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| EnhedBoligpolitik og -økonomiSagsbehandlerEmilie Sofie Rohr Koordineret medSagsnr.2022 - 1345Doknr.497693Dato28-03-2022 |

# Written contributions regarding older persons’ right to adequate housing

1. *What are the* ***local and national legal, policy and institutional frameworks*** *protecting and promoting the right to adequate housing of older persons? Please identify both existing or planned legal frameworks such as constitutional provisions, laws, regulations, or decress.*

In Denmark the housing stock primarily consists of owner-occupied housing, co-operative housing, privately rented housing and social housing (see table 1 in question 11). As for all other citizens in Denmark older persons are in general finding housing that are suitable in terms of location, price, size, type of ownership etc.

In addition to owner-occupied housing and private rented housing, local municipalities can supply the local housing stock with social housing. In Denmark, social housing is a fundamental part of the Danish Welfware system and makes up one-fifth of the total housing stock. The Social Housing sector is non-profit and provides adequate housing for approximately one million persons in Denmark including persons in special need of housing. Therefore, social housing rents are regulated in order to make them affordable to people with relative low incomes. Additionally, the local municipalities have an unconditioned right to dispose a certain share of all vacant family dwellings and dwellings for young persons to solve social housing problems. This is to secure, that weak groups with housing needs are prioritized.

The regulatory framework regarding the Danish Social Housing sector is contained in two principal acts, the Consolidation Act on Social Housing etc. and the Consolidation Act on the Rent of Social Dwellings. In addition to these two acts, a number of executive orders govern the sector.

Social housing is built and run by social housing organisations. However, social housing for older persons may be built and run by the Danish municipalities, regions, independent organisations and private organisations. In addition, social housing organisations can establish housing for older persons. As regulated in the Consolidation Act on Social Housing local municipalities are obligated to provide social housing for older persons including persons in special need of care. Social housing for older persons also includes dwellings designed for service and care. The Consolidation Act on Social Housing state that social housing dwellings for older persons, in terms of equipment and design, must be suited for older persons, people with disabilities including users of wheelchairs.

Due to The Consolidation Act on Social Housing, the local municipalities are obligated to offer older persons in need of housing designed for care and service a dwelling within two months. Furthermore, older persons and people with disabilities having a special need for social housing have the right to freely choose such housing, regardless of the location and with the possibility that the person’s spouse, co-occupant or partner can move in as well.

### What are the **existing local and national action plans, development plans and support programmes** for advancing the right to adequate housing for older persons? If available, please specify the budget allocated for their implementations.

The Danish Government has recently entered an agreement (“Aftale om etablering af Fonden for blandede byer – flere billige boliger og en vej ud af hjemløshed”) with financial means (5 billion DKK) for providing a greater amount of social housing units, including social housing for older persons and shared accommodation for older persons. Furthermore, the agreement holds initiatives for improving the existing social housing dwellings for older persons in terms of providing adequate housing for older persons (50 million DKK).

In 2020, the Danish Government entered an agreement (“Grøn Boligaftale, 2020”) regarding the social housing sector and its financial framework of the years 2021-2026. The agreement holds financial means (4.8 billion DKK) for a greater amount of adequate social housing in terms of accessibility inside and around social housing dwellings. The aim is to ensure, that a greater amount of social housing dwellings are designed and suited for persons with special needs and/or disabilities.

Furthermore, the agreement holds an initiative for examining the structural and financial framework for establishing more community-orientated/shared accommodation. Those types of housing are considered beneficial for older persons as an alternative to individual housing.

Another initiative is to promote urban and public spaces designed more properly for older persons.

1. *How are* ***older persons involved and participating*** *in the development of action plans, policies or legislation related to housing?*

Danish municipalities must establish at least one senior council. Senior councils give advice to the municipal council in local, political issues regarding older persons. In addition to this, senior councils ensure the influence of older citizens.

1. *What* ***challenges, barriers and forms of discrimination*** *are faced by older persons in fulfillng their rights to adequate housing? Please also include any existing legislation, policy or practice. Please also state how it impact older persons’ enjoyment of other human rights.*

The Ministry does not find that discrimination takes place in Denmark regarding older persons’ rights to adequate housing. The social housing sector, including social housing for older persons, is open to everyone who is legally in Denmark. Furthermore, older persons and people with disabilities have certain beneficial rights as stated in the answer to question 1.

As many other countries in Western Europe, Denmark has experienced urbanisation and increasing prices of properties, particularly in the larger cities, challenging peoples’ and older persons’ opportunities of finding adequate housing. Nevertheless, the social housing sector offers affordable housing and secures those in special need of housing.

1. *How do* ***other factors*** *(i.e., gender, sex, race, ethnicity, indigenous identity, disability, sexual orientation, gender identity, religion, social status, place of origin and immigration status) intersect and impact the enjoyment of older persons’ right to adequate housing?*

The Ministry does not find that the stated factors intersect and impact the enjoyment of older person’s right to adequate housing in Denmark.

1. *What impact has* ***the COVID-19 pandemic*** *had on older persons’ right to adequate housing in your country (e.g., has the pandemic caused any policy shift away from institutions and more emphasis on community supports)? What measures have been takes to minimize its impact?*

The Ministry does not find that the COVID-19 pandemic has had an impact on older persons’ right to adequate housing in Denmark.

Because of the pandemic, an analysis of the design of nursing homes has been initiated. The aim is to ensure, that future nursing homes are designed to better prevent the spread of infectious diseases at nursing homes but to ensure visits from older persons’ relatives at the same time.

1. *What* ***alternative housing strategies for older persons,*** *other than care homes and state institutions, exist in your country? What policies/programmes are in place to enable older persons to live independently in their communities as they age? Please provide detailed information.*

See question 1 regarding social housing. As an alternative to social housing for older persons and nursing homes, private actors can establish housing for older persons. These are privately owned rental dwellings designed for people in need of service and care. Local municipalities can assign a part of these dwellings for older persons in need of housing.

Furthermore, it is expected that initiatives regarding community-orientated/shared accommodation and adequate housing for older persons in terms of accessibility inside and around social housing dwellings (as mentioned in question 2) contribute to a more independent life for older persons and for older persons to live independent in their own home and community as they age.

1. *What are the* ***new and sustainable housing strategies*** *for older persons considering the current concerns of the impacts of climate change?*

The agreement “Grøn Boligaftale 2020” (mentioned in the answer to question 2) holds financial means for renovating the social housing sector with initiatives to ensure a more sustainable social housing sector through energy efficiency, digitalization, renovation, modernization etc. The initiatives also include social housing for older persons.

1. *How does* ***the State fulfill its obligations*** *to ensure older persons’ access justice, and to obtain remedies and reparations, when their right to adequate housing have been violated?*

The Consolidation Act on Social Housing and the Consolidation Act on the Rent of Social Dwellings regulate older persons’ rights to adequate housing. In addition to these two acts, a number of executive orders govern the housing sector. The answer for ensuring housing for older persons is delegated to the local municipalities. Citizens can complain about municipal decisions regarding housing to The National Board of Appeal.

1. *What are the* ***lessons learned*** *from advocacy, legal, and policy actions undertaken to combat ageism and to access of adequate and affordable housing by older persons?*

In contrary to earlier, it seems that older persons’ are more active and self-reliant. Over the past many years, he mortality rate has been receding in Denmark and the life expectancy has been increasing. Therefore, a greater share of older persons is expected for the coming years, requiring the Danish housing stock to keep up with the demographic development. It is expected, that the initiatives in the political agreements (mentioned in the answer to question 2) will contribute to this and at the same time local municipalities holds the obligations to provide housing for older persons as well as to plan for the local housing stock.

1. ***Data****:*
2. *Does your country collect data on older persons’ living conditions in your country? If yes, please provide any available and disaggregated figures and statistics (e.g., number of older persons: in institutions, living alone, living with family, or living in urban and rural areas).*
3. *Is data broken-down intro groups of different ages over 65 years to plan and address each specific age group’s needs in terms of housing?*

See annex 1.

1. *Please outline* ***any other areas*** *that you would like to bring to the attention of the Independent Expert in the context of the right to adequate housing of older persons. Please feel free to share any document, report, study, publication already available and that might be of interest to the mandate.*

The Ministry has no other areas to bring attention to.