

Latvia
RAXEN National Focal Point

Thematic Study

Housing Conditions of Roma and
Travellers

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DISCLAIMER: This study has been commissioned as background material for a comparative report on housing conditions of Roma and Travellers in EU Member States by the European Union Agency for Fundamental Rights. The views expressed here do not necessarily reflect the views or the official position of the FRA. The study is made publicly available for information purposes only and does not constitute legal advice or legal opinion.

Contents

| | |
|--|----------|
| CONTENTS..... | 2 |
| EXECUTIVE SUMMARY..... | 4 |
| 1. Desk research..... | 8 |
| 1.1. Legal and policy framework..... | 8 |
| 1.1.1. Protection of the right to adequate housing in national legislation..... | 8 |
| 1.1.2. Specific protection in national legislation..... | 11 |
| 1.1.3. Legislative or administrative decisions regarding 'ethnic' data collection..... | 12 |
| 1.1.4. General public policy on housing..... | 14 |
| 1.1.5. 'Positive action' measures..... | 14 |
| 1.1.6. Housing components of gender equality legislation and policy..... | 17 |
| 1.1.7. Housing components of disability legislation and policy ... | 17 |
| 1.1.8. The impact of legislation and especially of the Race Equality Directive on the housing situation of Roma and Travellers | 18 |
| 1.1.9. The impact of general public policies on the housing situation of Roma and Travellers..... | 19 |
| 1.2. Quantitative data on the housing situation of Roma and Travellers | 20 |
| 1.2.1. Number of Roma and Travellers in the country..... | 20 |
| 1.2.2. Data on housing conditions..... | 21 |
| 1.2.3. Data on housing tenure of Roma and Travellers..... | 24 |
| 1.2.4. Number of Roma/Travellers living in regulated encampments..... | 24 |
| 1.2.5. Number of Roma/Travellers living in unregulated encampments..... | 25 |
| 1.2.6. Number of Roma/Travellers living in segregated settings.. | 25 |
| 1.2.7. Data on household type and size..... | 25 |
| 1.2.8. Data on the forced eviction..... | 30 |
| 1.2.9. Data on access of Roma/Travellers to public utilities..... | 30 |
| 1.2.10. Data on available halting sites..... | 30 |
| 1.3. Qualitative information on the housing situation of Roma and Travellers..... | 31 |
| 1.3.1. Quality of housing available to Roma and Travellers..... | 31 |
| 1.3.2. Issue of spatial and social segregation..... | 32 |
| 1.3.3. Access to private housing..... | 33 |
| 1.3.4. Access to social housing..... | 34 |
| 1.3.5. Forced eviction..... | 35 |
| 1.3.6. Legality and legalization of settlements..... | 37 |
| 1.3.7. Movement, encampment and use of private land..... | 37 |
| 1.3.8. Access to public utilities..... | 37 |
| 1.3.9. Access and quality of housing for third country Roma/Travellers immigrants (especially for Roma/ Travellers EU national)..... | 37 |

| | | |
|-----------|---|-----------|
| 1.3.10. | Campaigns undertaken by authorities on their rights to adequate housing | 37 |
| 1.4. | Case law and complaints relating to the housing of Roma and Travellers..... | 38 |
| 1.5. | Identifying good practices | 41 |
| 1.6. | Major national projects targeting the housing situation of Roma and Travellers that are not included in the previous section..... | 42 |
| 2. | Field research - interviews | 43 |
| 2.1. | Brief description of the methodology | 43 |
| 2.2. | Summary of main points..... | 45 |
| 3. | Annex..... | 54 |
| 3.1. | Annex 1 – Statistical data and tables | 54 |
| 3.2. | Annex 2 – Court, specialised body or tribunal decisions..... | 55 |
| 3.3. | Annex 3 – Bibliography | 58 |

Executive summary

Desk research

Legal and policy framework

There are no specific legislative mechanisms to protect Roma rights in Latvian national legislation. None of the laws regulating state housing policy in Latvia make any reference to ethnic minorities or Roma specifically. All laws regulate rights to apply for and receive a social apartment financed by the state or local authorities. None of the laws envisage explicit principles of non-discrimination or equality. None of the laws refer to EU non-discrimination legislation.

The issue of housing was not included in the State Programme 'Roma in Latvia' 2007-2009, which is the first state policy paper and action plan explicitly aimed at improving the situation of Roma.

None of the policy documents defining the goals, fundamental principles and tasks of Latvia's housing policy development analyse the housing situation of Roma or envisage special measures for the improvement of Roma living conditions. Available reports about the implementation of the programmes do not provide information about special measures implemented for resolving the housing problems of Roma.

In 2000-2008, Latvia adopted a number of action plans aimed at reducing the poverty and social exclusion of various groups of society. Although it is recognised that Roma are one of the groups exposed to higher risk of social exclusion and that additional support mechanisms should target the group, none of the action plans envisage specific measures aimed at the improvement of Roma living conditions.

Most municipalities developed their own city or regional long-term development strategies, also including the important objective of providing residents with a variety of housing options in order to improve the accessibility of housing for groups with different income levels. However, municipalities' development strategies do not envisage special measures for improving Roma living conditions.

Quantitative data on the housing situation of Roma and Travellers

According to official statistics there were 8,591 Roma (0.38 per cent of the total population) in Latvia on 01.01.2009. According to unofficial information provided by leaders of Roma NGOs, the total number of Roma in Latvia may reach 13,000 to 15,000.

The only available quantitative data on the Roma situation in housing is the data of the 2000 population census. The Central Statistical Bureau (CSB), which is the main state body in charge of collecting, processing and disseminating statistical data, does not have more recent ethnic data on housing because the EU-wide programme Statistics on Income and Living Conditions (EU-SILC) does not require collection of data on ethnic affiliation or racial origin related to housing data. The next population census in Latvia is scheduled for 2011.

Municipalities with a significant ethnic Roma population do not have comprehensive data about the Roma housing situation, because they do not do housing registration along ethnic lines. Only a few municipalities provided data on Roma housing or data about those ethnic Roma who had asked for accommodation. Some municipalities indicated that 'the municipality carries out its autonomous functions prescribed by law in order to satisfy the needs of its inhabitants without sorting them by their ethnic features'.

No national research has been conducted on the quantitative data regarding Roma housing conditions (including elderly Roma, women, Roma with disabilities or children). The only comprehensive research is 'The situation of Roma in Latvia' conducted by the Latvian Centre for Human Rights in 2003. Among other issues, the research addressed the Roma housing situation. However, a significant part of data used in this research was also based on the 2000 population census results.

There are no official, unofficial or research-based statistical data on the impact of housing conditions on the rights to education, employment and health care. However, lack of education and high unemployment rates among Roma create serious obstacles for their social integration.

Qualitative information on the housing situation of Roma and Travellers

There are few research papers on the situation of Roma in Latvia. No reports of governmental and non-governmental organisations or international bodies refer to specific problems facing Roma in accessing adequate housing (including elderly Roma, women, Roma with disabilities or children). Most of the available reports emphasise that the Roma community in Latvia lives under particularly vulnerable conditions and suffers from structural discrimination that

manifests itself specifically in the realms of education, employment and cultural stereotypes.

Most of the qualitative information on housing conditions and access to private housing was acquired during the interviews with representatives of Roma community. All interviewees unanimously stressed the poor housing conditions of Roma, mostly due to the fact that they are unemployed. The issue of accessing a private house is also linked to the high level of unemployment and the lack of finances available to build a private house.

There is no official policy of spatial or social segregation of Roma. Still there are examples of so-called 'Roma houses' – blocks of flats where Roma tend to live in a kind of community, where the flats are predominantly occupied by Roma.

Information provided by municipalities shows that Roma, just like other socially vulnerable groups, receive social assistance according to the relevant legislation, including access to social housing. However, most interviewees mentioned local authorities' individual attitude (mainly mayors of towns) to providing or refusing a social apartment or any other form of housing support for Roma.

There are no official data on forced evictions of Roma. However, representatives of Roma NGOs mentioned facts which provide indirect information on forced evictions of Roma. Among the various reasons, low level of education and high unemployment are mentioned frequently.

Case law and complaints relating to the housing of Roma and Travellers

A person considering him/herself a victim of discrimination in housing can apply to court, as well as submit a complaint to the Ombudsman's Office. In case of discriminatory practices of public institutions, including municipalities, a person can turn to the same public institution that has treated them differently, to a higher institution, or to the public prosecutor's office.

Although the number of complaints regarding housing received by the Ombudsman's Office constitutes a significant share of all complaints, there are few complaints on alleged ethnic discrimination in housing. In 2008, the Ombudsman's Office initiated investigation into two cases of possible discrimination against ethnic Roma in housing. In both cases, the office found no unjustified discrimination. Information provided by a number of municipalities with significant Roma populations shows that they have not received complaints so far from ethnic Roma residents about housing rights violations or possible cases of racism and/or discrimination in housing.

Identifying good practices

There is no available information about examples of good practices aimed at improving the Roma housing situation. Policy documents developed so far do not envisage special measures for improving the living conditions of Roma as a socially vulnerable group and so far, the state institutions or municipalities have not implemented special projects or campaigns facilitating Roma social inclusion.

Major national projects targeting the housing situation of Roma and Travellers that are not included in the previous sections

There are no projects with national funding that target the housing situation of Roma.

1. Desk research

1.1. Legal and policy framework

1.1.1. Protection of the right to adequate housing in national legislation

The following main laws regulate state housing policy in Latvia: Law on Residential Tenancy (adopted on 16.02.1993), Law on Municipalities (adopted on 19.05.1994), Law on Assistance in Solving Housing Issues' (adopted on 06.12.2001), Law on Social Apartments and Social Houses' (adopted on 12.07.1997) and Law on Social Services and Social Assistance' (adopted on 31.10.2002).

The Law on Residential Tenancy regulates the provisions for renting out residential space (apartments) regardless of who owns it, as well as the legal relations between the renter and the tenant, specifying their rights and duties. The Law also regulates the procedures for entering into, amending and terminating a rental contract. There are no references to any of the principles of equality and non-discrimination in the law.¹

The amendment of the law, passed on 05.07.2001, introduced the new section X¹ which provides information on state support (provision of alternative accommodation) for low-income groups in cases of forced eviction. Among the groups eligible for alternative state-provided accommodation are pensioners, people with disabilities and other groups whose legal income does not exceed a minimum set by state law and provisions of local authorities. Local authorities may define additional groups of tenants who may apply for alternative state accommodation. There are no specific data on the Roma benefiting from section X¹ of the law. Information provided by municipalities shows that Roma, just like other socially vulnerable groups, receive support envisaged by legislation.

According to Part 1 of Article 28.2 of the law, forced eviction is possible if the tenant does not pay the rent for an apartment or its basic costs for three months. Forced eviction can be applied to the tenant and his/her family (without exceptions) after the court decision. The person who lets the apartment should inform the tenant about the intention to interrupt the agreement one month before submitting an application to the court. The Law also envisages that if the rental agreement is terminated by a court decision according to the above-described procedure, the respective municipality provides specified categories

¹ Latvia/ Par dzīvojamu telpu īri (Law (16.02.1993), available in Latvian: <http://www.likumi.lv/doc.php?id=56863> (17.03.2009)

of tenants with other premises suitable for habitation within three months after the court decision to evict the tenant enters into force. Part 1 of Article 36.1 of the Law specifies that this housing assistance is provided by municipalities to low-income tenants who: 1) have reached pension age or are unable to work due to disability, or 2) live with and look after at least one under-age child, a person under guardianship or a low-income person unable to work due to disability.

Article 15 (Sections 1,7 and 9) of the Law on Municipalities stipulates that municipalities are responsible for providing utility services to the residents irrespective of the type of ownership, as well as for providing social assistance to residents on housing issues.²

The Law on Assistance to Solving Housing Issues stipulates the responsibilities of municipalities with respect to residential housing (including renting out of municipal dwelling) and social houses, ensuring temporary dwelling, providing social assistance for meeting rent obligations and other housing related expenses. The law defines the list of priority groups who have the right to an apartment provided by the state or local authorities. Among these groups, Article 14 of the law defines various low-income groups (pensioners, parents with at least one child under 18, disabled persons, victims of political repression, etc.).³ No references to Roma or other ethnic minorities and no information on non-discrimination or equality principles are provided in the law. There are no specific data on Roma who benefit from the law. Municipalities recognise that they provide assistance in resolving housing issues regardless of ethnicity, in compliance with the Law on Assistance to Solving Housing Issues and with the municipality's binding decisions.⁴

The Law on Social Apartments and Social Houses determines the legal status of social apartments and social homes, principles of establishment and funding, eligibility for social housing, as well as procedures for provision of social assistance in renting social housing by municipalities. Article 5 entitles needy or socially vulnerable persons (families) to social housing if they meet the criteria prescribed in the law.⁵ According to Article 5 of the law, the right to rent social apartments is granted to socially low-income (needy) or socially vulnerable persons (families) that meet at least one of the following requirements: 1) a

² Latvia/ Par pašvaldībām (19.05.1994), available in Latvian: <http://www.likumi.lv/doc.php?id=57255> (17.03.2009)

³ Latvia/ Par palīdzību dzīvokļa jautājumu risināšanā (06.12.2001), available in Latvian: <http://www.likumi.lv/doc.php?id=56812> (17.03.2009)

⁴ Letter of the Valmiera City Council Nr. 1-2-23/642 (10.03.2009); the Housing Board of the Riga City Council Nr. DK-09-938-nd (09.03.2009); Daugavpils City Council Nr. 02.01-08/389 (27.02.2009); Liepāja City Council Nr. 188560/1.-11./188560 (27.02.2009); Jekabpils City Council Nr. 43-4-8 (26.02.2009); Tukums City Council Nr. 4-19.7/1112/814 (26.02.2009); Jelgava City Council Nr. 2-20/1208 (18.02.2009); Sabile City Council Nr. 2-14/L-5 (12.02.2009); Ventspils City Council Nr. 8-7/31 (12.02.2009); Jurmala City Council Nr. 8/33 (10.02.2009), Talsi City Council Nr. 2729/18.3/12-29

⁵ Latvia/ Par sociālajiem dzīvokļiem un sociālajām dzīvojamajām mājām (12.07.1997), available in Latvian: <http://www.likumi.lv/doc.php?id=44160> (18.03.2009)

court decision on their eviction has entered into force according to Point 2 of Part 1 of Article 29 of the Law on Residential Tenancy; 2) they rent a municipality-owned apartment and expressed the will to rent social apartment; 3) orphans without residential space. The Law on Social Assistance regulates the acquisition of the status of a socially low-income (needy) person (family). According to the Law on Social Apartments and Social Houses, municipalities can ease the requirements for granting persons (families) the right to rent social apartments. Persons (families) that no longer meet these requirements lose the right to rent social apartments. The law does not provide any references to Roma or other ethnic minorities or any information on non-discrimination or equality principles.

The Law on Social Services and Social Assistance provides a definition of various forms of accommodation (day-care centre; group house (apartment); long-term social care and social rehabilitation institution; crisis centre; night shelter; shelter; service apartment; half-way house) which the state or local authorities provide for various groups. Among eligible groups there are disabled persons and persons with mental disability.⁶ No references are made to any ethnic group, discrimination and equal opportunities.

Every municipality also issues its own binding regulations, determining procedures for provision of housing assistance according to the legislation of the Republic of Latvia. Municipal regulations are applicable to every inhabitant who has declared his/her place of residence within the respective municipality, regardless of ethnic affiliation or other factors. Available information suggests that so far, no municipality has developed any normative acts aimed at improving the housing conditions of socially vulnerable groups, including Roma.⁷

⁶ Latvia/ Sociālo pakalpojumu un sociālās palīdzības likums (31.10.2002), available in Latvian: <http://www.likumi.lv/doc.php?id=68488> (18.03.2009)

⁷ Letter of the Valmiera City Council Nr. 1-2-23/642 (10.03.2009); the Housing Board of the Riga City Council Nr. DK-09-938-nd (09.03.2009); Kuldīga City Council Nr. 07-05/255 (04.03.2009); Daugavpils City Council Nr. 02.01-08/389 (27.02.2009); Liepāja City Council Nr. 188560/1.-11./188560 (27.02.2009); Rezekne City Council Nr. 3.2.-25/295 (02.03.2009); Jekabpils City Council Nr. 43-4-8 (26.02.2009); Tukums City Council Nr. 4-19.7/1112/814 (26.02.2009); Jelgava City Council Nr. 2-20/1208 (18.02.2009); Sable City Council Nr. 2-14/L-5 (12.02.2009); Ventspils City Council Nr. 8-7/31 (12.02.2009); Jūrmala City Council Nr. 8/33 (10.02.2009), Talsi City Council Nr. 2729/18.3/12-29

1.1.2. Specific protection in national legislation

There are no special regulations on housing affecting Roma in Latvia, as there are no nomadic groups of Roma. All Latvian Roma are sedentary and can be viewed as a mainly urbanized community living in the capital Riga and other cities. Neither the Law on Territorial Planning (22.05.2002),⁸ nor the Municipal Area Planning Regulations (19.10.2004)⁹ affect specifically Romani people.

There are no specific legislative mechanisms to protect Roma rights in national legislation. Since 1998, Section 91 of the Constitution includes a general prohibition to discriminate, establishing that ‘all human beings in Latvia shall be equal before the law and the courts. Human rights shall be realized without discrimination of any kind.’ The clause on the equality principle and non-discrimination is also included in several other laws. Article 114 of the Convention provides rights for ethnic minorities to preserve and develop their language, ethnic and cultural identity. Article 105 defines that ‘Everyone has the right to own property [...] Property rights may be restricted only in accordance with the law.’¹⁰

Before 2007 there was no governmental programme for Roma in Latvia. On 18.10.2006, the Cabinet of Ministers approved the State Programme ‘Roma in Latvia’ 2007-2009.¹¹ It is the first state policy paper and action plan aimed explicitly at improving the situation of Roma in Latvia. The programme names three main areas of improvement and development: combating discrimination of the Roma population in education; combating discrimination and securing equal opportunities for the Romani community representatives in the labour market; and involvement of Latvian society in anti-discrimination activities and promotion of tolerance towards Roma. Dealing with discrimination in housing, health and social care are not included in the programme. According to the interview with a respondent with the former Secretariat for Special Assignments for Society Integration Affairs, who was responsible for the elaboration of the state policy programme for Roma inclusion, housing was not included in the programme because it was not a priority issue at that time.¹²

Latvia does not have a comprehensive minority rights protection law. The Law on the Unrestricted Development and Right to Cultural Autonomy of Latvia’s

⁸ Latvia/ Teritorijas plānošanas likums (22.05.2002), available in Latvian: <http://www.likumi.lv/doc.php?id=63109> (20.05.2009)

⁹ Latvia/ Vietējās pašvaldības teritorijas plānošanas noteiktumi (19.10.2004), available in Latvian: <http://www.likumi.lv/doc.php?id=95862> (20.05.2009)

¹⁰ Latvia/ Latvijas Republikas Satversme, available in English: http://www.saeima.lv/LapasEnglish/Constitution_Visa.htm (18.03.2009)

¹¹ Latvia/ Valsts programma ‘Čigāni (romi) Latvijā 2007-2009, available at: http://www.integracija.gov.lv/doc_upl/valsts_programma_Cigani_romi_Latvija.pdf (21.03.2009)

¹² Interview with Deniss Kretalovs, Senior Officer of the former Secretariat for Special Assignments for Society Integration Affairs on 5.02.2009

Nationalities and Ethnic Groups, adopted on 19 March 1991, determines the rights of ethnic minorities to cultural autonomy and cultural self-government.¹³

1.1.3. Legislative or administrative decisions regarding 'ethnic' data collection

According to the Personal Data Protection Law (23.03.2000), personal data processing is permitted only if the law does not prescribe otherwise, and at least one of the following conditions is met: 1) the data subject has given his or her consent; 2) the personal data processing results from contractual obligations of the data subject or, taking into account a request from the data subject, the processing of data is necessary in order to enter into the relevant contract; 3) the data processing is necessary to an administrator for the performance of his or her duties as specified by law; 4) the data processing is necessary to protect vitally important interests of the data subject, including life and health; 5) the data processing is necessary in order to ensure that the public interest is complied with, or to fulfil functions of public authority for whose performance the personal data have been transferred to an administrator or transmitted to a third person; and 6) the data processing is necessary in order to, complying with the fundamental human rights and freedoms of the data subject, exercise lawful interests of the system administrator or of such third person as the personal data have been disclosed to.¹⁴

The processing of sensitive personal data¹⁵ is prohibited, except in cases where: 1) the data subject has given his or her written consent for the processing of his or her sensitive personal data; 2) special processing of personal data, without requesting the consent of the data subject, is provided for by regulatory enactments, which regulate legal relations regarding employment, and such regulatory enactments guarantee the protection of personal data; 3) personal data processing is necessary to protect the life and health of the data subject or another person, and the data subject is not legally or physically able to express his or her consent; 4) personal data processing is necessary to achieve the lawful, non-commercial objectives of public organisations and their associations, if such data processing is only related to the members of these organisations or their associations and the personal data are not transferred to third parties; 5) personal data processing is necessary for the purposes of medical treatment, the provision of health care services or the administration thereof and the distribution of medication and medical equipment or their

¹³ Latvia/ 'Likums par nacionālo un etnisko grupu brīvu attīstību un tiesībām uz kultūras autonomiju' (19.03.1991), available in English at: http://www.minelres.lv/NationalLegislation/Latvia/Latvia_CultAut_English.htm (18.03.2009)

¹⁴ Latvia/Fizisko personu datu aizsardzības likums (23.03.2000), available in Latvian: <http://www.likumi.lv/doc.php?id=4042>

¹⁵ According to the Law, sensitive personal data are personal data which indicate the race, ethnic origin, religious, philosophical or political conviction or trade union membership of a person, or provide information as to a person's health or sexual life.

administration; 6) the processing concerns such personal data as necessary for the protection of lawful rights and interests of natural or legal persons in court proceedings; 7) personal data processing is necessary for the provision of social assistance and it is performed by the provider of social assistance services; 8) personal data processing is necessary for the establishment of Latvian national archive holdings and it is performed by the state archives and institutions with state storage rights approved by the Director General of the State Archives; 9) personal data processing is necessary for statistical research, which is performed by the Central Statistics Bureau; and 10) the processing relates to such personal data which the data subject has him or herself made public; 11) personal data processing is necessary for execution of state administration functions or for developing state information systems which are foreseen by the law.¹⁶

The main state body in charge of collecting, processing and disseminating statistical data is the Central Statistical Bureau of Latvia.¹⁷ The organisational procedures for the work on statistics are determined by the Official Statistics Law (adopted on 06.11.1997).¹⁸ This law does not give any reference to processing of people's ethnic data.

The Law on Population Census (adopted on 16.12.1999)¹⁹ determines that population census should take place at least once every ten years and that information about the housing of natural persons should be collected and processed within the framework of population census. The population census programme determines collection of specific data. The Regulations of the Cabinet of Ministers Nr. 384 on 2011 Population Census Programme (adopted on 02.06.2008) envisage collection of 'migration indicators' (place of birth and citizenship) and 'ethno-cultural indicators' (including ethnicity and language predominantly spoken at home by respondents).²⁰

The Central Statistics Bureau (CSB) of Latvia also conducts regular data collection in various fields and issues, including housing conditions of Latvia's population. According to information provided by the CSB Household Budget Statistics Section, CSB collects this data within the framework of the EU-wide programme Statistics on Income and Living Conditions (EU-SILC) and the EU Regulas (not Latvia's decisions) determine which specific categories and variables are included in surveys. According to the CSB Household Budget Statistics Section, these Regulas do not require collection of data on ethnic

¹⁶ Latvia/Fizisko personu datu aizsardzības likums (23.03.2000), available at <http://www.likumi.lv/doc.php?id=4042>

¹⁷ The Central Statistical Bureau of Latvia, <http://www.csb.gov.lv> (20.03.2009)

¹⁸ Latvia/Statistikas likums (06.11.1997), available in English: <http://www.csb.gov.lv/csp/content/?cat=350> (20.03.200)

¹⁹ Latvia/Tautas skaitīšanas likums (16.12.1999), available in Latvian: <http://www.likumi.lv/doc.php?id=14943> (22.05.2009)

²⁰ Latvia/Ministru kabineta noteikumi Nr. 384 'Noteikumi par 2011. gada tautas skaitīšanas programmu' 02.06.2008, available in Latvian: <http://www.likumi.lv/doc.php?id=176331&from=off> (20.03.2009)

affiliation or racial origin related to housing data, thus the CSB does not collect such data.²¹

1.1.4. General public policy on housing

The following policy documents determine the goals, fundamental principles and tasks of Latvia's housing policy development: Housing Policy Concept (adopted by the Cabinet of Ministers on 30.07.1996),²² Housing Development Crediting Programme (Stage II)' (adopted in the Cabinet of Ministers on 25.08.2005)²³ and State Support Programme of Apartment Dwelling House Renovation Promotion for 2007-2010 (adopted in Cabinet of Ministers on 25.05.2007).²⁴ The Ministry of Economics developed the draft Social Housing Concept in 2008. The draft aims at facilitating social inclusion, providing high quality living conditions to all inhabitants.²⁵ None of the policy documents mentioned above analyse the Roma housing situation specifically or envisage special measures for improving it.

1.1.5. 'Positive action' measures

On 18.12.2003, the government of Latvia and the European Commission signed the Joint Memorandum on Social Inclusion (JIM) of Latvia.²⁶ Between other medium and long-term actions, the necessity of continuing to support activities aimed at the elimination of poverty and social exclusion among Roma was mentioned.

On 24.07.2004, the Cabinet of Ministers approved the Latvian National Action Plan for the Reduction of Poverty and Social Exclusion (2004-2006) elaborated

²¹ Information provided by Household Budget Statistics Section of the Central Statistics Bureau (SCB) of Latvia on 20.03.2009

²² Latvia/ Mājokļu politikas koncepcija (30.07.1996), available in: http://www.em.gov.lv/em/images/modules/items/item_file_15934_1.doc (21.05.2009)

²³ Latvia/ Mājokļu attīstības kreditēšanas programma (II posms) (25.08.2005), available in English: http://www.em.gov.lv/em/images/modules/items/item_file_19789_kreditesanas_progr_en.doc (21.05.2009)

²⁴ [Latvia/ Daudzdzīvokļu dzīvojamo māju renovācijas veicināšanas valsts atbalsta programma 2007.-2010. gadam](http://www.em.gov.lv/em/images/modules/items/item_file_19792_renovācijas_progr_en.doc) (25.05.2007), available in English: http://www.em.gov.lv/em/images/modules/items/item_file_19792_renovācijas_progr_en.doc (21.05.2009)

²⁵ Latvia/ Sociālo mājokļu koncepcija, available in Latvian at the homepage of the Ministry of Economics: http://www.em.gov.lv/em/images/modules/items/item_file_21000_soc_majoklu_koncepcija.doc (20.03.2009)

²⁶ Joint Memorandum of Social Inclusion of Latvia, signed 18.12.2003. Available in English: http://www.lv.lv/www/raksti/2004/106/B106/SOC_IEKL_MEMOR_AN.PDF (19.03.2009)

by the Ministry of Welfare.²⁷ The goal of the National Action Plan is to identify measures for improving the situation and raising the living standard of various groups at risk of poverty and social exclusion in various areas, including housing. The long-term goal of the policy is to secure the availability of adequate housing to every inhabitant. Although the National Action Plan recognises the Roma as one of the groups at risk of social exclusion, it does not envisage special support measures elaborated for other risk groups.²⁸

On 26.09.2006, the Cabinet of Ministers approved the National Report on the Strategy for Social Protection and Social Inclusion 2006-2008.²⁹ Three priority policy objectives were defined in the included National Action Plan for Social Inclusion 2006-2008: (1) improvement of accessibility of education and labour market services to children and young people at risk of poverty and social exclusion; (2) improvement of the access to resources and services for families, especially large and single-parent families; and (3) improvement of the access to resources and services for retired persons at risk of poverty, especially those living alone. The National Action Plan envisaged the development of inclusive education principles within the general education system with respect to Romani children. No references to housing issue of Roma were made in the National Action Plan.

On 07.10.2008, the Cabinet of Ministers approved the National Strategy Report on Social Protection and Social Inclusion 2008-2010.³⁰ Based on the assessment of the poverty and social exclusion situation, as well as in relation to the accessibility of different services, in 2008-2010 the following three social inclusion priority objectives are interposed: (1) to facilitate more efficient participation and inclusion in the labour market; (2) to improve the income support system; and (3) to promote the accessibility of qualitative services. Although within the framework of the third priority objective, the Action Plan envisages a number of measures in the area of housing, (for example, the improvement of residents' access to housing by stimulating the construction of tenement and social housing of local municipalities) and Roma are recognised as a specific population group at risk of poverty and social exclusion in

²⁷ Latvia/Nacionālais rīcības plāns nabadzības un sociālās atstumtības mazināšanai 2004.-2006. gadam (23.07.2004), available in English: <http://www.lm.gov.lv/text/549> (19.03.2009)

²⁸ The National Action Plan envisages special support measures for the following social exclusion risk groups: multiple children families and incomplete families, disabled, old people, children and youngsters, ex-prisoners, unemployed, homeless and victims of human trafficking.

²⁹ The National Report consists of three basic documents: (1) National Action Plan for Social Inclusion 2006 -2008, (2) National Strategy Report for Pensions; (3) National Strategies for Health Care and Long Term Care. Available in English: <http://www.lm.gov.lv/text/549> (19.03.2009)

³⁰ The National Report consists of three basic documents: (1) National Action Plan for Social Inclusion 2008 -2010, (2) National Strategy Report for Pensions; (3) National Strategies for Health Care and Long Term Care. Available in English: <http://www.lm.gov.lv/text/549> (19.03.2009)

Latvia³¹, no specific measures of welfare policy relevant to the Roma community are included in the National Action Plan.

On 04.07.2006, the Cabinet of Ministers approved the Latvian National Development Plan 2007-2013 (NDP).³² The NDP defines quality of life as a priority of the development of the state and society. Accessibility of housing and adequate housing conditions are mentioned in the NDP among the most significant welfare (quality of life) indicators. Social cohesion in towns is seen as a tool to overcome or prevent social disintegration (different incomes as a reason for social stratification). The NDP defines a number of tasks to improve the accessibility of housing. For example, to create conditions for diverse types of housing available to population groups with diverse income levels, as well as to introduce financial instruments for making housing more easily available to specific target groups. Various social groups are mentioned as possible targets of the housing policy, such as families with children and young specialists. No specific measures to improve Roma housing accessibility and living conditions are mentioned in the NDP.

Guidelines for the elaboration of the integrated development strategy of local government (final draft 19.06.2007) define the so-called 'spatial dimension' at the local, regional and national level which besides other measures foresees also ensuring access to infrastructure for people with functional disorders and other measures supporting social inclusion.³³ No direct or indirect references to issues of inclusion of various ethnic groups (including Roma) are made.

Most municipalities have developed their own city or regional long-term development strategies, also setting the important objective of providing residents with a variety of housing options in order to improve accessibility of housing for groups with different income levels. However, municipalities' development strategies do not include special measures for improving Roma living conditions.

³¹ There are two separate groups mentioned in the Action Plan: The main population at risk of poverty in Latvia: retirement age persons (especially women and single retired persons); pre-retirement age persons; large families with several children and single-parent families; children; and Specific population groups at risk of poverty and social exclusion in Latvia: disabled persons and persons with functional impairments; unemployed persons (particularly, long-term unemployed); the homeless; prisoners and ex-prisoners; the Roma; victims of people trafficking; persons addicted to psychoactive substances (alcohol, drugs, toxic or other intoxicating substances); persons with insufficient, low or inadequate knowledge and skills for the labour market; needy persons.

³² Latvia/Nacionālais attīstības plāns 2007. – 2013. gadam (04.07.2006), available in English: <http://www.nap.lv/eng/> (19.03.2009)

³³ Latvia/Vadlīnijas pašvaldību integrēto attīstības programmu izstrādei (19.06.2007. Revised 21.04.2008), available in English: http://www.raplm.gov.lv/uploads/filedir/Regionala%20attistiba/Guidelines_210408_revised_EN.doc (20.03.2009)

1.1.6. Housing components of gender equality legislation and policy

There is no special gender equality legislation in Latvia; gender equality is defined in various legislative acts and policy documents as one of the general principles of non-discrimination. There is no information about the housing components of the existing gender equality policy. The Ministry for Welfare has elaborated the state policy programme Gender Equality 2005-2006 and Gender Equality 2007-2010.³⁴ No references to ethnicity or housing are made in these programmes. The major concern of the programme is family life (violence, harmonizing private life and career, gender specific health conditions and education).

1.1.7. Housing components of disability legislation and policy

There are no special aspects of disability legislation related to the Roma community in Latvia. The Law on Medical and Social Protection of Disabled Persons (29.09.1992)³⁵ includes detailed definitions of various forms of disability and provides information on state guaranteed social protection for disabled persons. Local authorities are defined as a key actor in providing services and assistance for people with disabilities. Article 14 of the law defines social inclusion of people with disabilities by providing adequate conditions for mobility, education and accessible utilities in everyday life. Article 15 establishes that the state provides financial resources to pay off the loan interest for the banks which issued a loan for a disabled person to reinstall the apartment for a disabled person's special needs (different equipment, etc.). No articles of the law provide any information on ethnic issues or the specific needs of ethnic groups.

On 24 January 2008 in the first reading, Parliament adopted a draft Disability Law,³⁶ which will invalidate the present Law on Medical and Social Protection of Disabled Persons. The draft law envisages a number of support measures in order to reduce the consequences of disability.

The fundamental principles, goals and priorities of the state policy for social protection and social inclusion of the disabled persons are determined in the Fundamental Principles of Policy on Reduction of Disability and the

³⁴ Latvia/Programma dzimumu līdztiesības īstenošanai 2005.-2006. gadam (adopted on 08.09.2004); Programma dzimumu līdztiesības īstenošanai 2007.-2010. gadam (adopted on 16.10.2007), available in Latvian: <http://www.lm.gov.lv/text/330> (20.03.2009)

³⁵ Latvia/ 'Par invalīdu medicīnisko un sociālo aizsardzību' (29.09.1992), available in Latvian:: <http://www.likumi.lv/doc.php?id=66352&from=off> (20.03.2009)

³⁶ Latvia/Likumprojekts 'Invaliditātes likums' (first reading 24.08.2008), available in Latvian:: http://www.saeima.lv/saeima9/lasa?dd=LP0577_0 (20.03.2009)

Consequences of Disability 2005-2015,, adopted by the government on 10 August 2005.³⁷ No ethnic aspect is mentioned in the document.

1.1.8. The impact of legislation and especially of the Race Equality Directive on the housing situation of Roma and Travellers

There are no specific legislative mechanisms to protect Roma rights in national legislation. None of the laws regulating state housing policy in Latvia make any reference to ethnic minorities or Roma specifically. All laws regulate rights to apply for and receive a social apartment, financed by the state or local authorities. Local authorities may change the list of persons eligible for social apartments by expanding the list stated in the laws. None of the laws envisage explicit principles of non-discrimination or equality or refer to EU non-discrimination legislation.

Information provided by municipalities shows that Roma, just like other socially vulnerable groups, receive social assistance regulated by legislation, including access to social housing. However, most interviewees emphasised the individual attitude of local authorities (mainly mayors of towns) in providing or refusing a social apartment or any other forms of support for Roma in housing issues.

At the beginning of January 2009, the transposition of the Race Equality Directive 2000/43/EC into Latvian legislation was still incomplete. Most of requirements of the directive have been transposed into the national legislation, above all in the area of employment both in the public and private sector and also in the field of social protection, including social security, health care and social advantages provided by the state and municipalities. However, the directive's requirements in the area of supply of goods and services available to the public, including housing as well as health care in the private sphere have still not been fully transposed, given the fact that amendments to the civil law have not been adopted.³⁸

On 19.06.2008 the Saeima (Parliament of Latvia) adopted amendments to the Consumer Rights Protection Law.³⁹ This law stipulates that 'while offering or selling goods or services, differential treatment on the ground of the customer's

³⁷ Latvia/Invaliditātes un tās izraisīto seku mazināšanas politikas pamatnostādnes 2005.-2015. gadam (10.08.2005), available in Latvian:
http://www.lm.gov.lv/upload/sociala_aizsardziba/vienlidzibas_iespejas/pamatnost..doc
(20.03.2009)

³⁸ Latvian Centre for Human Rights, Overview on anti-discrimination (unpublished material), 2008

³⁹ Latvia/ Patērētāju tiesību aizsardzības likums (18.03.1999), available in Latvian:
<http://www.likumi.lv/doc.php?id=23309> (18.03.2009)

gender, race or ethnic affiliation is prohibited'. According to the law, a service provider is a person that within his/her economic or professional activity provides a service to a customer. In the meantime, a salesperson is a person that within his/her economic or professional activity offers or sells goods to a customer. These provisions are also applicable to real estate market activities, such as leasing or selling apartments or houses.

The draft amendments to the Civil Law passed the first reading in the Saeima on 23.11.2006.⁴⁰ Amendments envisage that while making publicly available offering of goods or services (for example, leasing or selling an apartment or a house), as well as making legally binding agreements in relation to these offers, differential treatment on the grounds of race, skin colour and ethnic affiliation is prohibited.

1.1.9. The impact of general public policies on the housing situation of Roma and Travellers

None of the policy documents defining goals, fundamental principles and tasks of Latvia's housing policy development analyse the housing situation of Roma specifically or envisage special measures for improvement of Roma living conditions. Available reports about the implementation of the programmes do not provide information about special measures implemented for resolving Roma housing problems.

In 2000-2008, Latvia adopted a number of action plans aimed at reducing poverty and social exclusion. Although it is recognised that Roma are one of the groups exposed to higher risk of social exclusion and that additional support mechanisms should target them, none of the action plans envisage specific measures aimed at the improvement of Roma living conditions. Reports of the Ministry of Welfare about the implementation of social inclusion action plans do not provide information about implementation of measures aimed at improvement of Roma housing. Thus, it is impossible to evaluate the impact of action plans on Roma social inclusion.

Some interviewees emphasised that there is no state housing policy for Roma and financial resources for housing policy are insufficient. It was also underlined that there is no analysis of the situation of Roma housing, but such an analysis is vitally important for the state policy towards Roma inclusion and would provide information for planning.⁴¹

⁴⁰ Latvia/ Grozījumi Civillikumā (adopted in first reading 26.11.2006), available in Latvian: <http://titania.saeima.lv/LIVS/SaeimaLIVS.nsf/0/82F70D1E714BE2F8C225722800346105?OpenDocument> (20.05.2009)

⁴¹ Interview with the NGO 'Nevo Drom' (10.02.2009); a Romani teacher in Bene secondary school (13.02.2009)

1.2. Quantitative data on the housing situation of Roma and Travellers

1.2.1. Number of Roma and Travellers in the country

According to official statistics there were 8,591 Roma (0.38 per cent of the total population) in Latvia on 01.01.2009.⁴² The tendency is positive, as the number of Roma people is constantly growing:

The Official Number of Roma

| Year | Number of Roma |
|------|----------------|
| 2000 | 8205 |
| 2003 | 8358 |
| 2004 | 8420 |
| 2005 | 8491 |
| 2006 | 8512 |
| 2007 | 8545 |
| 2008 | 8582 |
| 2009 | 8591 |

Central Statistical Bureau of Latvia

According to unofficial information provided by leaders of Romani NGOs, the total number of Roma in Latvia may reach 13,000 or 15,000. According to Romani leaders, many Roma are afraid of discrimination and therefore they failed to indicate their true ethnicity in the documents, giving instead Latvian, Russian or other ethnicity.⁴³ That is why the statistical data on Roma are approximate and may reflect only the numbers of Roma who clearly defined their ethnic origin in passports.

Latvian Roma is the only ethnic group with a positive balance of birth rate (births exceed the mortality rate: in the period 2000-2007, natural population growth was 697.).⁴⁴ Despite the positive balance, the birth rate is steadily decreasing among Latvian Roma.

⁴² Central Statistical Bureau of Latvia, available in English; <http://data.csb.gov.lv/DATABASEEN/Iedzsoc/Annual%20statistical%20data/04.%20Population/04.%20Population.asp> (23.03.2009)

⁴³ Latvian Centre for Human Rights and Ethnic Studies, *The Situation of Roma in Latvia* (2003), Riga, p. 15-16; http://www.humanrights.org.lv/upload_file/situation_of_roma.pdf (23.03.2009)

⁴⁴ Central Statistical Bureau of Latvia, available in English; <http://data.csb.gov.lv/Dialog/varval.asp?ma=04-24a&ti=4%2D24%2E+BIRTHS%2C+DEATHS+AND+NATURAL+INCREASE+BY+ETHNICITY&path=../DATABASEEN/Iedzsoc/Annual%20statistical%20data/04.%20Population/&lang=1> (18.05.2009)

All Latvian Roma are sedentary. Nomadic traditions were given up during the First Republic (1918-1940). Later during the Soviet period, general registration of Roma people led to their sedentary life style and strategies. During the 1970s most Latvian Roma moved into small towns and cities of Latvia and now they can be viewed as a mainly urbanized community living in the capital Riga and other cities. The ethnic diversity of Latvian Roma includes a linguistic dimension: Russian speaking Roma live in Latgale (region close to the Russian border), while Latvian speaking Roma (those whose language of communication and sometimes also mother tongue is Latvian) live in Kurzeme (by the Baltic Sea, in the western part of Latvia).⁴⁵

1.2.2. Data on housing conditions

According to the Eurostat data,⁴⁶ housing conditions in Latvia were among the worst in the EU in 2007: 20 per cent of residents lived in households without an indoor flushing toilet (worst in the EU; EU average – 2 per cent), 22 per cent without bath or shower (worst in the EU; EU average – 2 per cent) and 26 per cent had damp or rot problems (third worst in the EU; EU average – 18 per cent). A significant number of people in Latvia also believed they live in an area with problems of pollution (37 per cent - worst in the EU; EU average – 17 per cent) and crime or vandalism (30 per cent - worst in the EU; EU average – 16 per cent). Finally, 22 per cent were living in an area with perceived noise problem (EU average – 23 per cent).

The only available quantitative data on the Roma housing situation is that of the 2000 population census. The next population census in Latvia is scheduled for 2011. The Central Statistical Bureau (CSB) does not have more recent ethnic data on housing. According to the CSB, it is impossible to collect ethnic data within the framework of housing stock annual surveys, because the respondents (housing management, apartment owners' collectives and other managers of residential houses) do not register them. Information about owners' social or ethnic status is not necessary in the context of collecting data about the number and size of houses and apartments.⁴⁷ Ethnic affiliation data are also not collected in the framework of household annual surveys.⁴⁸

Municipalities with significant numbers of ethnic Roma population do not have data about the Roma housing situation, because they do not do housing

⁴⁵ Apine, I. *Roma in Latvia*: in *Minorities in Latvia: History and Present*, Riga, 2007, p. 286, available in Latvian: http://www.integracija.gov.lv/doc_upl/Mazakumtautibas_LV11.pdf (23.03.2009)

⁴⁶ 'One person in six feels that crime or vandalism is a problem in their neighbourhood', Eurostat News Release 41/2009 – 26 March 2009, available at: http://epp.eurostat.ec.europa.eu/pls/portal/docs/PAGE/PGP_PRD_CAT_PREREL/PGE_CAT_PREREL_YEAR_2009/PGE_CAT_PREREL_YEAR_2009_MONTH_03/3-26032009-EN-AP.PDF (27.03.2009)

⁴⁷ Information provided by the Central Statistical Bureau of Latvia on 04.03.2009

⁴⁸ Information provided by the Central Statistical Bureau of Latvia on 20.03.2009

registration along ethnic lines.⁴⁹ Municipalities recognise that they are 'providing assistance in resolving housing issues regardless of citizenship or ethnicity, gender and religious affiliation, in compliance with normative acts of the Republic of Latvia and binding decisions of municipality', therefore statistics and information about ethnic Romani residents is not collected.⁵⁰

Some municipalities indicated that 'the municipality did not research or collect statistical data about living conditions of Roma, number of inhabitants in specific housing, because singling out one ethnicity and conducting special research would be racist'⁵¹ and that 'the municipality carries out its autonomous functions prescribed by law in order to satisfy the needs of its inhabitants without sorting them by their ethnic features'.⁵²

No nationwide research has been conducted on the quantitative data regarding Roma housing conditions. The only comprehensive research is The situation of Roma in Latvia conducted by the Latvian Centre for Human Rights in 2003. Among other issues, this research addressed the situation of Roma housing. However, a significant part of data used in this research was also based on 2000 population census results.

The results of the 2000 population census provide data on the housing situation of 5,938 Roma. Among Romani households, 95.03 per cent have electricity and 95.64 per cent have a kitchen; 97.44 per cent of Roma have heating, but only 23.36 per cent have centralized heating; only 42.66 per cent have running water, 36.51 per cent have sewage services, 16.39 per cent have hot water supply, 61.74 per cent have gas, only 22.41 per cent have a bathtub or shower and only 30.63 per cent have a toilet inside the dwelling.⁵³

Electricity stands as the only amenity nearly accessible equally to Roma and the population as whole: 98.63 per cent of the entire Latvian population and 95.64 per cent of ethnic Roma live in accommodation equipped with electricity. Other indicators show that many Roma live in dwellings with significantly fewer amenities. Data about the entire Latvian population shows that 64.65 per cent of the population have central heating (23.36 for the Roma), 79.75 per cent have running water (42.66 for the Roma), 76.88 per cent have a sewage system

⁴⁹ Letter of the Valmiera City Council Nr. 1-2-23/642 (10.03.2009); the Housing Board of the Riga City Council Nr. DK-09-938-nd (09.03.2009); Kuldīga City Council Nr. 07-05/255 (04.03.2009); Daugavpils City Council Nr. 02.01-08/389 (27.02.2009); Liepāja City Council Nr. 188560/1.-11./188560 (27.02.2009); Rezekne City Council Nr. 3.2.-25/295 (02.03.2009); Jekabpils City Council Nr. 43-4-8 (26.02.2009); Tukums City Council Nr. 4-19.7/1112/814 (26.02.2009); Jelgava City Council Nr. 2-20/1208 (18.02.2009); Sabīle City Council Nr. 2-14/L-5 (12.02.2009); Ventspils City Council Nr. 8-7/31 (12.02.2009); Jurmala City Council Nr. 8/33 (10.02.2009)

⁵⁰ Letter of the Liepāja City Council Nr. 188560/1.-11./188560 (27.02.2009), Jekabpils City Council Nr. 43-4-8 (26.02.2009), Jelgava City Council Nr. 2-20/1208 (18.02.2009)

⁵¹ Letter of the Talsi City Council Nr. 2729/18.3/12-29 (20.02.2009)

⁵² Letter of the Jekabpils City Council Nr. 43-4-8 (26.02.2009)

⁵³ Data provided by the Central Statistical Bureau of Latvia on 04.03.2009

(36.51 for the Roma), 55.93 per cent have hot water supply (16.39 for the Roma), 87.83 per cent have gas (61.74 for the Roma) and 75.3 per cent have bath or shower (22.41 for the Roma).⁵⁴

There are no official, unofficial statistics or research data on the impact of housing conditions on the rights to education, employment and health care. Also, there are no particular examples that link the impact of housing conditions to the rights to education, employment and health care (including examples that involve women, children, disabled and the elderly). However lack of education and high unemployment rates among Roma create serious obstacles for their social integration: low educational attainment and public stereotypes in many instances prevent Roma from getting even unskilled jobs.⁵⁵

According to the interviews, housing conditions and social problems of Romani families have a negative impact on accessibility of education: Romani families have no money to send their children to school; in many cases, local authorities do not provide lunches for free; in some cases Roma live outside the town in the country, without public transport and far from the school; very often there is no space to do homework as apartments are overcrowded.⁵⁶ It was also stated that many children 'do not attend schools because of poverty, since many Roma live in scanty circumstances, in dwellings that lack any amenities and have no place where a child could study.'⁵⁷

Unemployment was also mentioned as a major factor in the worsening housing conditions among the Roma: unemployment is the beginning of a chain of problems – Roma cannot compete in the labour market, they cannot pay bills and therefore lose their apartments; if Roma have jobs, they can take credits, but they don't have stable work places.⁵⁸ Another local peculiarity of unemployment linked to poor Roma living conditions in the Latgale region is knowledge of the state language (Latvian): Roma who do not speak Latvian and have been unable to pass language test, cannot find jobs.

⁵⁴ Central Statistical Bureau of Latvia, Results of the 2000 Population and Housing Census in Latvia. Collection of Statistical data, Riga 2002

⁵⁵ Latvian Centre for Human Rights, Alternative report on the implementation of the Council of Europe Framework convention for Protection of national Minorities in Latvia (2008), http://www.humanrights.org.lv/upload_file/Shadow_Report_LCHR.pdf (24.03.2009)

⁵⁶ Interview with L.Čubreviča, Latgale Regional Coordinator of the NGO 'Nevo Drom' (10.02.2009); S.Kolomenska, Romani teacher in Bene secondary school (13.02.2009); V.Nefedovs, Head of the Regional Bureau of Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009)

⁵⁷ Nagle G., *Čigāni: svešinieki savējo vidū*, www.politika.lv, 13.12.2005, available in Latvian: <http://www.politika.lv/index.php?id=3958> (24.03.2009)

⁵⁸ Interview with A.Berzovksis, Head of Roma NGO 'Nevo Drom' (09.02.2009); V.Nefedovs, Head of the Regional Bureau of Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009)

1.2.3. Data on housing tenure of Roma and Travellers

According to the Central Statistical Bureau of Latvia, 42.27 per cent of Roma lived in one-family houses (in comparison with 26.46 per cent of the entire Latvian population), 4.4 per cent in parts of one family houses (2.67 per cent of the entire Latvian population), 49.07 per cent in separate flats (68.59 per cent of the entire Latvian population), 1.82 per cent in shared (common) flats (1.21 per cent of the entire Latvian population), 0.17 per cent in rooms in a hostel (0.33 per cent of the entire Latvian population), 1.13 per cent in rooms rented from private persons (0.67 per cent of the entire Latvian population), 0.79 per cent in other types of housing, while 0.35 per cent is not specified (0.07 per cent of the entire Latvian population).⁵⁹

As far as ownership is concerned, results of the 2000 population census show that 49.16 per cent of ethnic Roma owned their dwellings (in comparison with 60.13 per cent of the entire Latvian population), 13.95 per cent lived in private properties of other owners (8.39 per cent of the entire Latvian population), 35.96 per cent lived in dwellings owned by municipalities or other organisations (9 per cent of the entire Latvian population), 0.41 per cent lived in dwellings owned by cooperative associations of owners (1.88 per cent of the entire Latvian population) and 0.52 per cent lived in other types of property ownerships (0.44 per cent of the entire Latvian population).⁶⁰ (See also 1.2.7.)

1.2.4. Number of Roma/Travellers living in regulated encampments

According to available information, all Latvian Roma are sedentary. There are no known cases of regulated encampments in Latvia. (See 1.2.1.)

⁵⁹ Information prepared by the Central Statistical Bureau on the basis of the 2000 population census about the Roma population's housing characteristics of property ownership, type of housing and access to amenities (04.03.2009). Officially published 'Results of the 2000 Population and Housing Census in Latvia' (Rīga, 2002) do not provide household and housing characteristics of different ethnic groups. Information about the Roma population's housing characteristics was prepared upon special request. Data of the entire Latvian population: Central Statistical Bureau of Latvia, Results of the 2000 Population and Housing Census in Latvia. Collection of Statistical data, Riga 2002

⁶⁰ Data provided by the Central Statistical Bureau of Latvia on 04.03.2009. Data of the entire Latvian population: Central Statistical Bureau of Latvia, Results of the 2000 Population and Housing Census in Latvia. Collection of Statistical Data, Riga 2002

1.2.5. Number of Roma/Travellers living in unregulated encampments

There are no known cases of unregulated encampments in Latvia.

1.2.6. Number of Roma/Travellers living in segregated settings

There is no data on Roma living in segregated settings as there is no official policy of spatial or social segregation of Roma in Latvia. (See also 1.3.2.)

1.2.7. Data on household type and size

According to the Central Statistical Bureau of Latvia, in 2000, 17.54 per cent of Roma lived in a living space of 1-20 m², 20.35 per cent in a living space of 21-30 m², 19.18 per cent in a living space of 31-40 m², 24.5 per cent in a living space of 41-60 m², 14.16 per cent in a living space of 61-100 m², 2.62 per cent in a living space of 101 m² or more, and 1.66 per cent did not specify the size of their living space.⁶¹

According to the 2000 national census, the average number of rooms for each resident in Latvia was 0.9, while among the Roma it was only 0.6. This means that in most cases, two people live in each room in the Roma households. In households with two or three rooms, 8 per cent of the 5,813 Roma live in groups of seven or more. Among all residents of the country, the proportion is ten times lower, merely 0.8 per cent. Nearly 30 per cent of Roma live in households with seven or more residents, while the same is true only of 5 per cent of all of Latvia's residents.⁶²

⁶¹ Data provided by the Central Statistical Bureau of Latvia on 04.03.2009. No data on entire Latvian population are published in the Central Statistical Bureau of Latvia, Results of the 2000 Population and Housing Census in Latvia. Collection of Statistical Data, Riga 2002

⁶² Latvian Centre for Human Rights and Ethnic Studies, *The Situation of Roma in Latvia* (2003), Riga, p. 43 http://www.humanrights.org.lv/upload_file/situation_of_roma.pdf (23.03.2009)

Roma housing

| Number of residents in the household | Number of rooms in the household | | | | | | Total number of rooms | Total number of individuals |
|--------------------------------------|----------------------------------|-------|-------|-----|-----|-----------|-----------------------|-----------------------------|
| | 1 | 2 | 3 | 4 | 5 | 6 or more | | |
| 1 | 121 | 72 | 23 | 5 | 5 | 2 | 403 | 231 |
| 2 | 92 | 103 | 49 | 5 | 5 | 3 | 552 | 527 |
| 3 | 68 | 95 | 62 | 9 | 9 | 5 | 607 | 721 |
| 4 | 62 | 107 | 87 | 16 | 16 | 6 | 765 | 1075 |
| 5 | 45 | 62 | 48 | 8 | 8 | 1 | 467 | 878 |
| 6 | 19 | 47 | 32 | 6 | 6 | 5 | 310 | 657 |
| 7 or more | 18 | 62 | 65 | 13 | 13 | 5 | 582 | 1724 |
| Total number of households | 425 | 548 | 366 | 62 | 62 | 27 | X | X |
| Total number of individuals | 1,222 | 2,017 | 1,542 | 273 | 273 | 117 | X | 5813 |

Source: Latvian Centre for Human Rights and Ethnic Studies, The situation of Roma in Latvia (Riga, 2003)

Most of municipalities stated that they do not have data about the situation of Roma in housing; only few municipalities provided such data or data about ethnic Roma who requested accommodation.

In 2000-2008, Valmiera City Council received 17 housing requests from ethnic Roma residents.⁶³ The municipality considered these requests, declining six, but granting 11 families accommodation in a social house or other municipality-owned homes.⁶⁴ Only Valmiera City Council provided detailed data about the housing situation of its ethnic Romani residents: the number of people renting from private persons or the municipality, the number of people owning their dwellings; the number or rooms, size of living space, number of people per household and amenities.

⁶³ Letter of the Valmiera City Council Nr. 1-2-23/641 (10.03.2009)

⁶⁴ Information provided by the Valmiera City Council on 24.03.2009

Renting from private owners

| Number of rooms | Living space in square meters | Persons per household | Amenities |
|-----------------|-------------------------------|-----------------------|-------------------|
| 1 | 17.4 | 1 | Without amenities |
| 1 | 15.3 | 2 | Without amenities |
| 1 | 14.4 | 3 | Without amenities |
| 1 | 15.4 | 1 | With amenities |
| 1 | 17.9 | 1 | With amenities |
| 2 | 23.9 | 4 | Without amenities |
| 2 | 30.0 | 1 | Without amenities |
| 2 | 30.5 | 4 | Without amenities |

Renting from municipality

| Number of rooms | Living space, m2 | Persons per household | Amenities |
|-----------------|------------------|-----------------------|-------------------|
| 1 | 18.9 | 4 | With amenities |
| 1 | 21.8 | 2 | With amenities |
| 1 | 18.3 | 1 | Without amenities |
| 1 | 18.5 | 4 | With amenities |
| 1 | 21.8 | 3 | Without amenities |
| 1 | 21.1 | 1 | With amenities |
| 2 | 35.35 | 3 | Without amenities |
| 2 | 41.17 | 6 | Without amenities |
| 2 | 29.28 | 2 | Without amenities |
| 2 | 37.8 | 8 | Without amenities |
| 2 | 29.06 | 9 | Without amenities |

Owner-occupied properties

| Number of rooms | Living space, m2 | Persons per household | Amenities |
|-----------------|------------------|-----------------------|-------------------|
| 1 | 12.3 | 5 | Without amenities |
| 1 | 18.3 | 1 | Without amenities |
| 1 | 20.0 | 3 | Without amenities |
| 1 | 16.8 | 9 | Partial amenities |
| 2 | 29.1 | 6 | Without amenities |
| 2 | 27.3 | 3 | Without amenities |
| 2 | 32.2 | 3 | With amenities |
| 2 | 25.6 | 3 | Without amenities |
| 2 | 23.4 | 7 | Without amenities |
| 2 | 25.7 | 2 | Without amenities |
| 2 | 31.5 | 5 | Without amenities |
| 2 | 33.2 | 4 | With amenities |
| 2 | 26.1 | 5 | Without amenities |
| 3 | 39.8 | 5 | Without amenities |
| 3 | 42.2 | 2 | With amenities |
| 3 | 38.9 | 3 | Without amenities |
| 4 | 57.6 | 9 | Without amenities |
| 4 | 58.5 | 5 | Without amenities |
| 4 | 67.9 | 8 | Without amenities |
| 4 | | 8 | Without amenities |

Letter of the Valmiera City Council Nr.1-2-23/641 (10.03.2009)

Daugavpils City Council stated that it does not have the data about the housing situation of ethnic Roma, because many such families live in private (single-family) homes and do not maintain contacts with the municipality. However, it was stated that there are 30 persons of Roma ethnicity living in the social house, including 20 children and ten adults (eight families in total). Of these children, eight study at boarding school, ten attend all-day kindergarten, and two stay at home. All these families have the status of needy family and the Social Affairs Department provides them with all forms of assistance granted by municipal regulations: free lunch at school, allowances for kindergarten fees, utility payments and medicines. All apartments in the social house were renovated; Roma families living there are provided with laundry and shower services.⁶⁵

Although many municipalities reported social houses established in order to assist social exclusion risk groups, there is no data about the ethnic affiliation of the residents in these houses.

⁶⁵ Letter of the Daugavpils City Council Nr. 02.01- 08/389 (27.02.2009)

According to the data of Rezekne City Council, in 2008 ethnic Roma requested the municipality's assistance in solving housing problems on two occasions. In total, the municipality provides social assistance to four families: two families with many children and a single parent family, who had insufficient living space but were unable to rent more spacious housing because of social problems.

In 2008, 16 ethnic Roma approached Jēkabpils City Council with the request to grant them living space (housing). The Council satisfied requests from six people and granted them housing (two persons received social apartments). Three ethnic Roma had their requests for social assistance declined by the Council, and another two were refused the status of needy person, because they did not meet the criteria determined in the Regulations of the Cabinet of Ministers.⁶⁶

Talsi City Council stated that out of 304 ethnic Roma in the city, 96 live in apartments, 208 in private (single family) houses. In 2008, the city of Talsi granted five apartments, including three apartments to ethnic Romani families. One family received a lump sum grant allocated to residents who vacate their previous dwellings in de-nationalised or restitution houses.⁶⁷

In 2008, Sabile City Council rented to ethnic Roma families two municipality-owned dwellings; one person is on the municipal housing waiting list. Two persons were refused registration on the housing waiting list, because they did not meet the criteria determined by legislation.⁶⁸ According to information provided by Sabile Social Department, 19 ethnic Romani families applied for social assistance in 2008 and all their requests were satisfied. In most cases, the Roma families were given social allowances in order to cover the purchases of education materials and medicines, hospital treatment and to pay for lunch at school. One family received an allowance to repair their home, another two to buy firewood.

The research report *Socio-economic Development Trends in Latvian Cities and Towns* (conducted in 38 cities and towns, financed by the Ministry for Regional Development and Local Authorities) shows a different, but generally high level of intolerance towards various ethnic and social groups. Answers to the question: 'What groups would you not choose as your neighbours?' shows that more than 50 per cent of the respondents would not like to see Romani people as their neighbours (in five cities negative answers were given by more than 60 per cent of respondents).⁶⁹

⁶⁶ Letter of the Jēkabpils City Council Nr. 43-4-8 (26.02.2009)

⁶⁷ Letter of the Talsi City Council Nr. 2729/18.3/12-29 (20.02.2009)

⁶⁸ Letter of the Sabile City Council Nr. 2-14/L-5 (12.02.2009)

⁶⁹ *Anālītisko pētījumu un stratēģiju laboratorija (2007-2008) Latvijas pilsētu sociāli ekonomiskās attīstības tendences*, available in Latvian: <http://www.rapl.gov.lv/pub/index.php?id=1529> (23.03.2009)

1.2.8. Data on the forced eviction

There is no available official, unofficial or research statistical data on forced eviction.

1.2.9. Data on access of Roma/Travellers to public utilities

There is no available official, unofficial or research statistical data on Roma access to public utilities.

1.2.10. Data on available halting sites

See 1.2.1.

1.3. Qualitative information on the housing situation of Roma and Travellers

There are just a few research papers on the situation of Roma in Latvia. No reports of governmental and non-governmental organisations or international bodies refer to specific problems facing Roma in accessing adequate housing (including elderly Roma, women, Roma with disabilities or children). Most available reports emphasise that the Romani community in Latvia lives in particularly vulnerable conditions and suffers from structural discrimination that manifests itself specifically in the realms of education, employment and cultural stereotypes.⁷⁰

1.3.1. Quality of housing available to Roma and Travellers

The research report 'The Situation of Roma in Latvia' concludes that the living conditions of Latvian Roma are well below average. They live in privately-owned homes, large apartment buildings, social aid facilities, partially furnished apartments or even rooms totally inappropriate for accommodation. Most Roma live in apartments or houses with wood-burning heating system. Most of them are individual homes which they do not own. Frequently, the accommodation has minimal amenities and many Roma households are overcrowded. Local governments often have to deal with apartments in which a large number of people are registered (as many as 10 to 15).⁷¹

The research concerned with the evaluation of the state programme Roma in Latvia 2007-2009, financed by the Secretariat of the Special Assignment Minister for Social Integration Affairs and conducted by the Baltic Institute of

⁷⁰ Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Doudou Diène Mission to Latvia, 5 March 2008, available at: <http://www.unhcr.org/refworld/country,...LVA..47e11c0f2.0.html> (24.03.2009); European Commission against racism and Intolerance, *Third report on Latvia*. Adopted on 29 June 2007, available at: http://hudoc.ecri.coe.int/XMLEcri/ENGLISH/Cycle_03/03_CbC_eng/LVA-CbC-III-2008-2-ENG.pdf (24.03.2009); Memorandum to the Latvian Government. Assessment of the progress made in implementing the 2003 recommendations of the Council of Europe Commissioner for Human Rights, Strasbourg, 16 May 2007, available at: https://wcd.coe.int/ViewDoc.jsp?id=1134279&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679#P378_66730 (24.03.2009)

⁷¹ Latvian Centre for Human Rights and Ethnic Studies, *The Situation of Roma in Latvia* (2003), Riga, p. 43, available at: http://www.humanrights.org.lv/upload_file/situation_of_roma.pdf (23.03.2009)

Social Sciences in 2008,⁷² did not reflect the Roma housing situation, as dealing with discrimination in housing is not among the programme priorities.

Most of the qualitative information on housing conditions and access to private housing was acquired during the interviews with representatives of the Roma community. All interviewees unanimously stressed the poor Roma housing conditions which are mostly due to the fact that Roma are unemployed. A large part of them live in run-down apartments without amenities or running water inside; many of these apartments do not have central heating and are heated with wood, while in some instances the nearest water source is two kilometres away. 'The Roma are unemployed. They have no possibilities to pay bills. They are mainly settled in old buildings, where apartments are poorly equipped and hygiene is inadequate. In Auce town (rural district) there is a Roma family which inhabits a dilapidated apartment – two families (relatives) are together in two rooms, a small kitchen, with no conveniences'⁷³ 'The most topical issue is large families, with 3 to 9 children. For example, in Ambele, a family lives in an old house 5 meters by 6 meters in size. The kitchen and other rooms are all there. Walls are so dilapidated that you may see through them, and sometimes they are repaired with old chocolate boxes. Another family lives 60 km away from the nearest town. Many families – I know five of them – who live in a so-called social houses – get married there. There is one kitchen for twenty rooms, so everyone has to share it for cooking. But it is warm there. That is why children do not attend schools. The school administration calls me and asks where a child is. We know that a child has no space to do homework.'⁷⁴

1.3.2. Issue of spatial and social segregation

There is no official policy of spatial or social segregation of Roma. Latvian state policy in terms of the state programme Roma in Latvia 2007-2009 defines Roma social and cultural inclusion as a priority. Although there are no research reports or other sources regarding the segregation of Roma, some interviewees mentioned examples of so-called 'Roma houses' – blocks of flats where Roma tend to live in a kind of community – flats are predominantly occupied by Romani people. A respondent of the Roma NGO Nevo Drom pointed out in the interview: 'As far as I can see, the housing conditions in Latvia in comparison to other EU countries are the best. In Latvia, Roma people live in their own houses or private apartments, but also together with other ethnic groups. They are not excluded in this sense. There are so-called Roma districts, but they are not segregated, but are created out of their own choice.'⁷⁵ The respondent also stressed: 'Compared with other EU countries, there is no segregation in housing. As far as I know, there are no regions where Roma live in segregated

⁷² Baltic Institute of Social Sciences, *Valsts programmas 'Romi Latvijā' 2007-2009 gadam ietekme uz Latvijas romu kopienu*, 2008. gada septembris-oktobris, unpublished document

⁷³ Interview with a Romani teacher in Bene secondary school (13.02.2009)

⁷⁴ Interview with the Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009)

⁷⁵ Interview with the Roma NGO 'Nevo Drom' (09.02.2009)

regions or districts. The only “quasi-segregation” is the so-called “Roma houses” – houses in a town where most inhabitants are Roma, but this way of life is their own choice. They themselves prefer to live in such way, to solve social issues.’⁷⁶ Another interviewee reflected upon reasons for Roma isolation and alienation within urban spaces: inhabitants of various districts in Jekabpils do not accept Roma inhabitants: ‘They should not live in common houses – in one case, all five floors complained about Roma living with them. I think Roma identity is the reason.’⁷⁷ However, the respondent depicted spatial segregation not as a choice or Roma policy but rather as a policy towards Roma: ‘Discrimination is an important issue – they are traditionally settled, isolated. It is almost impossible to acquire an apartment. So people think that the Roma are not eligible for such an apartment, because every local authority thinks that no Roma would be able to pay the bills. The basic factor for decision is the personal attitude [of local authorities].’⁷⁸

1.3.3. Access to private housing

The issue of accessing a private house is also linked to the high level of unemployment and lack of finances to build a private house. Roma face obstacles in receiving bank mortgage loans for purchasing an apartment or building a house, because many cannot provide financial documents proving that they have a permanent income.⁷⁹ ‘Some families started to build a house and they built a temporary house, but could not manage to build a permanent one, so they continue living in temporary shelters. Young families with children should be supported. If they had a job, they could afford loans, but they have no stable work place.’⁸⁰ ‘A large part of the Roma have no place to live. Some Roma live in good circumstances, but there are also families of 20 crowded into two small rooms. It's very difficult for Roma to get a loan. They don't have a permanent job, only odd jobs. If a Roma has a job, they are able to get a house building loan. That is a take-off for Roma to begin life under acceptable living conditions.’⁸¹

There is no research or additional information available on obstacles faced by particularly vulnerable Romani groups, such as single mothers, the elderly and

⁷⁶ Interview with the Department of Integration, Ministry of Children, Family and Society Integration Affairs (05.02.2009)

⁷⁷ Interview with the Jekabpils City Council in Society Integration Affairs (11.02.2009)

⁷⁸ Interview with a Romani teacher in Bene secondary school (13.02.2009)

⁷⁹ Interview with the NGO 'Nevo Drom' (10.02.2009); a Romani teacher in Bene secondary school (13.02.2009); the Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009), the Roma NGO 'Nevo Drom' (09.02.2009)

⁸⁰ Interview with the Regional Bureau of Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009)

⁸¹ Čigāns vairs nebūs lamuvārds, Latvijas Vēstnesis, 07.07.2006, available in Latvian: <http://209.85.129.132/search?q=cache:PAwvC9DdAeEJ:www.lv.lv/%3Fmenu%3Dlvplus%26type%3Ddoc%26id%3D139421+k%3D%3D1+dz%3D%3DABvo+%3D%3D8Dig%3D%3D81ni&cd=27&hl=lv&ct=clnk&gl=lv> (24.03.2009)

the disabled, in receiving bank mortgage loans for purchasing an apartment or building a house.

1.3.4. Access to social housing

Information provided by municipalities shows that the Roma, just like other socially vulnerable groups, receive social assistance envisaged by legislation, including access to social housing. In the meantime, reports of some international organisations and interviews with representatives of Romani organisations indicate that Roma may face obstacles in housing.

The ECRI Third Report on Latvia notes that ‘Roma suffer from discrimination in employment and other fields, such as housing. Because of their ethnic origin, some Roma are prevented from accessing public services such as social housing’.⁸²

Unofficial information about evidence of possible exclusion of Roma from access to social housing was reflected in the interview with a respondent at Nevo Drom, who, as a member of the Romani community, is a deputy of Tukums City Council and has been a member of a Housing Conditions Committee since 2005: ‘Experience shows, that Roma people should better be there [as members of the Committee], because otherwise decisions about receiving a social apartment may be biased. All Roma applicants (20 applications in 2005-2008) received a social apartment.’⁸³ Another interviewee mentioned various cases known to her in various towns in Latgale, stating that local authorities mostly refuse a social apartment, explaining this decision by lack of apartments: ‘Even if Roma have an apartment, they often lose it, because of the debts. They are just thrown out, without receiving a new apartment. I know no more than eight or nine families who are tramps. The Latvian state needs no Roma. In Malta, Romani families live in dilapidated houses - there is no social assistance for low-income people. When I go there, I receive the answer that “we are small, we have no resources.”’⁸⁴

Most of the interviewees mentioned the individual attitude of local authorities (mainly mayors of towns) in providing or refusing a social apartment or any other form of support for Roma housing. Alongside statements by a respondent with Nevo Drom about the importance of Roma representatives’ participation in various housing committees to secure a decision not affected by prejudices against Roma, another interviewee added some positive cases in the Latgale region: ‘The Mayor of Preili assists Roma - he writes applications and within

⁸² European Commission against Racism and Intolerance, *Third Report on Latvia*. Adopted on 29 June 2007, available at: http://hudoc.ecri.coe.int/XML/Ecri/ENGLISH/Cycle_03/03_CbC_eng/LVA-CbC-III-2008-2-ENG.pdf (24.03.2009)

⁸³ Interview with the Roma NGO 'Nevo Drom' (09.02.2009)

⁸⁴ Interview with the NGO 'Nevo Drom' (10.02.2009)

the last two years, people have received apartments. For example, a Romani woman received an apartment within six months.’⁸⁵ The respondent thinks that the results of the housing policy depend on the personal initiative and attitude of a mayor of a town/city. According to the interviewee, Daugavpils City Council also supports Roma housing.

In some instances, requests for assistance in housing are declined in accordance with Article 7 (Item 2 of Paragraph 5) of the Law on Assistance in Solving Housing Issues, which determines that: ‘The Municipal Council or an institution it authorises, in accordance with procedures established by regulations, may take the decision to decline the request to recognise the right of a person to receive assistance in renting a dwelling owned or rented by the municipality within five years after a dwelling owned by that person was sold or alienated in some other way and he or she lost the rights to that dwelling with his or her consent.’⁸⁶ Some interviewees recognise that this norm affected many Romani families that sold apartments they had received from municipalities and privatised: ‘We even wrote off their debts of 400 to 700 Lats (equivalent of 800 to 1,400 dollars). Afterwards all the houses granted to Roma were sold within one month. So, they applied again. It was wrong to allow them to privatise these houses. Roma should receive social apartments.’⁸⁷

1.3.5. Forced eviction

There are no official data on forced evictions of Roma and no qualitative data on problems with adequate protection in cases of eviction. However, representatives of Romani NGOs mentioned facts which provide indirect information on forced evictions of Roma. Among the various reasons, the low level of education and high unemployment are the most frequently mentioned contributing factors. Debts are another reason for evictions. According to the interviews, most forced evictions took place because of debts when no alternative apartments were provided: ‘If Roma have an apartment, they often lose it because of debts. They are just thrown out, without receiving a new apartment. Other Roma, non-relatives take them in. I know three in Kraslava and in Malta: there are no more than eight or nine families who are tramps. The Latvian state needs no Roma. In Malta, Romani families live in dilapidated houses - there is no social assistance for low-income people.’⁸⁸ ‘Parents lost the apartment, because they were evicted after not being able to pay a rent. They

⁸⁵ Interview with the NGO ‘Nevo Drom’ (10.02.2009)

⁸⁶ Latvia/ ‘Par palīdzību dzīvokļa jautājumu risināšanā’ (06.12.2001), available in Latvian: <http://www.likumi.lv/doc.php?id=56812> (17.03.2009)

⁸⁷ Interview with the Jekabpils City Council in Society Integration Affairs (11.02.2009), the Roma NGO ‘Nevo Drom’ (09.02.2009)

⁸⁸ Interview with the NGO ‘Nevo Drom’ (10.02.2009)

had debts. I wanted them to live in the social house, but they would not go there because they are proud.’⁸⁹

One of the interviewees mentioned a case when after custody a Romani woman lost her apartment, although she had three children: ‘Prior to her detention, she was renting the apartment from a private owner. The Law on Residential Tenancy envisages that “the owner can terminate a rental agreement and evict the tenant and her family members and other persons without provision of other residential space if: (1) the tenant fails to pay the rent for more than three months while he/she was provided with the residential space according to the residential space rental agreement and legal acts”. Since the woman was held in custody for more than a year and the rent was not paid during this period, the owner applied to the court, requesting eviction. The court satisfied the request, ruling that the tenant and her family had to be evicted. Although Latvian legislation states that municipalities have the duty to provide certain categories of residents (such as low-income tenants who support at least one underage child living with them) with other premises suitable for residence, the Riga City Council did not provide any other residential premises. Therefore, the woman applied to the National Human Rights Office (NHRO, since 1 January 2007 Ombudsman’s Office), requesting to review her case. The woman tried twice to communicate with a representative of the NHRO responsible for the review of her case, both times unsuccessfully, and then gave up.’⁹⁰

Some interviewees reflected upon the situation with so-called denationalized houses (houses regained by former proprietors, whose property was nationalized during the Soviet occupation). According to information provided by the Roma NGO leader, over the last six years various people of Romani origin have used the opportunity to turn for help and assistance: people who were evicted from denationalized houses without receiving other dwelling spaces. Only a negligible proportion of applications for a new social apartment were satisfied.⁹¹

The 2000 report from the COHRE Mission (The Centre on Housing Rights and Eviction) entitled Housing Rights in Latvia,, defined various socially marginalised groups subject to forced evictions. No information on ethnic groups, including Roma, is included in the report.⁹²

⁸⁹ Interview with the Regional Bureau of Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009)

⁹⁰ Information provided by the Roma NGO 'Nevo Drom' by phone on 19.05.2009

⁹¹ Interview with the Roma NGO 'Nevo Drom' (09.02.2009)

⁹² Housing Rights in Latvia - COHRE Mission, 2000, p. 8, available: http://www.sheltercentre.org/sites/default/files/COHRE_HousingRightsInLatvia.pdf (18.03.2009)

1.3.6. Legality and legalization of settlements

According to available information, all Latvian Roma are sedentary. There are no known cases of informal or unregistered settlements in Latvia. (See also 1.2.1.)

1.3.7. Movement, encampment and use of private land

See 1.3.6.

1.3.8. Access to public utilities

See 1.3.1.

1.3.9. Access and quality of housing for third country Roma/Travellers immigrants (especially for Roma/ Travellers EU national)

There is no information on access to housing and quality of housing for third country Roma immigrants and Roma EU nationals living in Latvia.

1.3.10. Campaigns undertaken by authorities on their rights to adequate housing

There are no campaigns undertaken by national or local authorities to inform the Romani community of their right to adequate housing.

The Latvian social policy related to housing conditions does not include risks of discrimination based on ethnic origin or race. This explains why the Roma as a group exposed to the risk of unsatisfactory housing conditions is not regarded as a separate target group. Social policy covers various socially marginalised groups without ethnic differentiation. No research or long-term monitoring on housing conditions of various ethnic groups is conducted by Latvian authorities. This situation may cause the risk of ignoring relevance of ethnicity in discrimination in housing. As the majority of Latvian Roma interrupt their education before receiving their degree, their restricted competitiveness in the labour market may cause restricted access to satisfactory housing conditions. The high level of intolerance towards Roma people as neighbours can become and possibly is a reason for various forms of discrimination, including access to apartments, which according to some interviewees is denied to Roma, but is available to other ethnic groups.

1.4. Case law and complaints relating to the housing of Roma and Travellers

The main state institution responsible for the implementation of the principle of equal treatment and officially designated as a specialised body in accordance with Article 13 of the Race Equality Directive is the Ombudsman's Office. The law on the Ombudsman's Office (which entered into force on 1 January 2007) established that it takes over the rights and duties of the Latvian National Human Rights Office (LNHRO), which was established on 18 July 1995. The Ombudsman's Office is the designated institution for implementing the principle of non-discrimination not only on the grounds of race and ethnicity, but for the principle of equal treatment overall. Upon termination of a verification procedure and establishment of a violation, the Ombudsman has the right to defend the rights and interests of a private individual in administrative court, if it is necessary in the public interest; as well as upon termination of a verification procedure and establishment of a violation, to apply to a court in such civil cases where the nature of the action is related to a violation of the prohibition of differential treatment.⁹³

A person considering him/herself a victim of discrimination in housing can apply to court, as well as submit a complaint to the Ombudsman's Office. In case of discriminatory practices of public institutions, including municipalities, a person can turn to the same public institution that has treated the person differently, to a higher institution, or to the public prosecutor's office.

Data of the opinion poll 'Awareness about Human Rights Protection in Latvia' shows that 3.1 per cent of respondents faced discrimination or violations in relation to the right to housing and 4.8 per cent faced discrimination or violations in relation to the right to social security (pensions, allowances).⁹⁴

Although the number of complaints the Ombudsman's Office received, those regarding housing constitute a significant share of all complaints – 609 in 2008 (157 written and 452 verbal complaints),⁹⁵ there are only a few complaints on alleged ethnic discrimination in housing. According to information provided by

⁹³ Latvia/Tiesībsarga likums (06.04.2006), available in English at: <http://www.tc.lv/index.php?skip=210&itid=likumi&id=10&tid=59&l=LV> (16.03.2009)

⁹⁴ Tīrgus un sabiedriskās domas pētījumu centrs SKDS, *Informētība par cilvēktiesību aizsardzību Latvijā. Latvijas iedzīvotāju aptauja*, 2008. gada novembris, available in Latvian at: http://www.tiesibsargs.lv/lat/tiesibsargs/majas_lapas_jaunumi/?doc=445 (26.03.2009)

⁹⁵ According to the Ombudsman Report 2007 in all 156 written and 505 verbal complaints concerning right to housing were received in 2007. Comparison with the 2006 LNHRO statistics shows that there has been a significant (77%) increase in the number of written complaints concerning the rights to housing. Available: <http://www.tiesibsargs.lv/eng/publications/> (17.03.2009)

the Ombudsman's Office, in 2007, no complaints concerning discrimination on the ground of Roma ethnicity in housing were received. In 2008, the Ombudsman's Office initiated investigation into two cases of possible discrimination against ethnic Roma in housing. The Ombudsman's Office is unable to provide such data for 2000 – 2006, because the database of the National Human Rights Office (the predecessor of the Ombudsman's Office) did not isolate data about discrimination against Roma in housing.⁹⁶

The first case concerned possible discrimination by the Welfare Department of Jurmala city council in granting the right to rent social (municipal) housing. The Ombudsman requested information, analysed the facts and found no unjustified discrimination. The Jurmala city council clarified the manner in which the present housing was granted and what should be done to improve housing conditions.⁹⁷

In the second case, the applicant claims he was not allowed into a shelter and was refused assistance because he is ethnically Roma. The Ombudsman contacted the shelter management and Social Department of Zemgale suburb, and was informed that the applicant was not registered as a client with the Social Department of Zemgale suburb. In this case, the refusal to provide assistance was based on objective criteria. Clients are not discriminated on the ground of ethnicity, as women and children of various ethnicities regularly go to that centre, including Roma.⁹⁸

According to the National Data Collection Report Latvia 2006, there was one verbal complaint concerning alleged ethnic discrimination in housing in 2006 received by the former Latvian National Human Rights Office (from 1st January 2007 Ombudsman's Office) in 2006. A leader of a Romani NGO orally reported a case of alleged discrimination of the Roma in Jelgava. The applicant claimed that officials of the Social Service Department of the Jelgava City Council provide the Roma, who are entitled to municipality owned housing, the worst quality living space. The case was closed as the applicant disappeared when the office wanted to investigate the case in co-operation with the applicant.⁹⁹

There is no information on cases involving elderly Roma, women, Roma with disabilities or minor applicants.

Information provided by a number of municipalities with significant Roma population show that these municipalities so far have not received complaints from ethnic Roma residents about housing rights violations or possible cases of

⁹⁶ Letter of the Ombudsman's Office Nr. 1-5/68 (02.03.2009)

⁹⁷ Letter of the Ombudsman's Office Nr. 1-5/68 (02.03.2009)

⁹⁸ Letter of the Ombudsman's Office Nr. 1-5/68 (02.03.2009)

⁹⁹ RAXEN National Data Collection report Latvia 2006 by the Latvian Centre for Human Rights (2006)

racism or/and discrimination in housing.¹⁰⁰ One of the municipalities stated that it: 'cannot provide information on Roma complaints about refusals in housing and allowances, because legislation currently in force in the Republic of Latvia forbids one to demand the social support applicant to disclose his or her ethnicity'.¹⁰¹ Another municipality admitted receiving one complaint from an applicant unsatisfied with the location of dwelling.¹⁰²

According to the National Data Collection Report Latvia 2004, former LNHRO sometimes received complaints from the Latvian inhabitants who, being granted a municipal dwelling in a neighbourhood populated by the Roma, perceived it as a violation of their own human rights.¹⁰³

¹⁰⁰ Letter of the Valmiera City Council Nr. 1-2-23/642 (10.03.2009); the Housing Board of the Riga City Council Nr. DK-09-938-nd (09.03.2009); Kuldīga City Council Nr. 07-05/255 (04.03.2009); Daugavpils City Council Nr. 02.01-08/389 (27.02.2009); Liepāja City Council Nr. 188560/1.-11./188560 (27.02.2009); Rezekne City Council Nr. 3.2.-25/295 (02.03.2009); Jekabpils City Council Nr. 43-4-8 (26.02.2009); Tukums City Council Nr. 4-19.7/1112/814 (26.02.2009); Jelgava City Council Nr. 2-20/1208 (18.02.2009); Sabīle City Council Nr. 2-14/L-5 (12.02.2009); Ventspils City Council Nr. 8-7/31 (12.02.2009); Jūrmala City Council Nr. 8/33 (10.02.2009)

¹⁰¹ Letter of the Talsi City Council Nr. 2729/18.3/12-29 (20.02.2009)

¹⁰² Letter of the Kandava City Council Nr. 129 (11.02.2009)

¹⁰³ RAXEN National Data Collection report Latvia 2004 by the Latvian Centre for Human Rights (2004)

1.5. Identifying good practices

There is no available information about examples of good practices aimed at improving the situation of Roma in housing (including elderly Roma, women, Roma with disabilities or children). Policy documents developed so far have not envisaged special measures for improving living conditions of Roma as a socially vulnerable group and so far, the state institutions or municipalities have not implemented special projects or social inclusion campaigns facilitating social inclusion of Roma. Activities implemented so far within the State Programme 'Roma in Latvia' 2007-2009 have mainly addressed the issue of improving Roma education opportunities.

One of the reasons why there are no such initiatives/ good practices may be the lack of statistics on the ethnic dimension in housing, as well as the lack of public evidence of the situation of Roma in housing. As stated by one of the interviewees, the situation depends on the ability and skills of those affected to inform state policy actors of problems in housing: 'There are not enough NGOs and other participants of civil society who may clearly inform society of the housing problems Roma people are not capable of transmitting this issue to the local authorities. This is why the housing issue is not visible.'¹⁰⁴ Another reason may be lack of experience influencing the process of state social policy and legal initiatives, as well as the fact that Roma people are often not familiar with their rights: 'The Roma community prefers to play a passive role. They do not believe that they may influence the situation. Even if dialogue does take place, its quality should be improved. The Roma community is sometimes rather aggressive and critical, not demonstrating a willingness to understand.'¹⁰⁵

All six interviewees who participated in the research were rather negative towards the state housing policy concerning Roma in particular and low-income groups in general: 'There are no tools of state policy towards the solution of Roma housing issues. Housing is not included in the state policy programme. There are also other families and ethnic groups that live in poor conditions. There are insufficient finances for housing, especially for social houses.'¹⁰⁶

An important precondition for successful local housing policy and local initiatives to solve the housing issues of the Roma community is co-operation among various actors, such as local authorities and local Roma NGOs. In some municipalities, such as Tukums and Jekabpils, housing committees have Roma

¹⁰⁴ Interview with the Department of Integration, Ministry of Children, Family and Society Integration Affairs (05.02.2009)

¹⁰⁵ Interview with the Department of Integration, Ministry of Children, Family and Society Integration Affairs (05.02.2009)

¹⁰⁶ Interview with the Regional Bureau of Roma NGO 'Nevo Drom' in Daugavpils region (10.02.2009)

representatives: 'Experience shows that Roma people should be there, because otherwise decisions about receiving a social apartment may be biased.'¹⁰⁷ This is the way to get information about the real housing needs of the community – what families receive social support.'¹⁰⁸ In Daugavpils, the Roma NGO representative is not a member of the Housing Commission, but he regularly participates in the Commission meetings, addressing particular Roma housing problems in the city. In all cases mentioned, the City Councils' Housing Committees provide support for Roma who belong to low-income groups (mothers with children after divorce, former prisoners, disabled children, unemployed, etc).

1.6. Major national projects targeting the housing situation of Roma and Travellers that are not included in the previous section

There are no nationally funded projects targeting the Roma housing situation. Projects supported by the former Secretariat of the Special Assignments Minister for Social Integration,¹⁰⁹ and by the Society Integration Foundation¹¹⁰ are mostly aimed at the promotion of tolerance, intercultural dialogue and social inclusion of various socially vulnerable groups into the educational system and the labour market.

¹⁰⁷ Interview with the Roma NGO 'Nevo Drom' (09.02.2009)

¹⁰⁸ Interview with the Department of Integration, Ministry of Children, Family and Society Integration Affairs (05.02.2009)

¹⁰⁹ Secretariat of the Special Assignment Minister for Social Integration, <http://www.integracija.gov.lv/index.php?setlang=en&large=> (27.03.2009)

¹¹⁰ Society Integration Foundation, <http://www.lsif.lv/atbalstitie-projekti> (27.03.2009)

2. Field research - interviews

2.1. Brief description of the methodology

Six interviews were carried out within the thematic study: Two with representatives of state and local authorities and four with representatives of a Roma NGO.

Interview with the Department for Integration Policy, Ministry of Children, Family and Society Integration Affairs. The interview took place on 5 February 2009 in the office of the Latvian Centre for Human Rights, Riga, lasting for 31 minutes and was recorded. The interview was held in Latvian. The respondent answered most of the questions, but generally failed to provide concrete facts and figures on the Roma housing situation in Latvia. He explained this by stating that housing is not a priority for the state Roma integration policy. Still, housing issues are topical for Roma in small towns throughout Latvia. (Interview 1)

Interview with the Roma NGO 'Nevo Drom', which has regional branches in nine cities. The interview took place on 9 February 2009 in the office of the Latvian Centre for Human Rights, Riga, lasting for 40 minutes and was recorded. It was held in Latvian. The respondent gave detailed information on the housing conditions of Roma, mentioning some analysis initiatives of the NGO 'Nevo Drom'. The opinion poll conducted in 2005 could be a valuable data resource, but he was unable to provide further information on its methodology and the number of respondents. Thus, statistical data given in the interview is not verified. (Interview 2)

Interview with the Roma NGO 'Nevo Drom', Latgale. The interview took place via phone conference on 10 February 2009, lasting for approximately 25 minutes and was recorded. The interview was held in Russian. The respondent mentioned some cases of forced eviction and discrimination on the ground of ethnic origin of Roma in Kraslava. The interviewed delivered valuable information on the impact of housing on education of Roma children in Kraslava, Malta and other small towns in the Latgale region. (Interview 3)

Interview with the regional bureau of Roma NGO 'Nevo Drom' in Daugavpils and Daugavpils region. The interview took place via phone conference on 10 February 2009, lasting for approximately 25 minutes and was recorded. It was held in Russian. The respondent illustrated the situation of Roma in Daugavpils and in local towns. According to the interviewee, there are many families in Daugavpils and Daugavpils region who live in unsatisfactory conditions: in dilapidated houses far from schools and other public administration bodies. Poor housing conditions affect the quality of their education. (Interview 4)

Interview with the Jekabpils City Council in Society Integration Affairs (former member of the Housing Committee in Jekabpils City Council). The interview took place on 11 February 2009 via phone conference, lasting for approximately 30 minutes and was recorded. It was held in Latvian. The respondent explained the situation in Jekabpils regarding the housing policy towards Roma. According to him, Jekabpils as a former Red Army residence has enough dwelling apartments to satisfy the needs of the Roma people. There have been various good practices, but in some cases individual recipients of social assistance have used apartments for commercial purposes, thus deteriorating the relationship and communication between City Council and the Roma community. The respondent was critical about state housing policy and left the Housing Commission in protest against housing policy of the city. (Interview 5)

Interview with a Romani teacher in Bene secondary school. The interview took place on 13 February via phone conference, lasting for approximately 20 minutes and was recorded. It was held in Latvian. The respondent provided rather scarce information on housing conditions, listing some factors which influence the housing conditions of Latvian Roma – unemployment, intolerance and lack of state policy in housing. (Interview 6)

2.2. Summary of main points

Question 1: What would you consider as the most important features of Roma/Traveller housing and accommodation situation in your country?

Interview 1: According to the respondent, the issue of housing is not a priority issue of the Latvian state policy towards the Roma community. There may be various issues in different local communities, but the common problems are a lack of information and the passive attitude towards the community's problems.

Interview 2: The interviewee suggested that the Latvian Constitution provides equal rights for all Latvians, but in reality the most pressing issues for the Roma community are education, employment and also the housing question. Over the last six years various people of Roma origin have used the opportunity to turn for help and assistance: people who were evicted from denationalized houses without receiving other dwelling spaces. The respondent said that problems began in the early 1990s. Only 5 per cent of all applications are satisfied. Asked about the statistics on this issue, he answered 'these are our internal data, based on opinion polls. We do not publish them.' A major factor affecting housing is unemployment. This is the beginning of a chain of problems: The Roma cannot compete in the labour market, they cannot pay bills. Asked about regional differences, the respondent could not identify regional differences. 17% of Roma, according to unofficial data, available in 'Nevo Drom' (opinion polls by NGO) live in apartments with all conveniences. Most of the Roma people, however, are in old houses with primitive conveniences (toilets outside the apartment). These data were collected by the NGO 'Nevo Drom' in 2005 in nine cities, where the NGO has its bureaus.

Interview 3: According to the respondent, Roma housing conditions in Kraslava are dramatic: 'People live in bad conditions, some of them even in pre-war houses. There are families that do not have any conveniences inside the houses, they walk miles to get water or fire wood for heating.' The interviewee gave examples of families in her own town. 'Some of the families are in need of a dwelling space, they are unemployed, but many have been taken off the lists of unemployed. Some have no dwelling space of their own at all. They live with other Roma, not relatives, but in summer they live in some technical rooms. There are three such families in Kraslava – they all have at least seven or eight family members. Some people cannot use their rights – they don't know how to use their rights. In Latgale people do not like our nation. To get social assistance is very difficult.' 'Elderly people cannot build a house. So they live in rented apartments. For example, only one pensioner receives a pension. Teachers complain that Roma children do not attend school, but they live out of town, far in the country. People live in the country, they rent a house and their children cannot attend school.'

Interview 4: Commenting on the housing conditions, the respondent stressed that there are three groups of Roma in Daugavpils: the first group is well situated (managed to buy houses during the Soviet period); the second group is people living in dilapidated, old houses and the third group is made up of those living in primitive conditions and cannot find a room to rent: 'The most topical issue is large families with three to nine children. For example, in Ambele – a family lives in an old house only 5 by 6 metres in size. The kitchen and all other rooms are all there. Walls are so dilapidated that you can see through them – sometimes even repaired with old chocolate boxes.' The interviewee mentioned that there is no analysis of the situation of Roma housing, although such an analysis would be vitally important for the state policy towards Roma inclusion and would provide information to plan housing policy. 'Another family lives 60 km away from the nearest town. After the child was born, the parents got divorced, so the mother lives in a small rented apartment. Many families – I know five, who live in a so-called social houses – get married there. There is one kitchen for 20 rooms, so everyone uses it for cooking. But it is warm there. That is why children do not attend schools. School administration calls me and asks where a child is. We know that the child has no room to study at home. He is a talented boy, who attends Daugavpils school Nr.5, but when his parents got divorced, he left school. His parents lost the apartment because they were evicted after being unable to pay the rent. They had debts. I wanted them to live in a social house, but they would not go there because they are proud. Still the child has gone back to school and the parents seem to be living together again. I think support for everyone is not necessary. Young families with children should be supported. If they had a job, they could take credits, but they have no stable work place.' Unemployment is another reason for social exclusion – Roma who do not speak Latvian and have not passed the language examination cannot find a job. 'Some families started to build a house; they built a temporary house, but could not manage to build a stable one, so they continue living in these temporary shelters. The respondent knows at least ten families living in critical conditions in Daugavpils district. The interviewee also talked about the negative attitude towards Roma.

Interview 5: Responding to the question about the housing situation, the respondent stated that almost all housing issues are solved. During last 15 years, the Jekabpils City Council has satisfied all applications of Roma: 'We even wrote off their debts of 400 to 700 Lats (equivalent of 800 to 1400 dollars). Afterwards all these houses granted to Roma were sold within one month. So they applied again. I was wrong allowing them to privatise these houses. I would say the Roma should receive social apartments. They should not live in the common houses – in one building, all five floors complained about Roma living with them. I think the reason is the Roma identity. We always have empty apartments – now 31 apartments are available.' Having been asked about the reasons for not paying bills, the respondent mentioned unemployment (the same reason was given by every interviewee). He said that in 1999 Roma from Belorussia, Poland and Russia came and, according to the interviewee these groups are 'worse' as they do not speak Latvian: 'Local Roma are better – the

Roma from abroad are worse, they have quite a different identity.' Explaining various aspects of housing conditions, the interviewee mentioned that no renovation can improve the situation, because, according to the interviewee 'their identity is such...' The factors for bad housing conditions are: 'If we don't provide them with jobs and apartments and a minimal income – what are they supposed to do? Should they rob and steal?'

Interview 6: Housing problems are an especially important issue for Roma: 'They are unemployed. They have no possibilities to pay bills. They are mainly settled in old buildings, where apartments are poorly equipped, also what concerns hygienic aspects.' In Auce town (rural district) there is a Roma family which inhabits a dilapidated apartment – two families (relatives) are together in two rooms, a small kitchen, with no conveniences: 'Housing conditions are bad.' Having been asked about other factors – discrimination was noted: 'Discrimination is an important issue – the Roma are traditionally settled isolated. It is almost impossible to acquire an apartment. So people think that Roma are not eligible for such an apartment, because every local authority thinks that no Roma is able to pay bills. The basic factor for decisions is the personal attitude [of local authorities].' The respondent mentioned her own case during the 1980s: As a young teacher with a child, she received a one-room apartment, but a lady of another ethnic origin received a two-room apartment, although she was single. 'There were also other two-room apartments available, but I did not receive them.' Roma children have no place to do homework or space of their own. They have no PCs and it is more difficult to study this way. The interviewee did not comment on other aspects of housing, such as long distances or rural areas. 'Roma families have no money to send children to school. Still Roma children attend schools. In many cases, the local authorities do not support Roma families; they do not provide lunches free of charge. That is why Roma children do not attend school; they have no money for clothing or lunches.' There were no comments on housing conditions of elderly people or women.

Question 2: Could you describe briefly your institution's/organisation's work on Roma/Traveller housing and accommodation issues?

Interview 1: The respondent recapitulated briefly the history of the elaboration of the state programme 'Roma in Latvia' 2007- 2009. According to him, during the elaboration of the state programme three major issues were chosen to be examined and improved: employment, education and human rights. 'The issue of housing was not included, because it was not topical at that time.' The state authorities (Department for Integration Policy, Ministry for Children, Family and Society Integration Affairs.) try to act as a mediator between local social services, human rights institutions and the Roma community. 'When Roma come to us with their specific issues, we try to assist them by sending requests for clarification to the Ombudsman's Office or local authorities, asking why housing issues were off the agenda. But there is only one single person responsible for Roma issues. The Roma situation in housing is not analysed –

there are no studies on this subject. Continuing on the issue of housing, the interviewee explained why this issue was not raised during the elaboration of the programme: 'There are not enough NGOs and other civil society participants who may clearly inform society of housing problems. Still, visiting many Roma in different regions, I saw that the situation varies. There are people who can not receive social apartments in time. They cannot make a noise.'

Interview 2: The NGO 'Nevo Drom' helps Roma people to apply for consultation and assistance from the Ombudsman's Office, but according to the respondent, there is no result, because despite repeated attempts, some Roma could not visit the Ombudsman in Riga because they came from remote regions and did not have enough resources to travel back to Riga. That is why there are no results. 'People know that I am a lawyer, so they turn to me for help in housing questions. This shows that Roma people trust their own ethnic group, but not the state. People mainly ask for help in the NGO. Starting from 2004, in cooperation with the former Secretariat for Society Integration, we submitted various applications to the Bureau for Human Rights, later the Ombudsman's Office. Unfortunately, so far this Office has participated only in one case, discrimination in employment.' In other cases, Roma people do not think it would be useful to turn to various institutions for assistance. According to the opinion poll conducted by the NGO 'Nevo Drom' about 80 per cent of low-income Roma people live on one or both grandparents' pension. These data were acquired in nine cities.

Interview 3: 'I personally can't do anything about these problems. There is a Housing Committee in Kraslava. So, when I went I heard: 'We cannot provide you with an apartment. There are no apartments for low-income people. Sometimes I even hear behind my back: 'Roma come only to request an apartment. But there are other people who have been waiting for seven to ten years. For three years no Roma received an apartment, while other ethnic groups did.' The respondent mentioned one case when the health care system refused to grant a disability status to a Roma child, who according to her information, should have received this status: 'Doctors dislike us. People shut their ears and eyes and do not let us inform them about our condition.'

Interview 4: The interviewee reflected on the activities of the NGO, which include a mediator function – writing letters and applications for Roma and submitting applications to various state institutions, as well as participating in meetings of the Housing Committee in Daugavpils City Council.

Interview 5: The respondent described the activities of the Housing Committee, mentioning that well equipped houses are not suitable for Roma, because: 'When Roma move in, at once the whole building, all the residents, come and complain about them. All Roma entitled to it received apartments. The City Council granted two apartments every month. Now this number has diminished from the former five apartments a month.' The interviewee mentioned a

phenomenon of 'annoyance': 'Now we have slowed down these figures, because they annoyed us by selling privatized apartments.'

Interview 6: The interviewee referred only to rare cases of consultative assistance: 'I may comment or give advice, but state authorities have many obstacles to prevent the improvement of housing conditions. Roma people are not familiar with their rights and no one informs them of what should be done and how.'

Question 3: Are there any national, regional or local housing and accommodation policies related to Roma/Travellers' housing? What would you say is their actual impact on the situation?

Interview 1: The respondent mentioned Jekabpils City Council which elected a Roma representative in the Committee for housing issues: 'This is the way to get information about real housing needs of the Roma community – what families receive social support. In Jekabpils, a Roma family waited for two years to be moved into better apartment (there is waste dump nearby). Nothing happened.' There is a difference, a large difference among various social groups of Roma. There are active Roma groups, who raise the question of housing. Most of the Roma keep silent. That is why the issue of housing is not visible. Among the reasons for such invisibility, the interviewee listed the lack of experience to influence the process of state social policy and legal initiatives. Former Secretariat for Special Assignment Minister for Society Integration Affairs received 'a couple of signals, when NGO activists turned up and asked for help. We advised them to gather all papers and if they see that they are being discriminated, they can apply for support in the Ombudsman's Office.' The respondent mentioned lack of communication between various state and independent institutions to ensure that the outcomes of various cases is clearly explained and is known to society. A communication network should be established among Roma NGOs and state policy institutions. 'Dialogue does take place, but its quality should be improved. The Roma community is sometimes rather aggressive and critical, not demonstrating a willingness to understand. One of the major problems is the quality of information.'

Interview 2: The Latvian state policy was not clearly identified by the respondent. Still he mentioned that there is no segregation in Latvia (housing segregation), but there are so-called 'Roma houses'. 'As far as I can see, the housing conditions in Latvia in comparison to other European countries are the best. In Latvia, Roma people live in their own private houses, in privatized apartments, but also together with other ethnic groups. They are not excluded in this sense. There are so-called Roma districts, but they were not segregated, but living there is their own choice. In Tukums, there is Anna Street, that's where Roma live. The same as Jewish streets.'

Interview 3: According to the interviewee, there is no state housing policy for Roma. There were no further discussions on this topic, as the interviewee stated

absence of state policy. The Mayor of Kraslava, according to the interviewee, said that Roma come only to receive money. 'How can I continue working after that? Financial resources for housing policy are insufficient: If Roma have an apartment, they lose it because of the debts. They are just thrown out, without receiving a new apartment. Other Roma, non-relatives took them in. I know three in Kraslava and Malta – altogether eight or nine families who are tramps. The Latvian state needs no Roma. In Malta, Roma families live in dilapidated houses- there is no social assistance for low-income people. When I go there, I receive the answer "we are small, we have no resources."' "

Interview 4: In the respondent's opinion, there is no state housing policy for Roma in Latvia. The interviewee stressed the fact that housing is not included in the state policy programme: 'There are also other families and ethnic groups that live in bad conditions. There are no state policy tools towards the solution of Roma housing issues. There insufficient finances for housing, especially for social houses.'

Interview 5: 'State housing policy is incorrect, totally incorrect. We invest millions into social houses, but who the hell needs them. Because Roma will not live in these houses. We have hundreds of them here and no one will live there. What I suggest is one floor houses with their own heating system, toilets, etc. And these houses should be given to low-income inhabitants. Also the local policy is wrong – we throw money to the wind – no one compensates finances which are lost, if people do not pay bills. All conveniences houses are not necessary – too expensive. You could build a new Jekabpils City for that money.' The respondent stated that for 12 years the Jekabpils City Council has been trying to elaborate a housing strategy in which the ethnic minority (Roma) would be defined as a special target group. But there are no results of this work.

Interview 6: 'There is no state policy towards Roma housing issues. Ethnic Latvians are not able to cope themselves, how can one expect something for Roma? The state does not set the right priorities in the housing issue. The state picks up priorities it sees as beneficial and this approach is applied in all areas. Housing issue in Latvia generally is not topical as such.' The respondent mentioned that in Jelgava and Dobeles housing issues are topical for local Roma. In Tukums, most of the questions are solved – the interviewee mentioned NGO 'Nevo Drom'.

Question 4: Could you identify any examples of 'good practice' related to Roma/Travellers housing?

Interview 1: Good practices are not analysed. 'The Roma community prefers to play a passive role. They do not believe that they may influence the situation.' The respondent mentioned Daugavpils and Kraslava (in the southern part of Latvia) as cities in which Roma housing issues are acute. Still Roma people are not capable of transmitting this issue to the local authorities. In Kurzeme, the town of Sabile was mentioned as a town in which the Roma community does

not participate actively in communication with local authorities. 'They do not address Roma leaders or NGO leaders to let authorities know of their conditions.' The respondent stated that housing issues are not priority issues in the state policy towards inclusion of Roma. Officials, who are in charge of providing social assistance, including housing conditions, do not see Roma as separate group. 'The ethnic dimension as such is not applicable to the issues of housing. Officials rather tend to identify age groups or groups with children. If compared with other EU countries, there is no segregation in housing. As far as I know, there are no regions, where Roma would live in segregated regions or districts. The only 'hypothetical segregation' form would be the so-called 'Roma houses' houses in a town where most of inhabitants are Roma, but this way of life is their own choice. They themselves prefer to live in such way in order to solve social issues.'

Interview 2: The interviewee recalled the experience in Tukums, where the Housing Conditions Committee under the supervision of Tukums City Council: 'Experience shows, that Roma people should be there, in this Commission, because otherwise decisions about receiving social apartments may be biased.' The respondent was a member of this Commission from 2005 to 2008, where all Roma applicants (20 applications in 2005-2008) received a social apartment.

Interview 3: The respondent gave the positive example of Preili, where Roma receive apartments: 'The mayor of Preili assists Roma - he writes applications and people have received apartments within the last two years. For example a Romani woman received an apartment within half a year.' She thinks that the results of housing policy depend on the personal initiative and attitude of the mayor of a town/city. Daugavpils City Council also supports Roma.

Interview 4: Daugavpils City Council supports Roma families with children, offering them to live in a so-called 'social houses': 'In these houses there are also other groups – for example former convicts.' The respondent also mentioned some solutions for Roma people – for example to build houses and to let Roma live there: to use the houses, but not to allow residents to buy them. Social houses are defined as good practices. In some cases local authorities pay at least 50 per cent of bills.

Interview 5: In Jekabpils it is possible to choose a social apartment according to the applicant's needs. This can be explained by the large number of empty apartments.

Interview 6: 'Unfortunately, I am not aware of any examples of good practices aimed at improving the Roma housing situation.'

Question 5: Was your organisation involved in any cases of housing discrimination or other violations of the housing rights of Roma/Travellers?

Interview 1: The interviewee talked about two cases of possible discrimination in the town of Talsi. The Secretariat helped to prepare documents for submission to the Ombudsman's Office, although communication with the Office does not make it clear what happens next in these cases. Elderly people and families with many children were named as the two groups probably most often exposed to discrimination.

Interview 2: The respondent gave one example: a Romani woman lost her apartment after being in custody, although she had three children. The NGO assisted her in applying for consultation with the Ombudsman. Since then nothing happened. Additional information provided by him on 19.05.2009: Prior to her detention, she was renting the apartment from a private owner. The Law on Residential Tenancy envisages that 'the owner can terminate rental agreement and evict the tenant and his/her family members and other persons without provision of other residential space if: (1) the tenant fails to pay the rent for more than three months while he/she was provided with the residential space according to the residential space rental agreement and legal acts'. Since the woman was held in custody for more than a year and the rent was not paid during this period, the owner applied to court, requesting eviction. The court satisfied the request, ruling that the tenant has to be evicted together with her family. Following the year in custody the woman was found not guilty and released. Although Latvian legislation envisages that municipalities have the duty to provide certain categories of residents (such as low-income tenants who support at least one underage child living with them) with other suitable residence, the Riga City Council did not provide any other residential premises. Therefore, the woman applied to the National Human Rights Office (NHRO, the Ombudsman's Office since 1 January 2007), requesting to review her case. The woman tried twice to communicate with a representative of the NHRO responsible for the review of her case, both times unsuccessfully and eventually gave up. While she was in custody, her children were living with her sister. At the moment, the woman lives in a social flat in Manchester (England). The children used to attend school in Latvia and are now going to school in England now (the oldest child is 15 years old).

Interview 3: 'My sister had a problem – she lost her apartment – was evicted because of a debt – 200 Lats (approx. 400 dollars). She rented an apartment in another district. A representative of authorities (not defined) saw her in the new flat which she rented and stated that she would not live there. I submitted a complaint to the mayor; he accepted this complaint, but then left for Parliament as MP. My sister did not continue [...] Later my sister left this apartment and bought an old house. People do not love us. Even doctors. We pay for their services, but we hear, "you Roma are all the same". But we pay for the services. We are being discriminated against [...] even in the shops, when shopping, shopkeepers watch us carefully.'

Interview 4: In Ambele a Roma family with nine children did not receive a social apartment. The respondent did not explain the situation in detail, but

stated that another person received an apartment: 'So they still live in the small house: eleven people in the house 5x6 meters in size.'

Interview 5: 'Roma people said that they are being discriminated against. But this is admitted unofficially. Things improved after we established Roma society 'Šatra' in Jēkabpils. What did we do? I wrote a letter, requesting that the organisation's chairperson be appointed as a member to the Housing Distribution Committee and that she should be allowed to take part in the Committee's session. This was the right decision, although now she is in England.' This is the way to get information about the real housing needs of the community and to influence the Committee's decisions - what families receive support.

Interview 6: There were no cases of discrimination in which the respondent was involved.

3. Annex

3.1. Annex 1 – Statistical data and tables

Please complete the table below (covering period 2000-2009)

| | 2000 - 2009 |
|---|--|
| Number of complaints regarding ethnic discrimination received by complaints authorities (such as ombudsperson's offices and national equality bodies) | 2000-2006 – no information available 2007 – 0 2008 – 2 |
| Number of instances where ethnic discrimination was established by complaints authorities (such as ombudsperson's offices and national equality bodies) | 2008 – 0, in both cases the Ombudsman requested information, analysed the facts and found no unjustified discrimination. |
| Follow up activities of complaints authorities (such as ombudsperson's offices and national equality bodies), once discrimination was established (please disaggregate according to type of follow up activity: settlement, warning issued, opinion issued, sanction issued etc.) | NTR |
| Number of sanctions and/or compensation payment in ethnic discrimination cases (please disaggregate between court, equality body, other authorities or tribunals etc.) regarding access to housing (if possible, disaggregated by gender and age). | NTR |
| Range of sanctions and/or compensation in your country (please disaggregate according to type of sanction/compensation) | NTR |

3.2. Annex 2 – Court, specialised body or tribunal decisions

| | |
|--|---|
| Case title | Nr. 2008-101-26A |
| Decision date | 13.05.2008. |
| Reference details (type and title of court/body; in original language and English [official translation, if available]) | Tiesībsarga birojs/ the Ombudsman's Office |
| Key facts of the case (max. 500 chars) | The case concerns alleged violation of discrimination prohibition by the Welfare department of J.-city council in provision of the right to rent social apartment. In the application, L.V. stated that since 2004 she was registered in the queue to rent a social apartment in X.-street-2. When her turn arrived to rent this social apartment, the Welfare department of J.-city council granted her the right to rent social apartment in Y.-street-3: a 12 square metre space in a very bad condition, without utilities (running water, toilet) or ventilation. L.V. stated that her family includes her daughter and two young children. Initially, L.V. refused to rent the apartment in Y.-street-3 several times, arguing that she was registered in the queue to rent a social apartment in X.-street-2 and that the apartment in Y.-street-3 is unsuitable for four persons, among them – two young children. Allegedly, a representative of the Welfare department of J.-city council stated that the apartment in Y.-street-3 is suitable for people of Roma ethnicity and warned that if L.V. refuses to live in Y.-street-3, she could be excluded from the queue to rent social apartments. In these circumstances L.V. agreed to rent the social apartment in Y.-street-3. L.V. stated that the Y.-street-3 is mainly inhabited by people with 'bad habits' (substance abuse) and many are sick with infectious diseases. Therefore, the young grandchildren of L.V. (A.P. and O.P.) are often falling sick; they were diagnosed acute bronchitis and in January 2008 both children were treated at a Rehabilitation Centre V. Medical records of the Rehabilitation Center V. show that both children arrived in very difficult medical conditions. L.V. stated that the health of the child was deteriorated by the lack of air ventilation and by the fact that other residents of the housing have various diseases. |
| Main reasoning/argumentation (max. 500 chars) | In order to evaluate the case objectively, the Ombudsman contacted the municipality. The Ombudsman stated that Article 2.1 of the Law on Social Security stipulates that 'in provision of social services, differential treatment is prohibited on the grounds of a person's race, ethnic affiliation, skin colour, gender, age, disability, health status, religious, political or other persuasion, national or social origin, financial or family status or other circumstances' and requested information about the case. |

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| Key issues (concepts, interpretations) clarified by the case (max. 500 chars) | It was established that there was a change in the applicant's factual conditions: she was alone when registered on the waiting list to rent apartments, yet her daughter and the daughter's children joined her family the moment she had her turn in the queue. Thus, by stating the real financial status and number of children in the family, the family has the right to ask for a more spacious apartment. |
| Results (sanctions) and key consequences or implications of the case (max. 500 chars) | Upon evaluating the circumstances of the case, it was concluded that in provision of social housing the J.-city council did not use unjustified, differential treatment against L.V. and her family on any of the above-mentioned prohibited discrimination grounds. J.-city council provided an objective explanation of the circumstances of granting the present residential space and the further steps to be taken in order for this family to receive a bigger apartment. Taking this information into account, the investigation into the case was closed by the Ombudsman's Office. |
| Case title | Nr.2008-317-26A |
| Decision date | 28.08.2008. |
| Reference details (type and title of court/body; in original language and English [official translation, if available]) | Tiesībsarga birojs/ the Ombudsman's Office |
| Key facts of the case (max. 500 chars) | The case concerns alleged violation of discrimination prohibition on the ground of ethnicity. The applicant S.H. stated that he is a person without certain place of residence and at the moment he is staying at his relative's place. Therefore, S.H. contacted the Social Department of the Zemgale district of the City of Riga (here forth – Social Department) and the Shelter requesting housing assistance. The applicant alleges the Social Department rejected his request and said that He should earn money and buy an apartment himself. S.H. believes that the refusal and the attitude of the Social Department in general were motivated by the fact that he is Roma. |
| Main reasoning/argumentation (max. 500 chars) | Investigation of possible violation of prohibition of discrimination, as stipulated in the UNO International Covenant on Economic, Social and Cultural Rights, the Framework Convention for the Protection of National Minorities, UNO Universal Declaration of Human Rights, the EU Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. The prohibition of discrimination is stipulated in Article 91 of the Constitution of the Republic of Latvia, which determines: 'All human beings in Latvia shall be equal before the law and the courts. Human rights shall be realised without discrimination |

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| | <p>of any kind'. The prohibition of discrimination in the field of social security is regulated by Article 2.1 of the Law on Social Security, which stipulates that: 'in provision of social services, differential treatment is prohibited on the grounds of a person's race, ethnic affiliation, skin colour, gender, age, disability, health status, religious, political or other persuasion, national or social origin, financial or family status or other circumstances' and requested information about the case'.</p> |
| <p>Key issues (concepts, interpretations) clarified by the case (max. 500 chars)</p> | <p>In order to investigate the case objectively, the Ombudsman contacted the Social Department and the Shelter. The Social Department stated that S.H. did not register (emphasis in original – transl.) as a client with the Social Department of the Zemgale district of the City of Riga, thus the Department does not have data about S.H. and is unable to provide any information according to the Ombudsman's request. The Shelter stated that it provides its service in compliance with legislation. The Shelter can refuse to provide its services in the following cases:</p> <ol style="list-style-type: none"> 1) if there are no vacant places in the specific section (male, female, family); 2) if the person seeking assistance is under the influence of alcohol, drugs or other substances; 3) if the client was expelled from the Shelter because of violations, he/she is eligible to use its services again after a six month period. <p>In addition, the Shelter stated that its services are used by clients of various ethnicities, including Roma. Employees of the Shelter are informed about discrimination prohibition and take it into account in their everyday work.</p> |
| <p>Results (sanctions) and key consequences or implications of the case (max. 500 chars)</p> | <p>Upon receiving the answers and analyzing the information, the Ombudsman concluded that there was no unjustified, differential treatment against the applicant on the ground of Roma ethnicity and the service was refused on objective reasons.</p> |

3.3. Annex 3 – Bibliography

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