REFLECTION

REGULATION AND THE ROLE OF RIVERINE FLOATERS AS HOUSING

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Abstract: Riverine floaters are assets located along the Rio Negro whose legal nature is precariously debated due to their unique placement in river waters and the diverse regulations that may apply. These regulations can vary depending on whether the focus is civil, environmental, or related to water resources. This research is essential because these floaters primarily serve as housing and are also used for business activities that generate employment and income. Therefore, it is crucial to investigate the legal context they are subject to, their social function, and the complex normative aspects of both constitutional and infraconstitutional nature and their legal protection. The integration of these floaters is contingent upon meeting requirements for preserving a healthy environment, proper solid waste management, and adherence to environmental principles such as sustainable development, precaution, and prevention. Failure to comply may result in liability for illicit acts under the polluter pays principle.
Key words: Riverine floaters; Housing; Regulation; Social Function; Property Right.

Resumo: Os flutuantes fluviais são bens que estão ao longo do Rio Negro, os quais têm precariedade de discussão em relação à natureza jurídica pela peculiaridade de sua inserção em águas fluviais e diversidade normativa que pode ser aplicada, a depender do enfoque jurídico direcionado, que pode ser civil, ambiental ou recursos hídricos. Justifica-se, assim, a implementação dessa pesquisa, uma vez que os flutuantes possuem a moradia como finalidade prevalente e são usados para atividades empresariais com geração de emprego e renda e, portanto, há a necessidade de investigar o contexto jurídico a que estão sujeitos, sua função social e diversidade jurídica, que compreende os aspectos normativos complexos de natureza constitucional e infraconstitucional, e sua proteção jurídica. Demonstra-se a inserção dos flutuantes,

condicionada ao preenchimento dos requisitos de preservação do meio ambiente saudável, uso correto dos resíduos sólidos, respeitando os princípios ambientais, assim como o desenvolvimento sustentável, da precaução e prevenção, sob pena de responsabilidade por seus atos ilícitos, e sujeito aos efeitos do princípio do poluidor pagador.

Palavras-chave: Flutuantes fluviais; Moradia; Normatização; Função Social; Direito de Propriedade.

Regulación y la función social de los flotantes fluviales como vivienda

Resumen: Las carrozas fluviales son bienes que se encuentran a lo largo del Río Negro, que tienen una discusión precaria en cuanto a su naturaleza jurídica debido a la peculiaridad de su inserción en las aguas fluviales y la diversidad de normas que se pueden aplicar, dependiendo del enfoque jurídico dirigido, que puede ser civil, ambiental o de recursos hídricos. Así, se justifica la implementación de esta investigación, ya que las embarcaciones flotantes tienen como finalidad principal la vivienda y son utilizadas para actividades empresariales generadoras de empleo e ingresos, por lo que es necesario investigar el contexto jurídico al que están sometidas, su función social y la diversidad jurídica, que incluye complejos aspectos normativos de carácter constitucional e infraconstitucional y su protección jurídica. Se demuestra la inserción de flotantes, sujetos al cumplimiento de los requisitos de preservación de un medio ambiente saludable, uso correcto de los residuos sólidos, respetando los principios ambientales, así como el desarrollo sostenible, de la precaución y la prevención, bajo pena de responsabilidad por sus actos ilícitos y sujetos a los efectos del principio del contaminador-pagador

Palabras clave: Flotadores fluviales; Vivienda; Normalización; Función Social; Derechos de Propiedad.

INTRODUCTION

This research addresses the regulation of floating structures located in the cities of Manaus and Iranduba, both in the State of Amazonas. It explores their use and the related norms concerning housing, presenting them as a resource to improve the

quality of life within an environment situated on the riverine surface of the Rio Negro.

Floating structures are types of assets distributed along the Rio Negro that lack comprehensive discussions concerning the legal nature underpinning them. This is due to the peculiarity of their insertion in fluvial waters and the normative diversity, which varies depending on the specific perspective taken—be it civil, environmental, water resource-related, criminal, among others (Pacheco, 2024). Perennial rivers are a defining feature of the State of Amazonas, serving as a constant and indispensable resource for basic needs such as housing, food acquisition, commercial activities, navigation, and leisure. These rivers are akin to highways on solid ground, being essential for business activities that generate employment and income. Consequently, there is a need to investigate the legal context to which these assets are subject.

The study aims to analyze regulations concerning housing, conceptualize floating structures and their social function, and describe property rights as a safeguard for housing. It seeks to explore the notion of minimal housing and the legal diversity associated with it.

METHOD

As for the methodology applied, the approach is doctrinal, with theoretical, descriptive, and analytical references, relying on bibliographical sources, positive norms, and the use of technological resources such as the Internet. The research is classified as pure, aiming to expand knowledge pertinent to the studied topic, and qualitative, focusing on the respective theoretical assumptions analyzed to achieve the objectives and address the formulated inquiry.

The doctrinal approach is based on studies and interpretations by jurists and legal theorists to understand and analyze the regulations concerning floating structures. The intention is not to exhaust the discussion of floating structures' regulations, as the topic is quite broad and accommodates other related studies. Examples include exploring the Real Right of fluvial surface for floating structures and their classification as immovable property.

Floater s: concept and social function

The conceptualization of assets referred to as "floating structures" is crucial for defining and understanding the scope of the term "floating" and its variations, as well as for establishing their legal relationships as appropriable and material goods. According to Lôbo (2010, p. 204), "assets are all material or immaterial objects that can be susceptible to appropriation or economic use by natural or legal persons."

The floating asset is encompassed within a complex legal relationship involving Real Rights related to housing (property and Surface Rights), neighborhood relations, and contractual obligations, in addition to Personality Rights inherent to every individual, which are non-transferable and non-renounceable (Brasil, 2002).

Legal facts converge into legal relationships composed of individuals and objects. According to Betti (2008, p. 22), legal facts are "[...] those events to which the law assigns legal significance, in the sense of altering previous situations and establishing new ones, corresponding to new legal qualifications" (author's emphasis).

In the context of floating structures and their relationship with human legal facts and/or as objects of legal relationships, reference can be made to their acquisition through purchase and sale, donation, or the registration of a transfer title pertaining to property. Other legal transactions, such as leasing or commodatum, are also relevant as they pertain to direct possession (Law of Things). Additionally, floating structures must respect legal obligations like the preservation of family life, as imposed by Personality Rights.

It can be concluded that floating structures play a key role in housing by fostering a healthy and dignified life, promoting environmental preservation, sustainable use of natural resources, and productive activities. They are interwoven with the river in daily life, reflecting a social relationship deeply connected to water.

Before defining floating structures, one must consider whether they qualify as vessels. Carla Gilbertoni (1998, p. 46) explains that the term "vessel" refers to "a set of elements united to form an organic whole capable of locomotion, indicating a mobile nature." Furthermore, she notes that locomotion must occur in water—partially (ships) or fully immersed (submarines).

Law No. 9,537 of December 11, 1997, provides the following definition of a vessel in Article 2, subsection V: "any construction, including floating platforms, and when towed, fixed ones, subject to registration with the maritime authority, and capable of locomotion in water, whether self-propelled or not, transporting people or cargo" (Brazil, 1997).

The Brazilian Civil Code of 2002 (CC/2002) establishes that vessels are associated with transportation, as outlined in the provisions regarding passenger transport contracts (Articles 734 to 742). Specifically, Article 740, §2° states: "The user who fails to embark shall not be entitled to a refund of the ticket price, except if it is proven that another person was transported in their place, in which case the value of the unused ticket will be reimbursed" (emphasis by the author).

This provision is not applicable to fluvial floating structures, as their purpose is not transportation but rather functioning as buildings designed to serve their role as housing in river waters (Brasil, 2002). According to Figueiredo (2011), floating structures are houses built on wooden logs that float on water, a tradition stemming from Indigenous practices. They are common in the Amazon region, providing housing for riverside dwellers and forming part of the interior landscape of Amazonas.

Fluvial floating structures and stilt houses, both commonly found in Manaus, have distinct characteristics. Stilt houses are also water-based dwellings but are elevated to a sufficient height to avoid being reached by river and stream floods. They are fixed to the ground and subsoil, making them static properties classified as immovable assets under the legal framework of Article 79, caput, of the Brazilian Civil Code of 2002 (Brasil, 2002; Souza, 2016).

Floating structures, on the other hand, are fluvial assets designed to float on water while being anchored to the ground. They move according to water levels but are not intended for transporting people or goods. Found in rivers, streams, and lakes, these structures serve multiple purposes—housing, leisure, tourism, and business activities for conducting legal transactions. Despite their mobility on the water, they are regarded as immovable property (Monte, 2023).

Regarding the social function of fluvial floating structures, it can be stated that they were originally used for housing as a voluntary domicile and for commercial

activities, characterized as professional domiciles (such as rental properties, bars, and restaurants) geared towards economic exploitation. The 1988 Federal Constitution (CF/88) enshrined the social function of property as a fundamental right (Article 5, subsection XXIII) and within the economic order (Article 170, subsection III) (Brazil, 1988).

Private property, beyond serving the owner's interests, became a tool for human protection under the CF/88. It promotes and respects subjective, existential, and social legal situations (Tepedino, 2008, p. 56).

Article 39 of the City Statute (Law No. 10.257/01) establishes that urban property fulfills its social function when it ensures "[...] meeting citizens' needs regarding quality of life, social justice, and the development of economic activities" (Brasil, 2001).

This highlights that the social function of property is intrinsically linked to improving people's quality of life, promoting social justice, and encouraging economic development—regardless of whether the residence is located on land or water, in urban or rural areas. It involves sustainable use of natural resources, environmental preservation, safeguarding labor relations, and fostering economic exploration that contributes to individual and collective well-being. In essence, the social function of property serves both personal and communal interests.

When it comes to fluvial floating structures and the environment, their placement in rivers must adhere to environmental preservation standards, rules, and principles, ensuring the proper use of water resources. The granting of permits is contingent upon meeting requirements that promote a healthy environment, proper management of solid waste, and equipping the floating structure with tools that comply with environmental principles, such as sustainable development, precaution, and prevention. Failure to do so may lead to liability for illegal actions, with repercussions under the "polluter pays" principle.

Under no circumstances should floating structures be authorized without strict compliance with environmental preservation guidelines. Instead, their usage should align with their social function, ensuring sustainability and respect for the ecosystem.

The social function plays a significant role in using rivers for housing on floating structures. In contrast, Bonizzato (2015, p. 71) presents a mistaken perspective when discussing habitable spaces and their limitations, suggesting that it is not difficult to imagine uninhabitable spaces, citing rivers as one such example. This stance reflects the author's view that habitation is exclusive to solid ground, disregarding the suitability of floating structures for housing (Bonizzato, 2015).

However, the use of river spaces for floating structures proves to be appropriate in the Rio Negro, aligning with the local reality of rivers such as Tarumã-Açu and Catalão. The people of the region share a deep connection with the fluvial environment (rivers' utility) and its resources. As previously noted, the fluvial surface accommodates floating structures for various purposes, including housing (ownership and possession), economic activities, and legal transactions (e.g., tourism, artisanal product sales preserving local culture, accommodation, and river tours). Therefore, floating structures fulfill their social function, bridging individual and communal needs.

It is emphasized that territorial independence of the floating structures along the Rio Negro is not intended, contrasting with that of municipalities. The goal is for areas with floating structures to be formally integrated into the city of Manaus and its metropolitan region, with their location specified as either urban neighborhoods or rural environments, depending on the case.

Floating structures represent a significant reality in the Amazonas region. They cannot be dismissed as if they "seem not to exist," nor should they go unnoticed by both the public and private sectors. Legal measures need to be implemented to address this legal uncertainty and ensure the Social Right to housing.

In this context, fluvial floating structures in Manaus emerge as vital assets for housing and as a means to fulfill the social function of fluvial housing. The property and housing associated with floating structures should not deviate from those established on solid ground—all converge toward fulfilling their social function.

Regulation about housing

Housing is a Social Right, governed by regulations aimed at ensuring its

effectiveness and reducing social inequalities, promoting the common good for all, free from prejudices based on origin, race, gender, color, age, or any other forms of discrimination, in alignment with the fundamental objectives outlined in the current Federal Constitution (Article 3º, I, III, IV).

Its realization involves creating a healthy living environment for individuals and families, tied to the constitutional goal of maintaining and enhancing the Brazilian nation as a solidarity-based society. Legal norms are deeply intertwined with values. Vasconcelos (1978, p. 20) highlights this connection, stating that “[a] norm prescribes behaviors based on values considered just, which are presented to individuals, from the perspective of their freedom, as possible, and to society, from the perspective of its preservation and development, as desirable.”

The regulation of rights concerning the organization of Brazilian cities is based on societal and legal aspects aimed at addressing social and legal issues. In this particular context, housing, as a basic human need, is invariably tied to the right to it (Bonizzato, 2015, p. 34). Thus, regulation becomes a crucial element in solving housing-related problems through the creation of norms that implement measures benefitting society. These norms provide means for individuals to access ideal housing in a location suitable for family development, shielding them from degrading conditions that compromise a healthy life.

These regulations exist within both constitutional and infraconstitutional frameworks. The Derived Constituent Power introduced the right to housing, compensating for its absence in the Original Constituent Power. This led to housing's inclusion as a Social Right through Constitutional Amendment No. 26, dated February 14, 2000, which revised Article 6 to state: "Social rights include education, health, work, housing, leisure, security, social security, protection of motherhood and childhood, and assistance to the underprivileged, as outlined in this Constitution" (emphasis added) (Brasil, 2000).

The 1988 Federal Constitution regards urban policy as a primary source, emphasizing the role of municipal public authorities in developing and pursuing objectives to regulate the social functions of cities and ensure the well-being of their inhabitants. Urban property fulfills its social function when it meets the fundamental

requirements for city planning expressed in the master plan, as outlined in Article 182, caput, and §2° (Brasil, 1988).

Urban policy is regulated by Law No. 10,257, dated July 10, 2001 (City Statute), which aims to implement Article 182 of the 1988 Constitution. Its objective is to organize the full development of the social functions of cities and urban property, ensuring sustainable cities with the right to housing, as stated in Article 2, caput, and subsection I. It emphasizes respect for people and their integrity through legal protections and concrete actions (Brasil, 1988, 2001).

Another law that regulates housing in Brazil is Law No. 11,997, dated July 7, 2009, which establishes the Programa Minha Casa, Minha Vida (PMCMV, Program My House, My Life). Its objective is to provide access to and acquisition of housing units for low-income families living in unhealthy conditions, with incomes up to R$4,650.02 (Article 1°) (Brasil, 2009).

Law No. 13,089, dated January 12, 2015, introduced the Statute of the Metropolis, in alignment with the City Statute. It sets general guidelines for planning, managing, and executing public functions of common interest in metropolitan regions and urban agglomerations created by states (Brasil, 2015).

At the municipal level, housing as a Social Right is regulated by Complementary Law No. 2, dated January 16, 2014. This law addresses the Urban and Environmental Master Plan of Manaus, in compliance with Article 182 of the 1988 Federal Constitution, Articles 39 to 42-B of Law No. 10,257/2001 (City Statute), and Articles 227 and 228 of the Organic Law of the Municipality of Manaus (Loman) (Brasil, 1988, 2001; Manaus, 2014).

The Manaus Master Plan prioritizes the social function of property, quality of life, and expanded access to housing. Integrated actions and partnerships are tied to the right to urban property housing, aiming to enhance quality of life through collaborations with private and/or public entities. In the proposed case, considering the floating structures located along the Rio Negro, which encompass the metropolitan region, the situation involves the public authorities of all three levels of government—municipal, state, and federal. The federal level plays a role due to the legal nature of fluvial property, situated in public waters under the jurisdiction of the Union

The Right to Property as a safeguard for housing

The acquisition of property provides protection for housing and depends on fulfilling normative requirements, which can occur through adverse possession (usucapião), title registration, accession, occupation, tradition, and other modalities, as established in the Civil Code of 2002 (CC/2002), depending on whether the asset is movable or immovable (Brasil, 2002). These methods of acquisition are compatible with fluvial floating housing, with accession being limited to the subdivision of construction works, without excluding other means of obtaining housing through contractual arrangements (e.g., donation, commodatum, lease) or public policies. It is worth noting that in commodatum and lease agreements, possession is transferred rather than ownership, but possession in these legal relationships also serves the purpose of housing, which is not exclusively tied to property ownership.

Housing is intrinsically connected to the concept of property, granting individuals the right to use, enjoy, and dispose of an asset commonly serving this function, as well as to protect it. This study highlights how Property Rights have evolved due to the necessity of housing, influencing civil legislation.

It is also important to note the changes in how property is treated under the two civil codes (CC/2002 and CC/1916) and the restrictions placed on rental contracts for housing purposes. This argument supports the attenuation of public property, which also faces limitations in light of the social interest in housing (Brasil, 1916, 2002).

The legal framework for housing has not always been directed toward a social condition. Gomes (1983, p. 31), referencing the French Civil Code of 1808 and the Brazilian Civil Code of 1916, notes that the central focus of the profile outlined in the Civil Code was on real estate ownership without social significance, depicting individual property situations. Over time, property advanced normatively to encompass social aspects of housing, reaching such relevance in the 1988 Federal Constitution (Brasil, 1998).

Regarding the concept of property, it is understood as a complex legal relationship that involves the owner's powers of use, enjoyment, and disposal of the

asset, subordinated to its social function and accompanied by duties, burdens, and obligations toward third parties (Loureiro, 2003, p. 52).

The 2002 Civil Code explicitly defines property as a Real Right in Article 1,225, I, combined with Article 1,228, caput, and §1°. It outlines the requirements for the social function of property, granting the owner the ability to use, enjoy, and dispose of the asset, as well as reclaim it from anyone unjustly possessing or holding it. This exercise must align with its economic and social purposes and ensure the preservation of flora, fauna, natural beauty, ecological balance, historical and artistic heritage, and the prevention of air and water pollution, in accordance with special legislation (Brasil, 2002).

The concept of property establishes the respective powers to use, enjoy, dispose of, and reclaim an asset, regardless of whether it is unjustly possessed or detained by someone else. This universal applicability (erga omnes) is exercised for economic and social purposes, all aimed at protecting the most prominent Real Right within the legal framework—the Right to Property.

Miranda (2001, p. 37) categorizes property into four senses: Broadest sense - refers to ownership or any patrimonial right extending beyond the realm of Property Law. Broad sense - encompasses all rights arising from the application of Property Law rules. Coincident sense - pertains to tangible objects and intellectual, artistic, scientific, and industrial property. Strictest sense ("dominium") - refers to a situation in which the owner holds the full powers of use, enjoyment, and disposal of an asset without any reservation or reduction of rights.

When applied to fluvial floating structures, the broad sense of property appears most appropriate, in line with the interpretation of Article 1,228 of the Civil Code of 2002 (CC/2002) (Brasil, 2002).

The Right to Property, within a constitutional context, gained prominence in the 1967 Constitution, where it was included as an Individual Right and Guarantee (Article 150) and subjected to the principle of social function and the Economic and Social Order. The 1988 Federal Constitution similarly recognizes the Right to Property as a fundamental right, explicitly incorporating the principle of private property (Brazil, 1998).

The 1988 Constitution is the first to include provisions for urban policy, aiming to organize the full development of social functions and ensure the well-being of its inhabitants (Article 182). It establishes coercive measures to enforce the social function of urban property, such as subdivision and compulsory construction, progressive taxation, and expropriation-sanction (Neves; Santos; Sepulveda, 2017, p. 73).

The 1988 Constitution also provides protection for property, aligning it with its social function, as specified in Article 5, caput. This protection is guaranteed in subsections XXII and XXIII and within the Economic Order, as previously mentioned, through principles of private property (Article 170, II) and the social function of property (Article 170, III). Additionally, this is in harmony with housing, which was emphasized earlier as a Social Right by Constitutional Amendment No. 90/2015 (Brazil, 2015).

Property rights are enshrined and protected under the Universal Declaration of Human Rights as both individual and collective rights, explicitly stating that no one shall be arbitrarily deprived of their property (Article 17). This provision ensures that individuals may exercise their rights to use, enjoy, and dispose of property within the boundaries of autonomy and respect for legal limits (UN, 1948).

Gomes (2005, p. 128-129), in his critique of modern Civil Law, highlights the lack of inventive spirit among jurists, observing that in Property Law, doctrinal constructs often lack solid grounding. He notes that new concepts are fluid and elastic, with inadequate and imprecise terminology failing to clearly interpret the evolution of Property Law in recent times. He emphasizes that “modern codes introduced the social element into the concept of property, but this transformation lacks a satisfactory doctrinal explanation concerning the relativity of rights or the idea of property owners performing a social function.”

Addressing property is inherently linked to autonomy of will, which itself hinges on the imposition (mandatory) or absence (freedom) of limits by legal norms. While the parties enjoy a degree of liberty in forming legal agreements, such freedom is not unrestricted. There exists a convergence of private and public norms that must be observed, even in transactions between private individuals. This interconnected framework applies directly to the acquisition and disposal of floating assets,

integrating them into this legal context with respect to their ownership and use. In the dimension of safeguarding freedom through housing, legal agreements form a core part of private relations, aiming to produce legal effects for involved parties and even third parties. This is fundamental to everyone's life, provided that the existing regulatory frameworks are adhered to. These norms addressing the Right to Property serve as a safeguard for adequate housing, representing a convergence of mutually supportive laws and interests.

Regarding minimal housing and legal diversity, the State bears the obligation to intervene and act in matters of housing. The common good must prevail, ensuring adequate means for those reliant on the State to lead lives compatible with human dignity. The principle of minimum existence ensures that individuals have access to basic living conditions.

The Universal Declaration of Human Rights underscores this principle of minimum existence, guaranteeing the right to a sufficient standard of living to secure health and well-being. This includes access to food, clothing, housing, medical care, and necessary social services, as stated in Article 25 (UN, 1948). Thus, fluvial floating housing represents a minimum right to be achieved and preserved, embodying a crucial element of human dignity and social equity.

In the realm of minimum existence, legal frameworks provide sufficient support. The right to housing intersects various legal domains, notably Administrative Law, Tax Law, Financial Law, and Civil Law.

Civil Law, contributing to private relations, encompasses several mechanisms under Real Property Law, such as Surface Rights, property acquisition through title registration, purchase and sale, adverse possession (“usucapião”), exchange, and donation. These mechanisms include the necessary legal prerequisites for transferring ownership. Additionally, contractual arrangements like commodatum and lease agreements further enable housing rights, even though these primarily involve possession rather than ownership.

Bonizzato (2015, p. 33) highlights that traditional legal disciplines (Civil, Administrative, Constitutional, and Procedural Law) contribute to Urban Law, which,

when integrated with Environmental Law, forms the interdisciplinary framework known as "Law of the City."

It is evident that housing can be achieved through various legal means, and the right to housing is not an isolated, detached concept. It is intrinsically tied to the elements of use, enjoyment, and disposal within the context of possession or ownership, depending on the legal framework applied to fluvial floating housing. This integrated approach reflects the dynamic legal landscape supporting housing in diverse contexts.

CONCLUSION

The outlined study highlights the importance of regulation and the social function of fluvial floating structures as housing, emphasizing their need for legal protection to ensure security for all parties involved—not only for the owners and possessors of these structures.

Appropriately defined as fluvial assets, these structures are designed to float on water, anchored to the ground, and moving with water levels, yet without the purpose of transporting people or goods. Found in rivers, streams, and lakes, they serve as housing, leisure spaces, tourist attractions, and business venues for legal transactions. As an immovable property, their social function is tied to their use as residences and for commercial activities.

Furthermore, they also operate as professional domiciles (e.g., rentals, bars, restaurants) targeted toward economic endeavors. These structures contribute to quality of life, social justice, and economic development, irrespective of whether the housing is located on land or water, in urban or rural areas. With a focus on sustainable use of natural resources, environmental conservation, maintaining labor relations, and economic exploration for the well-being of individuals and communities, they fulfill their social function, benefiting both individuals and society at large.

It is indeed appropriate to emphasize that the placement of fluvial floating structures in rivers must comply with environmental preservation norms, rules, and principles. Their use depends on meeting legal requirements aimed at promoting a healthy environment, including proper management of solid waste. Floating structures

must be equipped to adhere to key environmental principles such as sustainable development, precaution, and prevention, and are subject to the "polluter pays" principle if they fail to comply.

Housing is recognized as a Social Right within Brazilian legal frameworks and is designed to be effective in reducing social inequalities while promoting the well-being of all individuals. This is achieved without discrimination based on origin, race, gender, color, age, or any other forms, aligning with the fundamental objectives stated in the Federal Constitution. Extensive legal norms reinforce the interpretation that fluvial floating housing is fully supported by Brazilian legislation, ensuring both its legal and social protection.

The Right to Property is indeed a safeguard for fluvial floating housing, provided that the necessary legal and environmental requirements are met. This includes acquisition methods that align with their legal configuration as real estate property. Fluvial floating structures, as housing, must be preserved as they represent a social reality, embodying minimum housing standards and legal diversity. They offer accessible and adequate means for individuals to lead lives that uphold human dignity.

Furthermore, these structures fulfill the principle of minimum existence, ensuring that people have basic living conditions conducive to their well-being and aligned with the essence of human existence. Protecting and integrating them within the legal framework affirms their significance for both individual and collective rights. It's a true testament to how the law adapts to societal needs while promoting equity and sustainability.

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