



ROMA INTEGRATION 2020
Regional Cooperation Council

“Comparative housing legal analysis”

**REGIONAL CONFERENCE: “HOLISTIC APPROACH TO HOUSING FOR
ROMA IN THE ENLARGEMENT REGION”**

Bar, 31 May 2018





Main Concepts

- Social Housing
- Non-profit housing
- Holistic approach to social housing
- Roma settlement



2017 Regional Roma Survey Data

	Albania	Bosna and Herzegovina	Kosovo*	Montenegro	Serbia	The former Yugoslav Republic of Macedonia
NEET - Not in Employment Education or Training (18-24)	78%	93% (women)	78%	82%	75%	81% woman 57% Male
Women Employment Rate		4%	4%	3%	9%	13%
Reported Severe Material Deprivation	93%	85%	84%	94%	83%	87%
Piped Water	48%	87%	85%	72%	79%	90%
Toilet	50%	84%	79%	61%	69%	74%
Public Sewerage	74%	70%	75%	55%	62%	84%

*This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

Evictions:

- **Covering Evictions Comprehensively in Laws on Housing**
- Explicit Reasons
- Clear mechanisms for deciding on and Implementation of evictions
- Human Rights Standards
- Vulnerable Group Considerations (Specific approach for vulnerable groups / Roma)



Considerations before evictions:

- **'Public interest' and 'minimizing evictions' goals offset**
 - Legal Guarantees to minimize evictions during 'public interest' projects (consultations, alternative proposals, participation in decision making)
 - Alternative proposals - realistic possibility?
 - Relocating as close as possible to previous place of residence
- **Tool: Eviction-impact assessment (activates social housing laws)**

Evictions:

- **Comprehensive relocation package**
 - Individualized approach - different needs of households being evicted
 - Specific targeted approach for vulnerable groups including Roma
 - Legally defined contents of relocation plans
- **Assessing long-term impact of evictions**
 - Data Collection (including improperly carried out evictions, recorded statements)
 - Qualitative assessment of long-term impact and quality of life
 - Seeking long-term strategies to redress the issue (social housing)



Legalization:

- Legal gaps - comprehensively cover real legalization situations
- Specifically target vulnerable groups and Roma:
 - Lower legalization costs (geodetic elaborate, space utilization fee)
 - Various types of support
 - Reconstruction of housing units - promising solution
 - Infrastructure works
- Legalization - not at expense of services
- Need for long-term legalization strategy (after mapping)





Social Housing:

- **Increasing legal guarantees for Roma**
 - Public vs. social housing
 - Income portion spent on housing
 - **PRIORITIZING ROMA (quotas and scoring system, holistic Roma targeted social housing projects)**
 - Harmonizing Roma integration policies with national housing programmes and budgets





Social Housing:

- **Social Housing Contract Content**
 - Stipulated by laws
 - Exemptions from automatic termination of lease contracts
 - Anti-discrimination provisions



Long-term Needs:

- **Increasing funding and housing stock / Supply Side Housing**
 - Use empty housing stock
 - More funding from own resources
 - Legalization of informal rental market
 - Examples: Specific funding schemes (private-public partnerships, social responsibility)
 - Budgetary Guarantees for Roma housing policies / Programme Budgeting
- **Central-Local level (vertical) coordination**
 - Assessing local level capacities to implement housing initiatives
 - Capacity Building
 - Transitional period - Define cases where central level assists local



Long-term Needs:

- Holistic Approach in Housing Policies (reassess adequacy of existing types of services)
- Interinstitutional Cooperation and mechanisms for implementation of individualized empowerment and integration approach
- Implementing body/ies with clear mandate and sufficient funds and human resources
- Clear accountability





Horizontal Issues:

- **Prioritization and Funding**
- Minimum standard of adequate housing (guaranteed by law)
- Simplified administrative procedures - One stop shop for housing policies
- Lack of Roma Participation in decision making
- Free legal aid (guarantee and offer)
- Including and operationalizing anti-discrimination provisions
- Monitoring of success of policies / Long-term strategy
- Draw from existing experiences for new approach