

**MIGRANTS, MINORITIES AND
HOUSING:
EXCLUSION, DISCRIMINATION
AND ANTI-DISCRIMINATION IN
15 MEMBER STATES OF
THE EUROPEAN UNION**



MIGRANTS, MINORITIES AND HOUSING:

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prepared by

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On behalf of the EUMC

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FOREWORD

The material in this report is a unique collection of information on disadvantage and discrimination against migrants and minorities in the housing sector in 15 EU countries. The topic of housing was added to the fields being studied by the EUMC in 2003, and national reports on the subject were produced for the first time by the EUMC's National Focal Points in 2004, covering the events of the previous year, with further updated material on housing added from their national reports of 2004. The EUMC then commissioned a team of researchers from the University of Leeds in the UK to bring together this material in this European comparative overview.

The report shows that in different Member States similar mechanisms of housing disadvantage and discrimination affect migrants and minorities, such as denying access to accommodation on the grounds of the applicant's skin colour, imposing restrictive conditions limiting access to public housing, or even violent physical attacks aimed at deterring minorities from certain neighbourhoods.

The report also highlights the great variety in available data on migrants, minorities and housing between different Member States, and points out the gaps in data which remain. It shows that many Member States lack an institutionalised framework for monitoring ethnic or national origin and measuring housing performance, and thus do not have the evidence base necessary for informed policy-making.

One theme which emerges from this report is that the idea of 'integration' can become heavily politicised, and there is a danger that 'population mixing' in neighbourhoods can be interpreted by policy-makers as a short-cut through which minorities could be controlled and led to assimilate to a supposedly single, universal mainstream culture and politics. The report can find little solid evidence that could justify seeing involuntary spatial mixing as an appropriate route towards social integration.

The evidence reveals a paradox. EU interventions in the form of the recent anti-discrimination Directives are having a positive effect, and Member States are strengthening anti-discrimination legislation, with some introducing special programmes to improve the housing conditions of migrants and minorities. However, the report also documents instances of resistance, hostility and failure by public authorities to address the deprivation and discrimination experienced by migrants and minorities in the housing arena.

The report concludes that the area of discrimination and exclusion in housing is still not adequately researched or monitored. Whilst many cases of good practice are reported, much still needs to be done to tackle the discrimination that exists in housing before more inclusive societies in the EU can be attained. As the authors of this report point out, the negative housing outcomes for disadvantaged minorities result from socio-economic and racist exclusion, but at the same time contribute substantially to it.

This is the last in the series of five comparative reports to be produced by the EUMC which have covered its main areas of information and data collection – employment, education, legislation, racist violence and housing. It is also the last to cover only the ‘old’ 15 EU Member States. Current EUMC data collection includes the 10 Member States which joined the EU in 2004, and from now on EUMC comparative reports will have a corresponding wider spread.

I would like to thank the researchers at Leeds University and the National Focal Points for the excellent work they have carried out in the production of this report.

Beate Winkler

EXECUTIVE SUMMARY

CHAPTER 1 - AN OVERVIEW OF THE NATIONAL REPORTS

This chapter provides an overview of the national reports. Together they constitute a timely and invaluable record of practices and experiences in housing, although there are gaps in coverage because of data deficiencies.

The review confirms clearly the importance of discrimination, disadvantage, and segregation for ethnic minority and migrant groups in housing across Europe. Racism and xenophobia contribute to an array of negative outcomes. People seen as 'different' are subjected to ill-treatment that ranges from being refused a property because of colour, to physical attacks aimed at keeping a household out of a particular neighbourhood. Such practices become mechanisms that reinforce or create social exclusion. The processes and patterns of discrimination are not random, but have a systematic and persistent character. This is clear from the fact that similar racist practices occur in the housing field in very different countries.

Discrimination in housing is under-researched and inadequately monitored. EU intervention in ethnic relations via recent Directives is having a positive effect, helping establish basic standards for governmental action. There is also positive innovation at project level in many places. Yet much remains to be done to build more inclusive societies.

CHAPTER 2 - TERMINOLOGIES, THEORETICAL ASSUMPTIONS, AND METHODOLOGICAL STANDPOINTS

The national reports vary widely in their terminologies, reflecting differing assumptions as well as particular categorisations used in data sets. Authors have used more than twenty general terms serving similar purposes but having differing implications. Although it would be beneficial to begin to harmonise practices, a degree of flexibility is desirable. The approach recommended is to adopt neutral terms where feasible, including the phrases 'ethnic minorities', and 'minority ethnic groups'. The word migrant will also be used, reflecting its acceptability as a descriptor in several countries for people in a range of circumstances. Thus a general phrase appropriate for embracing key categories of households is often 'migrant and minority ethnic groups'. Ideally, the words 'foreigner' or 'immigrant' are best taken to have highly specific meanings (rather than being applied to everyone who seems to be different from an indigenous mainstream), but in practice these terms can have established broader usages in particular countries. For instance, this may be the case in some places when reference is being made to an established resident who does not have full citizenship of a host country, and formally remains a third-country national. The words race and racial are often best presented as 'race' or 'racial'. This acknowledges doubts about the relevance of categorising Europe's peoples through judgements about their supposed physical and bodily variations. Sometimes, however, terms such as racial

equality are embedded in everyday or legal usage without any qualification, and this is reflected in the text in a flexible way.

CHAPTER 3 - STRENGTHS AND WEAKNESSES IN THE EUROPEAN INFORMATION BASE ON HOUSING AND DISCRIMINATION

This chapter addresses matters of crucial concern for policy-makers and analysts. It offers an account of the range of data sources used to provide an information base on migrant and minority ethnic housing and discrimination, across the fifteen states, and evaluates data in terms of availability, comparability, reliability and adequacy.

The chapter shows that while the country reports constitute an excellent knowledge base, providing insights into commonalities and differences in housing outcomes and the experiences of minority groups, the available data are highly uneven. It is evident that production and collation of data on minority ethnic groups, their housing circumstances, and (in particular) evidence on discrimination, are difficult and sensitive matters.

Some countries can draw on a wide range of data sources, including official statistics and reports, in-depth academic research, voluntary sector information, and complaints and case law records. Other states have few data sources at their disposal. Nevertheless, reporting across all countries was concerned with gaps in the evidence base, and the chapter reviews these. It concludes with a consideration of good practice in record keeping and monitoring that is essential for making well-informed policy decisions.

CHAPTER 4 - HOUSING CONDITIONS, HOUSING EXPERIENCES, AND DISCRIMINATION

Chapter 4 provides a summary of experiences and discrimination across the fifteen countries. Ethnic minorities are living in comparatively poor housing conditions which contribute to entrenched patterns of social and economic inequality. They are also subject to persistent, extensive and varied forms of ethnic, racist and national discrimination.

The situation is complex and dynamic in terms of location, tenure and ethnicity. Within some minority groups, households are moving out of inner city areas into suburban and rural locations, while other poorer households are increasingly concentrated in inner city areas. Across and between migrant and minority ethnic groups there are substantial differences in housing conditions, tenure patterns, and the extent of discrimination and hostility experienced. Nonetheless, housing disadvantage is widespread, and often severe.

The chapter firstly summarises aspects of relative disadvantage and poor housing conditions, noting also issues of movement and change. Secondly, it examines the

impact of these housing conditions and locations on inter-related forms of disadvantage, inequality and exclusion. Thirdly, detailed assessment is made of the nature, type and extent of discrimination in housing contexts.

CHAPTER 5 - LAW AND REGULATION CURRENTLY AFFECTING HOUSING

This chapter reveals and explores a paradox. Firstly, the national reports note increasing moves to strengthen and implement effective anti-discriminatory and anti-racist legislation, and programmes concerned with improving migrant and minority ethnic groups' housing conditions. Secondly, the reports also document resistance, hostility, and failure to address needs or the deprivation and discrimination suffered by minority ethnic groups. The contradictory or competing forces may well sometimes appear unequal, with relatively recent weak initiatives to improve matters being taken in the face of persistent and deep patterns of disadvantage. At the same time, general national or local policies and plans sometimes become the terrain on which new forms of discrimination and exclusion are created. Careful evaluation of the impact of new legal and regulatory initiatives is vital over the next five years, and could be considered a key research and monitoring objective.

The earlier parts of the chapter identify broad patterns in legal measures and provisions related to discrimination and housing as identified by national reporting, and note progress in terms of implementing EU Directives, relevant national plans and policies, and fair practices. Secondly, a critical assessment of some legal and regulatory barriers to inclusion of migrants and minorities is presented. Finally, national approaches to the 'diversity agenda' in housing are discussed.

CHAPTER 6 - INTEGRATION, NEIGHBOURHOODS AND SEGREGATION

Chapter 6 addresses the concept of integration, and considers initiatives aimed at promoting integration of new migrants and established minority ethnic groups across Member States. A range of different approaches is identified, reflecting varied histories of immigration and different political discourses on immigration, citizenship and minority ethnic obligations and rights. These differences are manifest in varying levels of state control over the migrant settlement process, which give rise to different types of intervention and varying degrees of housing market choice for both settled and new migrants. There is quite often an official emphasis on minority ethnic dispersal, aimed at avoiding or reducing residential segregation, with a use of formal or unofficial settlement quotas to control migrant and minority ethnic clustering in some countries.

Important distinctions in the treatment of different minority ethnic groups are noted. These relate to the migrant groups' length of residence, reasons for migration, and social and cultural distinctiveness, all of which have a bearing on the racialisation of particular groups and the debates associated with their

citizenship, settlement and belonging. Particularly important are the interventions experienced by new migrant groups, including asylum seekers and refugees, and the treatment of the segregated Gypsy, Traveller, Roma and Sinti peoples across Europe.

CHAPTER 7 - GOOD PRACTICE AND INNOVATION

This chapter reviews general strategies and particular good practice examples. It then develops criteria for selecting and reviewing positive initiatives. Although variation in contexts needs to be kept in mind when appraising progress, general points of principle can guide evaluation of good practices.

Two sets of targets are proposed, forming a basis for appraisal to set alongside contextual factors of time and place. The first covers appropriate options for focussing projects, programmes and changes. Clear targeting is essential, and this must be reflected in explicit goals, so as to avoid endorsing policies that claim to be progressive but damage the interests of migrant and minority ethnic households. The second set is about demonstrating awareness of key considerations that may inform, cross-cut or underpin initiatives and reforms.

The analytical approach developed here is an accordance with best practice in evaluation methodology, recognising three central issues: contexts, choices of targets, and the 'performance characteristics' of initiatives.

CHAPTER 8 - CONCLUSIONS, AND OPTIONS FOR POLICY AND RESEARCH DEVELOPMENT

Although similar governmental practices occur within different states, there is nonetheless considerable variety in legal and public policy responses, as well as diversity in social and cultural contexts. Bearing in mind convergence and variation, the chapter outlines seven general conclusions. These key findings are (in short summary form):

- [1] That similar mechanisms of housing discrimination and disadvantage occur in differing states, and are deeply entrenched in many places.
- [2] That similar negative housing outcomes for disadvantaged minorities are found in differing Member States, resulting from socio-economic and racist exclusion but at the same time contributing substantially to it.
- [3] That the issue of asylum seekers complicates state responses on housing, with inadequate recognition often being given to good practice in housing provision.
- [4] That severe housing disadvantage persists amongst national indigenous minorities.

- [5] That law, monitoring and regulation vary widely, and some Member States have only made limited progress towards equality of treatment or recognition of diversity.
- [6] That the concept of integration needs to be approached with care and precision.
- [7] That conflict resolution and counselling are useful, but not enough to resolve local problems, and that accessible legal procedures for challenge are essential.

Policy environments differ, so evaluation should include appraisal of the likely impact and relative innovative significance of a project within its specific national or local settings. Alongside this, the sets of criteria identified in Chapter 7 can be drawn on universally when assessing initiatives.

Three clusters of research topics are recommended. One concerns processes of constructive interaction, and adaptation pathways taken by migrant and minority ethnic households and groups. Understanding these is crucial for debates about cohesion and integration. Research here needs to be sensitive to dimensions of diversity outside ethnicity as well as within it; especially age, disability and gender. Second, housing conditions, costs and needs deserve investigation, again taking account of diversity. Third, more research is needed on barriers and opportunities that minority households encounter. Topics here might include the local effects of racist practices, 'equality testing' of new policies, and evaluation of implementation of fairer procedures at all levels. A particular priority might be barriers facing Roma people. The chapter also comments on strengthening capacities for independent research and analysis, and makes proposals on this.

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1. AN OVERVIEW OF THE NATIONAL REPORTS

1.1. Introduction

In 2005, a team from the University of Leeds in the UK was commissioned by the European Monitoring Centre on Racism and Xenophobia (EUMC) to undertake a comparative investigation of housing, discrimination and racism across the fifteen 'Old' Member States of the EU. The study was directed by the EUMC and drew upon materials available in thirty reports that had been commissioned previously from the EUMC's RAXEN National Focal Points for individual countries. Using this extensive source material, the Leeds team was able to develop the first systematic and comprehensive account of this field across the European Union as it was constituted prior to enlargement in 2004.

The RAXEN network was set up in 2000 to provide information on racism, xenophobia and anti-semitism in the EU Member States, and in each state a National Focal Point (NFP) was established to produce information and research on national policy, legislation, and practice surrounding racial equality issues. In 2003, housing was added to the fields being studied, and national housing reports were produced for all fifteen participating countries. In 2004, updating material was produced from every National Focal Point, covering housing alongside other fields. The present report presents the findings of the comparative study in full, and is based on the 2003 national housing reports, supplemented by information on housing from the more general country reports of 2004.

This field is a potentially important one for policy-makers in many parts of Europe, and its significance has been heightened as concerns about migration and integration have moved up the policy agenda in many countries. More specifically, during 2005, the year that this report was written, the issue of the poor housing conditions of immigrants and minorities in Europe, and the role of racism in housing access, was thrust into public attention with the occurrence of three separate fires in overcrowded sub-standard buildings in Paris, one in April and two in August, which killed a total of 48 people and injured many more. The residents who died were all either immigrants from Africa or French citizens of African origin, and in the subsequent public debate NGOs pointed to the fact that their appalling housing conditions reflected the fact that Africans are the victims of racism in the allocation of scarce resources.¹

At the outset, therefore, it needs to be emphasised that this investigation confirms clearly the importance of discrimination, disadvantage, and segregation for migrant and minority ethnic groups in housing in Europe. Racism and xenophobia contribute to an array of negative outcomes. People seen as 'different' are subjected to ill-treatment that ranges from being refused a property because of colour, to physical attacks aimed at keeping a household out of a particular

¹ <http://news.bbc.co.uk/2/hi/europe/4199320.stm> (29.11.2005).

neighbourhood. On the one hand, poor housing conditions are amongst the most important manifestations of social exclusion. On the other, housing practices and events sometimes become mechanisms for reinforcing or creating such exclusion. The processes and patterns of discrimination and exclusion are not random, but have a systematic and persistent character. This is evident from the fact that similar racist practices occur in the housing field within countries that are very different. The national studies together constitute a timely and indeed invaluable record of practices and experiences, although there are inevitable gaps in coverage because of a shortage of data in some places.

THE APPROACH AND METHODS OF THE STUDY

This study goes beyond a descriptive account in several respects. The report includes a preliminary classification of types of housing discrimination, and recommendations on the most appropriate clusters of research topics for the next generation of investigations in housing and ethnicity. It also outlines what may be seen as a 'cutting edge' approach for evaluating innovations, policies and reforms. This does not rely on attempting to create a single set of criteria by combining goals that range widely in specificity, purpose or type. Instead, it rests on distinguishing three central features of an effective evaluation strategy. These are: (i) an acknowledgement of the importance of specific contextual settings, (ii) clear targeting relating to known and demonstrable means of securing positive developments, and (iii) conformity with a set of desirable performance and planning characteristics.

Although the aim has been to produce an analysis of greater intellectual depth than is often possible in a 'rapid review' of this type, it was necessary to draw some boundaries around the scope of the investigation. In particular, the study does not outline any list of preferred options for housing policy as such, given the variety of possible forward routes available in different countries, and the aim of remaining relatively detached from the politics and economics of housing. As the authors were completing the writing, however, information was received about another EC-sponsored report, dealing directly with policy measures in this field, and referring to material from five countries. This seems likely to be a good source of complementary ideas and information.²

In the present report, references to the NFP national studies are made in footnoting in standardised form by the term NFP and a name for each Member State, coupled with the titles *Housing Report 2003* or *National Report 2004*, referring respectively to the national housing reports or to the later more general reports. Where information has been taken from a specific source by national authors of these reports, the original reference is footnoted (as cited nationally) wherever feasible.

² This was the focus for a Seminar in Brussels in June 2005, under the auspices of the Employment, Social Affairs and Equal Opportunities Directorate-General of the European Commission; see Edgar, B. (2004 draft, forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews. Subsequent reference to this work is with permission of the author.

Clearly the accuracy of this commentary relies upon the quality of the national reporting, and on the whole this has been adequate within the normal constraints of time and data availability. Some technical issues arose, however, from variations or limitations in the presentation of information from specific countries. The terminological and data issues are dealt with fully in the report. There were also differences in the styles of national bibliographies, while the country reporting of positive initiatives was inevitably indicative rather than comprehensive. The bibliography comprises a relatively unified set of references, with some additional important studies added alongside individual items that were cited in the NFP reports. As regards initiatives and projects, Chapter 7 builds on the samples available, and Appendix 1 makes an illustrative commentary on EU contributions. The national reports made only scattered references to initiatives such as *EQUAL*, and coverage in the reports may perhaps have under-valued EU contributions. It seems likely that an in-depth investigation would reveal an array of housing implications arising indirectly or directly from many kinds of projects, although information is not readily available on the extent of positive effects. Chapter 8 therefore suggests an up-to-date survey of recent EU projects at some time in the near future, specifically designed to discover more systematically which ones have direct or indirect importance for knowledge and policy-making in housing and ethnic relations.

1.2. Key points from the national reports

There are differences amongst countries, as well as many similarities in experiences and issues. The review begins by outlining general concerns below, and then briefly summarises some points for each country. The presentation covers slightly different things in each case, reflecting emphases in the national reports.

WHAT THE REPORTS ACHIEVE AND SHOW IN OVERALL TERMS

Viewed collectively, the national reports show a widespread incidence of unfair and discriminatory practices affecting housing markets, social rented housing allocation, or access to finance and other support (see Chapter 4). They also indicate the 'state of play' in each country as far as governmental responses to racism in this field are concerned, revealing wide differences in commitment and in the development of appropriate practices. It is an important achievement of the reports to chart these differences, and the findings point to a need for much greater knowledge transfer between states, their researchers, and their practitioners.

There are limitations in data for all countries (see Chapter 3), and these are collectively so great that the extent of housing disadvantage and of negative discrimination cannot readily be expressed in any comparative statistical ways. Nonetheless, there is recurrence from place to place of key mechanisms (such as denial of accommodation by private property owners), and characteristic outcomes (including limited choice for minorities, heavy dependence on social renting where this can be obtained, or poor quality accommodation). The issue of asylum seekers complicates matters in many countries, as these households have become a focus for strategies that sometimes fail to meet what would be seen as necessary standards for other groups, and involve restrictive or disadvantaging settlement practices and options. Meanwhile, across Europe, the disadvantaged housing position of the Roma and travelling peoples stands out as deserving urgent attention, although there are some differences in approaches between countries (see later chapters for more details).

Diversity amongst minority communities is an important issue, and there is likely to be variation in degrees of successful incorporation of specific minorities into the housing or urban mainstream within each host country. Thus, particular groups may be lower or higher in a 'hierarchy' of inclusion, according to the effects of xenophobic and racist perspectives amongst majority white indigenous populations.³ This 'differential incorporation'⁴ may complicate the more immediately understood division between the majority on the one hand, and

³ NFP Sweden *Housing Report* 2003, pp. 18-19, 27. See also Molina, I (1997) *Stadens rasifiering. (the racialization of the city)*, Doctoral thesis at the Department of Social and Economic Geography, Uppsala University; and Andersson, R (2002) 'Boendesegregation och etniska hierarkier', [Housing segregation and ethnic hierarchies] in *Det slutna Folkhemmet*, I. Lindberg and M. Dahlstedt, (eds) *Det slutna folkhemmet – om etniska klyftor och blågul självbild*, pp. 94-114, Stockholm: Agora.

⁴ See Harrison, M. with Davis, C. (2001), *Housing, social policy and difference: disability, ethnicity, gender and housing*, Bristol: The Policy Press.

disadvantaged minorities in general on the other. It parallels the acknowledged diversification of cultures and affiliations that has occurred in many Western cities, but has negative facets, involving processes that can involve institutional racism or exclusive practices at grass roots level.

Several national reports indicate the importance of overlap between ethnicity and minority status on the one hand, and socio-economic position on the other, and it may sometimes be difficult to disentangle the effects of racism from the effects of low incomes. This is important insofar as settlement patterns and general opportunities for advancement are concerned, where racism may reinforce exclusion based on socio-economic circumstances or vice-versa. On the other hand, relatively prosperous households may still experience exclusion and harassment. In the USA there is said to be a 'black tax' paid in housing by people regardless of economic position, and in the UK this type of experience has been summarised through the concept that people are likely to suffer an 'ethnic penalty' regardless of their socio-economic standing. Although neither of these terminologies is ideal, they do 'flag up' the need not to be diverted into assuming that the only issue is one of labour market positions, even though this is a vital factor in many European contexts. Another point arising from the national studies relates to the impact of broader economic or political trends, where there is concern that opportunities will be disproportionately affected in negative ways for minorities, by the shift away from provision of social renting and towards privatisation or housing de-regulation. This deserves more study, and commenting in depth on probable effects would go beyond the present task. Nonetheless, it is clear that a shortage of affordable dwellings is often going to make progress difficult. As the NFP *France National Report 2004* succinctly puts it, "... housing shortage and the increasing property prices tend to intensify the mechanisms of spatial segregation which affect socially unstable or low-income groups."⁵ Many migrant and minority ethnic households may be affected adversely.

On the question of segregation the national reports have much to say, yet there are mixed messages, sometimes built on assumptions that clash or have an uneasy co-existence, even if not always made explicit. Thus, on the one side there is a concern about the social exclusion of minorities. Here their segregation into disadvantaged districts is perceived to reflect to some degree the restricted housing choices they have, because of harassment, access problems and low incomes. Key solutions are seen as enhancing choices or empowerment, and facilitating movement into better districts. On the other side, there is a concern about ethnic clustering in itself, as a potential threat to the mainstream society. Here the goal of integration is equated to assimilation, and official integration policies may mean dispersal, settlement quotas, or control of choices. These issues are discussed more fully in later chapters. Official opposition to voluntary clustering may be paralleled by negative attitudes to the development of separatist organisational practices, such as the creation of independent housing enterprises run by migrant and minority ethnic people themselves. An additional issue raised concerns the effectiveness of area-focussed interventions as such, as some observers argue that

⁵ NFP *France National Report 2004*, p.22.

this cannot solve issues that have causes in wider trends or circumstances. For instance, in **Sweden**, the Integration Board's final report on the national evaluation of the Metropolitan Policy areas states that government's main goal to break segregation is not achievable, since the activities are area based, and these local efforts can only to a small extent affect overall ethnic and socio-economic segregation. Thus the process of segregation is seen as a structural problem, rather than one just involving residential districts in the metropolitan areas.⁶ Given the range of interpretations, it is important for the review to clarify the segregation issues, so that a balanced and informed approach to good practice can be suggested. The topic is therefore dealt with at length later.

1.3. Individual countries; selective summaries

1.3.1. Belgium

There has been a Belgian anti-racism law since 1981 that prohibits forms of discrimination, but the housing situation is affected importantly by the constitutional position under which considerable weight rests with regional competencies. The Flemish, Walloon and Brussels-Capital Region Housing Codes set out aims of decent housing for everyone. The benefits for minorities here, however, are implicit within general strategies to achieve normative basic standards rather than in terms of direct targeting of their needs. Through occupying positions of socio-economic disadvantage, migrant and minority ethnic households constitute a significant proportion of the potential tenants for social renting, but this does not necessarily mean satisfactory or fair outcomes.⁷ In housing markets generally, problems persist, and studies have shown that the lower socio-economic status of specific minorities carries through into housing situations, with the more recent migrant households particularly likely to experience poorer situations.⁸ Official data are limited on outcomes by ethnic origin, but there is case-level evidence of discrimination over lettings both in the private and social sectors.⁹

1.3.2. Denmark

The national reporting for Denmark indicates clearly that individuals are directly discriminated against in the housing field, both in relation to access and through harassment in residence neighbourhoods.¹⁰ Data limitations make it difficult to

⁶ NFP Sweden *Housing Report* 2003, pp. 19, 35.

⁷ NFP Belgium *Housing Report* 2003, p. 27. See also Kesteloot, C *et al.* (1999) 'Integratie met vallen en opstaan: over de woonsituatie van etnische minderheden in Vlaanderen' [Integration with ups and downs: On the housing situation of ethnic minorities in Flanders], K.U.Leuven, in *opdracht van de Vlaamse gemeenschap*.

⁸ NFP Belgium *Housing Report* 2003, p. 3.

⁹ NFP Belgium *Housing Report* 2003, p. 27 (again drawing on work by authors cited in fn. 6).

¹⁰ NFP Denmark *Housing Report* 2003, p. 3.

specify precisely the extent and characteristics of discrimination, but ‘ethnic markers’ such as accent, religious clothing or non-Danish names may result in individuals experiencing discrimination. Data reveal sharp tenure variation by ethnic origin, with those defined as immigrants and descendents from third countries mainly living in public rental accommodation.¹¹ There seems to be little evidence of strong governmental commitment to developing anti-discrimination policy, and there is apparently a current official preoccupation with dispersal of refugees, “and to some extent migrants as well”.¹² There have been projects aimed at creation of better neighbourhoods,¹³ and (despite dismantling of important boards and organisations from the environmental, consumer and anti-discrimination areas) a new body recently established to promote equal treatment in response to EU requirements.¹⁴

1.3.3. Germany

It has proved politically difficult in Germany for the Federal government to incorporate the requirements of EU Directives on equal treatment into law, and there is no national monitoring system registering or documenting cases of discrimination. Data come primarily from regional or local advice centres or specific studies. Nonetheless, it seems clear that there is an ongoing gap in housing quality standards between the mainstream German population and minority groups, with the latter living in worse environments having less space at their disposal (sqm per capita) and paying relatively high costs. Apart from groups of non-Germans such as Turkish people, there are distinctive established national minorities to consider (notably the Roma and Sinti) as well as ethnic Germans of immigrant origin, who may face specific disadvantages. More generally, evidence has been found of unchecked discriminatory practices in housing (such as quota systems working against non-German households). It is reported, however, that the issue of discrimination in housing is receiving less attention than questions about the spatial integration or segregation of migrants.¹⁵ There has been major urban planning and renewal activity with aims that include supporting the integration of migrants into local communities, and attempts to contribute to resolving intercultural conflicts and tackling prejudices and racism.¹⁶ Policies and housing projects, however, may often be to benefit areas or populations in general, rather than focussing explicitly on minority groups as such. From the reporting it appears that an important feature of practice in Germany is a reliance on approaches that highlight promoting positive intercultural contacts in the neighbourhood, rather than according individuals or groups the rights and capacities to challenge discrimination and ill-treatment.¹⁷

¹¹ NFP Denmark *Housing Report* 2003, p.24.

¹² NFP Denmark *Housing Report* 2003, p. 4.

¹³ NFP Denmark *Housing Report* 2003, p. 15.

¹⁴ NFP Denmark *Housing Report* 2003, p. 18. See also below, Chapters 3, 5.

¹⁵ NFP Germany *Housing Report* 2003, pp. 10-11.

¹⁶ NFP Germany *Housing Report* 2003, p. 11.

¹⁷ NFP Germany *National Report* 2004, p. 3.

1.3.4. Greece

Greece has had very limited state interventions in housing and allied issues, and there are no official statistics and few reliable studies concerning the housing situations of socially vulnerable groups. There are, however, distinctive problems facing migrant and minority ethnic groups. The national report on housing draws attention to specific minorities (including the Roma) living in low quality dwellings. This is attributed not only to socio-economic positions, but also to racist or xenophobic attitudes of landlords and some local authorities. Some asylum seekers and Roma may be living in very poor conditions, the latter perhaps in rough or makeshift accommodation.¹⁸ The national report on housing points out that – leaving aside the Roma – housing segregation as such is not evident, as “immigrant households are distributed fairly equally throughout the urban areas ...”¹⁹

1.3.5. Spain

Spanish law provides for equality of access for “resident foreigners” to the public system of housing support, although this does not extend to “irregular foreign migrants”.²⁰ The national report notes, however, that there is an acute shortage of affordable homes for rent, and that a number of regional governments have tried to deal with gaps by legislating in favour of social housing, or to accommodate populations such as foreign migrants or casual farm workers (whose conditions are amongst the worst, and many of whom are also migrants²¹). Attention is drawn to issues of homelessness, occupation of abandoned or wrecked buildings, the renting of rooms in legal or illegal boarding houses, and overcrowding. The Roma population is often living in segregated areas and in very low quality dwellings.²²

It is also found that discrimination against minorities is quite extensive and in some cases very overt.²³ The national report on housing cites a number of instances of good practice, including specific initiatives.

1.3.6. France

The French constitution forbids differential treatment on the basis of origins, race or religion, and there has been a positive response to the EU Directives.²⁴ Data on discrimination, however, have been rather scarce, due in part to the “inadmissibility of the origin of individuals in the French statistical regime.”²⁵ Even so, it is clear

¹⁸ NFP Greece *Housing Report* 2003, p. 3. See also later chapters.

¹⁹ NFP Greece *Housing Report* 2003, p. 3.

²⁰ NFP Spain *Housing Report* 2003, p. 1.

²¹ NFP Spain *Housing Report* 2003, p. 24.

²² NFP Spain *Housing Report* 2003, p. 28.

²³ NFP Spain *Housing Report* 2003, pp. 29-37.

²⁴ NFP France *National Report* 2004, p. 1.

²⁵ NFP France *Housing Report* 2003, p. 2.

that the housing situation of migrant and minority ethnic groups differs from that of mainstream French households in terms of conditions, waiting times for social housing, and so forth. The causation of such differences, furthermore, is not seen as reducible to inequality in the level of households' resources. Discriminatory practices have been evidenced convincingly, being both direct, indirect and institutional. A matter of particular importance is the degradation of HLM (*Habitation à Loyer Modéré*; low-rent housing) neighbourhoods, where many migrant and minority ethnic households live. Public authorities have undertaken rehabilitation and urban renewal efforts here, and an example of good practice developments cited in the HLM context is an *EQUAL* project aimed at prevention of discrimination in housing, and especially social housing. In relation to housing and racism more generally, the author of the national report on housing indicates that a high priority issue is the future production of data on discrimination.²⁶

1.3.7. Ireland

The key legislative framework for promoting anti-discriminatory practice in housing in Ireland is the Equality legislation, including the incorporation of the EU Directives. The key policy initiative is the Irish government's National Action Plan Against Racism launched in January 2005 which contains important commitments to housing. Minority ethnic groups are particularly vulnerable in the Irish housing market, and this includes the Traveller community many of whom still live in unsatisfactory conditions, particularly in unofficial and temporary halting sites. Other than the Traveller Community, systematic data is not available for many minority ethnic groups in Ireland in the public, voluntary private rented and homeownership sectors. Emerging qualitative information shows experience of both direct and indirect discrimination, in particular in accessing accommodation in the private rented sector, and points to underlying barriers which may exacerbate the difficulties facing minority groups. The national report calls for enhanced data collection mechanisms, disaggregation of data by ethnicity and nationality consistent with the approach adopted in Ireland's national Census, and collection of data where data is currently absent.²⁷

1.3.8. Italy

National legislation in 1998 affirmed the principle of equal treatment in access to public services, opening up "new opportunities for migrants in terms of access to housing", and in respect of credit facilities.²⁸ Yet migrant and minority ethnic groups still face discrimination, both in public and private sectors. Regional governments are responsible for housing policies, so that national frameworks are interpreted and implemented in differing ways. In some instances, regional, provincial or municipal authorities introduced unlawful discriminatory criteria,

²⁶ NFP France *Housing Report* 2003, p. 3.

²⁷ NFP Ireland *Housing Report* 2003, p. 4.

²⁸ NFP Italy *Housing Report* 2003, p. 2.

regulations or procedures governing housing access, substantially disadvantaging non-EU migrants.²⁹ Furthermore, some aspects of recent national legislation have been criticised as discriminatory, although EU requirements are being given effect through a new equality body.³⁰ The national report notes that home ownership among those described as migrants is low by comparison with the Italian mainstream. The position of Roma and Sinti populations is distinctive, with accommodation, including camps, frequently located in undesirable places. Positive initiatives to assist migrant and minority ethnic groups include establishing agencies that act as intermediaries in the housing market.³¹ A feature of the Italian situation is the sense that important changes in housing needs of migrants may have been taking place. Thus, while situations requiring emergency solutions still occur, current characteristics of immigration suggest that public policy needs to focus increasingly on long-term and stable solutions to housing problems, for migrants and low-income groups.³²

1.3.9. Luxembourg

Luxembourg lacks appropriate data regarding 'ethnic origins, race or religion'. The only available indicator is 'nationality'. Consequently, while reference can be made to social exclusion that affects migrant and minority groups, the national report on housing can say little directly on any systematic effects from racist practices. No systematic discrimination testing study has been launched up to now. For this reason the NFP Luxembourg *National Report 2004* comments on 'inequalities by nationality', using nationality as an indicator. Drawing on evidence from surveys and polls, the authors here point to the existence of racism, and indicate that neighbourhood relations may suffer from "fear and hesitation" towards people who appear to live differently.³³ Official awareness of some of the issues has been evidenced in a Decree of 2004 aimed at favouring social mixing, and at increased and improved provision for "foreign workers and asylum seekers".³⁴

1.3.10. Netherlands

The Netherlands has a developed system of relevant law, and has been adapting arrangements to meet EU requirements.³⁵ The accommodation of ethnic minorities is on average of lower quality than that of the mainstream Dutch population, and the minorities depend heavily on the subsidised rented housing sector. Migrant and minority ethnic households are over-represented in flats, and found less frequently

²⁹ NFP Italy *Housing Report 2003*, p. 2.

³⁰ NFP Italy *National Report 2004*, p. 2.

³¹ NFP Italy *Housing Report 2003*, pp. 25-26.

³² NFP Italy *Housing Report 2003*, p. 2.

³³ NFP Luxembourg *National Report 2004*, p. 3.

³⁴ NFP Luxembourg *National Report 2004*, p. 6, citing Luxembourg/Executive Decree, 22.03.2004.

³⁵ NFP Netherlands *National Report 2004*, p. 6.

in single-family dwellings.³⁶ The authors of the national housing report suggest that the regulation of the Dutch housing market has resulted in little or no discrimination, but acknowledge that indirect discrimination does exist. At the same time, socio-economic disadvantage may affect housing opportunities and segregation, while racist opposition to migrant and minority ethnic residents is sometimes overt from neighbours, and seems to be well chronicled. Without more data on outcomes and organisational performance, it is not possible to comment effectively on the report's claim that "there is little or no discrimination taking place in the Netherlands",³⁷ even if this is taken to refer primarily to the non-market sector. On the other hand, it is clear that there is some support in the Netherlands for compulsory distribution policies that are discriminatory, and that practices persist in housing access that work indirectly against minorities.³⁸ Useful good practice instances referred to include assisting movement into better areas.³⁹ At a macro-level, the Netherlands has focussed attention on neighbourhoods via its *Big Cities Policy*, but the effects when seen from migrant and minority ethnic perspectives seem unclear. An important feature of practice also discussed for the Netherlands is the issue of multi-cultural building schemes and the acknowledgement that needs may vary, with some benefits arising from distinctive separate provision.⁴⁰

1.3.11. Austria

Austria had not yet completely adapted its federal and provincial legislation to the EU anti-discrimination Directives by the time of the NFP Austria *National Report* 2004 (October 2004),⁴¹ but steps had been taken in enhancing legal protection against discrimination and harassment. It is clear that migrant and minority ethnic groups have limited access to specific housing types, sectors or subsidies, with citizenship status often an important determinant (although discrimination does not necessarily stop after formal naturalisation). 'Third country nationals' face discrimination and pay relatively high housing costs. Referring to data using a distinction between foreign and Austrian nationals, the national report on housing indicates that there is a concentration of migrant and minority ethnic households in flats in poor quality privately owned houses, reflecting restricted access to other sectors. As far as attitudes to neighbourhood 'mixing' are concerned, the report's authors note that the Roma, sub-Saharan Africans and Turks meet with particularly high levels of rejection.⁴² Good practice developments tend to be focussed around counselling, advice or allied services, and inter-ethnic projects.

³⁶ NFP Netherlands *Housing Report* 2003, p. 33, citing *Sociale Positie en Voorzieningengebruik door Ethnic minorities - 98* (Social Position and Use of Services by Ethnic Minorities - 98), Institute for Socio-Economic Research (Erasmus University, Rotterdam) & Socio-Cultural Planning Agency.

³⁷ NFP Netherlands *Housing Report* 2003, p. 8.

³⁸ NFP Netherlands *Housing Report* 2003, p. 41.

³⁹ NFP Netherlands *Housing Report* 2003, p. 36.

⁴⁰ NFP Netherlands *Housing Report* 2003, p. 67.

⁴¹ NFP Austria *National Report* 2004, p.2.

⁴² NFP Austria *Housing Report* 2003, pp. 3-4.

1.3.12. Portugal

Legislation forbids discrimination on account of 'race' in a number of areas, including housing, and government has responded to the requirements of the EU Directives.⁴³ The national housing report for Portugal points to a shift in consciousness in recognition that the country has become a destination for migrants, and notes some positive responses. Very difficult conditions face specific migrant and minority ethnic groups, including 'shanty town' living, derelict neighbourhoods, and poor temporary accommodation for new migrants who are sometimes living at their workplaces. State-promoted rehousing programmes have apparently improved conditions in some respects, and associated survey work has been useful (see example in Chapter 3). More generally, systematic data seem to be scarce, both on housing conditions by ethnic origin and for racist discrimination experiences. The category of ethnic minority does not exist in official statistics. Nonetheless, there is evidence of discriminatory practices, affecting (for instance) Roma or people of African origins.⁴⁴

1.3.13. Finland

Although there are no special legislative rules for handling discrimination in the housing sector, general provisions in the constitution prohibit discrimination, and support the right of minorities to preserve and develop their own languages and culture. The Non-Discrimination – which transposes the Council Directives 2000/43/EC and 2000/78/EC – entered into force on 01.02.2004. This Act is the only legislation in Finland explicitly prohibiting discrimination in access to housing. It prohibits discrimination based on ethnic origin *inter alia* concerning "the supply of or access to housing and movable and immovable property and services on offer or available to the general public other than in respect of relationships between private individuals."⁴⁵ This prohibition, however, applies only to provision of municipal housing, not to the provision of housing by individuals. There is some monitoring for malpractice, but currently no body specifically devoted to monitoring racism in housing.⁴⁶ Migrant and minority ethnic groups have varying conditions, with the Roma and migrants (especially those from poorer countries) being in the worst socio-economic positions. The housing conditions of the Roma are poor, and there is some dependence here on social housing, while it is often difficult for immigrants to find housing from the private market. There is qualitative evidence of racism and discrimination towards minorities in housing-related matters. Legal status can be important for access to social housing and housing-related welfare provision.⁴⁷ Homelessness is an increasing problem for migrant and minority ethnic households. General national policies to improve housing conditions may bring benefits for minorities.

⁴³ NFP Portugal *National Report* 2004, p. 27.

⁴⁴ NFP Portugal *Housing Report* 2003, pp. 2-4.

⁴⁵ Finland, 21/2004 Non-Discrimination Act (01.02.2004)

⁴⁶ NFP Finland *Housing Report* 2003, pp. 1-2.

⁴⁷ NFP Finland *Housing Report* 2003, p. 3.

1.3.14. Sweden

Ethnic discrimination in housing has not previously been an area of major official concern, but new legislation (in line with EU requirements) covers the housing sector.⁴⁸ Although Sweden seems to have well-established proactive outlooks on improving fair treatment, the national housing report nonetheless refers in general terms to an “ethnic hierarchy”. Thus Swedish-born (presumably white) people are seen as located at the top, closely followed by people from other Western countries, and with people from West Asia and Africa at the bottom.⁴⁹ Complaints received by the Ombudsman indicate racism in housing contexts, including harassment. Interestingly, it is reported that landlords sometimes refer to a desire to contribute to decreased ethnic segregation as a supposed justification for illegal refusals to accommodate migrant and minority ethnic households.⁵⁰ The report focuses especially on suburban areas referred to as the *Miljonprogramsomraden* (the million programme areas), where modern dwellings were built between 1965 and 1975. The majority of dwellings here were in multi-storey buildings, and the schemes from this programme are where activities dealing with segregated housing are mainly focussed.⁵¹ An aim of funding in 1995 for areas of concentrated minority settlement was “to break the development of segregation”, and this was followed two years later by a new integration policy, concerned with equal rights, responsibilities and opportunities, a community based on diversity, and a society characterised by mutual respect and tolerance.⁵² The Metropolitan Policy aimed to implement local development agreements based in local participation, and to stimulate economic growth. It would appear that current central preoccupations are with issues of spatial segregation and concentration rather than with legal rights of challenge and redress, or access to choices. The plight of the Roma is also noted.⁵³

1.3.15. The United Kingdom

The UK has what is probably the most complex and comprehensive legal and regulatory system for tackling racism and diversity (see pp. 61, and 116-117 below). Features include powerful inspection and monitoring systems, positive duties placed upon public bodies, and firm legal mechanisms for redress.⁵⁴ The main limitations relate to the private sectors, where data about performance remain scarce, and where regulation is less developed.⁵⁵ By contrast, the social rented sector is subject to extensive guidance, performance measurement, and control, so that overt racist practices are now hard to find. Racist hostilities, however, persist

⁴⁸ NFP Sweden *Housing Report* 2003, p. 2.

⁴⁹ NFP Sweden *Housing Report* 2003, p. 3.

⁵⁰ NFP Sweden *Housing Report* 2003, p. 22. See also Ombudsman against Ethnic Discrimination. PM om etnisk diskriminering på bostadesområdet. Dnr 81-2001.

⁵¹ NFP Sweden *Housing Report* 2003, p. 9.

⁵² NFP Sweden *Housing Report* 2003, p. 10. See also Government bill 1997/98:16, 2001/02:129.

⁵³ NFP Sweden *National Report* 2004, p. 3.

⁵⁴ See NFP UK *Housing Report* 2003 and *National Report* 2004 for requirements for plans, strategies, needs assessment, monitoring, etc.

⁵⁵ The contrast with the USA is significant, especially as far as powers to monitor and regulate financial institutions' investment in urban areas are concerned.

at grass roots, restricting choices of neighbourhoods open to lower-income minority ethnic households. Furthermore, UK practices on Travellers, Gypsies and asylum seekers are open to question. As in some other countries, the UK has pursued urban renewal policies where combating ethnic disadvantage has been a relatively minor explicit concern. Since urban disturbances in 2001, central government has developed community cohesion strategies based partly on assumptions about the dangers of the supposed “self-segregation” of minority communities. This approach is by no means uncontested. More positively, housing associations run directly by black and minority ethnic people constitute a major contribution to good practice ideas and examples, and may well represent one of the largest ‘non-white’ business sectors in Europe.⁵⁶

1.4. The importance of distinctive national contexts

National histories and traditions affect law, citizenship rights, housing availability, tenure, housing conditions, policies for supply or renewal, and attitudes to minorities. Referring to selected examples when useful, the sections below draw attention to some of the key variables and their importance. These need to be kept in mind in subsequent chapters when reviewing data, progress or good practice in housing domains.

EACH COUNTRY HAS A DIFFERENT ENVIRONMENT FOR POSITIVE CHANGE

The national studies reveal that numerous factors play a part in shaping the environment for change and innovation, both in terms of opportunities and constraints. Influential factors include the extent of national government interventions in the housing market, the supply and demand relationships for affordable housing of reasonable quality, the national balance between the different tenures, differences between rural and urban conditions and between regions, the political levels at which policy responsibilities are located (affected by federal arrangements, regional responsibilities, municipal roles, etc.), attitudes of powerful political interests, and legal or regulatory traditions. Given these lines of variation, it is important to be sensitive to national and local contexts and histories, and to acknowledge that how progress is appraised in any specific place will depend to some extent on the particular situations that policy-makers are facing. What is seen as a highly valued innovation in ‘Country A’ may seem more ordinary in ‘Country B’, but still bring crucial changes within ‘Country A’.

These comments do not imply that one country cannot learn from another. Indeed, one of the conclusions of this comparative review is that there is considerable scope for knowledge transfer between countries. Different contexts, however, need

⁵⁶ For history see Harrison, M. (1995), *Housing, ‘race’, social policy and empowerment*, CRER Research in Ethnic Relations Series, Aldershot: Avebury.

to be kept in mind in order to be realistic and fair when appraising progress and prospects. A particularly important factor for some countries is the importance of regional governments or autonomous administrations below the level of the central state. In **Spain**, for example, significant housing legislation has been enacted by the Autonomous Communities, while central government has established co-operation agreements with the Communities to develop joint actions to support migrants' social integration.⁵⁷

THE IMPACT OF LAW, AND STATE INTERVENTIONS

The law is dealt with systematically in a separate chapter, but some swift observations on law and regulation may nonetheless be useful now to help set the scene. Some countries have legislation and administrative systems in the ethnic relations field that are very complex, and from the national reports it appears as if the UK is at one end of the spectrum in this regard. Here, central government is extremely powerful, and has complemented legal structures with an extensive array of managerial, monitoring and inspection processes that affect local activities in public bodies and social landlord organisations. At the other end of the spectrum are states where there has been little in the way of specific legislation and no systematic monitoring. The under-development of regulatory systems aimed at securing fair treatment certainly does not mean that no positive actions are occurring in a specific country. It may mean, however, that the focus is different from what it might be if there was more pressure for housing providers to demonstrate fair policies and implementation of these. Weight may be placed, for example, on emergency services or accommodation, mediation and counselling, or on ad hoc initiatives (rather than on modifying regular mainstream practices in a systematic way and facilitating legal challenges to generalised practices or access criteria). There is symbolic as well as material value in positive steps of these kinds, but they are a product of specific limiting political and policy environments.⁵⁸

Specific national laws may affect scope for good practice that targets assistance at particularly disadvantaged groups.⁵⁹ Furthermore, in some countries practices directly focussing on minorities might be seen by observers as a type of positive action, even where they are actually only aimed at 'creating a more level playing field' (rather than giving a compensatory advantage to those minority groups), while some national reports indicate that an idea of positive discrimination may

⁵⁷ NFP Spain *Housing Report* 2003, pp. 8-9; for example the *Housing Report* cites (amongst others) Comunidad Foral de Navarra, and its Decree 374/1997, of 15 December 1997.

⁵⁸ For instance, see discussion of Austrian initiatives seen to have a symbolic value and to raise awareness among property developers of different housing needs: NFP Austria *Housing Report* 2003, p. 4.

⁵⁹ The Finnish Constitution, for example, contains a provision for the use of positive discrimination as a measure to increase equality. This means that laws such as those allowing certain privileges to groups in a socially poorer position than the majority (such as the Roma) are not to be regarded as unfair favourable treatment (see NFP Finland *Housing Report* 2003; cf NFP Ireland *Housing Report* 2003).

seem strange for the political culture.⁶⁰ Initiatives perceived as ‘positive discrimination’ – even in terms of advisory services – may be subject to opposition both from ‘native’ populations and from observers who are unsure that it is productive to develop separate tools for minority households. What is clear is that there is no shared cross-nations understanding of what should be meant by positive action, how it might be manifested in law, or of how it might differ from US-style affirmative action. This is something where knowledge transfer and mutual exchanges of understandings would be useful.

In considering background factors that help shape environments for good practice, it should be noted that the national reports draw attention to numerous housing market, affordability and supply problems affecting low income households in general, not just those from minority groups. Policies may focus upon these in ways that assist minorities (although the problems faced by the latter remain distinctive), and some of the reports comment on general housing policy changes that would be beneficial (or that may be damaging, as with financial cuts to individual rent subsidies). State intervention via specific targeted housing programmes (or lack of this) is an issue affecting households in many countries, and policies that target low income groups may benefit migrant and minority ethnic households. In the case of **Luxembourg** – where the national report found no directly focussed governmental strategy or initiative expressly focussed on reducing racist discrimination in housing – there are some general policies on improving access to dwellings or finance. Measures are noted here involving 29 different actions, and these would appear to deserve monitoring for their effects.⁶¹ Within several countries, policies are important on homelessness, social renting, low cost ownership, allowances or financial benefits, loan programmes, and regulation of private rented dwellings. Anti-poverty programmes may be very important, especially if they acknowledge the needs of specific groups.

THE IMPACT OF DEVELOPED NATIONAL WELFARE AND SOCIAL HOUSING SYSTEMS

Social welfare systems and housing subsidy systems may be very important for migrant and minority ethnic groups, and deserve separate comment. There are overlaps across different policy domains, with some countries having complex or rather supportive arrangements. This can be illustrated by referring at length to the case of **Finland**. Here, the national housing report explains that the social welfare system in Finnish housing includes housing allowances and subsidies, access to municipally owned social rental dwellings, right-of-occupancy subsidies, loan guarantees, and tax relief programmes. Housing falls under the social security system, which is residence-based, meaning that all residents are guaranteed equality, democracy, human rights and basic social security regardless of their citizenship or employment status. For minorities, this guarantees them access to services such as state health care, education and housing. According to the

⁶⁰ As for instance in NFP Portugal *Housing Report* 2003, p. 76.

⁶¹ NFP Luxembourg *Housing Report* 2003, pp. 23-25.

Constitution, it is the duty of public authorities to promote the right to housing, and support individuals' attempts to find housing. Municipalities and non-governmental organizations can apply to the Housing Fund of Finland for special loans to build housing for refugees, the homeless and the Roma. The aim of Finnish housing policy is to "ensure a socially and regionally balanced and stable housing market, to eliminate homelessness and to improve the quality of housing".⁶² Of relevance to ethnic minorities are intentions to increase the amount of social rental housing and develop housing allowances, the channelling of loans to urban growth centres (ethnic minorities being clustered in larger cities where there is strong competition for affordable housing), increased provision of housing to young families (ethnic minorities have larger families with younger children than the majority), and policies aimed at reducing homelessness.

State-subsidised housing is potentially central to ethnic minorities in Finland because they are more likely than the majority population to need and use it, a situation sometimes found elsewhere too. The housing report for the **Netherlands**, for instance, notes that migrant and minority ethnic households there are dependent to a large extent on the subsidised rented sector,⁶³ and in the **UK** certain minority ethnic groups depend upon social renting more than do others.⁶⁴ In some countries that have limited provision, creating social housing stock might be suggested as a potential way forward.⁶⁵ The national report on **Finland** also observes, however, that the role of legal status is significant, in that access to social housing and housing-related welfare provisions is residence-based but only permanent residents are eligible for it. On one hand, residence in Finland is considered permanent if the person has moved to Finland as a return migrant, a refugee or an asylum seeker, and has been granted a residence permit valid for at least one year. On the other hand, residence in Finland is considered permanent if the person has moved to Finland for family reasons or has a permanent work contract or one for at least two years. Students are not considered to be residing in Finland permanently. This type of situation may occur in other countries. In **Portugal**, for instance, only "national citizens" could benefit from government-subsidised loans granted to young people which ran before 2002.⁶⁶ Across states, the link between formal status and access to services and facilities is important, perhaps especially where state-sponsored systems are extensive. This is not only about recently arrived households, since particular rules on citizenship may discriminate against people who are permanently settled. They may then be excluded from full legal protection or rights in the housing arena, or are even subject to unpleasantly distinctive policies.

⁶² NFP Finland *Housing Report* 2003, pp. 33, etc., citing *National Action Plan* 2003:24, *National Action Plan against Poverty and Social Exclusion 2003-2005*, at http://europa.eu.int/comm/employment_social/news/2001/jun/napincl_03_fi.pdf

⁶³ NFP Netherlands *Housing Report* 2003, p. 5.

⁶⁴ With variations also according to region and gender, female-headed households being strongly represented across ethnic groups.

⁶⁵ NFP Greece *Housing Report* 2003, p. 22.

⁶⁶ NFP Portugal *Housing Report* 2003, p. 76.

CONCLUSIONS ON THE EFFECTS OF POLICY ENVIRONMENTS

In subsequent chapters more is said about some of these issues, and Chapter 7 comments specifically on issues of good practice, where interventions at all levels (from central state to local scheme) are touched upon. The main point to emphasise now is that ethnic minorities are affected by a very wide range of actions, including not only policies explicitly taking account of their needs, but also more general strategies for physical, social or economic change that affect their lives (urban renewal, welfare system developments, housing subsidies, etc.). In some countries it may prove much easier to address some of their housing needs than it will be in others.

2. CHAPTER 2 - TERMINOLOGIES, THEORETICAL ASSUMPTIONS, AND METHODOLOGICAL STANDPOINTS

The uses and definitions of words and phrases within national reports reflect specific legal provisions, national political cultures, and approaches to citizenship, as well as practices of categorisation applied when data are collected for particular purposes. Consequently there is some diversity both between and within countries, affecting any potential process of comparison. When it comes to detailed analysis, there are many instances where words could be ambiguous, or capable of varied interpretation. Issues of translation may further complicate matters. English may not offer an immediately satisfactory term for something that serves accepted purposes in another language.⁶⁷ In addition, words may be deployed in politicised ways within specific national environments, so that qualification or explanation might be needed when reporting, in order to protect objectivity. Given these circumstances it is necessary to set out some reservations about particular terms, to explain the present report's approach to terminology, and to confirm the importance of flexibility. At the same time there is a need to note some key conceptual or theoretical concerns with which the use of words is linked.

Terms used in ethnic relations are often disputed, and sometimes lead to resentment. This is to be expected, since words can carry implications about the people they describe, and may be misleading, inaccurate or confusing. Going further, the use of words and concepts sometimes builds on assumptions or theories that themselves are politicised, judgmental or contentious, even though a speaker or writer may not always be fully conscious of this. With the passing of time, some descriptors come to be seen as offensive, and preferred ones replace them. For the present review it is therefore essential to deal with issues of language and assumptions in a way that clarifies best practice, while nonetheless acknowledging that standardisation cannot yet be expected across such diverse national environments. This chapter therefore takes some initial steps towards a generally-applicable approach to vocabulary. Nonetheless, a review should not be over-critical about the use of specific words or concepts where underlying intentions are positive, and a flexible and practical approach is used in subsequent chapters, to some extent re-using terminologies deployed in individual national reports when referring to descriptions of specific events. In the longer term, it would be desirable for European studies in housing, urban renewal and allied fields to move towards a shared understanding about terminologies and their theoretical underpinnings, even though terms expressed in English may not be paralleled precisely in another national language tradition. Harmonisation, however, lies some way into the future.

⁶⁷ In the Netherlands, for instance, the term *Allochtonen* is used to embrace foreigners, immigrants and aliens, and refers to a person's origins and parentage, while also often being used to refer to people who may be socially disadvantaged. See NFP Netherlands *National Report 2004*, p. 8.

2.1. The variety of terms used in national reports

The national reports use more than twenty general terms that serve similar or closely connected purposes in commentaries. They include: ‘*aliens*’; ‘*foreigners*’; ‘*first (or second) generation foreigners*’; people ‘*of foreign origin*’, ‘*migrants*’, ‘*foreign migrants*’; ‘*irregular (or precarious) migrants*’; ‘*return migrants*’; ‘*guest or migrant workers*’; ‘*residents with a migration background*’; ‘*immigrants*’; ‘*first (or second) generation immigrants*’; ‘*regular immigrants*’; ‘*racialised immigrants*’; ‘*marginalised domestic minority groups*’; ‘*national minorities*’; ‘*third country nationals*’; ‘*non-nationals*’; ‘*allochthonous persons*’; ‘*visible minorities*’; ‘*ethnic-cultural minorities*’; ‘*ethnic minorities*’; and ‘*black (and) minority ethnic groups*’. In addition reference is made to *asylum seekers* or *refugees*, the latter status generally implying official recognition by a receiving state.⁶⁸

Alongside these terminologies there are frequent more specific household and group descriptors referring to countries of origin or parts of the World (such as Turkish, Moroccan, South Asian, West Asian, and so forth), or to indigenous European minorities (Roma, Sinti, Gypsies and Travellers, for example). Broad world region categorisations may be used (as in the UK, with the terms African/Caribbean or Asian, or in Portugal with African, Asian and Eastern European⁶⁹), although they aggregate groups that may be very diverse. Furthermore, even a category such as Travellers may embrace several different types of situation and background.⁷⁰

2.2. Problems with some terminologies

Several problems arise with various of the above terms apart from the tendency to encompass diverse people in ways that might not always suit them. Words or phrases may be deployed in particular countries unsuitably or interchangeably, and it may be unclear exactly which groups are being referred to, although logically a clear demarcation in designations would be better. For instance, being part of an ethnic minority does not mean that one is necessarily an immigrant or foreigner, but the use of words in a text, or specification of categories within a research project, may blur this distinction. Some people have full citizenship and have lived in a host country for many years, and ideally should probably not today be described as foreigners, and the term should certainly not be applied to long-settled indigenous minority groups such as the Roma. An ethnic minority group certainly need not be one with origins outside Europe or Western countries, although such ‘non-Western’ groups will probably be a key focus of many studies of social exclusion or discrimination. In principle, therefore, the words ‘foreigner’ or

⁶⁸ We may add the term ‘*forced migrant*’ here, as another way of referring to people seeking asylum who have had no choice in leaving countries of origin.

⁶⁹ See NFP Portugal *National Report* 2004, p.2, fn. 3. Such categories are employed by the media and used in everyday language. Eastern European is not used in official statistics.

⁷⁰ See NFP UK *National Report* 2004, p.9.

‘immigrant’ are best taken to have highly specific meanings, rather than being applied to everyone who seems to be different from an indigenous mainstream, or whose parents or grandparents originated in another country.

In practice, however, it is necessary to be more flexible than this. The terms immigrant or foreigner may have an established broader usage in particular countries. For instance, this may be so in some places when reference is being made to an established resident who does not have full citizenship of a host country, and formally remains a third-country national, even if that person has been born in the host country. Thus the terms immigrant or foreigner may be applied in ways that reflect specific legal histories or national traditions, with usage being reflected in available data on groups. Certainly, the word ‘migrant’ may be used in several countries in ways that reflect its acceptability as a general descriptor for people in a range of circumstances, rather than covering only those who have recently travelled to a host country. Migration is also a very high-profile issue in the present period, so that it can be useful to ‘flag it up’ in terminology. There are recently-arrived people seeking asylum who may be viewed as forced migrants, and there are numerous voluntary migrants coming from many different places, but debates using the term reach beyond these specific categories. Usage in this report, therefore, takes the practical line of accepting the term ‘migrant groups’ as a potential shorthand for people with individual or family migrant origins, although it is linked up explicitly with ethnicity (as explained below) to create a useful umbrella term for this report.

At the same time, terms (or the concepts to which they relate) can have differing meanings in different countries, depending on practices and laws on citizenship, naturalisation, ‘blood’ lines and inherited status, migrant workers, and so forth. The French position seems very distinctive, and here it is reported that in principle and broad legal terms no section of the population “may claim to be a people, a minority or a group with cultural or other rights attaching to such status”.⁷¹

Across Europe more generally, the concept of a ‘second (or third) generation migrant’ (or immigrant) seems to vary and is potentially open to disagreement. A relatively uncontested application of the idea would be when referring to someone of a younger generation (such as a child accompanying a parent) who has migrated to a host country after a significant period of development and education in the country of origin. Just as in the case of the more general terms ‘immigrant’ and ‘foreigner’ (as noted above), there can be established broader usages in specific countries for the concept of ‘second generation immigrants’ (although it is possible that in some cases translation into English has led to a loss of subtlety). Thus this term has been applied to people who have not been migrants, but have been born in the host country, as well as to those who have travelled as young children and grown into adults while resident within their destination society.⁷² Particular rules

⁷¹ See NFP France *National Report* 2004, p.4. See Article IV de la déclaration des droits de l’homme et du citoyen, Conseil constitutionnel 9 mai, 1991, *Loi portant statut de la collectivité territoriale de Corse*, décision n° 91-290DC, *Journal officiel*, 14 mai 1991, p. 6350.

⁷² UK practice is of interest here, as it excludes from the migrant category those coming in before the age of five as well as those born in Britain; see NFP UK *National Report* 2004.

about classification may rely (for example) on two parents being born outside the host country,⁷³ on at least one parent being born in a country of origin, or on the country of birth of the mother (or if she is born in the host country the country of origin of the father).⁷⁴ It may well be that some people view themselves as second generation migrants, because this is a perception they are not especially unhappy with, but this does not entirely remove doubts about using the concept for official statistical categorisation, and it is not necessarily going to prove reliable for comparative purposes. It might be asked, for instance, how many generations must pass before a person is perceived as a 'native' of the host country, and at what point the concept of being a migrant stops having meaning for long-established families. Despite such reservations, however, it might be hard to find an easy substitute for the term second generation immigrants in any national contexts where it is used frequently as a general categorisation applied to groups of settled residents (perhaps especially if acquisition of formal host country citizenship by later generations is not straightforward). Consequently it would be premature at present to look for a harmonisation of practice in which it was only used in a narrow sense.

With some terms referring to categories or groups, there can be a qualification or assumption linking them informally to disadvantage and exclusion, or to perceptions of skin colour or of 'non-Western' origin.⁷⁵ There may be a strong reformist logic behind some of these approaches where the intent is to focus on those groups affected by racism, xenophobia and discrimination. Clearly, some people may be perceived as visible minorities even though naturalised or formally full citizens, and the term foreigner may still be applied to them by other people in a host country based on such criteria as language or perceived colour.⁷⁶ At the same time there may be a cultural element built into a definition, such as the idea that an ethnic minority is a group with a common cultural tradition which differs from that of the majority.⁷⁷ Although this might imply a slightly inflexible view of cultural change (and also build in the feeling that the mainstream host population is rather more monolithic than it actually may be), the approach nonetheless has merits in pointing up the significance of distinct affiliations and traditions, rather than a supposed colour divide by which people are to be defined regardless of other dimensions in their lives.

A positive feature of the reports taken as a whole is that they do not make very extensive use of the concept of racial groups (which is potentially contested). Neither do they emphasise any assumed simple colour or 'black/white divide' through which people could be readily categorised. The range of minority groups covered in the national reports is very wide, and cannot be encompassed by any simple model linked to assumed divisions based around 'colour' or 'race', so these terms would not take scientific analysis very far without qualification. Some

⁷³ See NFP Sweden *Housing Report* 2003, p. 7.

⁷⁴ See NFP Netherlands *National Report* 2004, p. 8.

⁷⁵ See NFP UK *National Report* 2004, NFP Netherlands *National Report* 2004, and NFP Denmark *Housing Report* 2003, p. 9.

⁷⁶ See NFP Germany *National Report* 2004, p.6.

⁷⁷ See NFP Spain *National Report* 2004.

minorities referred to are distinct in linguistic, political or cultural terms, yet have ancient European roots. Others are more recent arrivals from diverse countries around the world. Furthermore, some households have multi-ethnic heritages, and this is likely to increase with mixed-ethnicity parenting. Nonetheless, it is clear that ideas about ‘racial’ differentiation (based on skin colour, or on other supposed distinctive bodily traits) play a part in national debates, and may be used (particularly by white people) to designate minority groups as being set apart from an assumed national mainstream. For this reason it is sometimes appropriate for data or discussion to rest on a concept of ‘non-white’ categories, and to identify people who are likely to be perceived in this way in society at large so that research can uncover unfair treatment. The UK national reporting is fairly unusual, however, in directly commenting on a usage of the word black, albeit only briefly. It can be observed that over quite a long period the terms ‘black’ and ‘white’ have been used in the UK, when writers have been analysing patterns of discrimination or disadvantage, because these patterns have reflected mainstream attitudes to colour. Although this has tended to be displaced by designations related to ethnicity in more recent periods, some UK writers or organisations still use the word black inclusively and positively in contrast to a white mainstream,⁷⁸ or give it a specific meaning linked to data sets or to people of African and Caribbean origin. The shift in terminology has left an area of doubt around the desirability of using the word black in contrast to white, but the broad usage persists in the phrases ‘black minority ethnic group’ and ‘black and minority ethnic group’. Both may be found widely in UK practice (and presentation is sometimes shortened to ‘BME’), while the terms are also used in the national report from Ireland. There are critics of such terminology,⁷⁹ but ‘black minority ethnic’ was developed usefully in response to the desire for an umbrella phrase that included everyone perceived as outside the white mainstream, while the insertion of the word ‘and’ was meant to make this definitely inclusive of minority groups who felt excluded from the societal mainstream but did not necessarily want to be seen as black as such (whether South Asian, Chinese, or minority white groups).

Leaving aside the addition of the word black, both the terms ethnic minority and minority ethnic have proved useful in a range of practical settings,⁸⁰ and even the single word minority is often enough to convey adequate meanings in particular contexts. An interesting additional way forward (noted from Belgium) is the use of the term ‘ethnic-cultural minorities’.⁸¹ In any event, ethnicity seems to be a much

⁷⁸ A key example is the Federation of Black Housing Organisations.

⁷⁹ See NFP UK *National Report* 2004, p. 9.

⁸⁰ An unusually assertive and negative position on these terms is found in the national reporting from the UK, where it is argued that the use of the phrase ‘minority ethnic’ is “nonsensical” (NFP UK *National Report* 2004, p. 11). Terms such as ‘minority ethnic groups’ or ‘minority ethnic households’ have however become widely established in UK housing practice in preference to the phrase ‘ethnic minority’. The term ‘ethnic minority groups’ has sometimes been felt to convey a sense that ethnicity was something possessed only by specific non-white groups, an outlook that in debased form led to words like ‘ethnics’ being used to denote non-white people. Critics felt it better to change the order of the words to emphasise that reference was being made to people possessing minority group ethnicities as against more mainstream ones. Strictly speaking, a better form of the phrase would have been ‘minority-ethnic groups’.

⁸¹ See NFP Belgium *Housing Report* 2003, p. 7.

more useful lens than ‘race’ through which to examine differences between groups. Everyone – whether naturalised full citizen, new migrant, or member of a dominant indigenous population – has an ethnic location. Whatever our origins, we all have roots or connections in terms of culture, kin and up-bringing, and our personal histories give us parts of our identities. Thus it is acceptable to refer to minorities with specific ethnic affiliations, and to groups within the (primarily white) mainstream that may also have ethnic traditions and connections. States may not necessarily possess data directly focussed through ethnic categorisation, but some of their information nonetheless relates to countries of origin⁸² (to which ethnicity may be linked). Chapter 3 discusses this data issue further.

2.3. The groups that are at the heart of the studies

It is clear that the reports do not address all migrant groups, although the term ‘migrants’ is used frequently. What are actually being described most often are identifiable low-income and socially excluded groups, perhaps especially those who are settled in major urban areas or who have lived with a degree of separation for many generations (as with the Roma), while others described are very recent arrivals who have come as asylum seekers or low-paid workers. There is reference to anti-Semitism, indicating that even where groups have successfully adapted to mainstream societies, hostilities against them persist.

Given the shared orientation of the national reports, a common thread runs through the housing experiences described. A feature for groups that regularly experience negative discrimination is that they are distinguished from what are viewed as mainstream indigenous national or regional populations in specific ways, and this process of categorisation tends to cast them as inferior or less deserving of equal treatment. The key point is that they may be *perceived* as racially or culturally different by the mainstream population, or by some of its political and administrative actors. In categorising individuals in this way, mainstream participants use stereotypes and criteria that ignore individuals’ diverse characteristics, and focus instead on favoured variables that emphasise national origin, supposed ‘colour’ or bodily traits, or ethnic and linguistic traditions linked with particular group histories. Some groups do indeed have specific traditions, but this should not lead to their being inferiorised, and there is likely to be great diversity within a group, with varying degrees of interaction with and adaptation to more mainstream cultural practices. What we are seeing, in fact, are racisms of various kinds, directed at people who often occupy the lower rungs of the socio-economic ladder, and built upon prejudices, stereotypes and hostility to those perceived as differing from a mainstream which is presented (rightly or wrongly) as relatively homogeneous in cultural and political terms. The presence of this kind of racism, hostility or xenophobia has a wide range of effects, as the reports make clear.

⁸² See for instance NFP Portugal *National Report* 2004, p. 2, fn. 2; official statistics in Portugal make reference to nationals and non-nationals, categorising the latter “according to their nationality”.

2.4. General issues of theoretical assumptions or standpoints

One of the dangers with particular terms or the concepts associated with them is that they can appear to reinforce or reflect judgements or stereotypes about those who are being described. For example, when the word immigrant is used to refer to long-settled people, a concept of these people remaining outsiders sometimes may be invoked. Thus – for example – all people of dark skin might be described by indigenous white people in a specific society as immigrants, and implicitly judged thereby as not fully belonging to the society where they live. Unconsciously or consciously, their entitlement to be incorporated as full and legitimate citizens may be brought into doubt by the way they are classified, whether or not they were born in the host society, have acquired full citizenship, and so forth. The same might apply with a word like foreigner, when applied to people who simply look ‘different’ or speak with a non-standard accent. In effect, specific words or concepts applied to households may be linked to underlying beliefs or theories that cast minorities as outsiders, and frequently as inferior or undeserving. This can extend to numerous descriptors, although particular national linguistic usages complicate matters. For instance, the word ‘hybridity’ is unfortunately cited in the UK’s reporting to refer to mixed ethnicity origins, although capable of carrying negative overtones of inferiority.⁸³ There may be other examples that have been lost in translation for national reports. The conclusion to draw generally here is that care should be exercised when terms are being deployed, so as to minimise the dangers of designating people in unacceptable ways, although no solution is likely to be perfect.

Reservations about some other kinds of implicit theories or ideas in daily practice also need to be noted. Assumptions about a homogeneous national indigenous mainstream should be treated with caution, although there will in many countries be some fairly universalised approaches in culture and civil life. The theme of multiculturalism certainly raises possibilities for explorations of variation within the mainstream as well as across migrant and minority ethnic groups. When it comes to questions of integration it will be misleading to assume this should simply mean adaptation to a set of ‘white norms’ or mainstream expectations, when there may be more fragmentation than this in the mainstream, and when integration might be better conceptualised as involving some two-way processes of adjustment. Normative approaches to integration are on their safest ground when they refer to specific types of action or process, such as involvement in enterprises shared across groups, widened employment opportunities, or participation in civil society organisations. In practice, concepts of voluntary integration may be tangled up with more directive thinking about assimilation through social control. The topics of segregation and integration are dealt with in later chapters, so for the present it is simply necessary to stress the desirability of caution and objectivity rather than the use of integration as a vague slogan. It is important, for example, to review on their merits practices that rest on organisational separatism, rather than

⁸³ NFP UK *National Report* 2004, p. 11.

pre-judging them on the basis of a set of theories about how an integrated or cohesive society can be brought about. At present there are competing perspectives available on integration and separatism, and the use of words may imply that one position has been chosen rather than another.

2.5. Developing a flexible approach to terminology

Top down categorisations that simplify are inevitable, usage is bound to vary with national and local contexts, and terms are sometimes used nationally without full clarification of their scope. Consequently, when commenting on national situations, the present review takes a practical approach rather than trying to impose standardisation. The report draws on examples or material in which references have been made to a range of designations such as foreigners or migrants without explicit clarification, and relies on conventions and terms that have been used in the national reporting and data (although sometimes a word may be placed within quotation marks). Outside national data and examples, the text generally uses a flexible approach that nonetheless moves in the direction of good practice, and involves a variety of selected terms which hopefully will readily be understood.

The report deploys the term 'migrant and minority ethnic groups' as a general phrase that captures well the range of groups usually being focussed on, and can be widely understood. When appropriate it also refers to 'ethnic minorities', 'minority ethnic groups', 'black minority ethnic', or 'black and minority ethnic', and sometimes simply minority group if this assists brevity and effective communication. The term 'black minority ethnic' refers mainly to a range of groups who are perceived as non-white minorities, but should not be taken in any way to imply that white people do not have ethnicities. It is clear, however, that a terminology built around a concept of minority ethnic groups alone will not be acceptable in all countries, and it is necessary to avoid confusion with large minority groups that have long been identified as integral to national political communities yet distinctive in terms of geography, or linguistic and religious traditions. Including the words minority ethnic alongside migrant in the preferred general terminology therefore seems a good way forward. One important aim is to avoid words being used in ways that may be pejorative, or that draw into a category people who should not really be included within it (as with the use of 'immigrant' as a derogatory term for people perceived as non-white), but at the same time the importance of established national conventions or understandings about terminologies should be acknowledged.

It must be acknowledged that data collection on migrant and minority ethnic groups is indirect or under-developed in specific countries, while ethnic boundaries are not necessarily always clear-cut or static. Some people have mixed heritages, and others may feel that a particular ethnic designation does not really fit them. Consequently, while using the term 'migrant and minority ethnic groups' is an excellent way of being reasonably sensitive (avoiding political overtones),

researchers and policy-makers may want to spell out their definitions and limitations in use of language more precisely for particular purposes. For example, categorisation and data analysis may have to be via focussing on countries of family origin or through some other means that provides an indicator of ethnic or social positioning. Religious affiliation might be an indicator also used in some instances in alliance with cultural variables, but this would need clarifying.

As it is clearly questionable to suggest that racial categories can be usefully designated on the basis of supposed physical or biological groupings linked to skin colour or bodily features, the word race may appear as 'race' in the text, reminding readers of its limitations as a descriptor. At the same time, however, being *perceived* as a member of a supposed racial group, or as black, white or non-white, can be significant for people's opportunities and interactions. Thus, it is possible to acknowledge the significance of *ideas* of race and colour in daily life, and therefore leave open possibilities of referring to black and white, as well as non-white, particularly when considering the differentiation of experiences patterned by ongoing attitudes and demarcations. It is similarly acceptable to refer to racisms, racist harassment, racist practices, and racialised processes through which discrimination occur.

Terms in other languages are beyond the expertise of this report, but the longer-term aim should be to make all descriptors more reliable, neutral, and less prone to negative politicisation. Where a national history of data collection has involved building categorisations around the idea of countries of origin, this does not necessarily present particular problems, provided it is not unacceptable to those about whom such data are being collected. This kind of designation should not be used in such a way that it appears to exclude settled groups from full membership of a host society.

3. CHAPTER 3 - STRENGTHS AND WEAKNESSES IN THE EUROPEAN INFORMATION BASE ON HOUSING AND DISCRIMINATION

The country reports constitute an excellent knowledge base, providing some clear insights into commonalities and differences in the housing outcomes and experiences of migrant and minority ethnic groups across the fifteen EU member states surveyed. Key groups – such as the Roma, Sinti, Gypsy and Traveller peoples, new labour migrants, and asylum seekers or refugees – stand out as having a particularly disadvantaged position in relation to housing access, quality, choice and integration experiences across the Member States, although it is notable that good quality data on these groups are generally lacking. More comprehensive and better quality data exist for longer established migrant and minority ethnic groups, although again there are serious gaps in the evidence base both within and across countries, as is elaborated in the following sections.

3.1. The importance of data availability for EU policy makers

Effective policy analysis and development require sound information about households' experiences, and about the regularity and extent of any negative processes that they may encounter. This will be especially important where policy directions are likely to be contested, or where claims about outcomes and events need to be substantiated or refuted. Good information is not only a matter for national governments, but can be relevant beyond this for any efforts to coordinate, appraise, or advise on trends across the EU more generally. Thus, having access to reasonably robust data is crucial.

All reports acknowledge the importance of having a comprehensive, reliable and detailed evidence base for measuring progress towards 'race' equality in housing, the elimination of discrimination, and the effective integration of new migrants and more established minority ethnic groups. However, while some countries are moving closer to this position, many lack an institutionalised framework for ethnic monitoring and measurement of housing performance, and thus do not have the evidence base necessary for informed policy-making. This is raised as an issue of concern in a number of national reports. There is wide acknowledgement by the reports' authors of their countries' obligations under the EU directive 2000/43/EC on discrimination. However, it is evident that this Directive manifests itself in different forms of anti-discrimination legislation and thus ethnic monitoring activities in different countries. In the most extreme case, the national annual

report for **Germany**⁸⁴ records that the EU Directive had not been incorporated into Germany's national legislation by 2004, with the consequence that there was no effective legal protection against discrimination in the housing market and no national (Federal) system of ethnic monitoring in place.

3.2. Evaluating the information base

The task of evaluating the quality of the evidence base available in each country requires us to consider five concerns:

- **Data coverage:** in relation to geographical scale (i.e. national, regional, local, town versus neighbourhood); the classification and disaggregation of ethnic groups, housing types and sectors; household and population characteristics (e.g. household size and type, gender, age etc.); cultural/religious characteristics.
- **Data comparability** over time, over different geographical and administrative units, across migrant and minority ethnic groups, and between countries.
- **Data reliability and reproducibility:** this correlates strongly with the producer of the evidence base. Institutions (government or NGO) with strong research expertise and a well resourced framework for systematic data collection, which is open to external scrutiny, are more likely to produce reliable data than small, poorly resourced voluntary sector organisations, whose main purpose is advice and support rather than research.
- **Data type:** most data 'mined' or produced for monitoring purposes is quantitative rather than qualitative. This can be explained by cost, especially as quantitative data can often be drawn from secondary data sources such as the census or other government surveys, and the priority placed on statistical analyses of housing outcome and institutional performance. Qualitative data, however, are needed for process-orientated analyses of change.
- **Ability to measure change:** this is dependent upon systematic data collection over time and consistency in the data categories (e.g. ethnic categories, geographical units of measurement, housing variables) over time.

Many of the reports have placed a heavy emphasis on census data, which provides a valuable easily accessible source of national data and allows comparisons over time (although few authors attempted to make such comparisons). However, the census only provides a snapshot in time (usually decennial) and thus becomes dated, and ethnic/nationality categories may be published in aggregated form, thus hiding smaller groups. Also, census data are not designed to address causal relationships. Census data are good for population enumeration and describing associations, for example, between the type of housing occupied and the migrant and minority ethnic group, but they cannot provide explanations for the observed relationships. Furthermore, they cannot provide insights into migrant and minority

⁸⁴ NFP Germany *National Report* 2004, p. 37

ethnic experiences or cultural factors relevant to housing equality issues. Similarly, data required for conducting needs assessment and planning of services are likely to be specific to particular institutions and local groups. This requires further research, which will partly depend on the politics of funding government, NGO or academic studies in this field.

3.3. Differences in the availability, comparability and adequacy of data across countries

The range, type, quality, and comparability of data varied considerably across the cities and regions of a particular country and between countries. At the one extreme, countries such as **Italy**, **Austria** and the **UK** were able to draw on a wide range of different data sources, both official and academic, in order to present an up-to-date and well documented account of differences in migrant and minority ethnic housing circumstances across groups, and some assessment of housing market discrimination. For example, the **UK** report states: “The available data covers various indices, from the experiences and perceptions of black minority ethnic tenants to analyses of regulatory performance and housing strategy and action plans”.⁸⁵ The evidence base on social housing is particularly strong, although, in common with most other countries, there is a lack of data on asylum seekers, refugees, Roma, Sinti, Gypsies or Travellers. However, more commonly, the reports commented on a deficiency of data on migrant and minority ethnic housing and a lack of information on housing discrimination. The authors of the **French** report were typical in this respect when they commented: “There is a significant dearth of (government) statistics relative to discrimination There is also a dearth of research and published studies on the subject of discrimination in France”⁸⁶. This report nevertheless included considerably more data than many other country reports, an indication of different levels of expectation of the range and type of data that should be available.

In some countries, there were very few data sources that could be used to document the housing circumstances of migrant and minority ethnic groups or the performance of social actors within the housing market. **Luxembourg** was the prime example of this; virtually no data referring to ethnicity were presented in the national housing report. The report for **Greece** also observed that “There are no official statistical data and very few reliable studies concerning the situation of socially vulnerable groups with respect to housing”,⁸⁷ although the authors were able to draw on some academic research and ombudsman reports to sketch the housing position of Greek migrant and minority ethnic groups. In **Belgium**, official data on migrant and minority ethnic housing circumstances were again lacking.

⁸⁵ NFP UK *Housing Report* 2003, p 18.

⁸⁶ NFP France *Housing Report* 2003, p. 2.

⁸⁷ NFP Greece *Housing Report* 2003, p. 3.

All reports were concerned with missing data, and some reported significant gaps in coverage and problems associated with existing information. These gaps are discussed in some detail later, below. It is important to note here, however, that inadequate data can lead to inferences and extrapolations rather than grounded conclusions about the outcomes and experiences of particular groups. For example, both the **Portuguese** and the **Finnish** reports were forced to draw inferences about the housing positions of particular migrant and minority ethnic groups from data on their social class position. Unreliability and inconsistency in data sources were also a concern for some countries. For example, the authors of the **Portugal** housing report are critical of the fact that “official Portuguese statistics are usually not up-to-date”, observing that “This is even more acute regarding immigrants’ statistics; thus numbers differ between the National Bureau of Statistics and those conveyed by Municipalities”.⁸⁸ It goes on to note that “... lack of systematization ... renders the comparability, even in national terms, almost impossible.”⁸⁹ The **Finland** housing report points to similar problems of lack of systematisation of ethnic categories, commenting that “There are conflicting data for the numbers of Sámi in various territories, depending on the criteria used for group membership”.⁹⁰

All reports present more information on housing outcomes than on housing opportunities or the market processes that lead to inequalities, reflecting the emphasis on quantitative rather than qualitative data discussed above. However, the variables used to measure the housing outcomes (i.e. quality of housing occupied by migrant and minority ethnic groups) in each country are inconsistent. In addition, data on affordability are rarely presented (although costs are referred to from time to time). Most analyses of the national picture relied heavily on variables such as housing type, size, location and overcrowding (although this index varied across countries) available from census data or other governmental surveys. When possible, the picture was supplemented by other more detailed (but usually local) research reports, but this body of evidence varied greatly between countries. There are thus significant gaps in the information available on migrant and minority ethnic housing in many countries. However, it is worth sounding a note of caution, as it is possible that the authors of the *Housing Reports* did not always tap into all available sources.

The variations in the availability, adequacy and reliability of migrant and minority ethnic housing data across the fifteen Member States can be attributed to several factors:

⁸⁸ NFP Portugal *Housing Report* 2003, p. 28.

⁸⁹ NFP Portugal *Housing Report* 2003, p. 84.

⁹⁰ NFP Finland *Housing Report* 2003, p. 2.

3.3.1. Constitutional differences in the identification and categorisation of immigrants/foreigners

Different political discourses have given rise to different approaches to ethnic categorisation (as discussed further below), reflecting the socially constructed nature and sensitivity of ethnic origin data. For example, the **French** report notes that “The origins of individuals along with the birthplace of their parents are both prohibited categories in French statistics, making the study of these groups difficult ... [official organisations] are obliged to respect the republican principle of equality among citizens without making reference to origin in their statistical work.”⁹¹ Similarly, in **Portugal**, the NFP report states that “the category of ethnic minority does not exist in official statistics, and ethnic minorities are not recognised as such by law. Portugal’s main official statistics producer, the National Bureau of Statistics, doesn’t take into account ethnic belonging ... Immigrant is a category that is also absent from official statistics, [that] divide residents by their nationality ... ”⁹² Thus, France and Portugal, in common with a number of other Member States (see below), must rely on ‘nationality’ data. As a result, nationals of recent migrant heritage, who may still face discrimination because of their culture or appearance, are un-enumerated in official statistics. Political discourses which relate to government policies on asylum and immigration control, settlement and integration will also have a bearing on the ethnic categories devised for policy implementation and monitoring. The implications of specific terminology are covered in Chapter 2.

3.3.2. The presence or absence of legal measures specifically related to housing discrimination

The quality of data collected in each of the Member States was in part related to whether anti-discrimination legislation had been directly applied to the sphere of housing, and the development of good practice associated with this. Those countries with specific legislation on housing discrimination were more likely to have established an ombudsman and to systematically collect data in order to monitor progress towards ‘race’ equality in housing (e.g. UK and Sweden {as of 2003}). Funding for such initiatives can, however, be dependent upon the political climate. A change in government in **Denmark** in 2001, for example, brought the dissolution of the state-funded Board of Ethnic Equality, and other similar monitoring and advisory bodies were severely disabled temporarily or permanently due to the removal of state funding, leaving a hiatus in monitoring activity pending the reorganisation of the Danish Institute for Human Rights.⁹³ In countries where there are no specific legal measures or regulatory systems addressing discrimination in housing (and a reliance instead on more general anti-discrimination law or regulation), there is unlikely to be a national framework for monitoring. The system of housing data collection may thus be uneven and

⁹¹ NFP France *Housing Report* 2003, p. 7, 18.

⁹² NFP Portugal *Housing Report* 2003, p. 4.

⁹³ NFP Denmark *Housing Report* 2003, pp. 17-18.

haphazard (as, for example, in Germany, France, Greece, and Sweden until 2003). For instance, **France** has given priority to applying the European anti-discrimination Directive to employment rather than housing. As a result, “housing policies directed towards foreign and immigrant populations were practically non-existent”.⁹⁴ Similarly, in **Sweden**, housing policies have focussed on alleviating housing segregation, while “ethnic discrimination in housing has not been an area of major concern for the authorities so far.”⁹⁵ Meanwhile, **Greece** stands out for not engaging with ethnic inequalities and discrimination in housing at all. Here the national housing report’s authors observe that the Greek government has “focused almost exclusively on issues of town planning and [are] without a public authority responsible exclusively for housing”.⁹⁶ This apparently reflects the view that housing is essentially a private rather than a state matter.

3.3.3. Immigration history of the Member State

There is a distinction to be drawn between countries traditionally *perceiving themselves* to be ones of ‘emigration’ (e.g. Ireland, Portugal and Finland) as opposed to ‘immigration’. The former have a shorter history of academic research into ethnicity/racism and a less well developed institutional framework for the development of policy and practice with regard to ‘race’ equality.

Specific immigration histories coincide with the particular national political discourses noted in (1) above to further politicise the process of data recording. As a result, the collection of information about particular groups may be prioritised, while others remain neglected. In **Ireland**, for example, data on the long established Traveller population is relatively good compared with more recently settled minority ethnic groups. Similarly, in **Portugal**, the African-Portuguese are well enumerated compared with more recent migrants from within Europe.

3.3.4. The structure of housing markets

The housing market of most of the Member States is dominated by the private sector. Although insights into the operation of the private market were available through academic research and complaints data (either through the ombudsman or from voluntary sector organisations), information on the performance of institutions in the private market was generally limited. Effective monitoring systems are more evident within the social housing sector due to statutory obligations in relation to anti-discrimination legislation and requirement for accountability.

In summary, an analysis of the country reports indicates that the availability of data is highly uneven (over time and between countries), politicised and contextual.

⁹⁴ NFP France *Housing Report* 2003, p. 2.

⁹⁵ NFP Sweden *Housing Report* 2003, p. 2.

⁹⁶ NFP Greece *Housing Report* 2003, p. 3.

Data production and collation is sensitive, political and controversial; as the **French** report⁹⁷ notes, “a lively debate” surrounds the production of data on equality and discrimination in that country. The use of data on ethnic origin also raises ethical issues, which may make it difficult for academic researchers to access information, and may mean that it is only released in aggregated form, perhaps obscuring important differences between groups or geographical areas.

3.4. Sources of data on housing and discrimination

This section draws together and evaluates the range of data sources drawn upon in the national reports to analyse the housing conditions and experiences of migrant and minority ethnic groups across the fifteen states. The key sources of data used were:

(1). Census: this was the most widely used source of data. However, the indicators available for the analysis of migrant and minority ethnic housing outcomes varied considerably across countries. Several key differences emerged:

- Data categorisation by ethnic group; there was a broad distinction between those countries which had to rely on nationality data/birthplace data (e.g. **France, Portugal, Ireland, Germany, Finland** and **Austria**), which obscures the housing circumstances of naturalised citizens and those born to immigrant parents within the country, and those which relied on categories of ethnic identity (e.g. **UK** and the **Netherlands**). Some countries are able to supplement nationality data by drawing upon other national sample surveys that record ethnic origin, but these may have their own limitations. For example, **Austria** conducts a micro-census four times a year, but, since the data are collected by German speaking interviewers, “the sample can be assumed to under-represent ... foreigners living in poor conditions”.⁹⁸ The use of census data on ethnic origin can also bring its own problems. In particular, the aggregation of ethnic categories (hiding variations within groups and subsuming smaller groups), and the racialisation of categories are recurrent limitations. Some countries, such as the **Netherlands** and **Denmark**, for example, use racialised categories (e.g. **Denmark** distinguishes between Nordic/EU/North American immigrants and ‘third country’ immigrants, a division sometimes referred to as ‘Western’ versus ‘non-Western’). Some Member States present data on the basis of EU/non-EU citizens for at least part of their analysis.
- Housing-related variables, particularly those pertaining to the measurement of housing quality (as discussed above). Other local reports (where available) were often used to provide a fuller picture of housing quality and affordability, using assessments of structural condition, living conditions and housing costs.

⁹⁷ NFP France *Housing Report* 2003, p. 3.

⁹⁸ NFP Austria *Housing Report* 2003, p. 36.

- Unenumerated/under-enumerated groups: key groups such as migrant workers, Gypsies, Travellers, Roma, Sinti, refugees and people seeking asylum are generally not enumerated in national censuses (**Ireland** is an exception in gathering data on Travellers). An indication of migrant worker flows may be gleaned from nationality statistics, but this group will generally be under-enumerated because of the illegal status of some workers, the absence of a permanent address for seasonal agricultural labourers in particular (many of whom are known to live in shelters intended for animals in rural Portugal), and the seasonality of this migration stream. New migrants are the most likely to be rendered invisible or under-enumerated in the statistics of all countries. For example, new streams of labour migrants and asylum seekers/refugees often only appear in statistics in the category designated ‘other’.

(2). Government reports (national/regional/local): these are key sources of data in some countries, but their scope and depth varied considerably. While some reports were housing focussed, others were orientated towards a general review of ethnicity/nationality, in which housing may only be briefly considered. Some valuable reports may be even more general, focusing on the marginality of low income groups rather than on migrant and minority ethnic experiences. They can nevertheless provide important insights into migrant and minority ethnic housing disadvantage in the absence of other more specific data (although the aforementioned cautions about inferences must be applied). For example, a programme of re-housing shanty-town dwellers in **Portugal** in the 1990s recorded information on the nationality of beneficiaries of the scheme, thereby providing rich insights into the housing conditions of migrants living in the targeted area.

Where regional governments are responsible for the interpretation and implementation of national housing policies (e.g. Italy, Belgium, Germany, Finland and Spain), approaches to the recording and monitoring of data may be very different. For example, the authors of the **Italy** report note that “positive elements in the national legislation concerning migrants and housing have not been implemented accordingly by most regions”.⁹⁹ Regional or local reports were often valuable for their greater detail and depth of analysis than national reports, although lack of comparability across regions/administrative units can be a problem. Local reports designed to document changing migrant and minority ethnic housing conditions and outcomes can also provide good sources of *longitudinal data* against which progress towards ‘race’ equality targets can be measured.

(3). Legal case law material/complaints data: this valuable data source provides insights into the violation of ‘race’ relations/human rights and anti-discrimination legislation, and can provide an important indication (often the only indication) of the type and level of housing market discrimination. However, it is at best an incomplete evidence base. Complaints data may be difficult to collate in countries where there is no centralised systematic system of reporting (e.g. Austria, Germany and Finland). For example, **Germany**, like many other countries, relies on

⁹⁹ NFP Italy *Housing Report* 2003, p. 2.

“regional and local anti-discrimination offices [to] record the complaints of migrants”.¹⁰⁰ These data are vital to the knowledge base in Germany, which does not monitor ethnic discrimination. However, complaints data cannot provide a true measure of the extent of discrimination. As many of the reports (e.g. Portugal, Italy, France and Belgium) point out, complaints are not always recorded and a very limited number of cases are brought to court. This reflects a reluctance to bring cases, the problems of the burden of proof, and a lack of awareness of discrimination rather than an absence of discrimination. In **Belgium**, for example, most of the registered complaints relate to ‘refusal to let’, whilst data on house sales are rare. Although small in number, legal case materials are an extremely valuable source of well substantiated evidence on discrimination. The evidence base can potentially cover both the private and public housing sectors, and can highlight the processes of discrimination at work, which may provide a basis for tightening legislation, practices and procedures.

(4). Academic/research studies: these studies range from large-scale surveys to more in-depth case-studies. The latter may provide qualitative as well as quantitative data on satisfaction, affordability, financial subsidies, improvement grants, neighbourhood experience, etc. There are, however, different histories of academic research in different countries. For example, in **France** there has been a tradition of exploring ‘racism’ as opposed to ‘discrimination’, which has produced more theoretically informed than empirically driven research. In **Portugal**, there has been little tradition of academic research into migrant and minority ethnic segregation, and its implications for social integration, whereas there is a well established tradition of research in this field in the **UK**, the **Netherlands** and **Austria**, giving rise to a strong, although inevitably piecemeal, evidence base. Meanwhile, in countries like **Greece**, academic studies are limited in number because of funding problems, but the few available provide crucial insights into the housing circumstances of migrant and minority ethnic groups in a country which collects no official data on migrant and minority ethnic housing.

(5). Voluntary sector: information from ‘race’ equality and human rights organisations together with other NGOs can provide an important source of data, and may be vital in the absence of other more systematic data collection on migrant and minority ethnic housing (e.g. Germany). For example, the annual reports of members of the anti-racist organisation *International Federation of SOS Racism* provide important insights into housing market discrimination in a number of countries in the absence of more systematic data. Even in countries where systematic ethnic monitoring is established, information from the voluntary sector can be an important catalyst for change in the way data are recorded and analysed. Community based voluntary organisations are often the first to become aware of new problems affecting more established migrant and minority ethnic groups (e.g. increasing homelessness), and of the plight of new migrant groups invisible in official statistics. However, this data source is not without bias. The presentation of data from campaigning groups may well be politicised (as it can be from official sources), and there are problems associated with the reliability of records. As the

¹⁰⁰ NFP Germany *National Report* 2004, p. 36.

authors of the national housing report for **Portugal** note, the voluntary sector often “have poor recording systems, [as] their aim is often helping immigrants and not keeping databases.”¹⁰¹

¹⁰¹ NFP Portugal *Housing Report* 2003, p. 4.

(6). Testing for discrimination: few countries are able to draw on research that has involved controlled experiments to identify migrant and minority ethnic discrimination in the housing market. This sort of testing has raised a number of ethical problems,¹⁰² which in some countries has made funding difficult, and the data may not be admissible in court in all EU Member States. However, such data constitute an excellent source of information on discrimination, although the scope of these studies is usually limited. Rare examples cited in the national reports include an exercise in Turin, **Italy**, designed to document by estate agent, in which “both the nationality and gender of the foreigners were significant factors”,¹⁰³ and a phone test of 250 private landlords in **Belgium**. The results of the Belgium test were deemed to be “stunning: The sound of a foreign name or a foreign accent apparently immediately evoked all kinds of pretexts in order to avoid or refuse renting the property,”¹⁰⁴ although the authors urge caution, as neither the aim nor the methodology of the study apparently had scientific rigour. Since **France** has recently made testing admissible as proof of discrimination in a court of law, it may be that there will be more testing here in the future.¹⁰⁵

(7). Media: media reports are anecdotal and not always noted for their reliability. However, they can be indicative of potential areas of concern in terms of racism, harassment and discrimination. Media reports may point to problems faced by new migrants in particular.

Most country reports used a diverse range of sources in an attempt to present the fullest picture possible. This generally resulted in a broad national picture of the geographical distribution and housing circumstances of the country’s more established migrant and minority ethnic groups, often illustrated with reference to local case-study material from local government reports, academic studies or anecdotal observations from ‘race’ equality or human rights organisations. This produced clear indications of concerns about ‘race’ equality and discrimination in all Member States, although conclusions were invariably qualified by comments about significant gaps in the evidence and doubts about comparability and in some cases reliability.

¹⁰² See M. Banton “The ethnics of practice testing” *New Community* Vol.23 No.3, 1997

¹⁰³ NFP Italy *Housing Report* 2003, p. 23.

¹⁰⁴ NFP Belgium *Housing Report* 2003, p. 30.

¹⁰⁵ NFP France *Housing Report* 2003, p. 30.

3.5. Significant gaps and problems with the evidence base

Although there were many strengths in the various sources drawn upon in the country reports, there were some important issues of concern that cut across the data sources. These relate primarily to migrant and minority ethnic group categorisation and the scale of geographical analysis.

Disparities, inconsistencies and lack of standardisation in migrant and minority ethnic group categorisation run through all of the sources noted in the previous section. This issue was touched on from a different perspective in Chapter 2, but only briefly. One concern is about issues of data comparability across countries and over time within countries, as categories are amended and revised. There is also a worry about whether the ethnic categories are meaningful to the groups themselves (i.e. whether they reflect self-ascribed group membership) and whether they are sufficiently sensitive to be used to address the diversity of housing needs across different migrant and minority ethnic groups. Concerns about the lack of ethnic origin data, because of the widespread use of ‘nationality’ data, have already been raised.

The scale at which statistical surveys and research studies are conducted also varies greatly. While census data provide national coverage, the evidence base for small groups at local scales may be limited, because these data are subject to rounding to preserve anonymity. Statistical data are also often only available at the regional/district scale rather than at neighbourhood level. Meanwhile, academic research may use differently constructed geographical units, which may introduce problems of comparison with official surveys.

All the national reports identify gaps in their evidence base, although these have to be understood in the context of each particular country. As previously noted, some countries have virtually no migrant and minority ethnic housing data (e.g. Luxembourg and Greece), whilst reports on countries with a well-developed evidence base outline refinements (e.g. the U.K.). However, the ‘state of play’ in many countries was captured in the report on **Ireland**, which stated “... there remain very significant gaps in the existing knowledge which hinder the implementation of effective policy in relation to combating racism and discrimination, and promoting integration.”¹⁰⁶

In addition to the significant gap in data on ethnic origin as opposed to nationality highlighted earlier, common gaps across the country reports concerned the following:

¹⁰⁶ NFP Ireland *Housing Report* 2003, p. 3.

3.5.1. Particular migrant and minority ethnic groups

All of the reports identify some migrant and minority ethnic groups in their country who are invisible or under-enumerated in official data bases, and possibly in other sources as well. These are most likely to be smaller groups, hard to enumerate groups (e.g. seasonal workers), groups accorded less priority because of the history of immigration or ethnic relations in a particular country (e.g. Roma, Sinti, Gypsies and Travellers), or very recent migrants, including asylum seekers and refugees. The following particular gaps were highlighted:

- **Migrant workers:** there is a dearth of good quality data on migrant workers/guest workers across the member countries. Seasonal workers are rarely recorded in official statistics because they have no permanent residence. Reports on Ireland, Italy, Portugal, Spain, Austria and Germany amongst others comment on the inadequacy of information and the need, in the absence of more systematic data, to turn to anecdotal and unofficial sources. Some of the best information on migrant workers was provided in the report on **Italy**. This cited data collected through a national enquiry¹⁰⁷ on social exclusion in 2000, which concluded that migrant workers often “illegally occupy abandoned industrial warehouses, old apartment blocks identified for demolition, temporarily empty warehouses and camps.”¹⁰⁸ These data were supplemented by information collated by a community development organisation providing health care to unauthorized migrants and Roma living in nineteen encampments around Milan.
- **Gypsy, Traveller, Roma and Sinti peoples:** many reports express considerable concern over the housing conditions, settlement experiences and treatment of Gypsy, Traveller, Roma and Sinti people. Yet all point to lack of data on these people. For example, the **Portugal** report states that “There are no official statistics on Roma”,¹⁰⁹ although some data have been collected through a survey by *SOS Racism* (a contributor noted already above). Similarly, in **Greece**, there are “no reliable demographic data since Roma are not recorded by the National Census as either an ethnic or linguistic category”,¹¹⁰ and in Germany “hardly any information is available on the situation of Sinti and Roma people in the housing market”.¹¹¹ The data produced in **Ireland** and **Finland** are more comprehensive in detail and extent, reflecting the prioritisation of this group in relation to housing policy, and because dedicated bodies monitor their housing conditions and experiences (e.g. *Romaniasian neuvottelukunta* in Finland). Both these countries nevertheless still report gaps in their evidence base for this group.
- **Asylum seekers/refugees:** while countries with a planned settlement programme for asylum seekers and refugees have good official data on the

¹⁰⁷ Fondazione Zancan (2000) *Indagine sulle persone senza dimora*, in: *Commissione di indagine sull'esclusione sociale* (2000), Rapporto sulle politiche contro la povertà e l'esclusione sociale, Rome, 17th July 2000, available at: <http://old.minwelfare.it/main/AreaPoverta/rapporti.asp>.

¹⁰⁸ NFP Italy *Housing Report* 2003, p. 20.

¹⁰⁹ NFP Portugal *Housing Report* 2003, p. 40.

¹¹⁰ NFP Greece *Housing Report* 2003, p. 18.

¹¹¹ NFP Germany *Housing Report* 2003, p. 17

location and housing conditions of people within their schemes, there are significant gaps in the evidence base on those leaving government programmes or on those outside the official systems. The **Irish** housing report simply notes that “... official data is not available with regard to the numbers and concentrations of these minority groups” (with the exception of asylum seekers who are accommodated in “direct provision” centres dispersed around the country),¹¹² while **Danish** reporting notes that it is very difficult to find data on refugees after the initial state-organised integration process. Nevertheless, both reports point to voluntary sector studies of the housing needs of refugees, although these do not specifically address questions of racism and discrimination. The **Greek** report also notes the absence of data on asylum seekers, a growing group in Greece, and Austria refers to the problems associated with enumerating both refugees and undocumented migrants and asylum seekers.

- New migrants/small groups: changing patterns of migration bring new migrants to a country, but ethnic categorisations and research studies may not reflect this new diversity. For example, report authors note that there is a serious gap in the information base on housing conditions of Eastern European immigrants in Portugal,¹¹³ on the small number of “socially marginalized Greenlanders” living in Denmark,¹¹⁴ and on Muslim minorities in Greece.¹¹⁵ As the Portugal housing report graphically illustrates, anecdotal evidence suggests that new migrants may form some of the most vulnerable groups in terms of housing, living in appalling conditions with no basic amenities.
- Gender/Women: there are very few data presented in the country reports to assess the gendered dimension of housing disadvantage. Rare exceptions include the testing of discrimination by estate agents in Turin, Italy (discussed above) and research into Turkish migrants in Germany. Most reports pass no comment on this neglected topic (although Austrian reporting is an exception).

3.5.2. Housing discrimination

This is more difficult to establish with certainty and thus good quality, systematic data on housing market processes and discriminatory activities are lacking (especially in relation to the private housing sectors).

The authors of many of the reports express frustration at the lack of rigorous, systematic research into both direct and indirect housing discrimination. The comments of the authors of the **Portugal** housing report are fairly typical: “It is difficult to give a definitive answer to this question [of discrimination] since racial discrimination in housing has been a fairly neglected object of research in Portugal”,¹¹⁶ which has led to “almost non-existent data concerning housing

¹¹² NFP Ireland *Housing Report* 2003, p. 20.

¹¹³ NFP Portugal *Housing Report* 2003, p. 60.

¹¹⁴ NFP Denmark *Housing Report* 2003, p. 31.

¹¹⁵ NFP Greece *Housing Report* 2003, p. 24.

¹¹⁶ NFP Portugal *Housing Report* 2003, p. 4.

discrimination.”¹¹⁷ They point out that “the lack is a double one: of official statistics and academic studies”.¹¹⁸ The **German** housing report also notes that “From a methodological perspective, it is extremely difficult to determine whether non-German residents are discriminated against as far as access to the housing market is concerned. Even if discrimination occurs, it is not possible to know whether it has occurred on the grounds of ethnicity, income or other factors”.¹¹⁹ The **Spanish** report observes that “the existence of ... discrimination cannot be proved statistically”,¹²⁰ meanwhile **Finland** reports that “there are no [national] reports or researches dealing directly with racism and discrimination in housing”¹²¹, although there are academic studies and local reports which address these problems to some extent. In a similar vein, reporting from Sweden notes that “Regarding discrimination in the housing area, there is much to do.”¹²² Many reports are thus forced to rely on data on ‘perceived discrimination’ gathered through interview data.

Many of the report authors prioritise the collection of rigorous and systematic data on housing discrimination in their recommendations. For example, the authors of the **French** report state that it is their “first and foremost concern”. They argue that “the notion of indirect discrimination has its limits in France, as there is no way to measure it”,¹²³ and that while there are some studies from the 1960s, research from the 1990s is rare. The authors of this and other reports nonetheless present some valuable insights from data collated by the voluntary sector. Data on housing market discrimination collated by members of the anti-racist organisation *International Federation of SOS Racism* (see also above) are quoted in the country reports for France, Portugal and Spain. Whilst these data are anecdotal and not systematically collected, there are valuable insights into racism and discrimination here in the absence of other official data

3.5.3. Homelessness

There is a lack of reliable official data on migrant and minority ethnic homelessness in many countries and sporadic research evidence. Even those countries with a generally strong evidence base on minority ethnic housing experiences (e.g. the UK) report on a paucity of data on homelessness. Many reports present no data on homelessness at all. Other countries rely on specially commissioned reports (e.g. Ireland and Finland) or voluntary sector data.

¹¹⁷ NFP Portugal *Housing Report* 2003, p. 13.

¹¹⁸ NFP Portugal *Housing Report* 2003, p. 57.

¹¹⁹ NFP Germany *Housing Report* 2003, p. 3.

¹²⁰ NFP Spain *Housing Report* 2003, p. 13.

¹²¹ NFP Finland *Housing Report* 2003, p. 2.

¹²² NFP Sweden *Housing Report* 2003, p. 23.

¹²³ NFP France *Housing Report* 2003, pp. 3, 16.

3.5.4. Longitudinal data

While official statistics (e.g. census) can provide important data on long-term trends in housing segregation and the conditions of migrant and minority ethnic groups (subject to changes in ethnic categorisation etc. noted above), there is generally a lack of longitudinal data to provide a more in-depth analysis of the changing housing market position and experiences of migrant and minority ethnic groups. Research reports are often ‘one-off’, providing a snap-shot in time, localised, and/or focussed on particular ethnic groups. Systematic monitoring and repeated research is needed to understand the social and housing mobility of migrant and minority ethnic groups more fully. The **French** housing report drew on an analysis of longitudinal data available through housing surveys undertaken by the *National Institute for Economics and Statistics*, but such examples are all too rare.

3.5.5. Qualitative research

Few qualitative data are presented on migrant and minority ethnic experiences in their search for housing, or on living in different housing and neighbourhood circumstances. There is speculation about the trade-offs migrant and minority ethnic groups make in terms of their housing decisions, but relatively few insights grounded in rigorous qualitative research. There is also a lack of research to substantiate the assumed link between residential dispersal and social integration that lies at the heart of many countries’ policies of planned immigrant settlement (see Chapter 6).

3.5.6. Racist harassment data

The *Housing Reports* make very little mention of racist harassment data, even though this has a strong bearing on migrant and minority ethnic housing decisions and experiences. The *National Reports* give greater insights into the availability of racist harassment data. This varied significantly across the Member States from those with access to relatively good data-bases (e.g. **UK**) to countries like **Italy**, where there were very few reports, official information or statistics on racist violence and crimes. The comments of the authors of the **Austrian** report sum up the position in many countries when they note that, despite some police data and voluntary sector information on racist violence, “the whole scale of ‘everyday racism’ mostly remains undocumented.”¹²⁴

¹²⁴ NFP Austria *National Report* 2004, p. 3.

3.6. Examples of good practice in research and monitoring work

The analysis of the evidence base available in the fifteen Member States surveyed points to the importance of setting up a national data base, or national good practice guidelines for regional authorities, for the systematic and rigorous collection of data on migrant and minority ethnic housing, whereby progress can be reviewed over time. The need for this is explicitly recognised in the **Portugal** housing report,¹²⁵ which suggests that co-ordinated research should be undertaken by the *National Housing Institute* (INH) in that country. Good will, resources, and institutionalised mechanisms to record and regularly monitor outcomes and performance that feed into policy all constitute parts of good practice. In **Ireland**, for example, the long experience of racism and housing discrimination against the country's Traveller population resulted in the establishment of a *Task Force on the Travelling Community*, and there has been monitoring and co-ordination of the implementation of its recommendations.¹²⁶

The **UK's** development of a nationally co-ordinated system of minority ethnic housing data recording and monitoring is mentioned now as an example of good practice, and the UK's machinery is touched on again in Chapters 5 and 7. UK local government authorities have developed, or are in the process of developing, housing strategies and action plans with special reference to the needs of minority ethnic groups. Systematic collection of accurate, reliable statistics on minority ethnic housing needs, opportunities, outcomes, satisfaction and potential discrimination is integral to this development. The overall aim of minority ethnic housing strategies is to ensure that clear directives and targets are set for social landlords and other housing providers to ensure that discrimination and disadvantage are eliminated. The UK reporting outlines several key priorities for good practice in the collection and use of data for performance monitoring and strategic development. These cover: ethnic monitoring of outcomes across all areas of service delivery by social landlords; assessment of minority ethnic housing needs (at local/regional/national scales); involving or consulting with ethnic minority communities and individuals in development, monitoring and evaluation of housing strategies for minorities; and formulating 'race equality' plans (setting out priorities, targets, systems for monitoring, etc.). The reporting here also notes the importance of disseminating examples of good practice, which in the case of the UK is done through a web-based data-base.

The country reports also provided some evidence of good practice in survey research, which provided in-depth qualitative as well as quantitative data. For example, in **France**, a comprehensive survey was carried out by the *National Institute for Demographic Surveys* in order to examine the housing conditions and

¹²⁵ NFP Portugal *Housing Report* 2003, p. 82.

¹²⁶ Department of Justice, Equality and Law Reform (1995) Report of the Task Force on the Travelling Community.

experiences of immigrants and their children.¹²⁷ This overcame the problem of having to work with nationality data available through secondary sources in France. The survey provided information on housing quality (as evaluated by the researchers), interviewees' opinions on their housing and neighbourhood amenities, and data on housing mobility. Another example of this type of research in **Belgium** involved a detailed study of the housing circumstances of four minority ethnic groups in the Flanders region, using six categories of housing type. This measured housing opportunities, outcome, satisfaction, housing affordability, and access to subsidies, thus providing disaggregated information that was not available through national data sources.¹²⁸ The limitation of this type of study is that it is often on a 'one-off' basis, and it may be left to other institutions to update the research.

3.7. Implications for research and monitoring

The effective implementation of 'race' or ethnic equality policies in housing necessitates a widely-stated commitment to rigorous and systematic data collection across the various housing sectors, together with the legislation and resources necessary for policy implementation, record keeping and a rigorous system of performance monitoring. The collation of data sensitive to group differences is essential. This means addressing the gaps in the evidence base on small or new migrant groups and vulnerable populations such as the Gypsy, Traveller, Roma and Sinti. Migrant and minority ethnic groups do not form a homogeneous mass at which policy initiatives can be aimed in equal measure, but rather they have different social, economic and cultural characteristics, which have a bearing on their housing needs. Variations between migrant and minority ethnic groups imply that each group should be viewed as a potentially separate research and policy focus, whether this is within more general policies, such as social exclusion, or specifically targeted programmes.

A crucial observation to emerge from this review is the urgent need for better quality data on housing discrimination. This points to the need for a national framework for recording complaints and monitoring housing market activity and rigorous data based on controlled testing for discrimination. Related to this is the need for more process-orientated information, which can help to shed light on the mechanisms of discrimination, and provide explanations for the disparities in migrant and minority ethnic housing outcomes that are observed. Several national reports highlight the difficulty of untangling the effects of socio-economic status and other disadvantaging factors, such as age and family type, from ethnicity, using the available evidence base. If ethnic discrimination and racism are to be targeted through housing policy and practice, both quantitative and qualitative data are

¹²⁷ Simon P. (1995), *La société partagée : relations interethniques et inter-classes dans un quartier en rénovation, Belleville, 20ème arrondissement*, Thèse de Doctorat, E.H.E.S.S.

¹²⁸ Kesteloot, C., Martens A., et al. (1999), *Integratie met vallen en opstaan: over de woonsituatie van etnische minderheden in Vlaanderen*, K.U.Leuven, in opdracht van de Vlaamse gemeenschap.

required in order to present a full understanding of how discrimination is embedded within localized neighbourhood interactions, and in housing market processes.

A good evidence base is essential to addressing a wide range of migrant and minority ethnic housing-related policy issues: neighbourhood regeneration and renewal, housing needs, housing choice, segregation, positive integration and neighbourhood strategies. However, wide and effective dissemination of results of research is also crucial. For example, authors of the report on **France** note that “many social actors remain unconvinced that discrimination is a problem in housing, especially at the local level,”¹²⁹ because of the failure to disseminate research findings adequately.

3.8. Implications for developments in research infrastructure

The chapter concludes with a short comment on multi-national information strategies for the future. Data variations between countries reflect not only different legal situations and research capacities, but also differing understandings about key questions, priorities and policy approaches. More exchanges of information and research methods across Europe might help improve the quality of national debates about matters such as neighbourhood integration and social change, as well as enhancing knowledge about best practice. Better networking and more resources for formal mechanisms to enhance mutual learning processes could prove productive (for suggestions see Chapter 8).

¹²⁹ NFP France *Housing Report* 2003, p. 3.

4. CHAPTER 4 - HOUSING CONDITIONS, HOUSING EXPERIENCES, AND DISCRIMINATION

Across Europe immigrants and ethnic minorities are living in comparatively poor housing conditions which contribute to entrenched patterns of social and economic inequality. They are also subject to persistent, extensive and varied forms of ethnic, racist and national discrimination. This situation is complex and dynamic in terms of location, tenure and ethnicity. Within minority groups increasing socio-economic divisions are facilitating movement by some households out of inner city areas into suburban and rural locations, while other poorer households are increasingly concentrated in inner city areas. For example, polarisation within Somali and Chinese populations has been identified in **Finland**, with increasing divisions between those with low and high educational qualifications, job levels and housing conditions. Here also, ethnic minorities with higher socio-economic status were found to be less likely to be segregated in poor housing and social conditions. Across minority groups there are substantial differences in housing conditions or tenure patterns, and in the extent of discrimination and hostility.

This chapter reviews three key concerns. Firstly, it draws on the national examples to highlight issues of relative disadvantage, poor housing conditions, homelessness, tenure and marginalisation, together with movement and change over time. Secondly, the impact of these housing conditions and locations on inter-related forms of disadvantage, inequality and exclusion is examined. Thirdly, detailed assessment is made of the nature, types and extent of discrimination in housing contexts. All three sections present relevant material and examples in the context of key themes.

4.1. Housing conditions: some key points revealed by the data on different countries

Reported indicators of housing conditions vary significantly across EU Member States, which, together with wide differences in depth of data and evidence, makes comparative analysis problematic (see also Chapter 3). There is also diversity across minority and migrant groups in tenure, household strategies and conditions, and this complexity is one of the important features in national reports (sometimes deserving further clarification). Nonetheless, common themes do emerge from reviewing the national evidence. Migrants and settled minorities do generally appear to suffer higher levels of homelessness, poorer quality housing conditions, poorer residential neighbourhoods (such as shanty towns), and comparatively greater vulnerability and insecurity in their housing status. Very serious housing problems include lack of access to basic facilities such as drinking water and toilets, significantly higher levels of overcrowding than for other households, and exploitation through higher comparative rents and purchase prices. Persistent

difficulties are faced by Roma, Travellers, Gypsies and Sinti, and refugees and asylum seekers, across the EU in securing adequate basic housing. There is also evidence of some improvement in patterns of housing conditions over time, but relative housing inequalities are highly durable. As noted in Chapter 3, there is a need to improve the evidence base.

WIDESPREAD PROBLEMS OF HOUSING CONDITIONS

One evident feature is that several problems may occur simultaneously for low income households, with inadequate dwellings being accompanied by problems of high costs, overcrowding, limited choice, insecurity, or poor neighbourhood amenities. Relative disadvantage in housing conditions nonetheless stands out.

In **Belgium**, migrant and minority ethnic households often tend to be in poor quality, over-priced rented housing. Despite some improvements over time for specific minorities (including reduced levels of overcrowding amongst Turks), there have been increases in housing costs and a persistent gap in quality compared to mainstream Belgian households.¹³⁰

In **Germany** too, 'migrants' occupy a disadvantaged position. They are more likely to be found living in flats and overcrowded conditions, with less access to amenities and paying comparatively higher rents. They have greater insecurity of rental contracts, live in poorer quality residential environments and are less likely to be home owners.¹³¹

In **France**, persistent poorer housing conditions for 'immigrant families' have been identified, involving severe overcrowding, quality and age of accommodation. Algerians, Moroccans, Tunisians, groups with origins in other African nations, and Turkish households experience the severest levels of overcrowding and least access to basic facilities such as a WC.¹³²

In **Finland**, the housing conditions of the Roma are poor, with one fifth living in inadequate conditions. Due to tight family networks very few Roma are homeless, but a quarter of homeless families are migrants, numbering about 1,000 living in shelters and in temporary dormitories. Accommodation for asylum seekers in reception centres involves high levels of overcrowding, and long waiting times for suitable apartments are common.¹³³

¹³⁰ See NFP Belgium *Housing Report* 2003, pp. 3, 17-19. See also Kesteloot, C. (1988) *Le marché du logement et les immigrés à Bruxelles*, Tribune Immigrée, no. 26-27 [Housing market and migrants in Brussels]; Kesteloot, C. et al. (1999), 'Integratie met vallen en opstaan: over de woonsituatie van etnische minderheden in Vlaanderen' [Integration with ups and downs: On the housing situation of ethnic minorities in Flanders], K.U.Leuven, in *opdracht van de Vlaamse gemeenschap*; Manço, A., *L'habitat turc en Belgique: Enquête*, published on <http://www.flwi.ugent.be/cie/IRFAM/amanco2.htm>. [Turkish housing in Belgium: A study].

¹³¹ NFP Germany *Housing Report* 2003, pp. 2-3, 13-17.

¹³² NFP France *Housing Report* 2003, pp. 19-26.

¹³³ NFP Finland *Housing Report* 2003, p. 23.

In the **Netherlands**, migrant and minority ethnic groups are concentrated in urban areas, particularly the four big cities (the main groups being Surinamese, Moroccans, Turks and Antilleans or Arubans). These households are over-represented in flats, have higher levels of overcrowding than the native Dutch, and live in housing of lower quality.

In **Luxembourg**, although data sources are extremely scarce, it is clear that it is very difficult for poorer migrants to find decent affordable housing due to an extremely expensive rent sector, and overcrowding has been identified in refugee centres.¹³⁴

In **Austria**, migrants and asylum seekers are concentrated in poorer quality, older, overcrowded and over-priced accommodation.¹³⁵ Migrant and minority ethnic households tend to live in more unattractive neighbourhoods, with less access to basic facilities including water, toilet and bathroom, and in insecure housing conditions like sub-tenancies or fixed-term rent contracts. In Vienna, 70 per cent of the 'foreign' population live in pre-1918 properties compared to 27 per cent of indigenous Austrians, and are more likely to be without water, toilet facilities or heating. These conditions (micro-census data from 2000) are exacerbated by price discrimination by landlords; for example, Turkish households pay on average 24 per cent more rent per square metre than Austrians, often for poorer quality properties (according to micro-census data from 1997). Asylum seekers face more severe problems in obtaining accommodation, experiencing homelessness, rough sleeping and destitute living conditions in federal refugee camps which have long been criticised by aid organisations (see also Chapter 6).

In **Sweden**, Africans and West Asians (particularly Iranians) are concentrated in lower quality rental housing, specifically tenement blocks in undesirable areas.

In the **UK**, minority ethnic households are considerably over-represented amongst the homeless (although not as rough sleepers), while asylum seekers face problems of exploitation, excess rent levels and poor conditions in the private rented sector. Gypsies and Travellers have faced conflicts over residential and transit sites. All minority ethnic groups have to varying extents been subject to racist hostility, as in many other countries.

In **Ireland**, the Traveller community seems particularly vulnerable in the housing market: in 2000, one in four Traveller families was reported as living without access to water, toilets or refuse collection facilities.¹³⁶

¹³⁴ NFP Luxembourg *National Report* 2004, p. 44, drawing on reporting from the Monitoring Committee on the Task Force.

¹³⁵ NFP Austria *Housing Report* 2003, pp. 36-41.

¹³⁶ NFP Ireland *Housing Report* 2003, p. 19.

EXTREME CONDITIONS FOR SOME HOUSEHOLDS

Some reports present a very bleak picture indeed. For **Spain**, reference is made to homelessness, occupation of abandoned or wrecked buildings, and movement into overcrowded accommodation of poor quality and lacking facilities. One study of the housing conditions of Moroccan migrants in rural Almeria (one of the Andalusian provinces, although it is said that these conditions could be found in other Andalusian areas as well) found 75 per cent having no hot water, 57 per cent with extensive dampness, 49 per cent with no toilet, 45 per cent with no kitchen and 40 per cent with no running water.¹³⁷ Meanwhile, the Roma are concentrated in shanty towns with 30 per cent of households living in sub-standard housing, exacerbated by poor facilities, overcrowding and poor local environments.

Even more striking, in **Greece**, housing conditions of the Roma are described as constituting a “humanitarian emergency”,¹³⁸ with no access to sanitary facilities, refuse disposal, sewerage, water or electricity, and with discrimination in access to mortgages, price discrimination for rented housing, and direct and indirect discrimination by landlords. Furthermore, forced evictions and police raids on Roma camps have frequently been reported.¹³⁹ Poor housing conditions are also identified for the Muslim minority in Thrace, while high levels of homelessness have been noted amongst immigrants and asylum seekers, with large numbers of nomadic Roma, asylum seekers and undocumented migrants living in squatting environments of various types. In Thessalonica, 80 per cent of Albanian migrants were identified as homeless, with others living in poor quality housing having minimal facilities. Unacceptable living conditions in refugee reception centres have been recorded, with severe overcrowding and lack of basic sanitary facilities.¹⁴⁰

In **Italy**, the reported consensus amongst key actors is that migrants, refugees and asylum seekers face great difficulties in securing accommodation (and can encounter barriers such as discriminatory residential qualifications applied by providers of low-rent public housing). Homelessness and high levels of overcrowding are key features of migrants’ housing histories. 40.7 per cent of those with no fixed abode were ‘foreigners’. This includes those using abandoned industrial warehouses, old apartment blocks identified for demolition, empty warehouses and camps. Nineteen such unauthorised settlements were identified around Milan, inhabited by Roma, Moroccans, Albanians and Romanians. Almost all parts of Italy have laws providing for Roma and Sinti camps, which are often in remote areas, highly overcrowded, with poor access to essential utilities, and the target of racist eviction campaigns (see also Chapter 6). Nationally, 27 per cent of squatters are authorised migrants with fixed jobs, with squatting resulting partly

¹³⁷ NFP Spain *Housing Report* 2003, p. 24, citing Arjona, A and Checa, J. C (2002) Exclusión residencial de los inmigrantes marroquíes en Andalucía [Housing exclusion of Moroccan migrants in Andalusia], in F. J. Garcia and C. Muriel (eds) *La inmigración en España. Contextos y alternativas*, Granada: Universidad de Granada, Laboratorio de Estudios Interculturales.

¹³⁸ NFP Greece *National Report* 2004, p. 32.

¹³⁹ NFP Greece *Housing Report* 2003, p. 33.

¹⁴⁰ NFP Greece *National Report* 2004, pp. 34-35.

from barriers to accessing rented housing, including high rents, price discrimination and direct discrimination by landlords. A national sample of 'authorised immigrants' showed that 73 per cent were living in overcrowded conditions. In terms of quality of housing, one Italian study examined availability of facilities such as cooking, bathroom, drinking water and other utilities. Over 15 per cent of 'migrants' did not have either drinking water or heating systems in their accommodation.¹⁴¹

DIVERSITY AND CHANGE WITHIN AND BETWEEN MIGRANT AND MINORITY ETHNIC GROUPS

Significant differences are sometimes identified in housing tenure patterns and conditions of minority groups. In the **UK**, for instance, some predominantly Muslim communities (including Pakistanis and Bangladeshis) are more likely than some other minorities to be overcrowded, and also most likely to be living in poor housing conditions in terms of unfitness for habitation or serious disrepair.¹⁴²

In **Portugal**, differing patterns are emerging in relation to different groups. African migrants have tended to build their own homes, with the proliferation of shanty dwellings and slums but with little increase in homelessness, unlike more recent East European migrants who tend to be homeless or in temporary forms of accommodation, such as disused containers with no amenities or hygiene. Recent studies point to improvement in the housing conditions of those re-housed, for example from the great shanty towns on the outskirts of Lisbon where overcrowding and lack of access to water and electricity are key characteristics. Similarly to Spain, 31 per cent of Roma were found to be living in insecure, poor housing conditions, a figure that rose to 94 per cent in some localities.¹⁴³

There is evidence of changing patterns of migrant and minority ethnic housing needs and housing formation, particularly with processes of family reunification and formation of new households. In **Italy**, for instance, demand is reportedly shifting from hostel and boarding facilities to apartments and houses, and in particular to low-rent housing.¹⁴⁴ In some states there may also be an element of household movement to more prosperous neighbourhoods, depending on opportunities and constraints. Processes may be quite complex. For example, **Denmark** has seen a significant increase in numbers of 'immigrants' in low-cost housing areas, together with movement of some households away from these locations to differing areas or other low cost ones.¹⁴⁵

¹⁴¹ See NFP Italy *Housing Report* 2003, pp. 19-20, citing Fondazione, Zancan (2000) *Indagine sulle persone senza dimora*, in Commissione di indagine sull'esclusione sociale, *Rapporto sulle politiche contro la povertà e l'esclusione sociale*, Rome, and other sources.

¹⁴² NFP UK *Housing Report* 2003, p. 20.

¹⁴³ NFP Portugal *Housing Report* 2003, p. 40.

¹⁴⁴ NFP Italy *Housing Report* 2003, p. 13.

¹⁴⁵ NFP Denmark *Housing Report* 2003, p. 24.

SOCIAL RENTING AND POTENTIAL MARGINALISATION

Migrant and minority ethnic households in some states are relatively dependent on social housing, generally because of their low incomes. For instance, Denmark's 'immigrant' families are concentrated in larger urban municipalities with 61 per cent living in public rental accommodation compared to 17 per cent of the general population. The implications vary between countries, depending on how well the sector is resourced, how far it is seen as marginalised and stigmatised, and how far access to the most favoured dwellings is differentiated by ethnicity and racist practices.

4.2. Impact of housing conditions on other dimensions of social life

Comparative housing inequalities between minority groups and majority populations (as indicated above) are identified across most national reports as having significant consequences, and linkages with other aspects of social and economic conditions. Poor mental and physical health, lower levels of educational attainment and lower income levels, together with many other dimensions of social exclusion, may have identifiable links with poor housing conditions. The **Swedish** reporting suggests possible reductions in occupation rates and wages as a result of living in segregated metropolitan areas.¹⁴⁶ However, some national reports, for example those for **Germany** and **Denmark**, tend to focus more on the causes of differential housing conditions rather than the impact these conditions have on other material factors. This latter aspect of national reports could be more clearly specified for inclusion in future years. The impact of spatial separation of groups, however, needs to be treated with considerable caution (see Chapters 6 and 7), and should not be assumed *in itself* to be negative for them.

Homelessness can carry major implications for other aspects of social exclusion. There is generally little reported information on migrant and minority ethnic street children and the experiences of unaccompanied minors in relation to housing. For adults, the lack of a fixed abode in Italy was noted as having severe consequences in denying access to public and private services including health, social services and credit, while also barring access to obtaining a driving licence. Difficulty in accessing credit and mortgage facilities was itself a key reported barrier to accessing housing. Consequently, migrants with a legal right to stay but who are forced to squat may then be unnecessarily excluded from these services. In Italy, Roma are particularly subject to these obstacles, which in addition to the isolated location of camps, present barriers for participation in work and civic society. Evidence from **Spain** highlights the lack of access to urban infrastructure such as shops and local services arising from the concentration of Roma in peripheral urban and village areas. Marginalisation of the Roma in terms of poor health,

¹⁴⁶ See NFP Sweden *Housing Report* 2003, pp. 27-28.

nutrition, education, social opportunities and social welfare has been identified for this group, for example in Finland and Greece. Geographical limitations and a widely spread population are also highlighted as being key barriers for the Sami in **Finland** in terms of accessing social services, health care, jobs and education. However, these two groups are highly differentiated in that the Roma are much more likely to be subject to racism and discrimination than the Sami. Furthermore, Somalis in Finland are even more likely to be the subject of racist hostility than the Roma.

Gypsies and Travellers are one of the most at risk health groups, with lowest life expectancy and highest child mortality rates, according to the *British Medical Association*, and this is seen as directly linked to poor living conditions and life on unauthorised sites in the **UK**. The lack of sites and stopping places also has a disruptive impact on Traveller children's education, and creates difficulties in accessing health care and other public services. Evidence from **Ireland** also identifies the negative effects that living in unhealthy or dangerous sites can have both directly on quality of life and also in creating barriers and difficulties for Travellers in accessing health care, education, social welfare and other services. Although evidence is not always provided from each Member State, such linkages are likely to hold good for other Traveller, Gypsy, Roma and Sinti people, as well as other migrant groups living in shanty towns, squatting and in other insecure, inadequate forms of accommodation.

For asylum seekers, it is argued in relation to Ireland that poor reception centres, substandard housing and social isolation reduce their capacity to become independent and fully participate in cultural, political, social and economic arenas. Furthermore, NGOs have suggested that direct allocation of housing provision for asylum seekers contributes to social exclusion from local communities, both physically and financially. In **Austria**, settlement practices for asylum seekers may not only exacerbate opportunities for their exploitation by 'speculators' on the illegal housing market, but also influence opportunities for finding work, access to language courses and other further education programmes and accessing social services through allocation to more urban or very remote rural places (see also Chapter 6). For refugees in **Ireland**, housing experiences and the rent allowance scheme are seen as creating a poverty trap which deters entry into the labour market (as this would involve sacrificing benefits).

The recognition of housing as a contributory factor in 'race' related urban disturbances in the **UK** in 2001 encompasses an acknowledgement that housing is integral to wider patterns of disadvantage, poverty and social division. In **Finland**, correlations between poor housing, poverty, marginalisation, social exclusion and class are demonstrated. Meanwhile, in **Sweden** housing location has been identified as decisive for socialisation and interaction for children and adults, with poorer housing locations for migrants having significant detrimental effects.

Apart from real direct linkages between housing and other forms of disadvantage, perceived or mythical linkages may themselves indirectly lead to increased disadvantage and discrimination. Images and perceptions of minority groups'

housing conditions and neighbourhoods, and their supposed links with crime, violence and drug trafficking, have also been seen as creating hostility and further forms of exclusion. For example, banks would be less likely to offer credit and loans, employers would be less likely to offer jobs, and local communities would be less likely to offer a peaceful, non-threatening environment. **Portuguese** evidence, both for those living in shanty towns and those rehoused from them, confirms this picture for some groups. Roma, people from Guinea, and Mozambicans have particularly identified the stigmatising effects of living in their neighbourhoods, whereas Angolan and Sao Tomean communities did not hold this view. This indicates both the likelihood of differential perceptions of different groups or neighbourhoods by outsiders, and differential perceptions of exclusion across minority groups.

The national reports provide varying degrees of information in mapping out the impact housing conditions have on many dimensions of minority groups' lives. There is a complex differentiated picture emerging here of interrelated patterns of exclusion, marginalisation and disadvantage which deserves greater scrutiny and evaluation.

4.3. Discrimination

There is substantial evidence of persistent discrimination against minorities in the housing field, but in some countries numbers of reported cases are very low. For example: **Portugal** had three registered complaints in 2000-2003 (although more were reported to *SOS Racismo*); in **Belgium** 4-5 per cent of CEOOR¹⁴⁷ complaints were about housing between 1997 and 2002 (the actual numbers varying between 44 and 64 for any given year); An **Austrian** anti-racist NGO reported six housing cases per year in 2001 and 2002. In **Germany** there was "no systematic documentation of cases" but an anti-discrimination office in Berlin (for example) reported nine cases in 2002.¹⁴⁸ It is not possible to know, however, how far such low figures might reflect communications barriers, difficulties of making challenges, cultural insensitivity or resistance amongst officials, or other deterrent factors, but the availability of improved or alternative channels for complaint or challenge might bring many more problems into the open. According to a local documentation of complaints, the housing market is the third most common area of discrimination in another German city;¹⁴⁹ a research study on the situation of people with a Turkish background came to the result that the housing market is perceived – together with the labour market – as the most common area of discrimination.¹⁵⁰ In the **UK**, extensive evidence of discrimination in recent decades has been well documented, but overt and direct racism is seen as having

¹⁴⁷ Centre for Equal Opportunities and Opposition to Racism, Belgium.

¹⁴⁸ NFP Germany *National Report* 2004, p. 36, & fn. 188; NFP Portugal *Housing Report* 2003, pp. 3-4, 41-42; NFP Belgium *Housing Report* 2003, pp. 25-26.

¹⁴⁹ See NFP Germany *National Report* 2004, fn. 188, quoting information from Cologne.

¹⁵⁰ See NFP Germany *National Report* 2004, p. 35.

much less significance currently. The different grounds on which discrimination in housing takes place are summed up interestingly in the **Austrian** report;

“Discrimination happens on the grounds of nationality (e.g. Turkish citizens), ethnic origin ... skin colour (e.g. Africans) and religion (e.g. Muslim women) ... discrimination is both exercised by landlords/ladies, property managers and cooperative building societies as well as neighbours.”¹⁵¹

The different forms that discrimination takes are discussed below, with selected examples from specific countries. The development of an EU-wide typology would be helpful here. The **Danish** report applies a valuable typology of forms of discrimination,¹⁵² although this perhaps has some limits, including failure to identify wider structures of social and economic divisions which have discriminatory effects on access to housing, and to distinguish between racist violence and discrimination. Furthermore, ‘politically organised discrimination’ and ‘structural direct discrimination’ (two of the categories used) are closely related as forms of institutional practice. In addition, there are many other forms and types of discrimination noted across the national reports that could cause complications for the Danish typology. Clearly the complexity of typology construction requires further attention (although the Danish example is informative), and for present purposes of highlighting cross-EU practices in forms of discrimination, the following fairly straightforward interim typology is proposed:

- Direct discrimination, where disadvantaged treatment of a minority person or household occurs compared to normal treatment of indigenous citizens
- Indirect discrimination, where regular or normal housing practices, requirements and conditions adversely impact on exclusion of minority households
- Structural discrimination, where disadvantage in some aspect of material conditions or policy contexts for minority groups impacts on housing choices and opportunities

Each of these will be discussed in turn below. It should be kept in mind, however, that boundaries between the categories are not always clear cut, and there can be overlaps (or more than one type occurring simultaneously).

¹⁵¹ NFP Austria *Housing Report* 2003, p. 63.

¹⁵² See NFP Denmark *Housing Report* 2003, pp. 38-43, which draws interestingly on ideas from Feagin and Eckberg cited as having been devised to analyse discrimination in society as a whole. The housing report’s authors apply the approach specifically to housing, identifying incidents of discrimination in categories. These cover direct isolated discrimination, small group discrimination, politically organised discrimination, indirect isolated discrimination, structural direct discrimination, and structural indirect discrimination.

DIRECT DISCRIMINATION

There are a wide range of forms and instances of direct discrimination by various actors in housing markets under review. This section does not attempt to classify or categorise these differing forms of discrimination, but it does aim to document the variety of examples provided in national reports. The use of quotas has been identified as operating in many instances in a discriminatory fashion, unfairly preventing access to housing: quotas are discussed in detail in Chapter 6, although noted also below for further illustration.

In **Spain**, in Catalonia and Valencia, evidence was reported of overt discrimination by landlords in using advertisements which stated “Only national people” or “We do not lease to non-EU foreigners”. The agents in some of these cases reported that they were carrying out the wishes of the owners.¹⁵³

In **Portugal**, explicit hostility was voiced, for instance by the local authority in Arcozelo, in Ponte de Lima, which stated that no Roma families would gain access to its new-build social housing, while in another case Roma dwellings in Vila Verde were demolished.¹⁵⁴ Also in this country, discrimination in selling houses by private building firms to Roma families was explicit.

In **Greece**, forced evictions of Roma are reported with great frequency, according to the *Greek Helsinki Monitor*,¹⁵⁵ while property owners often refuse to let accommodation to Roma (or offer them substandard dwellings at high prices). The housing report here notes that Roma are “rejected” through landlords’ refusals to let, but also by many local authorities.¹⁵⁶

Reporting for **Germany** mentions a case where a landlord had refused to accept a Sinti family because of ethnicity.¹⁵⁷ Also, advertisements “For Germans only” and “Only German speaking tenants with a regular income” were reported in Berlin.¹⁵⁸

In **Belgium**, stereotyping by landlords of migrants as non-rent payers, having poor standards and being likely to over-populate the accommodation has been highlighted. Mainly in Brussels and Antwerp, CEOOR (Centre for Equal Opportunities and Opposition to Racism) complaints were most frequently from Moroccan, Turkish, or other migrant or minority ethnic people being discriminated against by individual landlords, housing organisations and real-estate agencies (often via refusals to let).¹⁵⁹ Similar evidence is given by *SOS Racisme* in **France**.

¹⁵³ NFP Spain *Housing Report* 2003, p. 32.

¹⁵⁴ NFP Portugal *Housing Report* 2003, pp. 42, 45.

¹⁵⁵ NFP Greece *Housing Report* 2003, p. 33; Greek Helsinki Monitor (2003) ‘Greece: Violations of asylum seekers rights 2001-2003’, available at http://www.greekhelsinki.gr/bhr/english/organizations/ghm/ghm_08_03_03.doc (22/09/2003).

¹⁵⁶ NFP Greece *Housing Report* 2003, pp. 8, 21.

¹⁵⁷ NFP Germany *Housing Report* 2003, fn. 23, p. 18.

¹⁵⁸ NFP Austria *Housing Report* 2003, pp. 56, 66; NFP Germany *National Report* 2004, p.36.

¹⁵⁹ NFP Belgium *Housing Report* 2003, pp. 4, 28.

In **Austria**, it seems that reasons given by landlords for potentially refusing accommodation included the suggestion that Africans could receive heightened attention from police (i.e. police raids). Additionally, “Natives only” and “EU-citizens only” advertisements were reported in Austria.

In **Italy**, telephone discrimination was tested with estate agents responsible for letting apartments for rent. Nigerians, Albanians and Moroccans were the most discriminated against, at over 75 per cent of applicants.¹⁶⁰

In **Ireland**, a “no coloured need apply” advertisement for private rented housing was widely reported and criticised, together with illegal evictions of migrants by landlords.¹⁶¹ Meanwhile, evictions of Travellers from unofficial halting sites by local authorities are regularly documented, even where there is no other accommodation available for the Traveller families to go to after they have been evicted. In some instances Travellers evicted from by local authorities from unofficial sites are actually on the local authority accommodation waiting list.

Discrimination against Roma, Somalis and Arabs in **Finland** was documented, with their being refused either renting or purchasing a dwelling because of ethnic backgrounds.¹⁶²

In **Sweden**, landlords, cooperative associations, housing brokers, stockbrokers and private agencies were all reported as discriminating actors, with landlords constituting half of all reported cases.¹⁶³

Many actors in the housing market have some awareness that racial discrimination is wrong and/or that such behaviour is publicly unacceptable. So, examples arise of attempts to conceal discriminatory actions and intentions. For instance, a flat is said to be already rented when it is actually vacant, or there is a non-appearance by a person due to show a flat to migrants (these kinds of instances being noted in **Austria, Ireland and Spain**¹⁶⁴). Additional barriers were sometimes unnecessarily imposed on the attempts of migrants to secure accommodation. This has involved requiring migrants to produce documents (such as payslips) that are not required of native people, or non-acceptance of documents that prove a migrant’s economic stability (as in Spain with access to rented housing). In **Portugal** a Portuguese guarantor was often required to obtain either rented accommodation or a bank loan to buy a house.

Discrimination against particular households, such as young people from minorities was highlighted in the **Netherlands** in relation to the room rental market, where individual rooms are rented out privately by main residents of a private dwelling.

¹⁶⁰ NFP Italy *Housing Report* 2003, pp. 22-23, citing Rete d’Urgenza contro il razzismo (2001): Rapporto Annuale 2000, (*Annual Report, web version*); available at: www.unimondo.org/reteurg/.

¹⁶¹ NFP Ireland *National Report* 2004, p. 30.

¹⁶² NFP Finland *National Report* 2004, pp. 3, 40.

¹⁶³ NFP Sweden *National Report* 2004, pp. 43-44.

¹⁶⁴ See for example NFP Spain *Housing Report* 2003, p. 33, drawing on information from the NGO Sodepau.

Also, pressure to discriminate was identified where commercial housing agencies were noted as willing to take the discriminatory wishes of the landlord into account in excluding migrants from their properties. In a further example from the Netherlands, a group of residents petitioned against the rehousing of a Moroccan man to a dwelling, and threatened him with violence and arson if he did move in¹⁶⁵. The failure to deal with these threats was evidence of bowing to pressure to discriminate. In another Dutch case a landlord withdrew the offer of accommodation to a Roma family as local residents had objected. Refusal to challenge and deal effectively with racist hostility in local neighbourhoods is a driving force in this form of discrimination. In **Germany**, 3,000 signed a petition in Dortmund opposing the development of a housing project proposed by the local “Turkish-Islamic Cultural Association” which also included a community centre and mosque.¹⁶⁶

Further forms of discrimination were identified where the practice of charging minorities and migrants higher prices for accommodation and/or of offering poorer quality properties to these groups was found. This clear exploitation of migrants who had achieved adequate economic and labour stability to meet access criteria for accommodation was noted, for example in Burgos in **Spain**.¹⁶⁷ In **Belgium**, obstructions and problems in finding adequate accommodation are felt to lead tenants into the hands of ‘rack-renters’ who let uninhabitable houses that are much too expensive.¹⁶⁸ In **Germany**, some researchers indicate that migrants sometimes have to pay higher rents for a flat of the same or even lower quality than Germans; this practice is referred to as “discriminatory surcharges”.¹⁶⁹ This is also documented in **Ireland** in relation to Travellers and private rented accommodation. The national housing report from **Belgium** notes advocacy organisations identifying the common practice of direct discrimination in access to rental accommodation in respect of people with a foreign name, as well as for those perceived as being of a different colour or having a foreign accent. Use of maximum quotas to limit and restrict the concentration of minority families on housing estates has been reported from more than one country (including for example Germany). The *Ishoj case* in **Denmark** is reported as a landmark decision which has prevented local municipalities from introducing quota systems there¹⁷⁰. The issue of quota systems is addressed later in this report. Providing low quality or below-average accommodation for migrant and minority ethnic groups is one way of discriminating against them, and arises in a number of places. For **Finland**, for instance, it is reported that one of the most common complaints dealt with by the Ombudsman for Minorities has been that social housing offered to Roma families was difficult to access or unsuitable.¹⁷¹

¹⁶⁵ NFP Netherlands *Housing Report* 2003, p. 52.

¹⁶⁶ NFP Germany *National Report* 2004, p. 36.

¹⁶⁷ NFP Spain *Housing Report* 2003, p. 31.

¹⁶⁸ NFP Belgium *Housing Report* 2003, pp. 28, 31.

¹⁶⁹ NFP Germany *National Report* 2004, p. 37. The report notes Bremer, P (2000)

Ausgrenzungsprozesse und die Spaltung der Städte – Zur Lebenssituation von Migranten [Processes of exclusion and the segmentation of cities – On the living situation of migrants], Opladen.

¹⁷⁰ NFP Denmark *Housing Report* 2003, pp. 47-49.

¹⁷¹ NFP Finland *Housing Report* 2003, p. 24.

INDIRECT DISCRIMINATION

This form of discrimination similarly takes many different forms and is widespread. This section identifies some of the key forms of indirect discrimination that have been presented in national reports.

There are many forms of generally imposed criteria used in the allocation of social housing which have been shown to result in the disproportionate exclusion of migrant and minority ethnic groups. In previous allocations of social housing in the **Netherlands**, the common use of length of residence, length of time on waiting list, or age, had been identified as discriminatory mechanisms which had impacted on minorities (because of both recent migration and a younger age structure). These practices led to allocation to less popular, lower quality housing, and relative exclusion from higher quality rented property. Three-year residential qualifications were also cited in **Spain** from the Balearic Islands.¹⁷² The housing report from **Denmark** noted possibilities of potentially discriminatory effects in the administration of waiting lists. In addition, ability to speak Danish has been an issue as a discriminatory criterion in excluding other households from cooperative housing.¹⁷³ Culture may be deployed as a justification for exclusion. The housing report for **Finland**, for instance, notes discrimination in allocating municipal housing, sometimes through the exploitation of the Roma's cultural practices as a way of blocking their access: For example, one Roma cultural practice stipulates that one Roma family may not live below another Roma family. Accordingly, if a municipal flat is given to a Roma family on a floor on which no other (affordable) flats are available, the whole building is blocked for other Roma families.¹⁷⁴

In **Milan**, accruing points for Italian citizenship was found to be an unlawful practice in the allocation of public low rent housing.¹⁷⁵ Local authorities may also seek to exclude through their control of land and available sites. Thereby using their legal powers to exclude provision for migrants and minorities. In **Spain**, a number of municipalities in Andalusia were reported as using grounds of lack of land or refusal to reserve land to restrict housing provision for 'foreign migrants'.¹⁷⁶ The recent use of low incomes as a bar to living in certain districts (for instance by local government in Rotterdam) is seen as another form of indirect discrimination in access to housing, being disproportionately likely to exclude migrant and minority ethnic households. In **Luxembourg** and in other countries, there may be refusal to provide mortgages to low income applicants or those in social rented housing.

In the private rented sector, a variety of different practices are being used to limit access and exclude particular groups. In **Greece**, eligibility conditions for social housing from the Workers' Housing Organisation indirectly exclude most members

¹⁷² NFP Spain *Housing Report* 2003, p. 31.

¹⁷³ NFP Denmark *Housing Report* 2003, pp. 37-40.

¹⁷⁴ NFP Finland *Housing Report* 2003, p.25, (citing ECRI, 2002, p. 14).

¹⁷⁵ NFP Italy *Housing Report* 2003, pp. 12-13, 24.

¹⁷⁶ NFP Spain *Housing Report* 2003, p. 30, 48.

of disadvantaged groups, “but especially immigrants” and Roma.¹⁷⁷ Reporting from **Spain** referred to difficulties for foreign migrants of complying with prevailing customs of providing a working contract or payslip, as a condition of access.¹⁷⁸ This constitutes indirect discrimination in that more foreign workers work without such contracts and payslips. This is an example of a wider general category of requirements that can be applied to households, some of which are easier for one group to meet than for another.

The quota systems applied in some countries (see Chapter 6) frequently have discriminatory features that are strongly evidenced in national housing reports. The outcomes could include longer waiting times for migrant and minority ethnic households, or complete exclusion (see for instance **Germany**¹⁷⁹).

STRUCTURAL DISCRIMINATION

This chapter has already identified key linkages between socio-economic structures, health inequalities, poverty, social exclusion, marginalisation and housing outcomes. Structural discrimination is seen here as operating where disadvantage in some aspect of material conditions or policy contexts for minority groups impacts on housing choices and opportunities. This is acknowledged in most national reports with priority being given to the role of the labour market and socio-economic structures of income and wealth. The housing report for **Germany** is particularly strong on the differential effects of labour market changes and similar issues.¹⁸⁰ Across Member States, ability to pay is a key determinant to accessing owner occupation but also better quality properties in the private rented sector. Also, lack of information and lack of resources can constitute further forms of structural discrimination that need to be considered. The lower socio-economic status of minorities in **Belgium** was identified as key to understanding poorer housing outcomes.¹⁸¹ This key linkage was also identified in reports from **Greece**¹⁸² and the **Netherlands**.¹⁸³ Low income households with inadequate dwellings frequently face disproportionately high housing costs, overcrowding, limited choice, insecurity and poor neighbourhood amenities.

Apart from socio-economic structures, policy and regulatory contexts may also unequally impact on migrants and minorities. In several national contexts, the poor fit between the stock of social housing and the needs of larger minority families is a barrier to finding adequate accommodation. This points to a wider set of issues where government housing policies and policies on aspects of housing finance and associated personal tax and benefit matters may be producing a complex set of

¹⁷⁷ NFP Greece *Housing Report* 2003, p. 26. Beneficiaries have been required to have accumulated large numbers of insured work days.

¹⁷⁸ NFP Spain *Housing Report* 2003, p. 31.

¹⁷⁹ NFP Germany *Housing Report* 2003, p. 22

¹⁸⁰ NFP Germany *Housing Report* 2003; noting for instance the impact of the decrease in employment opportunities for semi- and unskilled labour (p. 3).

¹⁸¹ NFP Belgium *Housing Report* 2003, p.3.

¹⁸² NFP Greece *Housing Report* 2003, p.3.

¹⁸³ NFP Netherlands *Housing Report* 2003, p. 6.

structural barriers which work to exclude minorities from decent housing. Citizenship and migration policies produce a diverse range of legal categories which can have simple effects in preventing or restricting access to housing. The **Austrian** report highlighted differential citizenship status as directly leading to exclusion and access problems for third country nationals.¹⁸⁴ The role of legal status in determining access to social housing is also identified in **Finland**.¹⁸⁵

4.4. Conclusions

Not all migrant and minority ethnic households are in poor housing, and many overcome barriers to opportunity. They should certainly not be seen as homogeneous or inactive victims, who are supposedly unable to develop their own positive strategies, individually or more collectively. Yet despite this potential, and the variations in available evidence from the fifteen countries, the analysis confirms that there are regularities and patterns of discrimination and disadvantage in housing domains, making it probable that, in a wide variety of contexts, migrant and minority ethnic households will be treated adversely by comparison with the native or indigenous mainstream. There is certainly evidence of widespread direct and indirect discrimination. Some important issues raised in the sections above are listed now in a set of summary observations, to close this chapter. These are some of the key features likely to be found in many differing settings across Europe:

- Changing patterns of migrant and minority ethnic housing needs, and diversity across migrant groups in tenure, household strategies and conditions.
- Poor quality housing conditions and residential neighbourhoods, and lack of access to basic facilities.
- Relatively high levels of homelessness,¹⁸⁶ and significantly higher levels of overcrowding than for other households.
- Vulnerable and insecure housing status, discrimination, and exploitation through higher comparative rents or other costs.
- Persistent difficulties faced by Roma, Travellers, Gypsies and Sinti.
- Some improvement in patterns of housing conditions over time.
- Poor mental and physical health, lower levels of educational attainment, restricted access to work and lower income levels linked to poor housing conditions or locations.
- Marginalisation of asylum seekers in housing conditions which restrict opportunities for finding work, going to school and accessing social services.
- Structural disadvantage, where aspects of other material conditions for minority groups impact on housing choices and opportunities.

¹⁸⁴ NFP Austria *Housing Report* 2003, pp. 2-4.

¹⁸⁵ NFP Finland *Housing Report* 2003, p. 3.

¹⁸⁶ Cf. comments in Edgar, B. (draft 2004; forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, pp. 19, 33, etc.

5. CHAPTER 5 - LAW AND REGULATION CURRENTLY AFFECTING HOUSING

This chapter is primarily concerned with legislation relating to equality and recognition of diversity, insofar as law and regulation have specific implications for housing. More general legislation across Member States is not systematically reviewed here, as that relates to a range of national contexts beyond the scope of this review. It should be acknowledged, however, that (as some reports indicate) complex relevant legal and policy frameworks may be operating at the intersections of urban and rural planning, housing policy, migration, integration and equality policy; so that housing law cannot be approached in too narrow a way. Some aspects of law are also dealt with in other chapters, where coverage is necessary for an account of particular topics.

The present chapter tracks a paradox. Firstly, it is clear that the national reports note increasing moves to strengthen and implement effective anti-discriminatory and anti-racist legislation, and programmes concerned with improving minority housing conditions. Secondly, the reports also document resistance, hostility, and failure to address needs or the deprivation and discrimination suffered by migrant and minority ethnic groups in their search to achieve minimum reasonable living conditions. Meanwhile, there are sometimes ways in which general national policies and plans may also be the terrain on which new forms of discrimination and exclusion are being created, with explicit official initiatives contributing to negative outcomes. The contradictory or competing forces may well often appear unequal, with relatively recent weak initiatives to improve matters being taken in the face of persistent and deep patterns of disadvantage. Careful evaluation of the impact of new legal and regulatory initiatives is vital over the next five years, and should be considered as a key research and monitoring objective. This would require detailed attention to the particularity of national contexts, the nature of mechanisms implemented, and outcome assessment.

The earlier parts of the chapter identify broad patterns in the legal measures and provisions related to discrimination and housing as identified by national reporting, and note progress in terms of implementing EU Directives, relevant national plans and policies, and development of fair practices. Secondly, a critical assessment of some legal and regulatory barriers to inclusion of migrants and minorities is presented. Thirdly, the differing pattern of national approaches to the nature of the 'diversity agenda' in housing is identified.

5.1. Legislative and administrative measures to promote housing inclusion

There is considerable progress across Europe in the development of legislation which addresses issues of discrimination and housing. Inevitably this is uneven. In **Austria**, the amended Equal Treatment Act (effective from 1/07/2004), and the expanded Equal Treatment Commission and Ombud for Equal Treatment, particularly combat discrimination in the private sectors.¹⁸⁷ In **Denmark**, the prohibition of discrimination in housing was implemented through the Criminal Act on the Prohibition of Racial Discrimination, in connection with ratification of the International Convention on the Elimination of All Forms of Racial Discrimination in 1971. More recently, the Integration Act of 1998 specified that the Danish Immigration Service would decide where refugees will live.¹⁸⁸ In some countries, like **Finland**, there is no special legislative provision for dealing with discrimination in housing, other than the Non-Discrimination Act, (see above) and no specific monitoring system designed to cover racism in housing. Yet here, legislative attempts to improve the Roma population's housing conditions have previously led to significant improvements, despite a decline in targeting and effectiveness in recent years. In **Sweden**, new anti-discrimination legislation has specifically included housing.¹⁸⁹ **Italy's** equal treatment legislation was introduced under the Immigration Act of 1998. Legislation placed a duty on regions, provinces and local authorities to eliminate obstacles to housing for foreigners. This opened up new opportunities for migrants not only in terms of access to housing, but also access to credit facilities by extending to migrants the tax rebates granted to citizens wishing to buy a first home.¹⁹⁰ As can be seen from these selected examples, there is considerable diversity between states.

The 'old' Member States were expected to complete transposition of the two EU Directives on equal treatment by 19 July 2003 for Directive 2000/43/EC, and by 2 December 2003 for Directive 2000/78/EC, with an extended period in relation to provisions on disability and age. New Member States were obliged to transpose the Directives by 1 May 2004. Prior to these Directives, many countries had not introduced anti-discrimination legislation in housing, and these EU initiatives are likely to have far-reaching consequences for discriminatory practices as well as national debates in this field. Reporting in 2004, the European Commission noted that a number of Member States had not met the deadlines for full implementation of the two Directives.¹⁹¹ Four 'old' Member States – Germany, Luxembourg, Austria and Finland – were referred to the European Court of Justice for not satisfying the requirements of the Race Equality Directive, and (in December 2004) for failures regarding the Employment Equality Directive. By the end of 2004, all of the New Member States except one had notified the Commission that they had

¹⁸⁷ NFP Austria *National Report 2004*, pp. 2, 10-13.

¹⁸⁸ NFP Denmark *Housing Report 2003*, p. 13.

¹⁸⁹ NFP Sweden *Housing Report 2003*, pp. 2, 4.

¹⁹⁰ NFP Italy *Housing Report 2003*, p. 2.

¹⁹¹ European Commission (2004), *Second Annual Report on Equality and Non-Discrimination in the EU*, Brussels: Directorate-General for Employment, Social Affairs and Equal Opportunities.

transposed the two Directives, although there may still have been some gaps.¹⁹² From the beginning of 2005, preparatory work had begun at the Commission for further action on non-conformity and non-compliance against several Member States. Some of the national housing reports comment on the situation that had been reached with implementing the Directives at the time of their reviews, setting this alongside information on specific national changes.

Belgian laws are reported as going further than the Directives. The Constitutional Court there has judged that new anti-discrimination law should be extended to “all possible differences in treatment that are not objectively and reasonably justified”. This legislation condemns both direct and indirect discrimination and introduces new civil law procedures.¹⁹³ The reporting for **Italy** refers to completion of the transposition of 2000/43/EC in July 2003, but notes that this did not change legal provisions for equality of access to housing for legally resident migrants which had previously been established in 1998. In **Denmark**, a major step forward was the Act of Ethnic Equal Treatment (coming into effect in July 2003) involving civil prohibition of direct and indirect housing discrimination, apparently as partial implementation of EU Directive 2000/43. Also in Denmark, in October 2003, a new Complaints Committee for Ethnic Equal Treatment was formed which can examine housing discrimination cases, although its effectiveness is as yet unclear.¹⁹⁴ The Equal Treatment Act (ETA, 1994) in the **Netherlands** covers discrimination in housing, and the national reporting noted that this was being evaluated together with plans for including 2000/78/EC on disability and age, although at that time this had not yet been carried out. The housing report indicates that proposals to implement 2000/43/EC in the ETA were presented to the Dutch Parliament in 2003.¹⁹⁵

The 2004 reporting for **Austria** refers to the issue of non-implementation of the anti-discrimination Directives into federal and especially provincial legislation, the new equality law only came in force in 2004 and related agencies were only established in 2005.¹⁹⁶ The national reports for **Germany** also note the issue of non-implementation of the Directives by the Federal Government.¹⁹⁷ Apparently, however, the Federal Ministry of Justice had announced that legislation would be introduced. Massive protests by groups like homeowners’ associations are mentioned as stalling the implementation of a ban on discrimination in the allocation of housing.

National plans for social cohesion and inclusion have recently been the subject of consideration by some national governments and are featured as a key potential development in national reports. They can complement legislative commitment, and provide high profile opportunities for giving specific attention to the

¹⁹² For a summary of the situation generally see EUMC (2005), *Annual Report*, Vienna.

¹⁹³ NFP Belgium *National Report* 2004, pp. 3, 17-18.

¹⁹⁴ NFP Denmark *Housing Report* 2003, pp. 18-19, 48.

¹⁹⁵ NFP Netherlands *Housing Report* 2003, p. 21. See the Netherlands, Parliamentary Documents II, 2002/03, 28 770.

¹⁹⁶ NFP Austria *National Report* 2004, p. 2.

¹⁹⁷ NFP Germany *National Report* 2004, p. 2.

interrelation between public policy on housing and issues of migration, settlement of minorities, and comparative housing inequalities. Failure to implement these plans may therefore be a key barrier to progress. In **France**, the Plan on Social Cohesion announced in June 2004 includes measures to increase low-cost housing and improve the housing situation of minorities, and also to improve emergency support and housing provision for asylum seekers.¹⁹⁸ Similarly, **Austria's** planning identifies third country nationals' housing conditions as in need of improvement. Commenting on the Austrian National Action Plan for Social Inclusion, however, the national housing report notes that the Plan remains silent about which concrete measures the government is envisaging for bringing about the desired improvements. Possibilities pointed to are counselling services in several languages, as well as the extension of the set of potential beneficiaries of housing allowance in Vienna to third country nationals.¹⁹⁹ The **Spanish** national housing report notes a lack of explicit mention of foreign migrants in the I National Action Plan on Social Inclusion of the Kingdom of Spain (June 2001-June 2003), although this includes measures aimed at facilitating housing access which encompass promoting an integrated housing policy for all and improving housing policies aimed at disadvantaged areas and population groups.²⁰⁰

At more specific levels there is also evidence of particular legal reforms or positive initiatives from different national reports. For **France**, for instance, Social Modernisation legislation (2002) is seen as strengthening the legal challenge to discrimination by creating a civic appeal in the case of refusal to let housing, and is applicable to both public and private spheres.²⁰¹ This is apparently modelled on EU Directives, recognises indirect discrimination, and lessens the burden of proof.²⁰² Furthermore, the creation of an independent authority with responsibility for combating discrimination is actively under discussion. This is however seen as concomitant with measures to promote integration (discussed in Chapter 6).

Another informative example, showing well the range of actions in hand, is from **Ireland**. Here, significant legislative and policy developments are reported, including implementation of the Race Directive, 2000/43/EC, and progress on Ireland's National Action Plan against Racism. Consultation on this plan highlighted weaknesses in the use of criminal legislation, and proposed the use of 'race' as an aggravating factor in sentencing. The introduction of the Housing

¹⁹⁸ NFP France *National Report* 2004, pp. 2, 25: Ministre de l'Emploi, du Travail et de la Cohésion Sociale, *Plan de cohésion sociale*, Paris, 30 juin 2004. Edgar's study usefully refers to three major post-war phases for immigrant housing policy in France. See Edgar, B. (draft 2004; forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, pp. 46-48.

¹⁹⁹ NFP Austria *Housing Report* 2003, p. 23. See also Österreich (2003), 2. Nationaler Aktionsplan für Soziale Eingliederung 2003 – 2005 (2nd National Action Plan for Social Inclusion 2003 – 2005), Wien.

²⁰⁰ NFP Spain *Housing Report* 2003, pp. 7-8.

²⁰¹ NFP France *National Report* 2004, p. 23. The authors refer to Loi n°2002-73 du 17 janvier 2002 de modernisation sociale, Journal officiel, 18 janvier 2002, pp. 1008-1052, and Article 1 of the "Mermaz" Tenants Bill (loi n°89-462 du 6 juillet 1989).

²⁰² For additional comment see Edgar, B. (draft 2004; forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, pp. 80, 86.

(Traveller Accommodation) Act 1998 was widely welcomed. This Act incorporated all the main elements of the National Strategy for Traveller Accommodation, and required local authorities to develop five year accommodation programmes and carry out consultation with Traveller representatives at both national and local level (see further comments in Chapter 7). Refugees are entitled to housing on the same basis as Irish nationals, but key barriers remain for this group, as in many other European countries. At the time of the national reports, the government was in the process of implementing Article 13 Directives and a Residential Tenancies Bill clarifying rights and obligations of tenants and landlords. The Equal Status Act 2000 prohibits discrimination in the provision of housing, and specifically includes grounds of membership of the Traveller community as well as ‘race’ and religion. Discrimination in housing is specified in detail, referring not only to access to accommodation but also to terminating a tenancy and ceasing to provide accommodation. The Equality Authority has reported a growing number of complaints, rising from 26 in 2001 to 65 in 2002, including racism directed at housing providers to minority groups.²⁰³

Local and regional regulatory initiatives, legal instruments, pacts or declarations may also prove valuable in tackling entrenched patterns of discrimination and changing operational cultures, and some are highlighted in Chapter 7. One example from **Austria** concerns the local introduction of anti-discrimination guidelines in housing by the city of Dornbirn, together with low-threshold training for caretakers and other staff in housing areas with a high rate of migrants, and a proposal on equal access to housing benefits.²⁰⁴

5.2. Legal and regulatory barriers to inclusion

Several different situations arise, ranging from direct legal obstacles to inadequate implementation of policies. Sometimes plans on social exclusion and racism fail to address housing directly at the outset. It is reported, for example, that the **Irish** Social Exclusion Plan contains no specific statements relating to migrants, minorities and housing, while in **Denmark** the government’s plan of action to combat racism failed to specify initiatives to combat racism in the housing sector.

Common problems have been identified in implementation of equality legislation in relation to housing. In **Sweden**, despite new legislation on discrimination, few cases are being reported, and this does not appear adequately to encompass evidence of the ways in which discrimination is operating here (for example discrimination by a private person in renting or selling their property or in issuing instructions to other agencies to discriminate on their behalf).²⁰⁵ In **France**, low penalties for discrimination are seen as a major obstacle for challenging these

²⁰³ For the above see NFP Ireland *Housing Report 2003* and *National Report 2004*.

²⁰⁴ NFP Austria *National Report 2004*, p. 31, citing Integrationsleitbild der Stadt Dornbirn mit Maßnahmenplan, at: <http://dornbirn.at/cup/Z100/downloads/67.pdf>

²⁰⁵ NFP Sweden *Housing Report 2003*, p. 23; *National Report 2004*, p. 45.

practices. Key barriers also identified in France include lack of resources and operational priorities for anti-discrimination initiatives and measures designed to increase reporting of incidents, and inadequate pursuit of legal investigations by courts and tribunals after reports are made.²⁰⁶ In the **Netherlands**, court cases relating to housing discrimination are reportedly rare, and complaints heard by the Equal Treatment Commission which does regularly deal with cases are more often dismissed than allowed. Furthermore, the lack of rights to a written rejection notice for those refused housing is identified as a key issue that needs attention.²⁰⁷ In **Greece**, anti-discrimination legislation is not accompanied by regulatory mechanisms or specific sanctions, and cannot be practically enforced. Here the roles played by the Ombudsman (for example in dealing with complaints concerning housing issues regarding Roma and the conditions of detention of asylum seekers) and the National Commission of Human Rights are of particular importance.²⁰⁸ In **Austria**, discriminatory advertising of housing has been identified as a gap in the provisions of the new legislation.²⁰⁹ It is also reported that opposition by groups representing stakeholders in the Austrian housing market has been strong in resisting the development of more open social housing access systems to reduce discrimination in housing.²¹⁰ Before the Equal Treatment Act came into force in July 2004 there had been no legislation and no monitoring system in place on housing discrimination.

From the evidence of the national reporting, it does seem that some governmental standpoints do go beyond neglect or poor implementation, with available information being suggestive of active hostility to reform. **Danish** government strategy announced in May 2004, for example, seems to be viewed in national reporting with some scepticism, as perhaps being primarily aimed at seeking to pursue maximum housing quotas on foreigners (despite a court ban in 1991), under the guise of promoting greater housing choice.²¹¹ In addition, there has been no state financed monitoring organisation concerned specifically with discrimination and inequality in housing. A further barrier identified is the way in which the Danish Aliens Act impedes migrant family reunification through a requirement regarding size and occupancy of dwellings. This has been interpreted by some to be an example of indirect discrimination, and in contravention of Article 14 of the European Convention on Human Rights.²¹² Even though plans to include the setting of income requirements for housing applicants in the Housing Allocation Act in the **Netherlands**²¹³ are officially said to take into account the European Convention of Human Rights (ECHR), the International Covenant on Civil and Political Rights (ICCPR) and general equal treatment law, they are an example of potential indirect discrimination being instituted - perhaps giving housing agencies power to limit and control the locational choices of migrant households and the

²⁰⁶ NFP France *Housing Report* 2003, p. 33.

²⁰⁷ NFP Netherlands *Housing Report* 2003, pp. 62, 75.

²⁰⁸ NFP Greece *Housing Report* 2003, pp.12, 14.

²⁰⁹ NFP Austria *Housing Report* 2003, pp. 66, 68.

²¹⁰ NFP Austria *Housing Report* 2003, pp. 29-30.

²¹¹ NFP Denmark *National Report* 2004, pp. 5, 36-37, 45.

²¹² See discussion in NFP Denmark *National Report* 2004, p. 39, including reference to a review by the Danish Institute for Human Rights.

²¹³ NFP Netherlands *National Report* 2004, p. 37.

size and composition of either local, neighbourhood or block populations. More generally, law and practice on asylum seekers in several countries fails to conform to practices that would be expected for other households. For example, the 2003 amendments to the Asylum Act in **Austria** had been vigorously opposed by the UNHCR, opposition parties, NGOs and the Verfassungsdienst (legal service of the Federal Chancellery), and have been argued to violate fundamental rights in the Constitution as well as international conventions.²¹⁴

Devolution of responsibility for housing matters to local and provincial governments may in some countries require additional drafting of legislation or regulatory systems to ensure effective implementation of equality legislation.²¹⁵ This may contribute to delays and uneven practice across towns, cities and rural areas. For instance, across **Austria's** nine provinces different legal provisions determine access to housing benefits which can either exclude or include third country nationals. Similarly, at commune level cities may either exclude or include these groups from access to council housing. Reporting indicates that Vienna, Salzburg, Steyr and Schwechat do allow access to this form of housing, whereas most others do not.²¹⁶ Here, political conditions which reinforce exclusionary practices and mobilise hostility to migrants are facilitated by inadequate equality legislation. A similar set of arguments arises in the **Italian** context where decentralised housing policies across autonomous regions and provinces have failed to consistently reflect positive aspects of national legislation regarding migrants, Roma and refugees. Explicit violation of national laws on discrimination has been evident in some cases (as in Milan, where unlawful discriminatory criteria have been used to regulate access to council housing).²¹⁷ For refugees in **Ireland**, the dropping of national requirements that local authorities include refugees as a specific category in their local assessment of housing needs is seen as a setback, and prior to this more than ten local authorities had failed to make any reference to the needs of refugees in their housing need and investment plans. Although delegation to more regional or local decision-makers can generate delays or negative outcomes, it can also produce some positive regulatory outcomes (as mentioned above), occasionally in advance of national measures.

In a number of national contexts, legislation exists or has been introduced to restrict, control and regulate Roma, Travellers, Gypsies or Sinti, which is likely to contravene EU Directive 2000/43/EC or conflict with protection of human rights. In **Greece**, the Ministerial Decree A5/696/25 stated that “the unchecked, without permit, encampment of wandering nomads (*Athinganoi*, etc.) in whatever region is prohibited”.²¹⁸ For **Italy**, reporting indicates regional laws violating national equality legislation, and constituting significant barriers in relation to improving

²¹⁴ NFP Austria *Housing Report* 2003, pp. 92-93.

²¹⁵ NFP Italy *National Report* 2004, p. 2.

²¹⁶ NFP Austria *Housing Report* 2003, p. 83; in Vienna in connection with its emergency flats programme.

²¹⁷ NFP Italy *Housing Report* 2003, p. 24. Cfr. Court of Justice of Milan, Sentence 20/21-03-2002 n. 3614, in: *Diritto, immigrazione e cittadinanza*, n. 4/2002, Milano: Franco Angeli.

²¹⁸ NFP Greece *Housing Report* 2003, p. 11.

the conditions of Roma ‘transit camps’.²¹⁹ On the policy implementation front, failure to set up an independent Traveller Housing Agency in Ireland is seen as a key barrier to progress along with the “dismal” implementation of Traveller accommodation programmes by local authorities.²²⁰ Lack of recognition of the distinct needs of this group is seen as a serious constraint on combating discrimination.

It should be noted that a complaint about the treatment of Roma people with respect to housing has very recently been sustained in a challenge to the Greek government taken to the European Committee of Social Rights.²²¹ The Committee concluded that the insufficiency of permanent dwellings constitutes a violation of Article 16 of the European Social Charter, that the lack of temporary stopping facilities constitutes a violation of Article 16, and that the forced evictions and other sanctions against the Roma also do so. It seems that in general terms States are expected to respect difference and to ensure that social arrangements are not such as would effectively lead to or reinforce social exclusion, while the protection of family life is clearly important (and here housing certainly has a role). An important European Court of Human Rights judgement in 2004 had already referred to gypsies in the UK, and confirmed that consideration should be given to their needs and lifestyle.

5.3. The ‘diversity agenda’ in housing and neighbourhood development

In many countries there is no official diversity policy or endorsement in housing, so that from a ‘multi-cultural’ perspective an overview across the fifteen reports produces a very varied picture.. Perhaps it could be argued that the **UK** lies at one end of the range – with explicit policy and practice foci on diversity and cultural sensitivity – while **France** and some other countries stand near the other end. This may however be something of an over-simplification. Certainly, though, it is observed that housing policy specific to migrants and foreigners does not exist in France, while for **Portugal** it is reported that there were no significant good practices aimed specifically at foreigners or minorities in housing.²²² One way forward across countries can be to provide additional mechanisms for advice, consultation, supervision or representation. Aside from semi-detached or independent equality commissions and ombudsmen offices, the creation of new government departments or agencies with particular responsibility for improving migrant housing conditions can indicate and facilitate progress, depending of

²¹⁹ NFP Italy *Housing Report* 2003, pp. 2, 10-11, 28. The authors note ERRC (2000) *Campland. Racial segregation of Roma in Italy*, ERRC, Budapest (available at: www.errc.org), and also Commissione per le Politiche di Integrazione (2000) *Rom e Sinti. Integrazione possibile. Italia ed Europa a confronto*, Proceedings of International Conference, June 2000.

²²⁰ NFP Ireland *National Report* 2004, p. 32, citing O’Brien, P (2004) “Traveller group in plea for agency”, in: *Irish Examiner*, 21.11.2003.

²²¹ ERRC (European Roma Rights Centre) v. Greece, Collective complaint No. 15/2003, June 2005.

²²² NFP France *Housing Report* 2003, pp. 2, 10; NFP Portugal *National Report* 2004, p. 3.

course on their policies, resources and actions. In **Greece**, the establishment of the Department for the Protection of Vulnerable Groups in the Directorate of Social Awareness and Solidarity provides such an example.²²³ This department has responsibility for refugees and asylum seekers and other socially vulnerable groups and related housing programmes and projects.

One complication for this review is the overlap at the level of rhetoric between integration strategies and the issue of planning for diversity. The two by no means coincide in terms of underlying assumptions and specific instruments, yet may become confused. As will be seen in later chapters, an official agenda for integration may not be about accommodating diversity of cultures, or mutual learning and adaptation, but may prioritise assimilation and elements of social control. Strategies such as quotas and the controlled diversification of neighbourhoods are dealt with as part of Chapter 6.

POSITIVE TRENDS AND EVENTS

Across a number of countries, numerous initiatives and programmes (albeit uneven and sporadic) have been identified as being of particular benefit in improving minority and migrant housing opportunities and conditions. Chapter 7 explores these further. It is worth emphasising that from **Germany** and the **Netherlands** there is evidence of local acknowledgements of culturally diverse needs and aspirations, alongside active efforts to encourage tolerance and positive interactions across ethnic boundaries.

Relatively comprehensive guidelines for developing diversity agendas in housing are provided in the Irish and British contexts. Reporting from **Ireland** highlights the significance of three key fields for building diversity in housing; promoting access, facilitating appropriate forms of accommodation, and combating racism in residential environments. Provision of rights information, better regulation of the private sector, clarification of the meaning of culturally appropriate housing, and awareness and anti-racist strategies are identified as key fields for development, and require significant extension of legal and regulatory measures. Government guidelines, housing information booklets, NGO guidelines, information and advice and local and regional strategic planning processes have been identified as contexts where emerging elements of this agenda are being constructed.²²⁴ Similarly, for the **UK**, frameworks for equality and diversity together with toolkits, action plans and good practice guides are cited as an extensive set of resources within which these issues are being creatively addressed. Great emphasis has been placed on developing operational guidance for development of housing services with respect to both promoting diversity and building community cohesion (see also comments in Chapters 3 and 7). There are an increasing number of web-based resources set up by housing organisations. Finally, it should be emphasised that UK law and policy now require all public bodies to be proactive on issues of racism and

²²³ NFP Greece *Housing Report* 2003, p. 11. Presidential Decree 95/2000 (amended by P. D. 299/2000).

²²⁴ NFP Ireland *Housing Report* 2003, p. 34.

diversity, with expectations that they should engage in explicit strategic planning, attain sensitivity in their services, and pay attention to the needs of minority ethnic groups. This derives in part from a concern to combat indirect and institutional discrimination. The distinctive role of the black and minority ethnic housing associations are addressed elsewhere in this report. They have reflected and contributed to the UK ethnic diversity agenda for two decades, and have advanced the cause of sensitivity to anti-racist practice needs in their field. The twenty-three largest manage together over 20,000 accommodation units.²²⁵

5.4. Conclusions

There is considerable progress across Europe in development of legislation which addresses issues of discrimination and housing, and this should be acknowledged. EC Directives 2000/43/EC and 2000/78/EC have been transposed into national legislation in most countries, despite some delays and limitations. National regulatory systems are diverse, however, and implementation in daily practice may vary considerably. As noted elsewhere in this report, the UK has a relatively developed system for regulation, audit and inspection (at least across the public sector and voluntary sector organisations in the housing field).

National plans for social cohesion and inclusion provide important potential opportunities for giving specific attention to the inter-relations between public policy on housing, and issues of migration, settlement of minorities, racist harassment at neighbourhood level, and comparative housing inequalities. Local regulatory initiatives may also prove valuable in tackling entrenched patterns of discrimination and in changing operational cultures, although some local practices may also hold up progress. Devolution of responsibility for housing matters to local and provincial governments may in some countries require additional drafting of legislation or regulatory systems, to ensure effective implementation of equality legislation. To conclude, some of the key findings are highlighted from this chapter.

- Considerable progress has been made in many places towards greater equality of treatment, but there are still limitations and gaps.
- In a number of national contexts legislation may restrict, control or regulate Travellers/Gypsies/Roma/Sinti, which seems likely to run counter to the intentions of EU Directive 2000/43/EC.
- National plans on social exclusion and racism can fail to address housing sufficiently directly, and common problems have been identified in implementation of equality legislation in relation to housing.
- Across a number of States, various initiatives and programmes (even if uneven and sporadic) have been identified as being of particular benefit in improving minority and migrant housing opportunities and conditions.

²²⁵ NFP UK *National Report* 2004, p. 48, fn. 145.

- In many countries there is no official diversity policy in housing (although fairly comprehensive guidelines for developing diversity agendas in housing are provided in the Irish and British contexts).

6. CHAPTER 6 - INTEGRATION, NEIGHBOURHOODS AND SEGREGATION

Successful housing and neighbourhood integration is significant in influencing secondary migration by new migrants, helps shape community relations, and affects access to services and opportunities for employment. All are crucial for the development of migrant and minority ethnic households' capacities for secure and independent living. Yet, as research referenced in the **Austrian** report indicates, "vulnerable groups perceive housing as the most problematic area of integration."²²⁶ Debates and initiatives aimed at promoting the social integration and inclusion of new migrants and established minority ethnic groups are covered in varying depth in the country reports. It is possible to identify there a range of significantly different approaches to social integration and inclusion across the Member States, reflecting varied histories of immigration (and emigration), and different political discourses on immigration, citizenship, minority ethnic obligations, and rights, in relation to housing, welfare and work. Differences of approach are manifested in differing levels of state control over the migrant settlement process, with different types of intervention, and varying degrees of housing market choice for both settled populations and new migrants. The approaches, and their underlying precepts, will be reviewed in this chapter, and discussed in relation to their impact on different migrant and minority ethnic groups.

The nature of policies and interventions (national and local) designed to shape and promote the housing integration or social inclusion of migrant and minority ethnic groups at neighbourhood level is indicative of the way governments view their minority groups, in terms of both rights and responsibilities. There are notable differences in approach to established and new migrants in many countries, and particularly those in northern Europe, with increasing social rights for settled migrants on the one hand and growing controls over immigration and new migrant settlement on the other. Housing is clearly a key driver for most government-led programmes for the settlement of asylum seekers and refugees. Policies on social housing allocation also play an important role in schemes designed to promote good community relations in many countries. However, criteria for evaluating progress towards integration are often lacking in the reports. The Austrian report does offer a number of criteria for measuring the success of housing integration measures (level of access to ownership, age of property, access to basic housing amenities, quality, size, attractiveness of neighbourhood and affordability). However, very few of the other country reports refer to any objective assessment criteria in their reviews. More commonly, discussion revolves around migrant and minority ethnic dispersal (usually aimed at new migrants), which is aimed at avoiding and/or reducing residential segregation or 'ghetto' formation.

²²⁶ NFP Austria *Housing Report* 2003, p. 78.

Using the criteria for integration offered in the Austrian reporting, it is clear that migrant and minority ethnic housing integration is far from complete in most countries. The evidence presented in Chapter 4 confirms the existence of migrant and minority ethnic housing inequalities in terms of access, quality and cost of accommodation, and the presence of discrimination. The report now focuses particularly on issues of migrant and minority ethnic segregation in specific neighbourhoods, their exclusion from specific areas and types of housing and even towns (e.g. in **France**), the policies and practices that have created and sustained this position and those which seek to overcome segregation. Policies range from stringent settlement control, often targeted at particular migrant and minority ethnic groups, to social welfare schemes, aimed at elevating the social and economic status of poorer households, amongst which migrant and minority ethnic groups are over-represented.

6.1. Alternative interpretations of integration in housing and neighbourhoods

The contested nature of approaches to integration has already been touched on in Chapters 1 and 2. A neutral account would most likely conceptualise integration as being to some degree a two-way process, whereby minority groups and the majority population have to participate in processes of change on a reasonably equal footing. Thus a distinction should be drawn between integration and assimilation, the latter generally being perceived as a one-directional process of migrant and minority ethnic acculturation and spatial dispersal. Some authors of national reports, however, use the terminology less carefully. The authors of the Austria and Ireland reports are notable exceptions. The latter, for example, question the use of the term ‘integration’, advocating instead a preference for “an intercultural approach to accommodating cultural diversity rather than the more dated ‘integration’ concept or the discredited assimilation approach”²²⁷. There is also lack of clarity over the use of the term ‘inclusion’, with little explication of countries’ visions of migrant and minority ethnic inclusion or how progress towards it might be measured.

The national reports indicate uncertainty about the principles and outcome of the social integration process in a number of countries. For example, the **French** housing report notes that there has been much debate around the use of the term ‘social diversity’ in this country, commenting that while “social mix is widely mentioned in legislation (the phrase ‘ethnic mix’ is seen as unacceptable) and in general debate, nowhere is it defined”.²²⁸ Similarly, in **Belgium** for years, there has been a public discussion on whether concentration-neighbourhoods (with a high concentration of ethnic minorities) have some advantages compared to neighbourhoods with a broader social mix.²²⁹ Thus here, as in other countries,

²²⁷ NFP Ireland *Housing Report* 2003, p. 10.

²²⁸ NFP France *Housing Report* 2003, p. 28.

²²⁹ NFP Belgium *Housing Report* 2003, p. 29.

doubts are raised, in social science circles at least, over the precise association between dispersal and integration. The authors of the **Danish** housing report conclude that despite a well-established state organised integration programme for refugees, there is virtually no “research concerning whether the concentration of immigrants in specific housing areas impedes the integration of immigrants”, or about the consequences of segregation for the people living in the “so-called ‘segregated areas’”²³⁰ Politicians in Denmark, apparently, nevertheless generally equate residential segregation with a lack of integration. Similarly, it seems that **Germany** pursues a stringent de-segregation policy, despite the fact that political and academic discourse here has failed to reach a consensus on its merits. Meanwhile, the authors of the **Portugal** report comment that “there is a lack of data on which to evaluate social mixing ... and studies on ethnic spatial segregation are scarce”.²³¹

Despite a lack of explicit definitions of integration, the reports indicate that the term is used in different ways, and these can be summarised as follows:

- Integration as assimilation and dispersal. Uncertainty and ambiguity over the terms ‘integration’, ‘social mixing’ or ‘inclusion’ has clearly not deterred a number of governments (e.g. in Denmark, Finland, the Netherlands and Germany) from pursuing policies designed to minimise cultural difference and promote ethnic de-segregation. The **Denmark** report notes explicitly, for example, that “the concept of integration is more and more used as similar to assimilation”,²³² with explicit references being made to the goal of avoiding ghetto formation.
- Integration as social diversity. The **UK** has a stated multi-cultural policy, which aims to respond to cultural diversity through its housing policy whilst widening minority ethnic housing choices. Local government and social housing organisations are statutorily obliged to develop housing strategies which promote race equality and respond to the diverse social and cultural needs and preferences of migrant and minority ethnic groups. Housing providers set out a long-term vision for local minority ethnic communities, set targets for measuring performance and seek to integrate these with regional ethnic minority strategies. Good practice includes providing training and employment for people from minority ethnic backgrounds, consulting with local communities, and including migrant and minority ethnic groups in the housing policy development process. The housing sector’s ‘race’ equality and cultural diversity agenda nevertheless sits somewhat uneasily alongside dispersal policies for asylum seekers, settlement control for Gypsies and Travellers and the assimilationist and de-segregationist overtones of debates about community cohesion in the wake of ethnic disturbances in some cities with relatively high levels of minority ethnic segregation.
- Integration as class-based. In **France**, integration is most commonly discussed in relation to social class integration, with little explicit reference to ethnicity,

²³⁰ NFP Denmark *Housing Report* 2003, p. 32.

²³¹ NFP Portugal *Housing Report* 2003, p. 67.

²³² NFP Denmark *Housing Report* 2003, p. 11.

since the discourse on mixing “is grounded in the taboo associated with the use of ethnic categories”²³³ (see Chapter 3). **Sweden** also has a wide range of policies designed to tackle housing segregation, but this is apparently mainly conceptualised in relation to socio-economic segregation. The Swedish reporting is thus heavily orientated towards a discussion of class as opposed to migrant and minority ethnic integration.

6.2. Policy Approaches to Social Integration

Several different policy approaches to achieving social integration may be identified in national reports. These are associated with different types and levels of intervention in the housing and settlement of migrant and minority ethnic groups. The range of approaches reflects different conceptualisations of integration (as noted above), discourses on immigration, citizenship, diversity and belonging, different government policies on the reception and settlement of new migrants, different priorities in terms of housing and (in particular) the perceived role of social housing in achieving (or ‘engineering’) social mixing, and differing approaches to tackling social exclusion and deprivation. The policy approaches can be broadly categorised as follows (1-4):

1 CENTRAL GOVERNMENT INTERVENTIONS TO CONTROL SETTLEMENT OF NEW MIGRANTS

New migrants generally find themselves in the most socially excluded and segregated positions (unless they are of high socio-economic status), and may be particular targets of settlement and integration initiatives. The most obvious groups to fall into this category are asylum seekers and refugees. New migrants arriving as casual labourers, especially in the agricultural sector, may arrive as undocumented workers and fall outside any official schemes (this seems particularly true of southern Europe). Most countries have some planned settlement programme for asylum seekers, which may extend to those granted status as refugees. These programmes generally present the migrant with few choices about where to settle, and are designed to ‘control’ the entry of the newcomers into the receiving country, at both the national and local level. For example, the **Austrian** housing report observes that “whereas more than half of the third country nationals live in the ten biggest Austrian cities, asylum seekers do not share this settlement pattern. There are four refugee camps in Austria, where asylum seekers that have made it into the programme of federal care are placed. Not all of them can be accommodated in these camps though and might be taken to small boarding houses spread all over Austria and very often located in very sparsely populated areas.”²³⁴ In Austria, as in many other countries, welfare support for asylum seekers and refugees is often dependent upon participating in a

²³³ NFP France *Housing Report* 2003, p. 28.

²³⁴ NFP Austria *Housing Report* 2003, p. 48.

planned settlement programme, but this can also bring its problems. For example, in the Austrian province of Burgenland, asylum seekers are accommodated across a number of decentralised villages, so that “access to language courses and other educational programmes is hardly possible”.²³⁵

The specific conditions associated with planned settlement and integration programmes for asylum seekers and refugees vary across countries. In the **UK**, for example, asylum seekers accepting government welfare are subject to a dispersal programme, designed to reduce the number of new migrants settling in London and the south east of the country. They are, however, legally free to move elsewhere once granted refugee status. This is not true of all countries. In **Denmark**, the Danish Integration Act (1998) not only dictates where refugees must settle in Denmark (using a quota system), but ensures that individuals remain in the same municipality for a three-year introduction programme.²³⁶ **Germany** also employs strict (state-specific) allocation quotas as part of its asylum seeker integration and dispersal programme in pursuit of its policy of migrant and minority ethnic de-segregation. Meanwhile, **Finland’s** Integration Act requires an immigrant to comply with an integration plan if he/she is to receive financial support in the form of an “integration allowance”.²³⁷ Finnish municipalities are required to devise social programmes for new migrants alongside measures for dispersal. These integration programmes, however, have been criticised for being one-sided because immigrants face sanctions for lack of participation, whereas there are no penalties for authorities that fail to provide adequate support.

2 THE USE OF HOUSING POLICY TO ACHIEVE SOCIAL INTEGRATION/CREATE SOCIAL DIVERSITY

The way in which housing policy is used to promote integration is highly variable across the Member States. At one extreme, **Sweden’s** housing policy is driven by the aim of breaking down segregation and achieving social integration, although this is constructed in socio-economic rather than migrant and minority ethnic terms. At the other extreme, the **Portuguese** report notes that there is little attempt to engineer social mixing in Portugal, commenting that “the promotion of diversity in housing areas..... is not a common practice in Portugal”.²³⁸ In some countries, the rhetoric of achieving integration through housing policy is greater than the reality. For example, the report for **Ireland** notes that in this country, “housing is recognised as an integral part of any approach to the integration of minority ethnic groups. As such, housing has emerged as a key element in a number of broader integration strategies.”²³⁹ However, the Irish report contained little discussion of

²³⁵ Steinert, I. (2002) Grenzland Burgenland (Border area Burgenland), in: H. Fronek and I. Messinger (eds.) *Handbuch Unbegleitete Minderjährige Flüchtlinge. Recht, Politik, Praxis, Alltag, Projekte* (Handbook unaccompanied minor refugees: legislation, policies, practical experiences, everyday life, projects), Wien: Mandelbaum Verlag, pp. 210-211; cited in the NFP Austria *Housing Report 2003*.

²³⁶ NFP Denmark *Housing Report 2003*, p. 13.

²³⁷ NFP Finland *Housing Report 2003*, p. 46.

²³⁸ NFP Portugal *Housing Report 2003*, p. 76.

²³⁹ NFP Ireland *Housing Report 2003*, p. 10.

integration policies and the authors voiced concern about progress towards a co-ordinated national approach.

The association between housing integration policies and the desire to achieve an ‘appropriate’ level of social/ethnic mixing is strong. In some countries, the goals are explicit and in many cases (“hidden”) quotas seem to be in place. For example, the integration of migrants into the **German** housing market has been fostered by housing and urban development policies, a key goal of which has been to achieve de-segregation. This has included (hidden) quotas for non-German households that have been imposed locally in many housing estates. In other countries, the goals of achieving de-segregation may be less explicit, but are nevertheless clear in their intention. For example, in **Finland**, even though there is no official ‘diversity policy’ in housing, “various government policy documents encourage the even spatial distribution of refugees and immigrants in social housing, so as to prevent segregation and social marginalization.”²⁴⁰ The aim is to “preserve the social balance ... while diversifying ... resident structure”.²⁴¹ **Denmark** has also used social housing interventions to achieve greater social mixing. The Danish housing report highlights, however, how supposed integration initiatives can sometimes produce ‘perverse’ results. A trial scheme to enhance social diversity in social housing gave priority to students and elderly people. However, since these particular groups are under-represented amongst migrant and minority ethnic groups, the report observes that “it can be assumed that the effect of the trial scheme is to prevent citizens with migrant and minority ethnic background from getting the flat to which they are entitled according to their number on the housing waiting list. ... The trial scheme is discriminatory in that it indirectly prevents ethnic minorities from getting a flat in a district in which they would be entitled to live under the normal rules”.²⁴² The trial scheme nevertheless became policy.

There are also questions to be asked over what might be an ‘appropriate’ level of social mixing. There may be different views on this at national and local levels of government in a country. In **France**, for example, contradictions can arise between national policy and local practice. Recent legislation aims to integrate migrant workers by giving them rights of access to social housing, rather than housing them separately as in the past. However, the authors of the French housing report note that “problems can arise in the practical application of these rights when, for example, neighbourhoods with high concentrations of foreigners and immigrants are subjected to ‘re-equalisation’ efforts wherein requests for housing originating from foreigners and immigrants are rejected out of hand”.²⁴³ Reports also indicate that there are inconsistencies in the way in which different migrant and minority ethnic groups are treated within the same country. While most integration policies work on the premise that ethnic mixing, through residential dispersal, brings improved community relations, this rarely holds for the Gypsies, Travellers, Roma and Sinti. In this case, the ‘appropriate’ and preferred solution appears to be one of minimal mixing, as explored further below.

²⁴⁰ NFP Finland *Housing Report* 2003, p. 1.

²⁴¹ NFP Finland *Housing Report* 2003, p. 34.

²⁴² NFP Denmark *Housing Report* 2003, p. 37.

²⁴³ NFP France *Housing Report* 2003, p. 2.

Finally, several reports note how government policy on integration and particular initiatives to promote it may stall when local people object to ethnic mixing. This is particularly evident in the case of projects designed to integrate Gypsies, Travellers, Roma and Sinti, but cuts across all ethnic and class groupings. In France, for example, policies aimed to encourage well-off families to move to ‘at-risk urban zones’ (*Zones Urbanism Sensible*) were “not always favourably received”.²⁴⁴ Meanwhile, the power of local officials to subvert national effort to promote social integration is also illustrated clearly in the French report. Case law evidence is used to highlight the power of local mayors to influence the social mix and, in particular, the ‘whiteness’ of their town through the abuse of their right preemptively to purchase property. The French housing report recounts how a particular mayor was “obsessed by what he calls the ‘demographics of his city’ and so uses his right to pre-emption to buy property whenever the potential buyer has an Arab name. He also places pressure on owners (not to sell to Arabs).”²⁴⁵ A similar incident came to court after the mayor of Grenoble blocked a sale to a Turkish family because he felt that “the quota for the municipality has been filled long ago”.²⁴⁶

3 THE USE OF URBAN RENEWAL TO TACKLE SEGREGATION AND SOCIAL DIVERSITY

This approach aims to enhance the housing and social status of socially excluded groups through renewing the poorest neighbourhoods, where migrant and minority ethnic groups are often over-represented. An assumption is that urban renewal will help to relieve tensions between ethnic groups, which are often exacerbated by social and material deprivation, as well as help to combat social exclusion more generally. In some countries, this approach to integration constitutes just one facet of a more sophisticated policy, which may include planned settlement or dispersal policies (e.g. Denmark, the UK and France). For example, in **France**, integration strategies include schemes for tackling the physical and social deprivation associated with HLM²⁴⁷ neighbourhoods, where many of the poorest migrant and minority ethnic families live. These schemes, the report claims, occupy “the centre stage in public debates around integration policies for immigrants and people of immigrant origin.”²⁴⁸ The **Netherlands** also pursues a policy of de-segregation within its ‘Big City’ urban renewal programme. Meanwhile, in other countries, renewal may be the only identifiable approach to integration. In **Portugal**, for example, where there is little planned social integration, shanty-town re-housing programmes are cited as the main ways of bringing benefits to migrant and minority ethnic groups through improved housing conditions. However, an evaluation of these programmes has cast doubts on their efficacy on the grounds that cultural and economic processes at the root of migrant and minority ethnic

²⁴⁴ NFP France *Housing Report* 2003, p. 32.

²⁴⁵ NFP France *Housing Report* 2003, pp. 29-30.

²⁴⁶ NFP France *Housing Report* 2003, p. 32.

²⁴⁷ *Habitation à Loyer Modéré*, Low-Rent Housing neighbourhoods

²⁴⁸ NFP France *Housing Report* 2003, p. 8.

exclusion do not disappear with renewal. The topic of renewal is covered further in Chapter 7.

4 SPECIFIC INITIATIVES PROMOTING INTER-ETHNIC RELATIONS

Some reported initiatives targeted at promoting inter-ethnic relations are touched on in Chapter 7. Projects provide examples of efforts to enhance social integration in Germany, Spain and Austria (where ‘inter-ethnic housing’ projects have “symbolic value and raise awareness among property developers for different housing needs”.²⁴⁹)

REFLECTIONS ON THE DIFFERENTIAL TREATMENT OF MIGRANT AND MINORITY ETHNIC GROUPS

The above review of approaches to social integration touches on important distinctions in the treatment of different migrant and minority ethnic groups, which broadly hold across the different Member States. Several factors affect current housing policies and practices associated with particular groups: notably length of residence, reasons for migration, formal status, and the social and cultural distinctiveness of the migrants. These all have a bearing on the racialisation of particular groups and the debates associated with their citizenship, settlement and belonging. While acknowledging that new migrants are often in the worst housing circumstances, living in segregated neighbourhoods, and the particular targets of settlement and integration initiatives, it is also necessary to consider the specific case of the Gypsies, Travellers, Roma and Sinti.

6.3. Roma, Sinti, Gypsies and Travellers: a special case

The, Roma, Sinti, Gypsies and Travelling peoples stand out as the most deprived and worst treated group across the fifteen states. Although their numbers and the sizes of their settlement areas vary, they consistently experience xenophobic attitudes from the public (and often from officials as well), and suffer from a combination of neglect in terms of housing provision and control in terms of settlement. This is reflected in their housing circumstances, which appear typically highly segregated, deprived and excluded from mainstream society. Approaches to their integration range from continuing disregard for their welfare and potential for inclusion, to the encouragement of site provision (as in the UK), or to coercion to settle and assimilate.

²⁴⁹ NFP Austria *Housing Report* 2003, p. 72.

The picture painted in reports differs in detail, but is almost uniformly bad. **Italy** provides a typical example of the situation in the southern European Member States. The housing report highlights how the “negative categorisation of all Roma”,²⁵⁰ together with the deeply rooted popular conviction that Roma are ‘nomads’ and do not want fixed homes, has found its way into Italian public policies towards this group for decades. The authors note that “almost all regions and autonomous provinces have laws providing for ‘transit’ camps for Roma minorities”,²⁵¹ but that these camps are located in remote, marginalised places. The encampments are described in the report as “ghettoes, usually overcrowded, and some do not have drinkable water and electricity”.²⁵² The authors go on to comment that “the isolated location of these camps, the hostility towards them from neighbouring quarters and the living conditions inside, all contribute to perpetuate the disadvantage the Roma face and hinder them from integrating into the wider society”.²⁵³ As noted in Chapter 4, the position in **Greece** is also very difficult. Some camps are situated in or close to landfill sites or heavily polluting factories.

Local hostilities and local people’s preferences for continuing separation rather than integration are noted in a number of studies. It is mooted in several reports (Italy, Spain and Portugal) that there is some desire for the establishment of separate villages. Significantly, the **Portuguese** reporting notes the intersection of individual, institutional and political exclusion in sealing the continuing marginality of the Roma here: “There is direct discrimination of the type displayed by real estate or housing constructors; local populations movements either against the placing of Roma families or striving to cast out these families from their neighbourhoods and villages; and political actions taken by local politicians taking advantage of negative feelings endorsed by local populations towards Roma.”²⁵⁴ In one village in northern Portugal, pressure from local inhabitants resulted in the mayor ordering the demolition of 33 Roma dwellings. *SOS Racism* surveyed all municipalities in Portugal in order to examine the measures used by authorities to promote the integration of Roma.²⁵⁵ While they identified a number of initiatives, most were orientated towards addressing poverty and social exclusion in general, rather than the specific needs of the Roma people. Also, rarely did these initiatives include working with non-Roma people in an attempt to resolve tensions or promote good community relations. Most municipalities focussed their work around improving the housing conditions of the Roma, rather than community development work aimed at social integration. However, there were a few exceptions, which stand out as examples of good practice (see Chapter 7).

Examples from northern Europe also point to evidence of local hostility and state control. Encampments may generally be smaller than in Italy, but some reactions to the Gypsies, Travellers, Roma and Sinti are much the same. For **France** it has

²⁵⁰ NFP Italy *Housing Report* 2003, p. 10.

²⁵¹ NFP Italy *Housing Report* 2003, p. 10.

²⁵² NFP Italy *Housing Report* 2003, p. 11.

²⁵³ NFP Italy *Housing Report* 2003, p. 27.

²⁵⁴ NFP Portugal *Housing Report* 2003, pp. 44-45.

²⁵⁵ NFP Portugal *Housing Report* 2003, pp. 76-78.

been noted that national newspapers frequently report on the appalling living conditions of immigrants, especially Gypsies, in urban regions.²⁵⁶ Whilst **Ireland**, with its long history of Travellers, has on paper the most culturally sensitive policy on Traveller accommodation, this group remains marginalised because of gaps between policy and policy implementation. Meanwhile, the **UK**, whilst appearing to facilitate travelling through a network of site provision in the past, has tightened its controls on mobility over the last decade. **Germany's** response to its nomadic population is consistent with its general policy on migrant and minority ethnic settlement; de-segregation and dispersal. For example, following failed attempts to rehouse the Sinti people of Straubing, the municipality decided to disperse them across the city. The **Finnish** housing report also notes a lack of sensitivity to the needs of the Roma population in this country, observing that "the Roma are under severe threat from cultural prejudice and misconceptions, both on the part of their potential majority population neighbours, and the authorities that are responsible for securing their housing needs."²⁵⁷

6.4. The use of quotas

The use of quotas as a part of an integration strategy was evident in a number of countries. This is of some concern given the subjective basis upon which quotas are usually decided, and the tendency to accord priority to filling (or not exceeding) a quota at the expense of considering the social and cultural needs of a particular migrant and minority ethnic household. Quotas can be discriminatory since they can prevent households (majority or minority ethnic) accessing housing and neighbourhoods to which they would otherwise be entitled and that may suit their housing needs.

The national reports reveal that quotas are principally used in two ways: either as a tool in strategies designed to disperse migrant and minority ethnic groups across a country (with a particular emphasis on asylum seekers and refugees), or in the context of housing allocation, usually within the social rented sector. Some countries (for example, Belgium and the Netherlands) have operated quota systems in the past, but have now abandoned them (at least at a formal level in the case of the latter). For example, unofficial quotas operated in the allocation of social housing in **Belgium** from 1981-1993, when there was "a certain amount of vagueness about the allocation criteria with respect to social housing."²⁵⁸ The housing report authors conclude that "since there were no consistent objective criteria, the door was open for questionable practices like favouritism or foreigner quota policies.... These frequently occurring unofficial quota policies towards foreigners in the social houses were motivated by the fear that increased concentrations of foreigners could lead to conflicts with Belgian habitants and by

²⁵⁶ See Edgar, B. (draft 2004; forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, p. 25.

²⁵⁷ NFP Finland *Housing Report* 2003, p. 31.

²⁵⁸ NFP Belgium *Housing Report* 2003, p. 12.

the fear of ghetto formation.”²⁵⁹ Although now abandoned, the effects of such practices are still inscribed in migrant and minority ethnic settlement patterns and ethnic group relations today.

The most explicit use of quotas is in the settlement and dispersal of new migrants across Member States. In **Denmark**, for example, country quotas are set and then used to determine municipal quotas. The Danish reporting notes that “the principal purpose of the quotas is to ensure that refugees, in the interests of successful integration, are distributed evenly across the country.”²⁶⁰ The distribution of refugees between municipalities varies from year to year and is driven by the principle of ‘burden sharing’. Significantly, the reporting points out that many of the larger urban municipalities, “where there are many resident ‘foreigners’ already”,²⁶¹ are not required to accept any refugees. The allocation decision is, in principle, based on the municipality’s quota and the personal circumstances of the individual in question. However, research has shown that “in practice, the weight given to the personal conditions of the individual refugee is arbitrary. They are only taken into account when the quota allows it”.²⁶² Migrant and minority ethnic groups, other than refugees, are not supposed to be subject to the municipality quota schemes. However, the Danish housing report notes that “it seems... to be a general pattern that central authorities as well as some local authorities still focus on ‘dispersal policies’ one way or the other.”²⁶³ The NFP Denmark *National Report* 2004 updates the situation by mentioning possible increasing settlement control following political discourses about the undesirability of ‘ghettoisation’. As the government’s strategy against ghettoisation aims at stopping the influx of resource-weak groups into deprived urban areas, it foresees a new model for allocating public housing to beneficiaries of social security (who are to a great extent of non-Danish ethnic origin). The NFP underlines that “in regard to implementing the strategy it is important that the authorities and especially the legislators keep in mind that quotas on foreigners (i.e. migrant and minority ethnic groups) in the housing sector are prohibited in Denmark” by a court decision in 1991, and that the government’s strategy therefore should not be used as a measure to circumvent this ban.²⁶⁴

Germany also has a stringent settlement, de-segregation and integration policy based on quotas. Three migrant groups face legal restrictions on their initial access to housing; asylum seekers, ethnic German immigrants (*Spätaussiedler*) and Jewish immigrants originating from the territories of the former Soviet Union. All are dispersed across German states in accordance with fixed quotas.²⁶⁵ Local housing allocation quotas support Germany’s wider dispersal schemes. Meanwhile, in the **Netherlands**, although the use of quotas is illegal, the housing report observes that unofficial quotas have been operating in the allocation of social housing. They

²⁵⁹ NFP Belgium *Housing Report* 2003, p. 12.

²⁶⁰ NFP Denmark *Housing Report* 2003, p. 14-15.

²⁶¹ NFP Denmark *Housing Report* 2003, pp. 14-15.

²⁶² NFP Denmark *Housing Report* 2003, p. 59.

²⁶³ NFP Denmark *Housing Report* 2003, p. 59.

²⁶⁴ NFP Denmark *National Report* 2004, pp. 49, 71.

²⁶⁵ NFP Germany *National Report* 2004, p. 34.

comment that “under the motto ‘careful placement policy’ and the effort to attain ‘a balanced population’, the ethnic background of housing-seekers played a role right through the nineties ... Accepted criteria such as income, size of household and urgency were deemed insufficient by some landlords. They wanted to allow more subjective factors to play a role, such as the way of life and lifestyle of the housing-seeker and the housing culture in the neighbourhood. Often, implicitly or explicitly, a connection was made with the ethnic origins of the housing-seeker and the ethnic composition of the district or street.”²⁶⁶ Other reports also hint at the use of unofficial quotas in the social housing sector (e.g. the case of Finland described earlier), but evidence can be hard to come by.

6.5. Conclusions

This review has highlighted the variable interpretation across the Member States of the widely used, but poorly understood concepts of integration, segregation and social mixing/inclusion. It has also pointed to the highly varied national approaches to minority ethnic integration, which range from the forced dispersal of new migrants, sometimes through quotas, to initiatives promoting minority ethnic advancement through poverty reduction schemes and urban renewal.

The reporting raises several issues of concern:

- There is a need to re-appraise integration policies in the light of the obligations of Member States under the European anti-discrimination Directive and to clarify its specific implications for housing and settlement.
- There is an absence of criteria for measuring housing integration in most countries.

- There is a lack of understanding of the inter-relationship between minority ethnic segregation and social integration/inclusion.
- There is a need to appraise the housing and settlement needs of Roma, Sinti, Gypsy and Travelling people across all Member States and to address the barriers to integration that they face. The more culturally sensitive approaches adopted in Ireland and Sweden towards their Travelling populations could provide a lead here. These initiatives, and other examples of good practice in integration, are explored in Chapter 7.

²⁶⁶ NFP Netherlands *Housing Report* 2003, pp. 23-24.

7. CHAPTER 7 - GOOD PRACTICE AND INNOVATION

This chapter considers good practice, reviewing general strategies and particular cases. It also develops criteria for selecting and reviewing positive initiatives. The chapter begins below with some general points that have emerged from reviewing national reports, supplemented by separate specific comments on national or indigenous minorities.

7.1. Distinctive national environments

A key factor to keep in mind when reviewing and evaluating good practice is the variation in what is feasible in different political and cultural settings. The national studies reveal numerous factors shaping the environments for change, and affecting the constraints and opportunities encountered by policy-makers (see Chapter 1).

The framework for action in each country is shaped powerfully by housing market factors, and often by any legacy of social rented provision. Problems of affordability and supply affect low-income households in general, not just those from minority groups, but in some places minorities are amongst those particularly likely to be dependent on subsidised provision. National policies (or those in relatively autonomous states or regions) may focus upon affordability, subsidies, or building programmes in ways that assist migrant and minority ethnic households amongst others. As well as highlighting recent positive general policies or statements,²⁶⁷ some national reports comment on housing policy changes that authors feel would be beneficial for ethnic minorities alongside other low income households, or call for development or protection of a social rented sector. The national report on **Germany**, for example, argues that policy-makers should “maintain the traditional strategies and programmes in public housing and urban planning and continue to foster desegregation and social redistribution.” Thus, they suggest, publicly supported housing “should not be threatened by further cutbacks”, and additional investment is necessary here.²⁶⁸ In the very different setting of **Greece**, the national housing report calls not just for the establishment of reception centres for immigrants and asylum seekers in selected entry points, but for the pilot operation of social housing for rent by immigrants, and the establishment of a social landlord system. Indeed, authors go so far as to argue that “...it is imperative to establish social housing projects or forms of rent support”.²⁶⁹

²⁶⁷ For example, NFP France *National Report 2004* (pp. 2, 25) notes that French planning on social cohesion includes measures to increase low cost housing, reinforce emergency support, and improve the situation of groups that are discriminated against.

²⁶⁸ NFP Germany *Housing Report 2003*, p. 4.

²⁶⁹ NFP Greece *Housing Report 2003*, p. 37.

It would go beyond the brief of this report to judge national housing systems, but within this chapter is noted a range of possibilities offered in the country reports on issues of subsidy, provision or support with potential value for minorities. The review does not necessarily prioritise public as against voluntary or private sector provision, since different avenues may be salient in particular places. It is clear that independent bodies of various kinds can be important,²⁷⁰ but that state funding is often crucial even if direct intervention is not feasible. While it is acknowledged that what is going to be good practice often depends upon national conditions, a variety of useful institutional and financial options are indicated. Furthermore, disadvantages experienced by many migrant and minority groups have a great deal to do with the supply of affordable homes of reasonable quality in appropriate places, and no government interested in advancing the cause of social inclusion should ignore this.

To some extent the foundations upon which action for minorities is built will depend upon state approaches to interventions at a macro level. Some states have very developed constitutional rights and frameworks for social support, with implications for housing opportunities (**Finland** is cited as an example in Chapter 1). Across several countries, policies are important not only on social renting, but on homelessness, low cost ownership, allowances or financial benefits, loan programmes, or regulation of private rented dwellings. Furthermore, national laws affect scope for good practice that targets assistance at particular disadvantaged households. Anti-poverty programmes may be important, especially if they acknowledge the needs of specific groups. In **Ireland**, for example, there is a new strategy that aims to provide a coherent framework for actions to tackle exclusion and disadvantage; the overall objective in relation to migrants and members of minority ethnic groups is to ensure that members of minority ethnic groups living there are not more likely to experience poverty than majority group members.²⁷¹

7.2. Indigenous or national minorities

An important factor at national level in some places is the issue of recognition for linguistic groups or indigenous minorities. With regard to the former, **Belgium** is subdivided in a Flemish, a French and a German Community which hold important competencies regarding language-related aspects of integration, and are engaged with neighbourhood issues, self-organisation and other matters. The national report for **Finland** refers to the Sámi population, Swedish-speakers, Finnish Roma, and other smaller, older minorities such as the Finnish Jews, Tatars and Russians. In reviewing relevant legislation and policies here, the report refers to provisions against discrimination in the Constitution that generally prohibit discrimination and also support the right of minorities to preserve and develop their own languages

²⁷⁰ See for instance NFP Germany *National Report* 2004, p. 37, for independent anti-discrimination bureaux, or charities working with refugees. Work on Belgium highlights the significance there of Social Rental Agencies: see De Decker, P (2002) 'On the Genesis of Social Rental Agencies in Belgium', *Urban Studies*, 39, 2, pp. 297-326.

²⁷¹ NFP Ireland *Housing Report* 2003, p. 33: the National Anti-Poverty Strategy (NAPS).

and culture. Other national reports also comment on similar groups. The implications of group recognition might range from legal protection for equality through to positive action programmes, special provisions for certain settlement areas and policies, subsidies and establishing of separate institutions. Such possibilities raise questions about the balance to be struck in good practice between universally applicable rules and policies on the one hand, and specialised and particularist strategies on the other. There are also important human rights issues, and concerns about promotion or protection of family life (see discussion in Chapter 5 of an important decision from the European Committee of Social Rights).

In practice, proactive and supportive policies for Roma, Sinti, Gypsy and Traveller peoples seem rare, and this report has highlighted previously the very poor conditions often faced by Roma communities in particular. Nonetheless, some positive policies have been noted. The national report for Finland refers to various policy-making and legislative attempts to improve the Roma population's poor housing conditions from 1976 onwards. Methods included low interest loans, for purchase, construction or repair of housing for Roma households. It is reported, however, that funding is no longer 'ear-marked' for Roma communities, and the report states that the effectiveness of special policies and measures aimed at assisting the Roma in housing has continued to decline since they were first put in place.²⁷²

Other examples come from Spain, Portugal, Sweden and Ireland. For instance, the national reporting from **Spain** mentions a local scheme apparently responding positively to Roma households,²⁷³ while specific schemes are also cited for **Portugal**. In one municipality here, a project targets Roma inhabitants of a re-housing neighbourhood (especially young people), promoting inter-cultural exchange,²⁷⁴ while in another municipality Roma living in shanty towns have been targeted through a project that addresses various needs and also involves non-Roma people (see also the section below on holistic local strategies).

At a more general level, Sweden and Ireland appear to have taken significant steps towards revised practice. In **Sweden**, in 2001, the Ombudsman against Ethnic Discrimination was commissioned by the government to work actively against discrimination affecting the Roma population. The project was expected, amongst other things, to illuminate the extent of discrimination against the Roma population, develop methods and strategies to prevent discrimination, and increase the knowledge on the law against ethnic discrimination amongst the Roma population. The Ombudsman established a referee group consisting of Roma representatives. In 2003 a Council for Roma issues was established (a majority of members being of Roma origin), to be an advisory body for government.²⁷⁵

²⁷² NFP Finland *Housing Report* 2003, p. 11. See also Suonoja, K. and Lindberg, V. (1999) Romanipolitiikan strategiat (Strategies of the policy on Roma) Ministry of Social Affairs and Health: Helsinki.

²⁷³ NFP Spain *Housing Report* 2003, pp. 43-44.

²⁷⁴ NFP Portugal *Housing Report* 2003, p.77.

²⁷⁵ See NFP Sweden *Housing Report* 2003, p. 42.

The national housing report on **Ireland** refers to the *Task Force on the Travelling Community* that reported in 1995 (see also Chapter 3), followed by strategies and policies seeking to address the problems faced by this community in accessing appropriate housing. Here, 1998 legislation (mentioned previously in Chapter 5) provides a framework to meet the needs of the Traveller community. A dedicated unit has been set up at national level, and extra resources have been made available to local authorities to manage, maintain and upgrade Traveller provision. The national report describes a new strategy that aims to provide a coherent framework for actions to tackle exclusion and disadvantage into the future.²⁷⁶ The overall objective in relation to Travellers is to improve their life experience through provision of appropriate education, health and accommodation services, and to remove any remaining barriers to the full participation of members of the Traveller community in the work and social life of the country. In particular, the strategy recognises as a key target that all Traveller families identified in local authority five-year Traveller accommodation programme processes as being in need of accommodation “will be appropriately accommodated by the end of 2004.”²⁷⁷

Clearly, success in practice has to be demonstrated in programmes of this type through monitoring of outcomes (such as implementation of Ireland’s Traveller accommodation programmes as noted in Chapter 5). Involvement of Roma, Gypsy, Traveller and Sinti representatives is often likely to be crucial both for progress and monitoring.²⁷⁸ In the **UK**, the Traveller Law Reform Bill, which was launched in 2002, calls for: the provision of suitable accommodation (temporary and permanent) for Gypsies and Travellers via specific accommodation programmes; protection against discrimination under an amended Race Relations Act for all Travellers (explicitly recognising discrimination against them as racism); enhanced housing funding and new housing association powers for caravan site construction; security of tenure on Gypsy caravan sites; greater educational opportunities; a code of conduct to assist in ensuring that possible disturbances to the settled community as a result of poorly managed unauthorised encampments are kept to a minimum; and creation of a new body, a Gypsy and Traveller Accommodation Commission.²⁷⁹

²⁷⁶ See NFP Ireland *Housing Report* 2003, pp. 12-13, for fuller details on policies. NFP Ireland *National Report* 2004 notes that Travellers need an independent agency; pp. 31-32.

²⁷⁷ NFP Ireland *Housing Report* 2003, p. 33, cites Ireland (2002) *Building an Inclusive Society: Review of the National Anti Poverty Strategy under the Programme for Prosperity and Fairness*, p. 16.

²⁷⁸ In the UK there is a Traveller Law Reform Coalition consisting of the national Traveller groups, and discussion and collaboration by Gypsies and Travellers and their organisations with statutory and voluntary sectors. See NFP UK *Housing Report* 2003, p. 34.

²⁷⁹ NFP UK *Housing Report* 2003, p. 37. For the text of the Bill, see <http://www.publications.parliament.uk/pa/cm200203/cmbills/102/2003102.htm> (26.08.2003).

7.3. Defining and identifying good practice

Evaluation should not necessarily take on trust the claims of planners about their programmes and initiatives, unless it is clear that needy households benefit from them. There are policies that appear to tackle problems constructively, but may have uncertain effects when implemented. Specific programmes for providing accommodation, renewing neighbourhoods, or relocating households may be proposed as positive interventions, but might have uncertain or even adverse effects locally in terms of marginalisation, discrimination, or loss of autonomy for households. Furthermore, some official programmes to provide accommodation for particular groups (such as Roma people or asylum seekers) may do so in ways that exclude these groups from opportunities available to other households. In general, it is very important not to assume at the outset that interventions focussed on changing the housing stock and areas of residence can be counted as instances of good practice, simply because they focus resources on areas where minority groups are or might be settled.²⁸⁰ Good practice requires considerable sensitivity to household needs, participation and costs. Tests of programmes could include the degree of inclusion and choice that minority ethnic households feel they have secured, the impact on the structure of costs they encounter, or the extent and sustainability of improvements in housing conditions for target groups. Additionally, there may be measures of consumer empowerment to consider, related to the way provision is controlled or managed.

‘Integration’, ‘mixing’, and de-segregation can be vague or ambiguous when used as programme goals, so that citing them as targets does not in itself prove that a project or strategy represents good practice. As is clear from earlier chapters, the topic of segregation and integration is complex. Claims might be made that specific governmental strategies represent good practice because they supposedly increase social mixing or encourage integration. Yet this must be approached with caution, and there is little empirical evidence mentioned for positive independent effects from spatial mixing. Some national reports explore competing arguments,²⁸¹ or cast doubt on government claims. There are tests to apply here that would explore effects on migrant and minority ethnic choice and autonomy, engagement through participatory processes, the impact on household safety from attack or verbal abuse, and the degree to which minority groups feel specific strategies to be beneficial. Critics might anticipate that some practices of ‘social engineering’ would not pass these tests. Certainly, specific neighbourhood ‘mixing’ strategies such as quota policies have been judged discriminatory (see earlier chapters), and restrict migrant and minority ethnic housing choices.²⁸² Locationally-focussed housing settlement policies have to be scrutinised carefully

²⁸⁰ Cf. NFP Denmark *Housing Report* 2003, S. 8.3.2.

²⁸¹ See for example NFP Germany *National Report* 2004, p. 33.

²⁸² Cf. comments in Edgar (draft 2004; forthcoming) on practices in France in some HLMs (*Habitation à Loyer Modéré*, Low-Rent Housing neighbourhoods): Edgar, B. (draft 2004; forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, pp. 15, 40.

for their effects on equality of opportunities, even when labelled as means to a “balanced city”.²⁸³

There can also be an inherent bias if thinking about balance and ‘one-sided’ neighbourhoods focusses only on areas where substantial numbers of ethnic minority households are settled, and leaves out of consideration other kinds of areas. In fact, opening up better neighbourhoods to minorities is an alternative option touched upon. Thus the **Netherlands** national housing report notes the view that “policy should confine itself to the removal of obstacles that ethnic minorities encounter in their effort to find a home”,²⁸⁴ and to the goals of substantial freedom of choice in housing. The view is that an emphasis on changing disadvantaged areas by focussing on them is misplaced, and that less expensive buildings should be constructed in better districts. It is reported that Amsterdam has invested money in purchasing houses in ‘up-market’ districts. People with low incomes apparently can purchase them for small amounts. Advocates also argue for broad approaches involving improvement of access to employment from neighbourhoods in the inner city, extension of housing opportunities outside the city for low-income groups, and improvement of the quality of the housing and residential environment in the city itself.²⁸⁵ Facilitating access into outer areas of more predominantly white settlement is an idea that has also gained ground in **UK** thinking.²⁸⁶ More generally, one potential key to integration may well be participation.²⁸⁷ Another might be forms of collaboration that acknowledge multiculturalism but cater for it within flexible but universalistic frameworks of rules and expectations.

In any event, it seems that words like integration and affirmative action can be applied by officials or politicians to programmes that may actually have negative discriminatory effects on housing access for minorities, and do little to tackle racist barriers.²⁸⁸ New migrants may be the subject of dispersal policies, rather than government initiating legislation and initiatives that directly confront issues of racist hostility amongst the majority.

IMMIGRATION POLICIES AND THE REGULATION OF ASYLUM SEEKERS

This is a field in which national reports offer little in the way of good practice exemplars within governmental policies (although perhaps **Swedish** experiences might be worth considering).²⁸⁹ Admittedly housing practices may need to be

²⁸³ See NFP Netherlands *National Report* 2004, p. 37.

²⁸⁴ NFP Netherlands *Housing Report* 2003, p. 38.

²⁸⁵ See Bolt, G, et al. (2002), ‘Ethnic segregation in the Netherlands: new patterns, new policies?’, in *Tijdschrift voor economische en sociale geografie*, vol. 93, no. 2.

²⁸⁶ See Ratcliffe, et al. (2001), *Breaking down the barriers; improving Asian access to social rented housing*, Coventry: CIH.

²⁸⁷ See UK case study in NFP UK *National Report* 2004, Section 5.5.

²⁸⁸ The Danish national housing reporting is informative on this; see NFP Denmark *National Report* 2004. See also Chapter 6.

²⁸⁹ See NFP Sweden *Housing Report* 2003, p. 11. This describes a policy shift in 1994, with a move away from a dispersal-orientated strategy to one where asylum seekers could find their own accommodation with relatives and friends. The forthcoming study noted in Chapter 1 suggests,

distinctive at the point of entry for migrants who as yet have not acquired rights of settlement, and properly may involve different criteria to those applicable for people with acknowledged rights to stay. Nevertheless, there are concerns about the management of settlement processes, and national reports highlight poor housing conditions.²⁹⁰ Surprisingly, there seem to be instances in prosperous places where support is left to voluntary effort. This can stimulate excellent good practice innovations, although it is unlikely to offer comprehensive strategies on its own.²⁹¹

STARTING POINTS FOR ANALYSING GOOD PRACTICE

National reporting sometimes mixes description and prescription, so that cited instances of good practice may be tied in with assumptions about desirable goals and the nature of positive change. This is neither unexpected nor necessarily unreasonable, since understandings about what constitutes progress in ethnic relations were needed so that the investigators could orientate their work and appraise national experiences. To some extent this Chapter reflects the national perspectives on what constitutes progress and good practice, but it nonetheless tries to be detached in reviewing specific examples and issues. Important starting points for the approach are the goal of equality of treatment that is reflected in current European Community expectations, together with (as far as is practicable and reasonable) the complementary goals of human dignity, autonomy and participation. From this standpoint, the laws, regulations and local initiatives that inhibit racist practices and negative discrimination offer important potential channels through which progress can be made. At the same time, the analysis assumes (reflecting the tone of many of the national reports) that people's housing needs should be seen as important, and that people's preferred pathways in terms of housing opportunities and choices are worth considering. Collaboration and inclusion also seem to be important issues to keep in mind. These various broad considerations underpin the approach to the specific national case material. The criteria outlined at the end of the chapter, for selecting and reviewing initiatives, build on the analysis of that national information, but also on the above broad goals and considerations.

however, that there may be negative effects: see Edgar, B. (2004 draft, forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, p. 90.

²⁹⁰ See earlier chapters. For Greece it is reported that the absence of social housing and the minimal level of state support for shelters, coupled with the absence of adequate reception centres, makes housing conditions for asylum seekers and undocumented immigrants "intolerable" (NFP Greece *Housing Report* 2003, p. 37; *National Report* 2004, pp. 34-35. One source cited is "Kolastirio to kentro... filoxenias prosfygon" (Hell at the centre for the accommodation of refugees), in: *Eleftherotypia* (17.09.2004).

²⁹¹ The *Housing Report* for Austria comments that while many asylum seekers would have been left to sleep rough on the streets by the Austrian state due to changes in legislation from 2002 to 2004, non-governmental initiatives jumped in to provide as many of them as possible with shelter: NFP Austria *Housing Report* 2004, p. 75.

7.4. Recent legal or regulatory initiatives, developments and innovations

Chapter Five gave systematic coverage to law, so comments now can be brief. In line with the considerations noted in the previous section above, it can be argued that good practice means in the first instance having in place a set of firm rules that are in line with EU expectations, backed up by appropriate legal and regulatory processes of enforcement, monitoring and redress. Progress may mean national legal changes, or revision of regional statutes. Many changes are in hand across the fifteen countries to move towards revised practices in frameworks and institutional arrangements, sometimes focussed directly on housing and minorities.²⁹² Some national reports highlight steps still felt to be needed. It can be argued that it is important not to neglect the private sectors, and any potential for innovation in fields such as housing finance in an environment of greater diversity.²⁹³ Certainly, there may be scope for governmental strategies at the interface with the private finance sector facilitating constructive change.

Several national reports refer to roles played by an Ombudsman system, and this may be seen as bringing tangible benefits for monitoring, and for those hoping to challenge malpractice. **Finland's** Ombudsman for Minorities, for example, is responsible for promoting good ethnic relations, monitoring and advocating for the rights and status of minorities, reporting on issues related to minorities, and taking initiatives to implement these goals. This Ombudsman's principal actions are to give recommendations, instructions and advice, although he/she may also give direct assistance to victims of racial and/or ethnic discrimination.²⁹⁴

Another feature identified positively in some national reporting is the adoption of formal strategies and institutional arrangements that will carry forward policy on equality or diversity, and facilitate monitoring and improvement (see also Chapter 5). National and lower level plans on housing and regeneration may benefit from explicit mention of strategies for migrant and minority ethnic groups, and concrete targets. Clear statements, declarations or policy commitments can be very important, and may be presented at various political levels.²⁹⁵ Advisory groups have sometimes played a part in formulating strategy or providing ongoing guidance, and this can apply in many contexts from national to very local. In some

²⁹² For instance, see NFP Finland *National Report 2004* (pp. 44-45); Finland, HE 170/20042 Draft Law on Support For Improving the Housing Conditions of Special Needs Groups (14.09.2004).

²⁹³ For instance, NFP Portugal *National Report 2004* (p. 41) refers to banking products aimed at 'immigrants', while Islamic financing is developing in the UK.

²⁹⁴ See NFP Finland *Housing Report 2003*, p. 13.

²⁹⁵ The Belgian *Housing Report* refers to an example where a non-discrimination declaration for housing was signed in Gent, signatories being different parties in the housing sector. There was an expert panel to exchange data and points of view, and the non-discrimination declaration was communicated to the public by means of a multilingual brochure and poster campaign. The declaration was held to play a sensitising role and helped reveal problems (NFP Belgium *Housing Report 2003*, p. 31).

countries this may meet political opposition.²⁹⁶ Each country has its own specific approach to overall strategy, and good practice depends to some extent on political traditions as well as the stage of policy development. The national report for **France**, for example, notes that housing policy specific to immigrants and foreigners “does not exist other than that implemented for migrant workers”, which is undergoing transformation into “social residency” programmes (see also Chapter 6). Policies, however, aim to facilitate access to legal and social rights for immigrant populations, and integration of new arrivals.²⁹⁷ The situation here seems to contrast strongly with that in the UK.

As indicated previously, the **UK** has unusually complex regulatory and monitoring systems, complemented by extensive guidelines shaping activities of local authorities and other public bodies and the performance of social landlords. Chapter 3 noted good practice here insofar as collection and use of data were concerned, and other features of the approaches can be highlighted. Good practices in UK terms include: systematic attempts to monitor certain types of outcomes by ethnicity (so as to reveal indicators of problems of unfairness); formalised strategic planning requirements that must include ethnicity and racism concerns at several decision-making levels; the expectation that minority ethnic needs will be taken into account in planning and implementation; an expectation that cultural sensitivity and allied concerns (such as language issues) will be considered in planning and service delivery; encouragement for partnership, consultation and participation by minority ethnic people (along with other households); and clear guidelines issued by central and devolved governments and through other bodies. Public bodies are expected to be proactive, and there are ‘toolkits’, codes of practice, and incentives for good performance. One developing control mechanism is the nationally-based inspectorate.

LOCAL AND PRIVATE LEGAL INSTRUMENTS

Although less significant than developing a firm framework of national regulation, localised legal instruments nonetheless in some contexts may be usefully deployed in the cause of fair practice or to secure appropriate behaviour. The **Netherlands** national report refers to covenants.²⁹⁸ Here it has been argued that a voluntary housing distribution covenant between municipality and landlords – possibly in combination with an ordinance – could be a useful instrument for drawing up agreements on room distribution. Ultimately, the municipality has the threat of a more far-reaching public law ordinance as a motivating force. Mediators can be involved in the drawing up of covenants. The Netherlands report suggests that (depending on the local situation) there are many things that can be regulated through a covenant. These could include the way in which information on the

²⁹⁶ The Danish national reporting describes recent history there, involving the dismantling of a range of advisory committees and governmental funds, including important monitoring and reporting bodies, and removal of support for a key non-profit organisation providing free legal services for victims of discrimination (including cases in the housing area) (NFP Denmark *Housing Report* 2003, pp. 17-18). In 2002, however, agreement was reached leading to legislation on establishing a Centre for International Studies and Human Rights (NFP Denmark *Housing Report* 2003, p. 18).

²⁹⁷ See NFP France *Housing Report* 2003, p.10, for the features of policy.

²⁹⁸ NFP Netherlands *Housing Report* 2003, pp. 61-62.

position of migrant and minority ethnic young people in the room rental market is gathered and registered, an anti-discrimination proviso (for landlords and intermediaries), how to deal with urgent room seekers, and whether or not to establish an affirmative action policy to make up for any detected disadvantage.

7.5. Local projects and innovations

There is a wide range of potential methods and approaches to good practice at city or neighbourhood level (although some projects form parts of a larger national or regional strategy or development). They may be grouped broadly into four main (but overlapping) categories.

7.5.1. Campaigns, information, advice services, counselling, and mentoring

Campaigns and awareness-raising activities have important roles in specific settings, both in challenging racism and in drawing attention to conditions, rights, plans or opportunities.²⁹⁹ Information, advisory and counselling services may be run to assist minorities directly. This may involve providing information to help households deal with private landlords, find accommodation, understand tenancy legislation, or access subsidised housing. There may sometimes be a two-way process in that a 'hot-line' or other service may advise but also channel information to practitioners. Counselling may be targeted on a wider group than migrant and minority ethnic households, although potentially useful to them.³⁰⁰

Advisory services can lead into an application process for housing or support in some circumstances. One **Austrian** project, for instance, offers counselling of groups in various languages, where participants are informed about the current housing market and access to housing benefits, followed by individual counselling, and a concrete plan for finding a new flat, depending in part on economic constraints. People with specialised needs (such as mental illness or illiteracy) apparently receive individual support during the process.³⁰¹

Numerous examples of information and advice services are described in national reports. Advisory material may be translated and distributed in a variety of ways, and specific offices or points of contact may be established. The **German** national report describes a project (initiated in 1996) in which television was used to inform

²⁹⁹ See for instance NFP Spain *Housing Report* 2003, p. 42, for awareness-raising campaigns aimed at farm owners, town councils and enterprises to promote specific policies on rural houses or public land; also NFP Finland *Housing Report* 2003, p. 35, for national awareness raising campaigns.

³⁰⁰ NFP Belgium *Housing Report* 2003, p. 32, notes counselling for tenants of social housing in the Brussels-Capital Region. Social workers and lawyers provide help on individual or familial troubles and problematic debt, but not focussed on minority groups.

³⁰¹ NFP Austria *Housing Report* 2003, p. 71 ("Affordable Housing for Migrants" [Wohndrehscheibe] project, carried out by the People's Aid [Volkshilfe]).

inhabitants about the situation in an estate, with multilingual information on refuse disposal, redevelopment projects and events.³⁰² Counselling work can extend into advice and organisational assistance of inhabitants' initiatives and mechanisms such as a neighbourhood forum, and connect with concepts about capacity building and community development. Certain other types of housing projects may have valuable side-effects in terms of raising awareness of different housing needs.

It can be argued that effective communications and advisory support should be firm parts of a good practice repertoire. As the German national report indicates, due to language barriers and insufficient knowledge of the administrative structures, "migrants are often not able to assert legal possibilities or existing claims"³⁰³, and may be treated unfairly. Targeted and local information is therefore an important part of measures against discrimination in housing. Beyond this are possibilities for mentoring schemes that help develop individuals' skills or knowledge, and assist in training or capacity-building.

7.5.2. Initiatives aimed at reducing neighbourhood disputes, managing or controlling specific behavioural problems, or fostering interactions

Good practice can extend beyond individual counselling and into the terrain of inter-group or inter-personal relations, and may embrace mediation or conflict-resolution. This seems a well-established area of action. Indeed, for Germany it is reported that counselling, arbitration and mediation are "typical elements" in various cities or neighbourhoods.³⁰⁴ The UK seems to be an exception, in that less weight falls today on this kind of work. One interpretation might be that mediation is emphasised in many countries partly because means of challenge and redress for claimants are costly or not readily accessible, or complainants are deterred from making legalistic claims. The point to note is that mediation and counselling are unlikely to be satisfactory substitutes for adequate rights of redress. This, however, in no way denies the potential merits of the approaches, especially if operated alongside strong initiatives to combat neighbourhood racism.

Good practices are described at length in national reports. There is for instance "area counselling" in **Vienna**,³⁰⁵ and efforts to promote dialogue and mediate in cases of conflict between different ethnic groups, while in **Greece** there is a proposal for intercultural facilitators.³⁰⁶ The **Netherlands** has projects (in the context of neighbourhood management), that include arbitration between quarrelling parties.³⁰⁷ Reporting here describes what seems a well-developed approach via an "agency for community building", involving neighbourhood

³⁰² NFP Germany *Housing Report* 2003, pp. 30-31.

³⁰³ NFP Germany *Housing Report* 2003, p. 27.

³⁰⁴ NFP Germany *National Report* 2004, p. 3.

³⁰⁵ NFP Austria *Housing Report* 2003, p. 71.

³⁰⁶ NFP Greece *Housing Report* 2003, p. 38.

³⁰⁷ NFP Netherlands *Housing Report* 2003, pp. 7, 58, 65, 69, 75.

research, arbitration, supporting newcomers, and a system for complaining to a neighbourhood council that involves fellow residents (including migrant and minority ethnic participants). An example is also given where a Moroccan mediator was appointed to solve problems, and another where Moroccan fathers patrol a neighbourhood in groups, “speaking directly with young people who are misbehaving”.³⁰⁸

A variety of goals inform developments, including encouraging contact, mutual respect and proper behaviour amongst residents, encouraging interactions, or achieving mixing. Intercultural housing projects are an extension of similar ideas, and may have commonly used rooms and open spaces as well as events aiming at encounters.³⁰⁹ Projects may get tenants involved and acquaint them to one another, or mix different age groups, migrants and people with specialised needs. Tactics include linguistic support, organising meetings, and engaging people in practical shared activities.³¹⁰ From a good practice perspective the potential benefits are considerable, provided such efforts do not seek to modify lives of minorities without touching the racist attitudes and practices that restrict their choices.

7.5.3. Creating targeted housing provision, or promoting access to appropriate forms of housing or finance

Strategies vary from place to place, but good practice can be grouped under seven main sub-headings that embrace the diversity of aims. Some initiatives have more than one of these targets. For example, planners might subsidise new construction in a locality while also dealing with defective conditions in existing dwellings.

- Providing or improving emergency or short-term accommodation
- Tackling inadequate housing conditions (improvement, replacement, etc.)
- Directly increasing social rental supply via targeted social housing schemes or acquisition of stock
- Reducing barriers to equality of access and choice in social renting
- Working through or with the private sectors
- Providing or facilitating financial support
- Creating voluntary sector schemes, or collaborative or co-operative enterprises

³⁰⁸ NFP Netherlands *Housing Report* 2003, p. 69. See van Veen, J. (1999) Marokkaanse bemiddelaar lost problemen op [Moroccan arbitrator solves problems], in *Contrast* 39/40, 16.12.1999, p. 7.

³⁰⁹ NFP Austria *Housing Report* 2003, p.72; a drawback here is apparently that projects primarily aim at already integrated foreigners with higher incomes.

³¹⁰ NFP Germany *Housing Report* 2003 (pp. 28-29) cites collaborative work on creating a green space. This helped in crossing culture and generation barriers and improved relationships amongst residents.

These strategies are explained as follows:

[1] PROVIDING OR IMPROVING EMERGENCY OR SHORT-TERM ACCOMMODATION

Approaches range from creating a ‘pool’ of flats for emergency circumstances, to providing shelter or refuge accommodation or services for asylum seekers through voluntary sector organisations. There are also provisional lodgings for casual workers or migrants in precarious situations.

[2] TACKLING INADEQUATE HOUSING CONDITIONS (IMPROVEMENT, REPLACEMENT, ETC.)

State-led (or private) initiatives may include – as in **Spain**³¹¹ – measures such as purchase of dwellings for the re-accommodation of individuals living in defective accommodation units, work on rural houses, or the delivery of construction materials to migrants for them directly to undertake such work. Buildings are rehabilitated and equipped for long-term accommodation of families or individuals. ‘Shanty’ dwellings or unapproved buildings may be targeted.³¹²

[3] DIRECTLY INCREASING SOCIAL RENTAL SUPPLY VIA TARGETED SOCIAL HOUSING SCHEMES OR ACQUISITION OF STOCK

This approach may be encouraged through state subsidies and targeted to meet needs. Methods of support include financial incentives for public and private housing promoters to build, and help on land supply, acquisition, or conversion.

One important aspect to consider is creating specific culturally sensitive schemes, reflecting the distinctiveness of the needs of some minorities, followed through into ideas about multicultural building and housing arrangements. Provision may be in separate accommodation or areas, although this may not be uncontroversial. It has been noted in the **Netherlands** that migrant and minority ethnic groups may attach importance to having more opportunities to give voice to their own culture and means of expression, in their own living environment, and attention is being paid to adapting floor plans of dwellings, both in new housing and in alterations to existing dwellings. In one scheme small dwellings that were difficult to rent were transformed into large, more attractive flats. This type of strategy might help overcome issues of overcrowding and a mismatch between household sizes and housing types.³¹³ Reports from **Germany** refer to a scheme for Turks they are involved in, and a mixed project including Muslims. In one German scheme, apartments were designed according to migrant and minority ethnic wishes on the basis of a survey, leading to some apartments meeting requirements of Muslim

³¹¹ Asociación Columbares, Murcia.

³¹² The Special Re-housing Programme in Portugal was mainly targeted to put an end to shanties; NFP Portugal *Housing Report* 2003, p. 15.

³¹³ NFP Netherlands *Housing Report* 2003, p. 67.

religious belief, and to apartments involving an ordinary flat combined with a smaller, cheaper apartment for grandparents or independent children.³¹⁴ In the **UK**, Black and Minority Ethnic-run housing associations supported with public funds have developed and managed social rented schemes engaging with specific cultural needs. This has been seen as a key international example of empowerment through organisational separatism.

Although very under-represented in national reports, there is an additional dimension to consider in terms of sensitivity to variables other than ethnicity and religion. Thus schemes might focus on (in combination with ethnicity) particular age groups, or tackle disability, gender or sexual orientation. An **Austrian** instance concerns specialised provision for unaccompanied minors who are refugees. They are provided with basics like accommodation, food, medical and social care, their traumatic experiences are taken into account, and they receive legal and socio-pedagogic support.

[4] REDUCING BARRIERS TO EQUALITY OF ACCESS AND CHOICE IN SOCIAL RENTING

This is particularly important for working towards good practice, and mentioned in several national reports. It appears that overcoming barriers to equal treatment in access is vital, along with ensuring that people can choose their areas of residence more widely and without fear of harassment from neighbours. Some reports indicate progress or ongoing plans.³¹⁵ Eliminating negative allocation criteria that discriminate directly or indirectly remains a crucial target. It could not be good practice to use a vague criterion such as ‘the promotion of integration’ when dealing with newcomers (as has been suggested in the **Netherlands**³¹⁶), in order to direct people away from districts where other members of their community already live. Such strategies would mean compelling people to exercise less choice than equivalent households from the ‘mainstream’ population.

Ways forward vary with contexts. In **Vienna**, for example, a “cautious step” has been reported towards “opening access to council housing for third country nationals”,³¹⁷ To help to integrate migrants into the housing market a programme was started which provides emergency flats. Alongside this measure, housing

³¹⁴ NFP Germany *National Report* 2004, pp. 36-37, 40; NFP Germany *Housing Report* 2003, p. 28.

³¹⁵ See NFP Germany *Housing Report* 2003, p. 27: The *Planerladen* considers abolition of a foreigner’s quota for housing with reserved occupancy one of its remarkable successes. NFP Netherlands *National Report* 2004, p. 35, notes a shift towards allocation practices based on a “supply model”, and this is imitated in the UK under the title of “choice based lettings” (see van Kempen, R. and Idamir, M. (2003) ‘Housing Allocation and Ethnic Minority Groups: the Effects of Different Housing Allocation Models on Moroccan Households in Two Dutch Cities’, in: *Journal of Housing and the Built Environment*). Criteria used are still important, and NFP Netherlands *National Report* 2004 notes doubts about residence requirements and waiting time criteria. See also NFP Finland *National Report* 2004, p. 37, touching on revision of criteria for selection of residents for state-subsidised housing.

³¹⁶ NFP Netherlands *Housing Report* 2003, p. 73.

³¹⁷ NFP Austria *National Report* 2004, p. 29.

allowances for permanently resident migrants (albeit requiring legal residence in Austria for more than eight years) were introduced. More generally, priorities for rehousing should reflect specific needs, including escape from harassment or isolation.

[5] WORKING THROUGH OR WITH THE PRIVATE SECTORS

Efforts are made to mobilise or invigorate private market supply. Implements include guarantees to landlords compensating for foreign migrants not being able to supply them initially, the taking on of rental agreements by an organisation where migrants cannot rent dwellings in their own names, economic support, or local partnerships with NGOs.³¹⁸ Another avenue might be ethical agreements or charters against discrimination in fields such as estate agencies.³¹⁹ In **Spain**, two Catalan Foundations were designated by the Catalan Government to make use of empty dwellings, whose owners will be provided with technical and legal guarantees, a comprehensive insurance policy, and a guarantee for six months.³²⁰ In another non-profit initiative in Spain, an organisation rents flats in its name which it later sub-leases into rooms for foreign migrants, to whom it guarantees enough room, while to housing owners it ensures payment and maintenance. The organisation pays the deposit whilst migrants pay electricity, water and gas bills.

Properties may be improved while under transferred management for a period as temporary accommodation. Other forms of support have been land reservation and exemption from local building permits, with a view to construction of prefabricated modular dwellings (able to serve as transitional accommodation). There may also be insurance or a town council guarantee covering any damage produced in flats. A proposal cited from Spain suggests that governments could subsidise the purchase of second dwellings provided that they were leased to foreign workers according to rents not above those for rented council houses,³²¹ although such a proposition would not be seen on all sides as desirable. Good practice in these contexts is primarily about improving access to private markets on reasonable terms.

[6] PROVIDING OR FACILITATING FINANCIAL SUPPORT.

Rent subsidies and housing allowances are mentioned in various national reports, and should be accessible on a non-discriminatory basis. There may also be possibilities for under-pinning access to credit for house purchase (see also above).

³¹⁸ NFP Italy *National Report* 2004, p. 3.

³¹⁹ NFP France *National Report* 2004, p. 23. Note Chignier Riboulon F. dir, Belmessous F. et H., Chebbah-Malicet L., *Les discriminations quant à l'accès au logement locatif privé des catégories sociales étrangères ou perçues comme étrangères : une étude à partir des quartiers Lyonnais et Parisiens*, Laboratoire de recherche CERAMAC Université Blaise Pascal de Clermont Ferrand, 2003.

³²⁰ NFP Spain *National Report* 2004, p. 65; *Network of Social Housing*.

³²¹ NFP Spain *Housing Report* 2003, p. 38.

[7] CREATING VOLUNTARY SECTOR SCHEMES, OR COLLABORATIVE OR CO-OPERATIVE ENTERPRISES

Initiatives may be developed by voluntary organisations or associations, NGOs, or Trade Unions. In some places, for example, 'not for profits' or NGOs have developed initiatives combating homelessness, as it is an area where public authorities provide inadequate services, and initiatives may also concern provision of emergency accommodation such as shelter for asylum seekers. Temporary accommodation may be linked with support services or opportunities to undertake other activities (language lessons, creative activities with children, etc.).³²²

Organisations such as co-operatives can meet needs, manage, buy or rent houses, engage in renovation, encourage self-build schemes, help in transactions, and provide advocacy and participation.³²³ An organisation may take on broader non-housing roles (information service, training of mediators, etc.), or make links with employers. The Italian national housing report refers to a co-operative that rents apartments from landlords and sublets to companies needing accommodation for workers.³²⁴ Reporting from Spain notes support given to the creation by foreign migrants of housing co-operatives.³²⁵

There is overlap between (iii) and (vii). In **Germany**, purchase of real estate by migrants has been promoted.³²⁶ A crucial factor in making a social housing scheme successful may often be the scope for a measure of self-management or collective empowerment.

7.5.4. Housing renewal, regeneration, and relocation projects

Aspects of this topic were touched on in Chapter 6, because it connects with tackling segregation and targeting social diversity. Substantial area renewal projects are found in many countries, and may include as targets the improvement of housing conditions for minority groups. Some schemes form parts of national development programmes aimed at reconstruction or tackling social exclusion, with circumstances and precise goals varying widely between states. Many instances of renewal or relocation are noted in national reports. For example, informative material is provided from Spain (where the Roma have been affected),³²⁷ France (for HLM neighbourhoods),³²⁸ Portugal,³²⁹ and elsewhere.

³²² NFP Greece *Housing Report* 2003, p. 35.

³²³ See NFP Italy *Housing Report* 2003, p. 25.

³²⁴ NFP Italy *Housing Report* 2003, p. 26.

³²⁵ NFP Spain *Housing Report* 2003, p. 42.

³²⁶ NFP Germany *Housing Report* 2003, p. 27.

³²⁷ For instance, see NFP Spain *Housing Report* 2003, p. 35.

³²⁸ *Habitation à Loyer Modéré*, Low-Rent Housing neighbourhoods; NFP France *Housing Report* 2003, pp. 2, 8.

³²⁹ In one Portuguese case cited, the land was necessary for the realisation of public works, and the population was re-located to former army accommodation; see NFP Portugal *Housing Report* 2003, p. 50. Relocation neighbourhoods may be in a peripheral situation with poor accessibility to the centre, and effective socio-spatial isolation.

Some reports touch on the effective participatory engagement of migrant and minority ethnic organisations or of tenants in general. The **Netherlands Big Cities Policy** is aimed at improving the competitive position of cities through physical, social and economic goals. One component here is urban renewal, which apparently focuses in part on diversity. The aim is (amongst other things) that by building more expensive homes in urban renewal areas, attempts are made to attract wealthier residents, at the same time emphasising the importance of supportive measures so that renewal areas can be equipped with a wide range of facilities.³³⁰

Given the significance of minority settlement in many run-down districts, it might be thought that renewal would provide strong examples of good practice. The benefits for migrant and minority ethnic households, however, often seem uncertain or implicit rather than explicit, so that demonstrating good practice is not straightforward. Programmes may focus on residents in general in low-income districts, rather than on minority groups as such, while physical reconstruction does not necessarily reflect strategies derived from study of specific housing needs, and is sometimes a prelude to relocation or dispersal that does not improve housing circumstances for minorities. Populations may merely be transferred to other parts of a city.³³¹ There are also projects aimed specifically at elimination of a settlement or type of housing where minority households live, rather than driven by concerns for welfare. Furthermore, low income residents from minority communities may not benefit from a strategy to improve the ‘competitiveness’ of cities, or to make them more ‘balanced’ in ethnic or socio-economic terms.³³² In **Greece**, reconstruction for the Olympic Games is reported to have significantly damaged the position of Roma households through displacement, and attention has been drawn to extrajudicial actions, inadequate compensation and poor alternative provision.³³³

A general criticism sometimes voiced is that area-focussed strategies cannot solve wider problems of social exclusion founded in the behaviour of institutions, the operation of labour markets, and economic inequality. At the same time a focus on an area may build on assumptions that this is where the key problems are to be found, implying that the answers lie in changing the behaviour or lifestyles of poor people, or dispersing minorities, rather than in improving institutional performance or reducing racist harassment and discrimination.³³⁴ Furthermore, tackling areas where minority populations are concentrated does little to alter one of the key

³³⁰ NFP Netherlands *Housing Report* 2003, p. 7.

³³¹ For instance see NFP Portugal *National Report* 2004, p. 36. Also Malheiros, J. (1998) *Segregação socioétnica na região metropolitana de Lisboa* (Social Ethnic Segregation in the Lisbon Metropolitan Region) in *Sociedade e Território* 30; Fonseca, L. Et al.

³³² Cf the EC-sponsored study by Edgar, noting renewal processes in Brussels that apparently disadvantaged migrant communities, with local policy orientated towards “cleaning out” of the municipality, and ‘gentrification’: Edgar, B. (2004 draft, forthcoming), *Policy measures to ensure access to decent housing for migrants and ethnic minorities*, Joint Centre for Scottish Housing Research, Universities of Dundee and St Andrews, p. 58.

³³³ See NFP Greece *National Report* 2004, pp. 3, 33.

³³⁴ Cf NFP Sweden *National Report* 2004, pp. 42, 45-46.

causative factors, the locational choices being made by better off mainstream (especially white) households.³³⁵

Such critical views do have weight, but this does not mean that renewal or relocation bring no benefits. It is necessary to review any particular example on its merits, and clear evaluation criteria are needed. From migrant and minority ethnic perspectives, key concerns would be: an emphasis on enlarged choice rather than compulsion; construction or renovation focussing on the specific wishes of particular groups; affordability; and autonomy and empowerment.

7.6. Holistic local strategies, and solutions going beyond housing

Some local projects go beyond housing issues. Many minority groups face multidimensional problems, so housing improvements may be accompanied by support in employment, education and health, or anti-racism work with institutions and officials to raise awareness. It can be argued that a holistic approach is a very valuable component for good practice in many kinds of situations.

Numerous examples are touched on in the national reports, both in descriptions of major programmes such as renewal strategies, and at case level. The report on **Sweden**, for example, refers to activities within the *Metropolitan Policy* for metropolitan residential districts, involving “an enormous amount of projects, mainly with regard to employment and occupation”, but also aimed at other issues.³³⁶ At specific case level, this report cites a new housing company that has arranged activities including a local employment agency and vocational training courses. Here public transport has also been improved, and a cash dispenser has been placed in the area.³³⁷ Another national example is **Portugal**, where reporting again points to multi-stranded measures (targeting specific communities including the Roma), run across housing, education and social support, mainly from the perspective of reducing poverty and fighting exclusion. Even so, initiatives for Roma integration here focus generally on the living conditions which the majority of this community endure, and finding adequate solutions to the housing problem while enhancing education.³³⁸ In **Germany**, the *Social City* programme includes a focus on participation of residents, the local economy, and establishing a social, educational and leisure infrastructure, along with improving the standard of living by redevelopment and modernisation. The report on **Spain** cites examples of good practice, including the work of the *Instituto de Realojamiento e Integración Social* (Institute for Re-accommodation and Social Integration, IRIS). IRIS’ objectives

³³⁵ NFP Sweden *National Report* 2004, p. 42. See BråmÅ, Å. (2004), “White flight”? *The production and reproduction of immigrant concentration areas in Swedish cities, 1990-2002*.

³³⁶ NFP Sweden *Housing Report* 2003, p. 29. NFP Sweden *National Report* 2004 reports the partial closure of this initiative; pp. 45-46.

³³⁷ NFP Sweden *Housing Report* 2003, p. 31.

³³⁸ NFP Portugal *Housing Report* 2003, pp. 77-79.

include housing ones, but also educational services and social care. The general point can be made (understood more widely in housing practice) that specific groups' social support or social work can be linked productively with housing provision. Multi-stranded policies with social support elements appear essential for asylum seekers, and examples are given in reports.³³⁹

An additional issue is that some migrant and minority ethnic groups are responded to partly as migrant workers rather than settled residents, attention being paid to services and facilities helping them in the shorter-term (as in Italy; where one of the foci is on social agencies that act as intermediaries between landlords and migrants, or with credit institutions).³⁴⁰ A holistic approach may be valuable as far as any future transition to settled status is concerned, bearing in mind employers' obligations, the goal of bringing supply and demand closer, and providing intermediate solutions capable later of facilitating transition from reception centres to individual private homes. This may be a field where collaborations are beneficial.

7.7. Issues of control, empowerment and self-development

Mention has already been made of issues of engagement, participation and empowerment, but these deserve separate comment. Involving households may affect the success of schemes and their responsiveness to local needs, while a genuinely inclusive environment must cater for grass roots perspectives.

Consultations and involvement relate to a range of activities, including planning, design, research, community relations, and provision of services. Ideally there should be ongoing (rather than occasional or ad hoc) opportunities for residents, and reported methods include a range of informal and more formal ones at several administrative levels.³⁴¹ There may be meetings, surveys, working groups, focus groups, and many other approaches to gather feedback or ideas. Participation is not unproblematic, especially if powerful institutions set tight limits on the degree of empowerment that it brings for groups such as residents or tenants. Difficulties with inter-organisational collaboration or with resident participation – or limits placed on the influence of the latter – may lead to frustration.³⁴² If there are low participation rates for minorities in existing projects or systems, it may be desirable to adopt outreach strategies or methods designed to target or draw them in directly

³³⁹ For instance, the *Accelair* initiative in France (under *EQUAL*) seeks to redress the failure of welcoming and housing policies for asylum seekers and other refugees, and to improve conditions through improving support by networks of individuals. See NFP France *Housing Report* 2003, p. 34.

³⁴⁰ NFP Italy *Housing Report* 2003, pp. 3, 25-26, 29.

³⁴¹ Elected advisory boards of tenants in social housing agencies or at regional level, as in NFP Belgium *Housing Report* 2003, p. 31.

³⁴² Cf NFP Sweden *Housing Report* 2003, p. 20.

(giving them separate opportunities for ‘voice’ if necessary).³⁴³ Where there is already machinery for collective representation, it is important to ensure that exclusive practices or other barriers (such as communications and language) do not inhibit minority participation, and anti-discrimination codes will be required for bodies such as tenants’ organisations.³⁴⁴ Involving minority ethnic tenants and communities has been argued to need “baseline mapping and good relationships with tenant organisations”; many tenants may not want involvement with high-level roles, but could want to express views and influence decisions affecting them.³⁴⁵

Organisations representing indigenous migrant and minority ethnic or linguistic communities as well as less long-established groups may welcome consultative and participatory relationships with government and in local events. They may seek to influence policy through the production of discussion documents or proposals. The national report on **Ireland**, for instance, notes that Traveller organisations have been particularly focused on promoting good practice in housing strategies, and have developed documentation on participation in the management of accommodation. It is recognised that tenant participation in estate management is a key arena for the development of more participative structures at local level.³⁴⁶

An anti-racist response may require recognition that not all people will fit into existing service provision, and developing new services or changing existing ones may benefit from new inputs and partnerships reflecting diversity in the needs of households. In effect, a genuinely intercultural approach to needs may be as much about institutions listening to minorities as it is about encouraging inter-personal interactions. Staffing may need to change to better reflect the groups being served in a culturally sensitive way. In responding to harassment in housing contexts it is also essential to be in touch with the grass roots. Adopting a victim-centred approach to incidents is essential, and participation of migrant and minority ethnic organisations may facilitate more effective reporting and monitoring, as well as supportive reactions. Partnership with relevant community groups may prove valuable, and a proactive approach to recent movers may be helpful (to establish if they are experiencing problems).³⁴⁷ The national housing report from **Germany** argues that integration measures should take advantage of existing resources of target groups and follow an approach, using the “abilities, resources and achievements of migrants and their organisations”.³⁴⁸ It would seem that capacity

³⁴³ See NFP Finland *Housing Report* 2003, p. 37, which recommends making housing advisor services more targeted and specific to the needs of minorities, including catering for specific minority languages.

³⁴⁴ NFP Sweden *Housing Report* 2003, p. 30, notes that the Tenant’s Union related to housing companies recognises the importance of working for integration, mainly regarding participating in their local developmental work in the housing areas. Yet the majority of members in the union are of Swedish origin. Examples are given of good practice efforts aimed at increased participation among people of ‘foreign origin’, and there is an active anti-racist policy.

³⁴⁵ NFP UK *National Report* 2004, p. 50.

³⁴⁶ NFP Ireland *Housing Report* 2003, p. 35. See ITM (2001) *The Development of Traveller Tenant Participation in the Management of Accommodation*, Dublin: ITM.

³⁴⁷ NFP Ireland *Housing Report* 2003, p. 37.

³⁴⁸ NFP Germany *Housing Report* 2003, p. 32.

building (training, language courses, help in time and project management, etc.) may facilitate better participation and involvement in partnerships, and sometimes forms an important aspect of good practice.

The **UK** has had a twenty years history of direct involvement by minority communities in housing development and management through its black and minority ethnic housing associations. With management boards drawing at least 80 per cent of their members from minority ethnic backgrounds, these bodies have been commended for their constructive roles, pioneering and holistic work with tenants, and positive engagement with housing policy development and property management. Many have worked closely with larger white-run associations, although retaining autonomy. They can be seen as agents for self-development as well as reflecting diversity, and evidence does not suggest that they contribute to divisiveness or add to social segregation.³⁴⁹

7.8. Key criteria for selecting and reviewing national and local positive initiatives

Although variation in contexts needs to be kept in mind when appraising progress, there are general points of principle that can guide evaluation of practices. Clear targeting is essential, and this must be reflected in explicit goals, so as to avoid endorsing policies that claim to be progressive but actually damage the interests of migrant and minority ethnic households. At the same time, initiatives should demonstrate awareness of key considerations that may inform, cross-cut or underpin a range of diverse reform or development enterprises. Thus two summary lists are proposed, forming a basis for appraisal, bearing in mind contextual factors at the same time.

KEY OPTIONS FOR THE TARGETING OF PROJECTS, PROGRAMMES AND REFORMS

Our review points to a list of appropriate targets for initiatives. Some are especially important for improving performance at central state level (or at the level of autonomous regions or federated states), while others may be particularly useful for localised projects. An initiative would be likely to be aimed explicitly at one or more of the purposes listed below:

- To combat racism in residential environments (especially through local or city-wide activities).

³⁴⁹ See Harrison, M (1995) *Housing, 'race', social policy and empowerment*, CRER Research in Ethnic Relations Series, Aldershot: Avebury. Also NFP UK *National Report* 2004, p. 48.

- To improve knowledge, awareness, understanding or monitoring through research.³⁵⁰ Dissemination, exchange or transfer of information about housing conditions, resources, barriers and options (at all levels).
- To develop or improve systems of performance monitoring and inspection for key target institutions in public, private and NGO sectors (at national and/or regional levels).
- To pioneer or innovate in ways that have material or symbolic significance in challenging racism or discrimination in particular civil environments, or in improving services for minorities (especially at local or city levels).
- To reduce direct or indirect discrimination against migrant and minority ethnic groups, through legal or regulatory change (at national and/or regional level), ensuring that processes are adequate and accessible for individuals to seek redress.
- To facilitate realistic preferred pathways for migrant and minority ethnic households in housing, by reducing barriers and promoting more equality of access, financial assistance and choice in social housing, voluntary provision, private renting, and owner occupation (at all levels).
- To facilitate provision of appropriate forms of accommodation and allied services (at all levels).
- To meet demonstrable needs, taking account of diversity and cultural issues, especially needs that are urgent or neglected (at all levels).
- To develop collaborative and inclusive ways of tackling neighbourhood issues and choices (at local and city levels).

DEMONSTRATING AWARENESS OF KEY CONSIDERATIONS THAT MAY INFORM, CROSS-CUT OR UNDERPIN INITIATIVES AND REFORMS

As well as falling within some of the headings above, initiatives could be evaluated in terms of how far they demonstrate characteristics selected from the following list in their design and implementation. Subject to specific contextual issues, initiatives should:

- Take account as far as possible of the evidence base about minorities and their experiences.
- Show awareness of anti-racist issues.
- Acknowledge diversity and its implications.
- Explore any appropriate possibilities for creating a good mutual learning environment, with two-way communications between policy-makers and housing consumers.

³⁵⁰ Research can improve awareness, be a focus for positive partnerships, play sensitising roles, or provide an “alarm signal” (NFP Belgium *Housing Report* 2003, p. 30). Furthermore, it has been argued that, in the absence of initiatives aimed against racism and discrimination, some researchers might “highlight as good practices the research projects and academic initiatives which allow us to have a better understanding of that reality” (NFP Portugal *National Report* 2004, p. 40).

- Take account of issues of participation and empowerment for migrant and minority ethnic groups and voluntary organisations, including exploring any appropriate options for partnerships, self-management and self-development.
- Consider issues of sustainability, such as the implications of funding that may be precarious or terminated after a set time-period, or the benefits of looking ahead at changes in the client population or the forms of provision needed. (Good practice will not always involve static solutions.³⁵¹)
- Consider potential issues and methods of monitoring and ‘equality testing’ of policies. One prospect for future good practice is that ‘equality testing’ should be applied more routinely to a range of policies, so that their potential effects along various dimensions of ‘difference’ (age, disability, ethnicity, gender, etc.) could be ascertained at policy development stage.
- Confirm commitment to transparency in planning and resource allocation, if relevant.
- Show awareness when appropriate of potential links with and implications for fields outside housing.
- Demonstrate that appropriate regard has been paid to issues of costs, benefits, transferability and feasibility.
- Avoid over-reliance on vague concepts about social relations that may be seen as politicised or contestable.

Amplifying the last point above, it is clear that targeting ‘integration’ in spatial terms cannot be an adequate approach, and more specific measurable benefits are needed to demonstrate good practice here. It cannot be guaranteed that spatial mixing will improve integration, since the latter is a complex social, economic and political process. Consequently, targeting policies in a ‘top-down’ way on housing mixing is not necessarily good practice, although in some instances increasing opportunities for voluntary mixing might speed up processes of mutual adaptation amongst households. On the other hand, there might be instances where mixing increases tensions and management problems, and mono-cultural schemes may be successful for residents and managers. Housing enterprises, nonetheless, can be part of the context in which integration develops, perhaps especially where there are opportunities to collaborate within frameworks that confer a degree of empowerment, management responsibility, or mutual obligations, in neighbourhood environments where anti-racist practices are laid down clearly and where fairness is guaranteed for all types of households. Thus, it might be preferable to aim at particular kinds of collaborative and participatory activities relating to neighbourhood planning, community development or managing shared needs.

³⁵¹ Reporting for Germany comments perceptively that a sustainable improvement of living conditions and quality of life in disadvantaged districts can only be achieved gradually and with the help of long-term programmes, due to the manifold and complex social problems and the time needed for planning and implementing effective urban development measures; NFP Germany *Housing Report* 2003, p. 18. See also Deutsches Institut für Urbanistik (2003) *Strategien für die soziale Stadt. Erfahrungen und Perspektiven - Umsetzung des Bund-Länder-Programms "Stadtteile mit besonderem Entwicklungsbedarf - die soziale Stadt"* (Strategies for the Social City – Federal and State Government Programme).

As regards 'equality testing', this was a very under-developed issue in national reports, and deserves more attention.³⁵² It concerns evaluation of policies and practices to assess their likely impact. As noted above, 'equality' testing (or 'equality impact assessment') could be applied routinely to a range of official policies. Their potential implications relating to various dimensions of 'difference' (age, disability, ethnicity, gender, etc.) could be worked out before detailed strategies had been 'firmed up'.

³⁵² This should not be confused with the research technique of 'discrimination testing' where parallel cases (involving one person who is presented as from a minority group and another who is not) are put to a potential discriminator to see if one will be dealt with unfairly because of his/her origin

8. CHAPTER 8 - CONCLUSIONS, AND OPTIONS FOR POLICY AND RESEARCH DEVELOPMENT

This comparative overview has confirmed the importance of discrimination and segregation in housing experiences across 15 EU countries. Although each country is distinctive, racism and xenophobia are widespread, and contribute to households who are labelled as ‘different’ being subjected to numerous forms of exclusion, disadvantage or ill-treatment. The national reports are a clear reminder that inadequate housing conditions and opportunities can often be amongst the most important manifestations of social exclusion. Viewed collectively, the reports show a widespread incidence of unfair and discriminatory practices affecting housing markets, social rented housing allocation, or access to finance and other support. The incidence of negative housing experiences and restricted choice is not random, but frequently results from a combination of low socio-economic status with systematic and persistent racist practices.

Although some similar governmental practices occur within states that are very different, there is nonetheless also much variation in legal frameworks and in public policy responses, as well as diversity in social and cultural contexts. Bearing this in mind, it is possible to draw seven important general conclusions from this comparative review, and these are summarised below. Following this can be found options for policy development, issues in project evaluation, and research prospects and capacities. The chapter then concludes with a brief note on ways forward for Europe.

8.1. Seven key conclusions

[1] SIMILAR MECHANISMS OF DISCRIMINATION AND DISADVANTAGE ARE FOUND IN DIFFERING STATES, AND ARE OFTEN DEEPLY ENTRENCHED

Similar key discriminatory or disadvantaging mechanisms can be found in many differing places and contexts. Mechanisms for excluding or disadvantaging households include: (i) the denial of accommodation by private property owners; (ii) imposing restrictive conditions or criteria limiting or shaping access into publicly-supported accommodation; and (iii) harassment, abuse or opposition from neighbours. Chapter 4 provides a more detailed account of forms of discrimination. It is important to transfer knowledge about these matters across national boundaries, so that they can be more readily understood, and to make available solutions that are sometimes already tried and tested in particular places.

[2] SIMILAR NEGATIVE HOUSING OUTCOMES FOR DISADVANTAGED MINORITIES ARE FOUND IN DIFFERING STATES, RESULTING FROM SOCIO-ECONOMIC EXCLUSION BUT AT THE SAME TIME CONTRIBUTING SUBSTANTIALLY TO IT

Despite variations, there are similarities across countries in outcomes for migrant and minority ethnic households, especially where they are receiving low incomes. These common outcomes include: (i) limited choice of residential neighbourhoods and types of dwellings; (ii) heavy dependence on social renting where this can be obtained; (iii) occupation of poor quality accommodation in low status environments and localities; or (iv) disproportionately high housing costs in relation to low incomes. Nonetheless, there is diversity within migrant and minority ethnic groups as well as between them, with success stories as well as widespread difficulties.

[3] THE ISSUE OF ASYLUM SEEKERS COMPLICATES STATE RESPONSES

The issue of asylum seekers complicates matters in many countries. These households may be the focus for standards of provision and expectations about choice that fall below what would be seen as necessary minima for other groups, and involve restrictive or disadvantaging settlement practices and options. It is not within the scope of the present review to raise political issues about immigration policies and controls, but the housing dimensions in the treatment of asylum seekers are a matter of concern that this report may properly refer to.

[4] DISADVANTAGE PERSISTS AMONGST NATIONAL INDIGENOUS MINORITIES

The disadvantaged housing position of the Roma, Gypsy, Traveller and Sinti peoples stands out as deserving urgent attention, although there are some differences in approaches between countries. In some instances reports suggest very inferior conditions.

[5] LAW, MONITORING AND REGULATION VARY WIDELY

Law, monitoring and regulation vary considerably. Some countries have very inadequate data collection, and only a few seem to have developed appropriate procedures for inspecting or auditing organisational performance and change. So far, there are few signs of systematic arrangements for knowledge transfer in the field of housing and ethnic relations. Chapter 5 suggests that careful evaluation of the impact of new legal and regulatory initiatives is vital over the next five years, and could be considered as a key research and monitoring objective. This would require detailed attention to the particularity of national contexts, the nature of mechanisms implemented, and outcome assessment. Analysis of the evidence base

in Chapter 3 points to the importance of setting up a national data base, or national good practice guidelines for regional authorities, for the systematic and rigorous collection of data on migrant and minority ethnic housing, whereby progress can be reviewed over time.

[6] THE CONCEPT OF INTEGRATION NEEDS TO BE APPROACHED WITH CARE AND PRECISION

The idea of integration is frequently invoked in policy-making contexts, but contains ambiguities that need to be resolved if it is to serve as a reliable target in a good practice repertoire. Unfortunately, as some national reports illustrate, the concept can become heavily politicised. There would be dangers if ‘population mixing’ in neighbourhoods came to be interpreted by policy-makers as a short-cut through which behaviours of minorities could be controlled, and through which groups might be led to bend and assimilate to a supposedly single and universally-applicable mainstream culture and politics. Such thinking is much too simplistic, and there seems to be little solid evidence in any of the reports that could justify seeing involuntary spatial mixing as an appropriate route towards social integration.

[7] CONFLICT RESOLUTION AND COUNSELLING ARE NOT ENOUGH

Development of practices for conflict resolution, counselling and mediation are likely to be useful at local level. They cannot be substitutes, however, for directly challenging racist practices and outlooks occurring within majority communities, or for putting in place effective systems of inspection, policing and individual legal redress to combat discrimination by housing providers, finance organisations, and other housing market actors.

8.2. Policy initiatives and evaluation criteria

The chapter now turns to options for policy development and allied issues of project evaluation. Chapter 7 identified three strands to take account of when evaluating or comparing particular initiatives, strategic developments or projects. First, specific contexts need to be kept in mind. What is simply a useful but regular practice in one society may properly be seen as a crucial ‘breakthrough’ or symbolic step in another, where policies have been less responsive previously to discrimination or a diversity agenda. The best ways forward may differ from place to place and over time. Evaluation therefore necessarily should include an appraisal of the likely impact and relative innovative significance of a project within its specific national and more local settings.

As well as this, two sets of criteria can be applied more universally when working towards good practice policies or appraising specific options. Building on the

review of national studies, the previous chapter outlined the ingredients of each of these, setting out specific indicators pointing to good practice. The first set contains the most appropriate key options for the targeting of projects, programmes and reforms. Thus this review points to a range of generalised 'best practice' targets for initiatives, and these were listed in Chapter 7. Some are especially appropriate for improving performance at national level (or at the level of autonomous regions or federated states), while others would be particularly useful for localised projects. Most good practice initiatives would be likely to fall explicitly within one or more of the categories listed.

In effect, an important criterion for a positive selection or evaluation would be that a project targeted one of more of the nine recommended overlapping goals shown in Chapter 7. These cover (in summarised form):

- combating racism;
- improving knowledge, understanding or monitoring;
- improving performance monitoring and inspection;
- pioneering or innovating in challenging racism or discrimination;
- reducing discrimination through legal or regulatory change;
- facilitating preferred pathways for migrant and minority ethnic households;
- facilitating provision of appropriate forms of accommodation and allied services;
- meeting demonstrable needs while taking account of diversity and cultural issues; and

developing collaborative and inclusive ways of tackling neighbourhood issues.

These are set out more fully in Chapter 7.

In addition, a good practice project would need to demonstrate awareness of key considerations that may inform, cross-cut or underpin initiatives and reforms. Thus, as well as falling within some of the nine targeted categories summarised above, initiatives should be evaluated in terms of how far they can demonstrate in their design and implementation characteristics selected from the second list set out in Chapter 7. Subject to specific contextual issues, initiatives should:

- take account of the evidence base about minorities and their experiences;
- show awareness of anti-racist issues;
- acknowledge diversity and its implications;
- explore possibilities for creating a good mutual learning environment;
- take account of issues of participation and empowerment for migrant and minority ethnic groups;
- consider issues of sustainability;
- consider potential monitoring and 'equality testing' of policies;
- confirm commitment to transparency;
- show awareness of links with fields outside housing;
- demonstrate that regard has been paid to costs, benefits, transferability and feasibility; and

- avoid over-reliance on vague concepts about social relations that may be seen as politicised or contestable.

The last of these expectations brings us to the specific topic of integration in housing and neighbourhood settings. To avoid over-simplification, politicisation or over-ambitiousness in policy prescriptions, integration policies need to be explicit and practical, and responsive to the diversity of households and their needs. What is required is an *inclusion and co-operation strategy*, rather than any ‘top-down attempt to engineer social mixing amongst neighbours, or designs that over-optimistically seek to ‘balance’ and fix local population composition in some way. This inclusion and co-operation agenda³⁵³ could build on the processes of adaptation, advancement and involvement that are regularly pursued by minorities and migrants themselves, while at the same time challenging the institutional barriers, resource problems and racist practices that often restrict their choices and environments. One way forward would be to develop more shared, collaborative or federated housing and neighbourhood enterprises, where collective opportunities to take decisions and develop facilities could bring people together in very practical joint activities as equals. Another way is to facilitate voluntary movement by migrant and minority ethnic households into a wider range of housing areas, including those of better quality.

GENERAL CONCLUSION ON EVALUATION

Although evaluation will inevitably be on the merits of each specific case (taking into account available evidence and local contexts), a useful project or strategy will be likely to be one that can demonstrate that it aims at targets within the first list set out in Chapter 7. At the same time, projects should show awareness as indicated in the points in the second list in Chapter 7.

8.3. Research priorities

The inclusion and co-operation strategy recommended above has clear implications for the research agenda. There is little benefit from measuring spatial segregation as such, and policy-makers should be aware of the implications of doing so. Anecdotal information from US scholars indicates that white Americans seize eagerly upon measures such as ‘indices of ethnic segregation’, in order more safely to choose residential areas where few African-Americans or Hispanic people live. Instead of such statistical work, researchers should enhance the knowledge that policy-makers and scholars have about three clusters of topics.

³⁵³ See Harrison, M., Phillips, D., Chahal, K., Hunt, L. and Perry, J. (forthcoming, 2005), *Housing, ‘race’ and community cohesion*, Coventry: CIH.

THREE PRIORITY CLUSTERS OF RESEARCH TOPICS

First, more should be discovered about processes of *constructive interaction* in housing and allied contexts, and about the *adaptation pathways* followed at neighbourhood level by many households and groups. Understanding these dynamic concerns is crucial for informing debates about cohesion and integration in housing. This investigation cluster extends from varied household experiences and strategies to collective minority-led housing enterprises, their relationships with broader organisational systems, and issues of participation and empowerment. Research needs to be more sensitive here than the national reports have been able to be on dimensions of diversity outside ethnicity; especially age, disability and chronic illness, and gender.

Second, research findings on *housing conditions, costs and needs* should be a regular component of the evidence base for policy development. A range of investigations should explore diverse, specialised or shared housing requirements, and the housing circumstances of particular disadvantaged groups (including homeless people, migrant workers, asylum seekers, and others; see Chapter 3).

Third, investigation is essential into *barriers and opportunities* that migrant and minority ethnic households encounter in housing. Barriers in particular deserve more systematic and comprehensive monitoring in many countries (including discrimination patterns and practices, and unsupportive policy and legal environments). Studies could extend from such matters as the local effects of racist harassment in limiting choices of locations or house types, to measurement of the impact of national governmental performance, 'equality testing' of new policies prior to introduction, and evaluation of implementation of fairer procedures at all levels. A particular priority might be the barriers facing Roma people. The interactions between people's housing strategies and the opportunity structures and constraints they face may frequently provide a good focus for an investigation.

All research projects should be developed with an awareness of the evaluation criteria discussed above.

8.4. Capacities for independent research and analysis need to be strengthened

Capacities for independent as well as governmental research and analysis are in urgent need of further development in the field of housing, neighbourhoods and ethnic relations. In some places there are few data, and even in the most proactive monitoring environments there are significant gaps. Governments need to extend and enhance their monitoring efforts in respect of institutional performance (affecting all the tenures), 'equality testing' (including checking outcomes from urban renewal strategies), and in terms of measuring discriminatory experiences. Alongside national developments, an improved cross-countries infrastructure could

be beneficial in enabling fuller exploration of appropriate techniques for investigation, monitoring and audit, and would offer means by which information transfer and mutual learning could be enhanced. Such an infrastructure might have several optional components. These could include:

- Mechanisms for facilitating periodic learning and training visits by researchers, politicians and potential ‘fast track’ officials to EU countries outside their own. This might be especially useful where it made it possible for personnel (prioritising those from places where regulatory systems are in early stages of development) to observe more advanced systems in operation in the housing and urban policy fields.³⁵⁴
- Mechanisms for more regularly exchanging and consolidating knowledge and understanding, through collaborative ventures focussed directly on housing and ethnicity, such as scientific conferences, workshops, etc.³⁵⁵
- Targeted collaborative work on key topics or ethnic groups. The housing and neighbourhood conditions faced by the Roma and similar communities stand out as potential priorities for research and action going beyond individual countries. Work should explore the experiences and preferred housing pathways of Roma and allied groups, as well as the impact of barriers and policies.³⁵⁶

8.5. Moving forward in Europe

As stated at the start of this report, the field of housing, ‘race’ and ethnicity is potentially important for policy-makers in many parts of Europe. There is a need to acknowledge the significance of discrimination, disadvantage, and segregation for migrant and minority ethnic groups, and the ongoing roles played by racism and xenophobia in contributing to negative outcomes. As the national reports indicate, poor housing conditions often contribute to social exclusion for minorities, while housing practices sometimes become mechanisms for reinforcing or creating such exclusion. Yet the picture is by no means only a negative one. EU intervention via recent Directives is having a positive effect, while constructive policy-making within individual States is helping develop ways forward through innovative

³⁵⁴ A proposal of this kind was made recently by a Leeds University team under the Marie Curie programme for early stage learning but was rejected. It included a concept of ‘researchers in residence’, including ‘fast track’ young professionals.

³⁵⁵ Networking developments could build on existing sub-groups within the European Network for Housing Research (ENHR), and the more specific and recently-developed International Research Network for Housing, Ethnicity and Policy (IRNHEP).

³⁵⁶ An example of a very useful study of another group across Europe is Özüekren, S. and Van Kempen, R. (eds.) (1997), *Turks in European cities: housing and urban segregation*, Utrecht: ERCOMER.

projects, or changes at local, regional and national levels. Meanwhile, people from migrant and minority ethnic groups themselves may actively explore and pursue means for achieving positive changes, individually, collectively or collaboratively. Nonetheless, much still remains to be done through law, regulation, co-operation, and investment strategies.

It would go beyond the brief of this report to identify a set of preferred housing policy solutions in terms of details such as tenure, forms of subsidy, state/market mix, and so forth. These matters are likely to be dealt with in ways reflecting specific national political and economic contexts, as well as tenure patterns, histories and stock characteristics in particular States. Nonetheless, a variety of useful institutional and financial options are indicated in the review of national material. Furthermore, this report has discussed more generalised 'best practice' targets for initiatives arising from this review, and noted the importance of facilitating preferred pathways for migrant and minority ethnic households, securing appropriate forms of accommodation, and meeting needs. At the same time, improvements in policy networks and environments might help bring valuable benefits in the future. It seems important to try to enhance levels of awareness, exchanges of housing information, research and monitoring activity, and the flow of practical ideas between countries. It is hoped that this review will be a useful resource for policy-makers when these matters are being considered.

APPENDIX 1 - SELECTED RELEVANT EU PROJECTS

Only a small number of EU projects are cited by the national housing report authors, while access to and ready availability of adequate alternative data on such projects through EU websites is limited. The authors have been unable to assess the relevance to the review of specific projects mentioned on websites, because of lack of general and evaluative information about them, and because housing and ethnicity may well be an implicit or contributory rather than leading aspect in a project. This might be the case, for instance, with some *EQUAL* schemes, only a very few of which are cited in the national reporting. It would be useful at some point to conduct an independent in-depth survey, testing for merit and relevance by applying the evaluation scheme developed in the closing chapters, across sets of projects (running or completed) with potential relevance to housing and ethnicity.

The authors judge it likely that the national reports on housing may have under-recorded contributions made by the EU to development of good practice. For example, despite *EQUAL*'s employment orientations, it seems possible that there could be housing components within several of the 104 projects dealing with asylum seekers, or the 302 apparently focussed on equal opportunities, gender gaps and de-segregation. Employment-related initiatives potentially relate to housing and ethnicity in several ways, including through training for housing and allied careers. Furthermore, *EQUAL* schemes can embrace such matters as anti-racist advisory work, which cater for housing concerns alongside others. There are also housing elements within the Sixth Framework Programme. One project here deals with the interplay of housing systems with jobs, household structures, finance and social security, although there does not seem to be a specific ethnicity dimension (the *OSIS* project, under the Citizens and Governance in a Knowledge Based Society Programme).

There has been a valuable 'dialogue workshop' on the valorisation of research on migration and immigration funded under the 4th and 5th European Framework Programmes of Research. The focus is Targeted Socio-Economic Research (*TSER*) projects, and proceedings are available under the title *Migration and Social Integration of Migrants* (2003, Directorate-General for Research, Brussels, EUR 20641). The text makes clear that housing is sometimes a component in project coverage, and is viewed as part of the set of factors contributing to poor living conditions, and sometimes as a part of poverty. The overview notes one project finding that housing was by far the worst source of exclusion, and cites others casting light on conditions, referring to ethnic frictions on the streets, or indicating barriers housing requirements pose to family reunification.

Reported projects

NFP Germany National Report 2004 (p. 39) refers to an anti-discrimination project in the area of housing, financed initially by federal state funds and then supported from the EU programme *URBAN II*. The objective was to record living conditions of migrants in the Nordstadt of Dortmund, and to contribute to combating forced segregation, as well as developing measures against discrimination in the housing market.

NFP Spain National Report 2004 (p.66) describes the transnational project *LOFT*, in whose framework is the Filoxenia project, within *EQUAL*. In particular there is a Mediation Service for access to rented housing for migrants, managed with *EQUAL* funds, facilitating access to empty flats (the project being carried out in the Balearic Islands).

NFP Spain Housing Report 2003 (p. 40) also reports on the Filoxenia project, noting that it includes the aim of community integration through the solution of basic housing needs. It seeks to facilitate access to rented housing through rents adjusted to migrant workers' wage levels, to deliver social care to applicants for decent housing, and to carry out a service of intercultural mediation.

NFP France Housing Report 2003 (pp. 33-34) discusses an *EQUAL* project on prevention of discrimination in housing. This concerns especially social housing in HLMs (*Habitation à Loyer Modéré*, Low-Rent Housing neighbourhoods), and aims at improving conditions and taking the needs of migrant and minority ethnic renters into account. The project is localised in four sites. One outcome will be training activities for professionals.

NFP France Housing Report 2003 (p. 34) describes an *EQUAL* project seeking to redress the failure of welcoming and housing policies for asylum seekers and refugees in the Department of Rhone. It aims to improve conditions through improving structures of receiving and accompanying individuals, including facilitating their access to training and employment.

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There was a division of labour in this exercise, and individuals took the lead on specific cross-national themes. Deborah Phillips focussed especially on analysing strengths and weaknesses in the information base and on integration, while Ian Law led the work on conditions, discrimination, law and regulation. Malcolm Harrison developed the approaches to good practice, innovation, the research agenda and the evaluation framework. He was also overall editor and co-ordinator, and assembled other parts of the report.

Responsible for the National Reports

The following organisations were the National Focal Points of the EUMC during 2003-2004, and provided the national reports on which this report is based.

Belgium	Centre for Equal Opportunities and Opposition to Racism/ Centre pour l'égalité des chances et la lutte contre le racisme (CEOOR)
Denmark	Nævnet for Etnisk Ligestilling/ Board for Ethnic Equality, Dokumentations- og rådgivningscenteret om racediskrimination/ Documentation and Advisory Centre on Racial Discrimination (DACoRD), The Danish Institute for Human Rights, Socialforskningsinstituttet/ The Danish National Institute for Social Research (SFI), Videncenter for tosprogethed og interkulturalitet/ The Centre for Bilingualism and Interculturalism (UC2), Paraplyorganisationen for de Etniske Mindretal/ The Umbrella Organisation of Ethnic Minorities (POEM), Rådet for Etniske Minoriteter/ The Council for Ethnic Minorities (REM)
Germany	European Forum for Migration Studies (EFMS)
Greece	ANTIGONE - Information & Documentation Centre on Racism, Ecology, Peace and Non Violence
Spain	Movimiento por la Paz, el Desarme y la Libertad/ Movement for Peace, Disarmament and Liberty (MPDL)
France	Agence pour le Développement des Relations Interculturelles/ Agency for the Development of Intercultural Relations (ADRI)

Ireland	National Consultative Commission on Racism and Interculturalism (NCCRI), Equality Authority (EA)
Italy	Cooperazione per lo sviluppo dei paesi emergenti/ Co-operation for the Development of Emerging Countries (COSPE)
Luxembourg	Association for the Support of Immigrant Workers (ASTI), Centre d' Etudes de Populations, de Pauvreté et des Politiques Socio-Economiques (CEPS)/ International Networks for Studies in Technology, Environment, Alternatives, Development (INSTEAD)
The Netherlands	Dutch Monitoring Centre on Racism and Xenophobia (DUMC)
Austria	Ludwig Boltzmann Institut für Menschenrechte/ Ludwig Boltzmann Institute of Human Rights, Institut für Sprachwissenschaft der Universität Wien/ Department of Linguistics at the University of Vienna, Institut für Konfliktforschung/ Institute of Conflict Research
Portugal	Númena - Centro de Investigacao em Ciencias Sociais e Humans/ Research Centre on Human and Social Sciences, Presidencia de Conselho/ Presidency of the Council of Ministers, Gabinete do alto comissário para a imigração e minorias etnicas/ High Commissariat for Immigration and Ethnic Minorities
Finland	Ihmisoikeusliitto/ Finnish League for Human Rights
Sweden	EXPO Foundation
United Kingdom	The Commission for Racial Equality (CRE)

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**Migrants, Minorities and Housing: Exclusion, Discrimination and
Anti-Discrimination in 15 Member States of the European Union**

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