"The authorities create ghettos and then complain that there are problems; but if Roma apply for rental housing, the municipality offers them only housing in a ghetto."

**KEY RESULTS**

**Discrimination, low awareness of laws, gross underreporting**

Roma’s experiences of discrimination in relation to housing in the past five years vary considerably across Member States.²

<table>
<thead>
<tr>
<th>Experiences of discrimination in housing in the last five years (%)³</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country</td>
</tr>
<tr>
<td>--------</td>
</tr>
<tr>
<td>EL</td>
</tr>
<tr>
<td>HU</td>
</tr>
<tr>
<td>CZ</td>
</tr>
<tr>
<td>PL</td>
</tr>
<tr>
<td>SK</td>
</tr>
<tr>
<td>RO</td>
</tr>
<tr>
<td>BG</td>
</tr>
</tbody>
</table>

¹ Interview with a Roma respondent, 03.04.2009. FRA (2009): Case study: Living Together, Czech Republic
² FRA’s Minorities and Discrimination survey (EU-MIDIS). Research on Roma was carried out in 7 EU Member States (BG, CS, EL, HU, PL, RO, SK). See [http://fra.europa.eu/eu-midis](http://fra.europa.eu/eu-midis)
³ "when looking for a house or apartment to rent or buy by people working in a public housing agency, or by a private landlord or agency"
Low awareness of laws

Awareness of laws prohibiting discrimination when renting or buying a flat

<table>
<thead>
<tr>
<th>Country</th>
<th>Yes, such a law exists</th>
<th>No, there is no such law</th>
<th>Don’t know/No opinion</th>
<th>Refused</th>
</tr>
</thead>
<tbody>
<tr>
<td>CZ</td>
<td>36</td>
<td>45</td>
<td>18</td>
<td></td>
</tr>
<tr>
<td>PL</td>
<td>33</td>
<td>28</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>HU</td>
<td>32</td>
<td>47</td>
<td>21</td>
<td></td>
</tr>
<tr>
<td>SK</td>
<td>28</td>
<td>48</td>
<td>24</td>
<td></td>
</tr>
<tr>
<td>BG</td>
<td>24</td>
<td>38</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>RO</td>
<td>24</td>
<td>35</td>
<td>34</td>
<td></td>
</tr>
<tr>
<td>EL</td>
<td>13</td>
<td>85</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>27</td>
<td>47</td>
<td>23</td>
<td></td>
</tr>
</tbody>
</table>

Only a quarter (27 %) of all Roma respondents knew that laws exist that prohibit discrimination in relation to ethnicity when securing housing.

Gross underreporting of discrimination

In spite of high discrimination rates, only approximately 550 housing-related complaints were filed by Roma with equality bodies or Ombudsperson Offices in the EU between 2000 and 2009. Research shows that only 11.5% of affected Roma reported such incidents to the relevant organisations.⁴

Reasons for under-reporting discrimination (%)

<table>
<thead>
<tr>
<th>Reason</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nothing would happen</td>
<td>71</td>
</tr>
<tr>
<td>Unsure how to report</td>
<td>41</td>
</tr>
<tr>
<td>Concern about consequences</td>
<td>26</td>
</tr>
<tr>
<td>Not worth mentioning</td>
<td>20</td>
</tr>
<tr>
<td>Fear of intimidation</td>
<td>16</td>
</tr>
</tbody>
</table>

⁴ FRA: EU- MIDIS survey
Based on the findings of its report, the Agency advises:

- Member States should intensify their efforts to raise awareness and disseminate information regarding anti-discrimination legislation and the possibilities for redress.
- Member States should ensure that the specialised bodies, e.g. equality bodies, are properly resourced so as to be able to perform their important function effectively.

**Good practice: Enforcement of anti-discrimination legislation**

In Finland, the National Discrimination Tribunal imposed a conditional fine of 2,000 EUR to a property company in the city of Raahë in January 2008. The company had agreed to rent an apartment to a Roma applicant only on the condition that the Social Services of Raahë act as a guarantor for the lease. The Tribunal found that this was not a standard procedure with regards to members of the majority population in similar situations. Accordingly, the Tribunal found that the property company had treated the applicant in a discriminatory manner on grounds of ethnic origin.5

**Poor housing conditions and residential segregation have a negative impact on education, employment and health**

Although housing is only one dimension of the current situation of Roma, housing inequalities are one of the most visible signs of social exclusion. Residential segregation determines other aspects of life, such as access to education, employment, health or welfare services.

- Roma children of families who are exposed to forced evictions will have great difficulties in attending school.
- Those living in secluded settlements are most likely to attend segregated schools.
- Roma living in segregated communities or in substandard conditions have only limited access to public services and social networks.
- Living in segregated areas makes it more difficult to find work and to get to work (i.e. no or bad public transport links).
- Substandard living conditions have severe consequences on health, particularly for women and children.

**The Agency advises:**

- Member States should ensure that Roma and Traveller housing is affordable, habitable and accessible. They must provide, without delay, potable water, electricity, waste removal, public transportation, road provision and other infrastructure to Romani settlements and Traveller sites.
- Member States should ensure participation of Roma and Travellers in developing new housing plans affecting them.

5 http://www.intermin.fi/intermin/hankkeet/sltk/home.nsf/PFBD/A85FDCAD7E5D1774C22573DA0049%208F0?opendocument
Member States should address policies and trends - public as well as private - which can give rise to racial segregation at the housing market.

Member States should prevent and prohibit any nationwide, regional, or local policies or initiatives aimed at settling or resettling Roma in inappropriate sites and hazardous areas, or aimed at relegating them to such areas on account of their ethnicity.

The EU Commission should link the use of European Union Structural Funds with the implementation of equal opportunity and desegregation plans in housing.

**Good practice: Improving employment through housing integration**

Through the programme of the Institute for Re-housing and Social Integration (IRSI), the Madrid Community aims to eliminate slums by moving dwellers into integrated accommodation rented from the Institute. The programme accompanies the participating families in their social integration. Since 1999, over 5,000 Roma have found employment through the Institute. A regular income through employment is crucial for the successful integration of the families.\(^6\)

**Forced evictions of Roma should be stopped**

Roma and Travellers living in informal settlements have no security of tenure and are particularly vulnerable to forced evictions. There are instances of forced evictions en masse of Roma from municipal accommodation, including evictions of Roma who are regular rent payers, evictions without prior notice, evictions without genuine consultation with the affected communities, and evictions involving police violence and destruction of personal property. There are many cases where authorities fail to provide alternative housing and/or adequate compensation for expropriation. There is a severe lack of official systematic data regarding the number of evictions from informal accommodation affecting Roma and Travellers.

*The Agency advises:*

- Member States should ensure that legislation strictly defines the procedures for lawful evictions. Such legislation must comply with international human rights standards, to control strictly the circumstances in which evictions are carried out. In the case of lawful evictions, Roma must be provided with appropriate alternative accommodation.
- Measures should include consultation with the community or individuals concerned, reasonable notice, a guarantee that the eviction will be carried out in a reasonable manner, effective legal remedies, and free or low cost legal assistance for the persons concerned. The offered alternative housing should not result in further segregation.

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\(^6\) FRA (2009) Case Study: Improving Roma Housing and eliminating slums, Spain
Good practice: Manual on Roma housing rights

The European Roma Rights Centre (ERRC), in cooperation with the Centre on Housing Rights and Evictions (COHRE) and the Milan Simecka Foundation (MSF) developed a resource manual on Roma housing rights. The manual provides information about the various components of the right to adequate housing and economic and social rights.

Lack of data, lack of monitoring mechanisms

Lack of ethnically disaggregated data, restricted financial resources, lack of monitoring/impact assessment mechanisms and the ‘deficit of accountability’ on the part of the regional and local authorities are the main factors that hamstring the Roma and Traveller housing-related initiatives and policies throughout the European Union.

The Agency advises:

- Member States should provide for the regular collection of relevant, ethnically disaggregated data, regarding the housing situation of Roma and Travellers. The collection of such data must be accompanied by all necessary safeguards, laid down, inter alia, by the EU Data Protection Directive.
- Member States should ensure that the implementation of relevant action plans are adequately and independently monitored and assessed to provide useful feedback for follow-up action.
- Local authorities should be provided with all necessary resources and clear instructions regarding their role in the framework of the national action programmes for Roma and Traveller housing.
- The Committee of the Regions should explore a way how to facilitate exchange of good practice and steer discussion among its local authorities’ members on good practice in the area of Roma housing.
- The EU Platform for Roma Inclusion should prioritise housing during its upcoming meetings in 2010.

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7 [http://www.errc.org/db/00/B1/m000000B1.doc](http://www.errc.org/db/00/B1/m000000B1.doc)
8 [http://www.errc.org/](http://www.errc.org/)
10 [http://www.nadaciamilanasimecku.sk/](http://www.nadaciamilanasimecku.sk/)
11 Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data.
Background to the report:
In December 2007 the European Commission asked the European Union Agency for Fundamental Rights (FRA) to develop a comparative report on the situation of Roma and Travellers across the European Union. In response, the FRA decided to focus on the housing situation, after consultation with relevant actors, including the European Commission and the Council of Europe.
In parallel, the FRA undertook a survey on the discrimination of minorities (EU MIDIS). A first report on the discrimination of Roma was published in April 2009 (http://fra.europa.eu/eu-midis). The specific report on discrimination of Roma in access to housing is presented in parallel with the new FRA report on Roma Housing.

Background on Roma:
The term “Roma” is used as an umbrella term including groups of people who share more or less similar cultural characteristics and a history of persistent marginalisation in European societies, such as the Roma, Sinti, Travellers, Ashkali, and Kalé etc. The number of Roma in the European Union is based on estimates, as there is a lack of data at national level. According to these estimates, there are some 10 million Roma living in the EU. Seen the lack of official data, the FRA calls on governments to start collecting disaggregated data, taking into account the sensitivity of collecting data on ethnic populations.

Background on relevant EU legislation:
Legislation prohibiting discrimination: Roma are fully covered by EU legislation which prohibits discrimination on grounds of ethnic origin in employment, social protection and education as well as access to goods and services, including housing. (Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, adopted 29 June 2000, Official Journal L 180, 19/07/2000 P. 0022 – 0026). This legislation is already implemented and binding in each Member State.
Legislation against hate speech or violent attacks: The EU’s Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law (Council documents 16771/07, 16771/07 COR 4, and 16351/1/08) prohibits the incitation of violence or hatred directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin. This legislation has to be implemented in the Member States by November 2010.

The FRA reports are available from: http://fra.europa.eu

For further questions please contact Ms Heller at the FRA Media Team:
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Tel.: +43 1 58030-642

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12 The FRA is aware of the debate regarding the use of the term “Roma”, and it has no intention to “assimilate” the members of these other groups to the Roma themselves in cultural terms.