing in the EU 2017” shows, most EU member states are pursuing the strategy to reduce state expenses for housing, to facilitate access to homeownership and to implement measures to increase for-profit housing supply through tax breaks and financial incentives (Pittini et al. 2017: 10). The aggravation of the situation, especially in countries with a small social housing stock, illustrates that a free-market approach does not succeed in ending the housing crisis. Regulatory measures such as rent caps are especially important in metropolitan areas where investment and speculation activities drive housing prices up and reduce the supply of private rental housing affordable to low-income households. Government investment in affordable, non-speculative housing should therefore become a key element of a comprehensive housing strategy.

The right to housing and intergenerational justice

Calling for effective and non-discriminatory access to adequate housing for all also implies that programmes and policies should be evaluated from the standpoint of intergenerational justice. By paying specific attention to this dimension, the housing situation of young people can be improved. This also invites the development of programmes designed to specifically target issues such as homelessness and housing exclusion among young people. I therefore argue that the accessibility aspect of the right to housing (CESCR 1991: 3f) has to be extended to include an intergenerational justice perspective that explicitly pays attention to the housing needs of young people. This is justified because, as I have mentioned above, access to housing assets has declined for young people and “the protracted housing crisis has proven to be the major barrier to their life chances, and the main symbol of intergenerational declines in opportunity” (Green 2017: 63).

By adopting an intergenerational justice perspective, it becomes possible not only to develop programmes that target specific age groups, but to evaluate housing policies and programmes *in general* for their impact on different generations to analyse whether the housing needs of young people are met. Let me give a few examples. “Affordable” housing programmes need to be based on a definition of affordability that takes into account intergenerational gaps in opportunities and incomes, thus making sure that young people are not shut out. Concerning subsidised housing, policies have to be analysed to see in how far the conditions for qualifying for social housing exclude young people in need of affordable housing. When it comes to designing measures for people experiencing homelessness, policy-makers must also take into account the fact that young homeless people are at a higher risk of being exposed to violence and might refuse to go to adult shelters. When talking about the housing situation of young people, affordability issues are paramount. However, there is no unanimity among researchers and policy-makers on what would be the most effective strategy to improve access to affordable housing for young people. Some experts argue in favour of deregulation to stimulate building activity, stating that a more market-oriented approach will increase the supply of housing and thus make housing more affordable. Others argue that housing problems cannot be reduced to a simple factor of supply and demand. As Green puts it with regard to the housing situation in the UK: “The problem is not so much that we lack housing stock, but that much of it is in the wrong place and the wrong people are buying it, including foreign investor buyers and buy-to-let landlords. Housing generally has become much more unequally distributed” (2017: 65).

In order to meet the key requirements for adequate housing stated above, various context-dependent measures have to be implemented. To address housing affordability, for instance, rent control, housing subsidies, increased tenant protection and other measures and programmes are necessary.

A rights-based housing strategy needs to include regulatory measures, since the lack of supply is not the only reason for the fact that housing costs have outpaced increases in salaries. As already stated, the financialisation of housing and the withdrawal of the state as housing provider has had, among other factors, considerable influence on housing prices. A study that compares how financialisation has impacted rental housing markets in New York and Berlin comes to the conclusion that “financialisation heightened inequality and often worsened housing conditions” (Fields/Uffer 2016: 1497). Spatial upgrading strategies have undermined housing security, especially for low-income households. In Berlin, deregulation and the privatisation of state-owned housing have given way to investors aiming to maximise short-term value. Regulatory intervention to respond to these dynamics can take different forms. Berlin, for example, has decided to freeze rents for five years after protests against rising housing prices. However, implementing isolated methods without explicitly taking into account inequalities across generations and their intersection with other vulnerabilities might not be sufficient to tackle the housing crisis in a sustainable manner. For a comprehensive housing strategy, it is necessary to analyse the housing crisis in a larger context

and to consider the complex interplay of various societal transformations, especially related to family and work, and to analyse its impact on the housing needs of young people.

Housing strategies must acknowledge that housing needs as well as the impact of declining affordability affect people differently depending on age, gender, class and race. For example, young adults who live below the poverty line are at a higher risk of spending more than 40% of their income on housing than their wealthier peers (FEANTSA – Fondation Abbé Pierre 2019: 79). The intersection of age and socio-economic status should be taken into account when designing policies aiming at reducing generational inequalities:

“Current policy constellations in many countries seem to put a heavy and disproportionate burden especially on the poorest members of the younger generations, because they do not receive as many public resources as the poorest members of the older generation and their parents and grandparents cannot transfer as many private resources as can wealthier parents and grandparents” (Vanhuysse/Tremmel 2018: 482).

Since renting is especially common among young adults who have left the parental household, the younger generation profits more directly from laws and programmes that concern the rental sector than from fiscal and financial support measures for building or purchasing a home. In addition, in order to have access to quality education and career opportunities and to find affordable housing at the same time, young people are dependent on low mobility costs. Investing in and reducing prices for public transportation can help reduce the pressure to find living space in expensive inner-city quarters or compensate – at least partially – for rising rental prices.

Strengths and limits of a rights-based housing strategy

The rights-based approach presented above is a promising strategy for improving housing conditions since it not only regulates activities of private actors, but also emphasises the responsibility of governments to preserve affordable housing by putting a halt to recommodification and by ensuring that new adequate housing opportunities are created in the for-profit, limited-profit and non-profit sectors. In order to effectively implement the right to housing, a national housing strategy should formulate objectives and timetables as well as tools that make it possible that the right to housing that can effectively be claimed in courts of justice if the state fails to protect the enjoyment of the right. There are many examples of measures that can be included in a national housing strategy, such as investing in non-profit housing, implementing inclusionary zoning and providing homeless people with permanent housing.

Political measures to increase the supply of affordable housing often lack creativity and vision and are often based on outdated models that do not sufficiently take into account long-term structural changes, such as individualisation, migration, changes in employment, the changing age composition of society and the needs of different generations. Alternative housing concepts that seek to rethink tenancy and ownership structures, the design of residential buildings and apartments, and the organisation of living together already exist in many countries. Land trusts and cooperatives can be cited as examples of innovations in ownership and tenancy. These alternative forms of homeownership can function as a driver of less intergenerational inequality since they

provide long-term housing affordability and security of tenure for young adults with insufficient financial resources for private homeownership. Increasingly popular also are projects that focus explicitly on the concept intergenerational housing by taking into account the housing needs of the elderly as well as of younger generations. National housing strategies that enable participation – one of the principles of a rights-based housing strategy – can build on this experience and are thus more suited to respond to current housing problems than isolated measures. More research still has to be done to evaluate pilot projects to better understand how far these alternative concepts respond to the heterogeneous housing needs and contribute to improving the housing situation of cost-burdened young people.

However, there are several barriers to the successful realisation of the right to adequate housing. Firstly, an about-turn to a comprehensive housing strategy will not come by itself but has to be demanded by those directly affected by the housing crisis, housing advocacy groups, and other actors alike. Various bottom-up initiatives show that those facing housing exclusion instinctively frame housing as a right. Squatting, building temporary shelters in informal settlements, rent strikes and other tactics show that people are convinced that everybody has the right to be adequately housed. Rising rents and displacement are interpreted as unjust phenomena, and real estate speculation is increasingly subject to criticism. Since the situation is particularly critical in large cities, it is not surprising that housing activism thrives especially in urban areas. City dwellers show their presence in urban space, protest against the “sell-off” of their cities and voice demands for more affordable housing. Resisting these dynamics is not in vain, as recent examples such as the protests in Berlin show. The resistance resulted in the city buying former public housing apartments that had been privatised.

All states should recognise their role in the preservation and creation of affordable housing to encourage the implementation of the right to adequate housing and to reconnect housing with its social function.

Secondly, even if the right to housing is installed in such a way that it is also legally binding, its enforcement will reveal inequalities between countries. Improving access to adequate housing necessitates considerable financial resources that are not distributed equally among states. Governments should therefore work towards the progressive realisation of the objectives fixed in their housing strategy in so far as possible. Supranational political entities such as the European Union can contribute by providing adequate funding and fostering the exchange of good practices between the member states.

Conclusions and outlook

Current developments show that the “housing question” (Engels 2013 [1872]) has returned. As I have illustrated in the first part, those born since 1980 have become the first generation to have fewer housing opportunities than previous generations. A differentiated view is necessary since the reasons for, and outcomes of, this critical situation differ depending on the cultural and economic context and the housing system in place. In the second part, I have emphasised the elaboration and implementation of a housing strategy, based on the concept of housing as a human

right, as a promising response. This strategy should include a detailed action plan for ameliorating the housing situation of young people as well as instruments to systematically assess the impact of housing policies and programmes on this age group. States that recognise the right to housing in their constitution bear a legal obligation to provide financing and put legislative and administrative arrangements in place. By referring to the Universal Declaration of Human Rights, violations of the right to adequate housing become visible and there is a legal basis that gives social demands more legitimacy and momentum (Krennerich 2018: 14).

All states should recognise their role in the preservation and creation of affordable housing to encourage the implementation of the right to adequate housing and to reconnect housing with its social function. Current dynamics show that free-market approaches do not deliver what they promise, namely an efficient and just allocation of housing for all. Supranational entities such as the European Union can contribute to the elaboration of new strategies for a more just and unbureaucratic access to housing. However, even when the right to housing is anchored in legal and constitutional frameworks, the participation of civil society is needed in order to monitor the implementation of such laws and to denounce their violation. I have argued that a housing strategy with implications for all levels of government is needed. This strategy needs to make sure that young citizens have a real choice concerning location, type of housing, living arrangements and ownership structures. By adopting an intergenerational justice lens, policy-makers can analyse and respond to the increasing heterogeneity of housing needs for young people and other age groups. In this manner, alleviating the housing crisis by introducing a rights-based housing strategy can be an effective way to reduce intergenerational inequality.

Similar dynamics can be observed in different contexts, which indicates that the housing crisis has become global. This is partly due to the exportation of a dominant model of housing provision, promoted by international organisations. As Rolnik argues, this model tends to increase speculator profits rather than improve the overall housing situation (Rolnik 2019). The global dimension of the housing question also becomes visible when looking at migration. Following a human rights-based approach, the so-called “refugee crisis” in 2015 can be reframed as a situation that has uncovered structural shortcomings of housing policies on the national and European level. The European Union failed to provide non-discriminatory access to adequate housing for displaced persons. The living conditions in overcrowded camps and accommodation centres illustrate that the right to housing was not respected for this group of people. In the future, processes of migration will continue to be a challenge when it comes to the provision of adequate housing.

In order to elaborate concrete strategies, adapted to the respective cultural and economic context, more research is necessary. Research projects should be designed and carried out in cooperation with community organisers, NGOs and activists to address questions concerning the right to housing for people experiencing homelessness, non-discriminatory access to adequate housing as well as tenant rights and protection from evictions. Participatory research designs make it possible to integrate expert knowledge from housing advocates, activists and those facing housing cost overburden as well as to disseminate and make available research outcomes for their work. This would project the housing question

into the spotlight of public interest, fuel the elaboration of new and innovative remedies and draw attention to the importance of housing as prerequisite to the life chances of the younger generation.

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