



0928/2022

Petition No 0928/2022 by Juan Antonio Fuentes Garrido (Spanish), on behalf of Asociación de Afectados Metro de Madrid Rafael Alberti y Presa de San Fernando de Henares, on a claim for relocation and compensation for damages caused by works on the public network of the Madrid metropolitan railway

The petitioner chairs the Association which brings together those affected by the works on Line 7B of the public network of the metropolitan railway of Madrid. The situation originated in September 2004 when the works to extend line 7 of the Madrid Metro to Coslada and San Fernando de Henares began. These works were extended until 2007 and, after the commissioning of line 7B, complaints began to arise from the residents of San Fernando de Henares for damage to their homes, in particular in a section of the tunnel where a ventilation well is located, due to the leaks that caused the movements of the terrain. Land consolidation and stabilisation works began in 2011 and housing inspections were carried out on a regular basis. In 2019, the files concerning the state of the houses were updated and a deterioration of the damage was assessed as “serious”, with a possible evolution to “very serious”. The Autonomous Community of Madrid agreed in 2021 to start urgently the improvement works and the eviction of certain buildings was carried out. In the same year, the regional administration urged the public company Canal de Isabel II to review and repair the existing manifold that runs through the same area. During the review damages were detected, which cause water leaks to the ground. As during that year the damage of the houses continued to increase, the City Council declared the legal situation of ‘urban ruin’ for different buildings in the town that presented structural damage. In February 2022, the Community of Madrid began ex officio the corresponding procedures for property liability arising from the damage caused by the works, which are currently being processed without effective measures being adopted to temporarily alleviate the housing needs of the persons and families affected. The petitioner argues that the consequences are of such magnitude that they have produced a real shock in the local community, with fundamental rights such as personal integrity and security being violated, as well as the right to good administration and the guiding principle of access to decent housing. He emphasises that many of these families lack the necessary financial resources to cover all the costs arising from a situation caused by the public authorities, which places them in a situation of precariousness and vulnerability. Therefore, he calls for the adoption of political and legislative measures, both by the Spanish national authorities and the European Parliament, to alleviate immediately the situations of loss of housing and eviction caused by such public works.