

Good practice in addressing the situation of Roma in access to housing in the EU

*Improving Access to Housing for Roma: Good Local Practices, Funding and Legislation
Prague, 03-04 February 2011*

Lisbon Treaty - New general obligation for the EU to combat exclusion and discrimination

- The Union *“shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child” - Art. 3 Para. 3 (TEU)*
- *“In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation” - Art. 10 (TFEU)*

EU Anti-Discrimination Legislation

The Racial Equality Directive (RED) 2000/43/EC

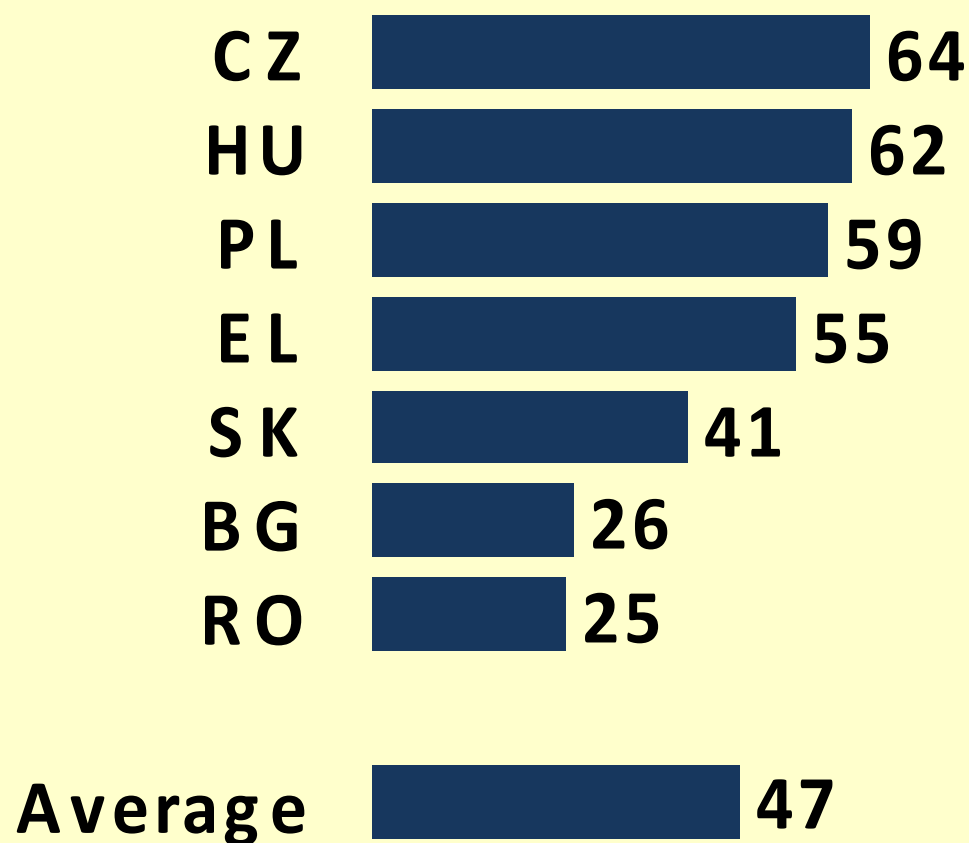
- Implements the **principle of equal treatment** between people irrespective of **racial or ethnic origin**;
- Gives protection against discrimination in **employment and training, education, social security, healthcare** and **access to goods and services** including **housing**;
- Gives victims of discrimination a right to **make a complaint** through a **judicial or administrative procedure**, associated with appropriate **penalties** for those who discriminate.
- Shares the **burden of proof** between the **complainant** and the **respondent** in civil and administrative cases.
- Provides for the establishment in each Member State of an organisation (**National Equality Body**) to **promote equal treatment** and provide **independent assistance to victims of racial discrimination**.

EU-MIDIS: Roma experiences of discrimination

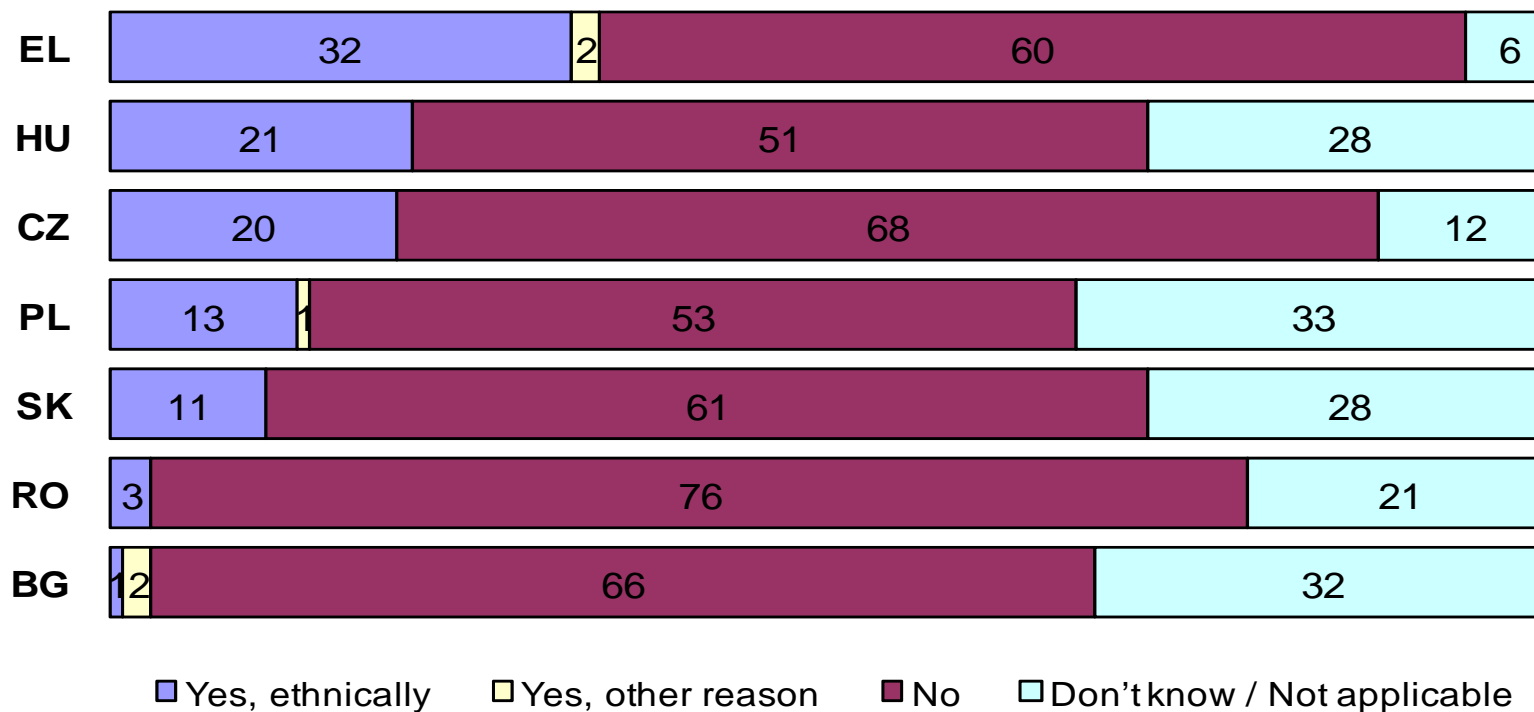
- Countries researched: **Bulgaria, Czech Republic, Greece, Hungary, Poland, Romania and Slovakia**
- **500 Roma respondents** interviewed in each Member State
- Interview period: **3 May – 10 July 2008**

Average discrimination rate

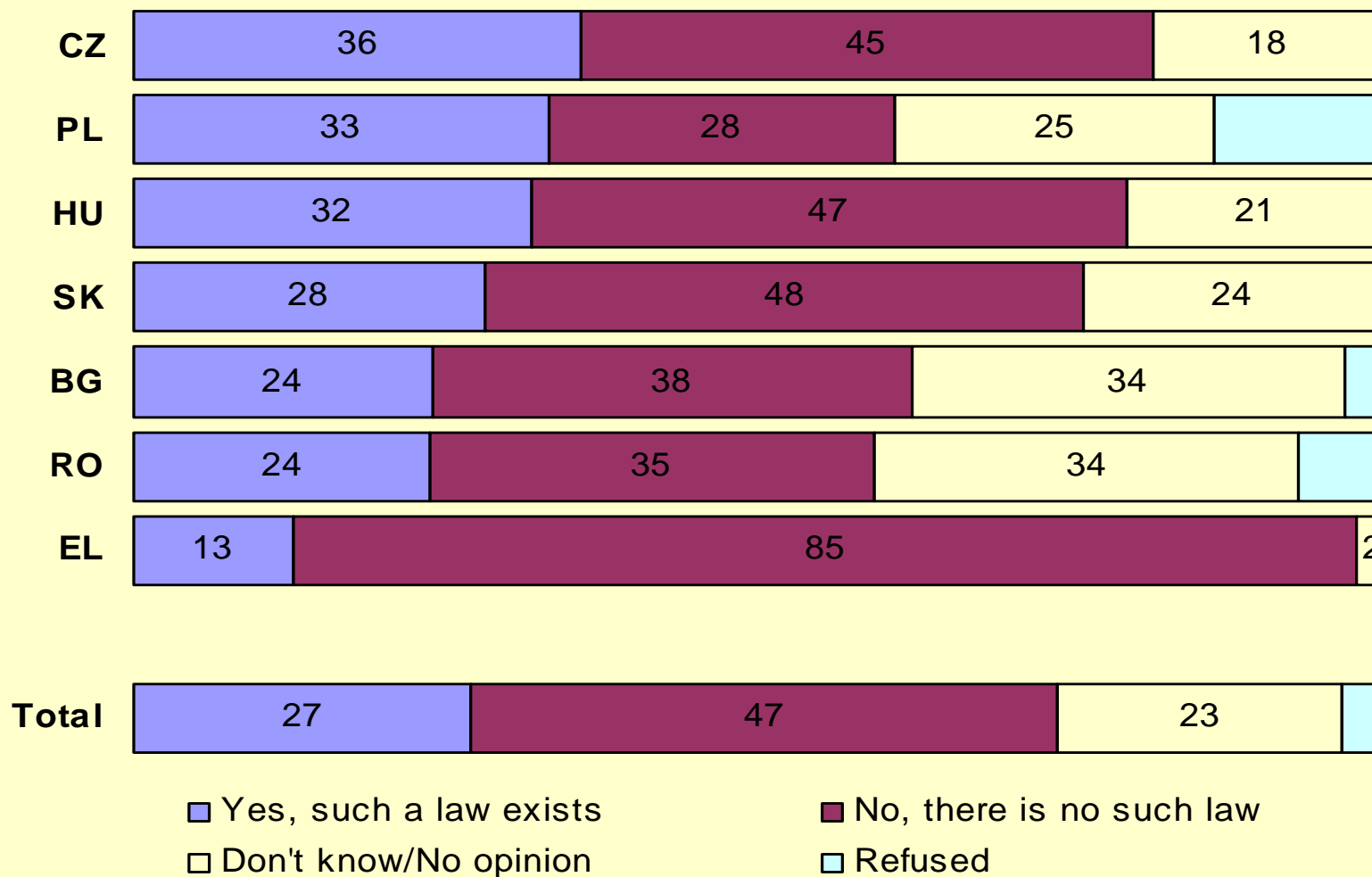
% discriminated against in the past 12 months (nine social areas) – Experiences of discrimination



Thinking about the last five years, have you ever been discriminated against when looking for a house or apartment to rent or to buy by people working in a public housing agency or by a private landlord or Agency? (%)



Awareness of laws prohibiting discrimination when renting or buying a flat



Comparative Report Housing Conditions Roma and Travellers in the EU

- In December 2007 the European Commission asked FRA to develop a comprehensive **comparative report on the housing conditions of Roma and Travellers**
- **Evidence** collected across the EU cover **2000–2009** by the FRA's **RAXEN network** and additionally by contractor
 - **Comparative report**
 - **Six case studies** illustrating various housing initiatives (qualitative research)
 - Analysis of relevant **EU-MIDIS data** (quantitative research)

Key findings field research + secondary data collection

- **Large numbers of Roma and Travellers in the EU do not enjoy equal treatment in respect to housing**
- Many live in **substandard conditions**, which fall far below even minimum criteria of **adequate housing**
- Some live in squalid **shanty-towns** and **temporary camps**, often in **segregated and hazardous areas**
- Roma and Travellers housing is often in areas with **poor access to public services, employment and schools**
- In some cases **access to public utilities such as water, electricity or gas are inadequate** or even **non existent**
- Many Roma are **unaware of their rights under EU law - only 550 complaints have been filed to Equality Bodies** regarding discrimination on accessing housing **(2000-2009)**

National policies

- Many MSs have adopted **Roma specific initiatives** for the **residential inclusion** of Roma, but most have, thus far, **failed to improve housing conditions proportionally with the funds that have been expended**
- These housing initiatives are often **not based on evidence** and are **without timetables** or **benchmarks for assessment**
- Some **regional** and **local authorities** are **reluctant to implement effectively** the **national housing policies**

Good practices

- **Hungary:** Under the New Hungarian Development Plan (NHDP), local authorities have to develop **Integrated Urban Development Strategies** including **Anti-segregation Plans**. In 2007-2008, 20 out of 23 Budapest districts and nearly **150 towns and cities** elaborated Integrated Development Strategies and Anti-Segregation Plans.
- **Spain:** The **Housing Programme for Social Integration (HPSI)** run by the regional government of the Autonomous Community of Navarra helps families **living in substandard housing and in slums to buy their own home**. The programme is funded by the Navarra Department of Housing which, depending on family income, **provides up to 45 per cent of the property cost** while the rest is financed through a **mortgage repaid by the beneficiaries**. So far **320 Roma families** have participated in HPSI.

The FRA suggests that EU institutions

- Strengthen the provision for **positive measures** to groups recognised as **excluded** or **disadvantaged**
- Strengthen **coordination at the EU level** with regard to good practice exchange among Member States.
- Consider to condition **the allocation of Structural Funds** related to housing on Member States' **adoption** and **implementation** of **comprehensive action programmes** based on **equal opportunity** and **desegregation plans**.

The FRA suggests that Member States

- **Make full use of EU legal instruments (e.g. Racial Equality Directive), and EU financial instruments (e.g. ERDF, ESF, etc.) in developing inclusion policies for Roma and Travellers**
- **Resource Equality Bodies adequately to allow them to collect complaints efficiently and task them to support discrimination victims in legal proceedings**
- **In order to enhance implementation of policies, to explore how to strengthen multilevel governance based on the effective partnership particularly with local and regional authorities, equality bodies, and NGOs.**
- **Strengthen public awareness of relevant laws and rights**

How can local authorities develop sustainable programmes,
access to housing and infrastructure development

- **FRA and Roma Civic Alliance held a Roundtable with local level authorities and EC in May.**

Some conclusions:

- (1) Local authorities and national authorities, in partnership should develop **methodological framework for developing housing projects**, which will need to be sustained by the experience and evidence from people on the ground. (consultation with Roma communities)
- (2) **Common Basic Principles of Roma Inclusion** should be further developed into guidelines for structural funds spending and planning housing and infrastructure policies at local level.
- (3) **Policies and projects must guarantee the respect of Human Rights** and cooperation between the Roma, Local Authorities and National Authorities.

How can local authorities develop sustainable programmes, access to housing and infrastructure development

- (4) There is a need for a **clear and transparent legal and national framework**, working out **clear responsibilities on each level** – local, regional and national.
- (5) There is also a need for setting up **independent institutional mechanisms to access, monitor recommend better implementation of housing policies and projects** and also sanction and take measures in case housing policies are not efficiently implemented. **In Spain for example there is an ombudsman on housing rights.**
- (6) The best **route towards housing interventions is through public procurement and through public-private partnership schemes**. It is important to get private sector involved for they are the ones with the expertise. It is important to signify to the private sector a need for experience of working at community level and integrating Common Basic Principles of Roma Inclusion in the housing projects.

Thank you for your attention

For more information

http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm

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