



## IMPROVING ACCESS TO HOUSING FOR ROMA: GOOD LOCAL PRACTICES, FUNDING AND LEGISLATION.

PRAGUE: 2-4 FEBRUARY 2011

# CONFERENCE REPORT

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# 1. Executive summary

## 1.1 Background

From the 2<sup>nd</sup> to the 4<sup>th</sup> of February 2011 more than 120 participants from across Europe gathered in Prague for an international conference on “Improving access to Housing for Roma. The conference was organised by the Czech Presidency of the Decade of Roma Inclusion, the EU Agency for Fundamental Rights, the Open Society Fund Prague and the Decade of Roma Inclusion Secretariat. The conference was held within the framework of the Czech Presidency of the Decade of Roma Inclusion and supported by the Czech Ministry of Regional Development.

The conference brought together a diverse pool of participants representing governments of the Decade of Roma Inclusion; civil society organizations, the European Commission, the OHCHR, the Council of Europe, the World Bank, the UNDP; representatives of private sector, banks, academics and experts and others. The Local Government and Service Reform Initiative (LGI) of the Open Society Institute and the Metropolitan Research Institute organised specific workshops (Please see agenda enclosed).

The participants at this conference have shared a strong commitment to advancing policies and projects aimed at improving the housing situation of marginalized Roma and Traveller communities in Europe.<sup>1</sup> Many Roma experience limited access to adequate housing because of a series of structural obstacles, including discrimination, unemployment and poverty. Improving access to housing is a key objective in a broader social inclusion agenda. To address the issue governments have taken policy initiatives in various fields and in various forms. The participants of this conference enjoyed the unique opportunity to compare across countries and across policy fields and learn from each other. They discussed, clarified and specified their common goals and shared experiences. Moreover, through a series of intensive workshops they were given the opportunity to compare specific national and regional policy frameworks and projects. They identified obstacles to success as well as shaped new and realistic strategies for overcoming them.

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<sup>1</sup> The term “Roma” serves here as an umbrella term to cover a variety of people from different cultural and national backgrounds. Not only those who call themselves Roma are included, also people who use self-designations such as Sinti, Kale, Gypsies, Gens du Voyage and related names.

This conference has been part of a larger and ongoing effort by various key actors to make housing a priority within the overall agenda of Roma inclusion, which relies on human rights, social inclusion and urban development approaches. Among the most notable signs of this larger international effort are: the initiative of the Decade of Roma Inclusion and its individual partners to address housing as one of the four priority areas requiring targeted programming by national governments;<sup>2</sup> the initiatives of various EU institutions to draw attention to housing in the context of the EU's growing focus on Roma inclusion,<sup>3</sup> the activities of the Council of Europe,<sup>4</sup> and the ongoing work on Roma on this topic published by the European Union Agency for Fundamental Rights and the European Parliament.<sup>5</sup>

## 1.2 Main objectives and themes of the conference

The main objectives of the conference were:

- (1) Raising attention to the importance of housing policies and projects in the social inclusion agenda of governments and organisations. Different strategies and instruments can be employed to improve housing conditions for Roma. National plans for social inclusion in general as well as policy plans specifically devoted to Roma inclusion should contain specific provisions related to strategies and instruments for better housing.
- (2) Fostering information exchange and the establishment of structural contacts between policymakers and a variety of stakeholders, including Romani organizations, international and national NGOs, managing

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<sup>2</sup> See <http://www.romadecade.org>

<sup>3</sup> See, <http://ec.europa.eu/social/main.jsp?catId=518&langId=en>. For a key publication see, European Commission (2010), *Improving the tools for the social inclusion and non-discrimination of Roma in the EU – Report*, Luxembourg: Publications Office of the European Union.

<sup>4</sup> In particular Council of Europe Recommendation Rec.(2005)4 on improving the housing conditions of Roma and Travellers in Europe adopted by the Committee of Ministers on 23 February 2005 at the 916th meeting of the Ministers' Deputies.

<sup>5</sup> For FRA publications, see <http://fra.europa.eu>. A key publication is: European Union Agency for Fundamental Rights (2009), *Housing conditions of Roma and Travellers in the European Union*, Luxembourg: Publications Office of the European Union. Recent key reports by the European Parliament include: W. Bartlett, R. Benini and C. Gordon (2011), *Measures to Promote the Situation of Roma EU Citizens in the European Union*, available at <http://www.europarl.europa.eu/studies>; L. Járóka (2011), *Report on the EU strategy on Roma inclusion (2010/2276(INI))*, available at <http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&mode=XML&reference=A7-2011-0043&language=EN>.

authorities and potential beneficiaries of European funding. Through the establishment of new partnerships more sustainable policies can be developed.

(3) Providing inspiration for new and innovative strategies for implementing housing policies and projects through a detailed exploration of good and bad practices in various Member States of the Decade of Roma inclusion.

(4) Fostering discussion about the standards for the use of ERDF funds for improving the housing situation of the Roma.

(5) Generating practical recommendations for international policymakers, implementing agencies and NGOs.

Four *general themes* interlinked the various panels and workshops.

(1) *Housing as a fundamental right and as a tool for social inclusion*

Adequate housing is not simply about building a shelter and having a roof over one's head. It is in large part about the broader socio-economic environment in which people live. An adequate housing situation can be recognized not only by the fact that people who live in it can enjoy accommodations of good material quality - be it in the form of a house, an apartment, an encampment or a caravan - but also that their accommodations are affordable, situated in a healthy environment and guarantee access to public utilities and services. Moreover, adequate housing fosters social inclusion because it improves its inhabitants' access to an environment of new economic and social resources and opportunities. Inhabitants should not be cut off from mainstream educational institutions and from places of mainstream social life, their rights as tenants should be protected, they should have access to subsidized housing on the basis of non-discriminatory criteria, and their housing should not bar them from equal chances for participation in the labour market. Inhabitants should have the same rights and duties as their fellow citizens and they have sufficient opportunities to establish contact and engage in relationships with people from various socio-economic, cultural and/or linguistic backgrounds.

(2) *The need for an adequate policy framework*

There are various international *legal instruments* - ranging from the International Covenant on Economic, Social and Cultural Rights (ICESCR) to the EU Directive 2000/43/EC implementing the principal of equal treatment

between persons irrespective of racial and ethnic origin – that can be mobilized to ensure adequate housing as a fundamental right for marginalized Roma in Europe. However, besides legal regulations, strong *policy frameworks* are needed to move from legal principals to real experiences. In the context of the EU some notable initiatives have been taken to motivate Member States to engage in new policy initiatives. These initiatives include the creation of a Roma Task Force to assess the Member States' use of EU funding with regard to the social and economic integration of the Roma and the promotion of the Open Method of Coordination as a means to induce national policies on Roma inclusion. In response to such initiatives several Member States have come up with national action plans, measures and instruments that are meant to actively promote the position of the Roma in their societies. Furthermore, it is the purpose of the Decade for Roma Inclusion to give special impetus to new integrated and comprehensive policy plans aimed at combating discrimination and fostering the socio-economic inclusion of the Roma. Other international organisations, such as the OHCHR, OSCE and the Council of Europe, have also issued recommendations and viewpoints concerning access to housing and implementation of right to housing in practice. The interconnection of adequate policy frameworks from the European to the local level is essential for achieving a more effective implementation of policies and for ensuring a lasting impact on the situation of the Roma.

### *(3) The need for innovative strategies and new partnerships*

The move from adequate legislation and policies to a better situation on the ground will not happen automatically. There is a need for innovative strategies and new partnerships that will set this process into motion. There is a lot to be learned from existing success stories, but many of the participants have noted that it is not enough to have a compendium of good practices with indications of transferability. Innovative strategies often require new and creative thinking on the basis of a good analysis of the particulars of the local situation and local political dynamics. Often it is also important to take into account new partners from, for example, the business and financial sector. These strategies should not only be aimed at the marginalised but also at the community at large, thus making anti-discrimination and the fostering of social diversity vital components of these strategies. Participants at this conference have repeatedly made the argument that the effective implementation of policy plans is in large part dependent on the presence of politicians who are dedicated to this cause at the national, regional and local level. Hence also the importance attached to strategies that may foster such a political will.

#### *(4) Promoting the use of EU structural funds*

The opportunities for using European structural funds to improve the housing situation of the Roma have significantly increased in recent times. For this reason working groups 3 and 7 were specifically devoted to the issue. Particularly important for this conference has been the recent decision of the Council of the EU that allows the extension of financial support from the European Regional Development Fund (ERDF) for housing interventions for extremely poor and marginalised communities. Under the previously existing ERDF rules, housing interventions were only allowed in the context of urban development and for the renovation of existing housing. This excluded many of the poorest communities, such as Roma. Regulation No 437/2010 of the European Parliament and of the Council of 19 May 2010 amends art. 7(2) of Regulation (EC) No 1080/2006 on the ERDF as regards the eligibility of housing interventions in favour of marginalised communities.

### **1.3 Main conclusions from the plenary sessions**

- o Various speakers emphasized the necessity of new housing policies and interventions. All over Europe Roma and Traveller communities tend to suffer from relatively low standards of housing. This includes inadequate housing in unsafe, overcrowded areas, where there is limited access to public utilities and services, frequently in urban slums or isolated ghettos in rural areas. Often the areas where they live are characterized by low-quality infrastructure. In many cases Roma and Travellers have to live in segregated areas where they become even more socially marginalised. Since many housing interventions are currently being implemented there is an increasing body of documentation on existing housing interventions. Conclusions should be drawn from that documentation about what works and what does not work. The time has come to scale up successful pilot projects.
- o Access to adequate housing is a fundamental right. Simultaneously, providing access to such housing is a task that should be seen as part of a broader policy agenda on socio-economic inclusion. Housing determines the quality of life of the inhabitants. Bad quality housing affects health. Remotely located housing affects opportunities to work, to go to school, and to go to a doctor. Segregated housing perpetuates prejudice, intolerance and alienation between communities.
- o Policies aimed at improving housing for Roma should not be merely focused on poverty reduction among Roma; it should include anti-discrimination strategies

aimed at the population at large. Moreover, measures to improve the housing of the Roma should go in conjunction with initiatives promoting their social inclusion through education and employment policies.

- o Various speakers emphasized the importance of desegregation policies. However, as was also further discussed during the working group on housing and conflict, housing interventions aimed at desegregation must be planned very carefully in order not to create any negative knock-on effects on the position of non-Roma and non-marginalized communities.
- o The role of the European institutions is to promote standards for adequate housing. In addition, the European Commission wants to offer a policy and financial framework for fostering Roma inclusion, while it continues to emphasize that the responsibility for ensuring this inclusion lies with the Member States.
- o Speakers encouraged the use of the EU structural funds for the improvement of housing for Roma as well as for building new houses of good quality and with appropriate access to services and utilities.
- o EU funding through the ERDF should be seen as a tool for community organization. Now that the regulation enables using ERDF for housing, Member States should take advantage of this. In the implementation regulation for article 7(2) of the ERDF two forms of conditionality have been included: (1) it is now impossible to use the structural funds merely for housing renovation; in order to be funded a project has to possess an additional element of community development; (2) ERDF cannot be used to fund segregated housing.
- o Roma participation is a key element in policymaking on housing for Roma. It is important to include the Roma in initiatives that concern them. This will allow the Roma to become more self-sufficient and might change negative public opinion in the society at large.
- o In various countries the implementation of housing policies is part of the responsibility of regional and local authorities. Policy implementation and housing interventions need to be followed up through the active involvement of local and regional governments. Whatever good intentions exist in Member States at national level in trying to improve the housing situation of Roma, the overall impact will be limited if at the same time Roma are constantly evicted at the local level.

- o It is important to foster the political will at the national and the local level. Often there is a lack of political will among politicians at the national level or the local level because they seek short-term (electoral) gain. Such short-term gain, however, will only lead to more problems among communities in the long-term. Instead the benefits of Roma inclusion should be emphasized. Civil society organizations as well as civil servants on all levels of administration should help to raise politicians' awareness, persuade them of the need for such a long-term view, and press for an increased political decisiveness to develop inclusive communities.
- o There is a need for new schemes for social and affordable housing, especially in the new EU Member States. Building new massive social housing estates is not an option; it would bring back the mistakes of the past: segregated neighbourhoods, passive clients and corruption. New social housing strategies should start from a multi-track approach. They should aim at the social inclusion of the poor as well as improved cooperation with the market via a diversity of housing policy tools.
- o There is a need for more examples of good practice. NGOs, independent experts and governmental actors should help to identify criteria to define what housing policies and measures can be regarded as a good practice or, on the contrary, which measures have led to failure.

#### **1. 4. Main conclusions from the working groups**

##### (1) The practical application of anti-discrimination legislation

- o Every housing intervention will need to be based on legal and policy frameworks that take into account the fact that the right to housing is a fundamental right and that the issue of access to housing has a *multifaceted* character. Several speakers have pointed out that the issue of housing is to be located at conjunction of various legal and policy domains.
- o The current legal and policy frameworks often do not create many opportunities for *enforcement*. There is a need to find ways to deal with this state of affairs. For example, Decade Member States are advised to find ways to push local authorities to introduce new policies or to comply with existing legal frameworks.
- o There is a need for structural communication and cooperation between national equality bodies, local authorities, local community representatives, and Roma representatives. For that purpose equality bodies should be trained. Outcomes of housing interventions tend to be more positive when there are *well-functioning and established forms of cooperation* between various institutions at local and



national level, including Roma NGOs, equality bodies, local authorities, the private sector and national level authorities.

## (2) Housing and conflict

- o What a house *does* is more important than what it *is*. Improving housing is primarily not about building houses but about creating a place that would support sustainable livelihoods.
- o Policies for improving Roma housing conditions should take very seriously into account the relation between the Roma and other communities. They should involve *both the majority and minority population*. Success in improving access to housing is primarily about building consensus within the community at large. Policies should not aim in the first place at building new houses but at fostering a sense of belonging among entire communities
- o It is important to know which interventions have already produced positive outcomes. Innovation is embedded in looking back to what has worked and ensuring the context is present for these methods to take root. It is crucial to recognize *the value of local knowledge*. Local planners and architects must not only start from their own theories, but work in partnership with the target population. Successful projects do not only consider buildings but also social capital.

## (3) Making ERDF available for financing housing for marginalized communities

- o ERDF excludes the possibility of investing in projects that reinforce the spatial segregation, isolation, and exclusion of Roma. It will be crucial to find strategies to deal with existing situations of segregation in cases where desegregation cannot be swiftly accomplished.
- o It is essential to include the use of article 7 as a core component in future National Roma Inclusion Strategies and promote its implementation with local level authorities.
- o Skilled, experienced and motivated NGOs and pilot projects are present in all the countries. For this reason EU funds can and should be used to support the further development of successful pilot projects in the current financing period.
- o ERDF support should be mobilized to promote encompassing and multifaceted plans for interventions (starting from an 'integrated approach') in favour of Roma

communities and also wider local communities, in partnership with the main actors and involving different forms of funding (EC, national, local).

- o Like in other housing projects, in initiatives that are supported by the ERDF the involvement of Roma communities is a key element, as is the involvement of the entire local community.
- o Building and renovating houses should be seen as only a 'small' part of any housing project, occurring mainly in the middle of the life cycle of the project. The challenge for national authorities is to allow enough flexibility for an integrated approach, which includes much more than simply the material element.
- o Projects have to address issues of labour market integration, education, health and housing in a simultaneous manner in order to achieve results. Evidence shows that the synergy of successful interventions in all four fields can result in integration and results can be sustained with profound planning, decent methodology, and political commitment.

#### (4) Collaborative planning and mediating shared communities

- o Outcomes of housing interventions tend to be more positive when Roma are involved in participatory processes during the preparation of the intervention. A 'public space' for active participation and innovation will be available when *all parties are accepted as equals* and when there are direct implications of the results of the collaboration.
- o There should be a commitment on all levels about the necessity of consultation, inclusivity and taking into account the specificities of the local context.
- o Each meaningful intervention should begin with research *within* the community. Such action research should *access local knowledge* and help to formulate the methodology for more in-depth research as well as the development of an interactive mechanism that includes local authorities and political leaders. What will potentially spring from such an exchange will be common plans, decisions and transformations. They must produce democratic communities that are physically and socially characterized by collaboration between all citizens.

#### (5) Social housing

- o There is a need for a paradigm change in current debates about social housing policy. Policymakers as well as citizens often still understand social housing as low-quality residual public housing for the poorest part of society, often spatially

excluded. A new understanding of social housing could be realized and promoted by implementing policy interventions that focus on making adequate and high-quality housing affordable for low income families.

- o Social housing policies should include home ownership programmes and take into account income issues; inspiration could be drawn from the development sector.
- o Not only the lack of financial capacity of local governments is to be blamed for the current failure, success in social housing is also dependent on political will. In addition, NGOs that are at work in housing interventions should be better funded, but their independence should also be secured.

(6) Good practices in improving the access of Roma to housing in urban and rural areas

- o Although it is hard to find examples of interventions that are unambiguously good, it is important to learn from specific pilot projects and key cases that in large part can be considered successful.
- o It is important to disseminate detailed knowledge about “how things are done” in specific pilot projects and key cases to a broad array of actors, on national, international as well as the local level.
- o Although housing projects must start from human rights principles, the concrete implementation will benefit from a *dialogue* about various sets of principles and methods between all the residents of a given geographical area.
- o In future discussions and conferences on Roma, it will important to increase the involvement of new groups of stakeholders such as local authorities and representatives from the business and financial sector.

## 2. Full proceedings

### 2.1 Contributions from the plenary session

Note:

Videos from the following speeches and presentations are available on this link:  
[http://www.romea.cz/english/index.php?id=detail&detail=2007\\_2132](http://www.romea.cz/english/index.php?id=detail&detail=2007_2132)

#### **Ing. Miroslav Kalous (Deputy Minister of Regional Development)**

##### **[summary]**

*The Ministry for Regional Development (MRD) is the administrator of housing policy and housing in Czech Republic, and we understand housing in its entire complexity as one of the key priorities, not only ours but also of the government. I am talking about the whole complex nature of it because in every society groups exist that are able to secure their housing, and groups who, for objective reasons, are not able to secure it. And I am convinced that it is the duty of the state and municipalities to help these people, of course, within the economic possibilities. But I think economic help is not enough, the help with motivation is of same importance as the subsidy. This is why I am very happy the six pilot projects have been realized, some of which will be touched upon later today.*

*The MRD does not target its support to ethnically defined groups. We think everybody can have this economic problem. In the current Czech Republic we estimate there exist about 300 socially excluded localities. If I talk about locality, it ranges from one house to whole housing estate. Many of you will know personally some of the examples.*

*We deal with spatial segregation, eroded environment, devastation. And, of course, the result is that people lose their motivation to take care of their houses. Within the pyramid of human needs housing remains at the same level as food and beverages. I think this is logical. If someone does not have a place to live, he will not be interested so much in education, he will not want to get educated, and will lack motivation. This is why we are trying to realize projects as part of the Integrated Program of Urban Development. These are the pilot projects that I already talked about. Their aim is not only to build houses as such, but to motivate those who will live in the refurbished or newly constructed flats so that they want to help with the construction to value what they acquire. So that they can establish a new relationship towards the new property. The work is long and exhausting but I am convinced it is the only right way. We should not only offer money for houses, but also work with people.*

*The refurbished houses in Ostrava and elsewhere in the CR can serve as examples. I recommend to those who are interested to go and visit them.*

*The MRD realizes one of many projects in the realm of social support, but this particular example is probably the most interesting one: support for the construction of entry flats. These flats are intended for low income groups and are meant for socially excluded localities, Roma localities. This year we made introduced a new element: the grants are not limited to municipalities, but can be made available to private persons and to private investors. We*

*think it is necessary to bring private investors into the construction of social flats, to show that these projects can be economically interesting. It is possible to motivate the private sector to engage in the construction of such flats.*

*It is also true, on the other hand, that our possibilities are limited by the state budget, and they are, due to the global crisis, particularly limited now. However, we strive to adjust the model in such a way that we are able to provide at least an elementary rate of security in the longer term to those who want to plan their lives and who need the help of the state. I think that a sense of security and safety is key, and housing is synonym for security and safety.*

### **Frisco Roskam-Abbing (FRA)**

#### **[full speech]**

Ladies and Gentlemen,

Enjoyment of affordable, habitable, accessible and culturally adequate housing is a fundamental right. It is guaranteed under the International Covenant on Economic Social and Cultural Rights, which binds all Member States of the EU, as well as the European Social Charter. The right to social and housing assistance is also recognised by Article 34 of the EU Charter of Fundamental Rights. A case decided by the Romanian National Council for Combating Discrimination in 2005 typifies some of the specific problems arising in this area. A group of Roma families were housed by a municipal authority on the site of a wastewater treatment facility on the outskirts of the city. They were given metallic shacks and wooden houses with electricity and running water. Two of the children died, and it was alleged that they had been poisoned by the toxic environment. Investigations revealed that this location had been chosen because of the opposition by the local population to other proposed sites. The mayor responded to the allegations saying that he was not interested in the health of Roma children. According to him, the Roma already had 'too many children'. On the contrary, the Roma should have been grateful because their electricity and water bills were being paid for by the municipality. A finding of discrimination was made and the municipality was ordered to pay a fine.

Ladies and Gentlemen,

Housing is intimately intertwined with one's quality of life. Bad quality housing affects our health. Remotely located housing affects our ability to go to work, to go to school, to go to a doctor. Segregated housing perpetuates prejudice, intolerance and fear between communities.

The consistent approach of the UN Committee on Economic, Social and Cultural Rights and the European Committee of Social Rights is that the right to housing is much more than just the right to a 'roof over one's head'. This was reiterated at the inter-governmental level in 2005 by a Recommendation of the Committee of Ministers of the Council of Europe on the housing conditions of Roma and Travellers in Europe. To quote the UN Committee, it is 'the

right to live somewhere in security, peace and dignity.' Allow me to focus on these three elements, also considered in the

light of the Fundamental Rights Agency's research findings on Roma and their right to housing.

1) Firstly, many Roma do not enjoy security. They are frequent victims of eviction carried out on a selective basis by both public and private landlords. Sometimes these evictions occur violently and target large numbers – especially in the case of informal settlements or camp sites. Security issues in access to housing emerge also within Romani communities, leading to one family taking advantage of another.

2) Secondly, many Roma are denied their chance to enjoy peace. Our research found that in the majority of Member States, Roma live in segregated communities, either alone or together with other minority groups in low quality housing. And this makes them easily identifiable targets for violent attacks as reported in Hungary, Italy, Northern Ireland and Romania.

3) Thirdly, many Roma are often denied the ability to live in dignity. Their accommodation is often remotely located, and not connected by public transport to vital services such as health care and education, or places of work. Often the infrastructure providing electricity, clean water, and sewage disposal is missing or only partial. And the quality of the buildings or shelter in which they live is substandard.

But ladies and gentlemen, there is nothing inevitable about this situation. The Fundamental Rights Agency conducted case studies of local and regional initiatives on Roma housing in six EU Member States, which are promising in setting examples of good practice. One of these inspiring projects called the 'Co-existence village', took place in Ostrava, here in the Czech Republic.

What did we learn from these case studies?

Because so many aspects of our lives are tied to our housing situation, improving housing equals the opportunity to improve quality of life in general. And the opposite is true also: A lack of adequate housing is usually one part of a bigger problem of social exclusion. Just by giving someone adequate accommodation, we do not solve joblessness, or a lack of formal qualifications or training, or exclusion from education. So a fully integrated approach is needed to create a sustainable and successful long-term solution.

I will identify four features of a fully integrated approach to housing:

- participation
- taking steps to shift the attitude of the local community
- support for education, training and employment, and
- inclusion of the majority population as beneficiaries

A first positive feature that was identified by our research is the participation of the target population group not just in designing the projects, but also in the physical

task of construction. My colleague Eva Sobotka will be speaking further on this later today.

A second positive feature is taking steps to shift local attitudes. So often we find that public opposition to Roma settlements has a decisive impact on their location. This was the case with my opening example. Again, during the construction of the Co-existence Village in Ostrava, those who were leading the project were very active in challenging stereotypes through the media. Here the municipal authority received two petitions against the Roma moving into the area. At the start of the project, a petition was received with 700 signatures. But a second petition was presented later, after extensive coverage of the project in the media. It gathered only 30 signatures, showing an important shift in local attitudes.

A third positive feature is the provision of support for getting residents into employment. In some cases this included vocational training, or support in how to write a CV or develop interview skills. Several of the case studies included this component, which is important in creating self-sufficiency and in guaranteeing that families have enough resources to pay their rent and bills and so avoid eviction. This goes hand in hand with educational support for children. In the Co-existence Village it was reported that because of pre-school and after school classes all of the Roma children entered the mainstream education system rather than being sent to special schools, which was the norm at the time.

A final important feature, which was present in the Co-existence Village, was that the housing project tackled a broader social, rather than a specifically Roma, problem. That is, Roma residents were housed in the village together with people from the majority population who were also considered to be in need. This has an important impact because it prevents resentment arising among the majority population that they are receiving less favourable treatment.

Ladies and Gentlemen,

I will end by setting out two challenges.

Firstly, while the case studies we examined are to be welcomed, they tended to be isolated projects that did not form part of a national approach. An important exception to this is Hungary where national funding for urban development is conditioned on anti-segregation plans.

Secondly, these types of project tend to be extremely high in cost relative to the numbers of people that they benefit. This means that all funding options have to be explored, including from the EU level, from charitable organisations and from private sources. It also means that the benefits of a fully integrated approach have to be viewed in the long term – it must be recognised that the cost can be justified in view of the important social changes that they can make.

Ladies and gentlemen,

the Roma face serious challenges to the enjoyment of their right to housing. But the way to overcome these obstacles is clearer than it was previously. Over the next two days we will have the chance to continue building approaches to improving access to housing for Roma,

and to move towards making the right to housing a reality.

### **Robert Basch (Open Society Fund, Prague)**

#### **[Summary]**

*Mr Basch welcomes the participants in name of the organizers and donor organizations. He argues that access to housing plays a key role in the inclusion of socially excluded Roma, but that it not often enough has been seen as such. More attention has been devoted to education and labour market issues. Public and private funds have neglected housing projects for Roma, and housing projects are not seen as crucial or necessary by the broader public. There are some moderate improvements in the Czech Republic. The Czech Agency for Social Inclusion and the Institute of Sociology of the Czech Academy of Sciences recently released a study on assisted housing. The ERDF can now be applied to housing for Roma. This conference should help to move these initiatives forward.*

### **Alexandros Tsolakis (DG Regio, European Commission)**

#### **[Summary]**

*Mr Tsolakis first makes a reference to the Coexistence Village project in Ostrava, the result of an initiative of civic organizations and local and national authorities to create a new type of housing for 30 poor families (Roma as well as non-Roma) who had lost their homes in the floods of 1997. This is an isolated project, which could be scaled up to a larger policy. Yet, the conditions for serious improvement in housing for Roma are not in place yet. The EU is now committed to the cause, which is a fairly new development. To about a year ago the European Commission was not convinced that it was necessary to be proactive on this matter. The Commission didn't want to give the impression that Roma are simply a European issue and not primarily the responsibility of the Member States. Now the Commission wants to offer a methodological and financial framework, still knowing that it is up to the Member States to take the necessary steps. The EU's influence on matters of housing, however, is limited: it can only use the structural funds to influence such domestic policy issues. More will have to happen on the level of the Member States. Practically all Member States have good ideas on paper, but there are no real policies with budgets attached and clear implementation plans, good data collection strategies and real evaluation procedures. Now is the time to move the issue forward and to think about the longer term. Housing itself is just a part of a bigger problem of social integration. We will need the necessary flexibility to adjust policies while they move on. Finally, Mr Tsolakis speaks about article 7(2) of the ERDF regulation, which targets marginalized communities. This is clearly an anti-poverty instrument; but Roma inclusion should not to be reduced anti-poverty. Anti-discrimination is just as important.*



**Raquel Rolnik (UN Special Rapporteur on Housing): Adequate housing as a component of the right to an adequate standard of living and the right to non-discrimination**

**[full speech]**

Deputy Minister of Regional Development,

Representative of the European Union Agency for Fundamental Rights,

Director of the Open Society Foundation,

Friends and colleagues involved in advocating, planning, lobbying and trying to face the challenge to promote real results on the ground within the framework of the decade for Roma inclusion. It is a real honour for me to participate in this Conference organized by the Decade for Roma Inclusion (2005-2015) under the current Presidency of the Czech Republic and the European Agency for Fundamental Rights (FRA).

In my tasks as Special Rapporteur on adequate housing, I have seen truly inhuman situations in different parts of the world, but one of the situations that struck me the most (and surprised me) is to see Roma settlements and neighborhoods in worse conditions than in other settlements for disadvantaged groups in Latin America, Africa or Asia, within Europe!! This comes to me as a surprise for several reasons.

First because we are talking about countries that have been the source of most of the human rights spread up today to the world – not only in their legal regimes but also in all their policies that (at least once) believed in the idea of universality of these principles.

Second, because, being a visitor to Europe, (before assuming my mandate) Roma were highly invisible in the public sphere, not an issue discussed in the political area nor seen in the very fabric of cities and villages. It is not just a coincidence that nobody I asked could then tell me how many Roma people lived in Europe or how many among them were living in harsh conditions. There has been very little attention given to a question that exists for a very long time and it is such an important human rights issue!

The enjoyment of the right to housing by Roma has been a focus of our attention as Special Rapporteurs since the establishment of the housing mandate in 2000. The interest of the mandate in this field responds to the large amount of information received and the concerns raised during our country visits regarding, among others, forced evictions and acts of discrimination against Roma populations in almost all the countries participating in the Decade. The situation in rural areas, with settlements often being segregated for generations, totally excluded and sometimes lacking access to the most basic infrastructure, is just one example of the concerns brought to our attention.

Over the last years we have also become aware of a worrying trend in several European countries where the housing situation of Roma in urban areas has been deteriorating. Thus, it has been registered with concern that urban Roma, who had been living in the midst of cities, are frequently exposed to forced evictions and new forms of segregation. Urban Roma suffer discrimination in access to privately owned rental housing on the market, often following the loss of previous tenancies in publicly owned buildings, for instance due

to privatization.

In 2009 and 2010, respectively, my attention increasingly focused on two critical issues: on one hand the impacts of the economic and financial crisis; and on the other hand the situation of migrant communities as regards their enjoyment of the right to adequate housing. In both I came across Roma housing issues.

Ladies and gentlemen

The financial and economic crisis, which was evidently triggered by problems in the housing sector in countries which experienced the “biggest bubble in history”, has had a secondary impact even on the housing situation in countries not directly affected by such a bubble. There were several mechanisms in which this negative effect on poorer people happened. First, the economic crisis with consequent loss of jobs and income affected the capacity of many families, who were already living on the limits of their financial capacity, to pay rent. In some countries, the situation

has been further aggravated by austerity measures, including drastic cuts in welfare benefits and in the area of social services. For communities already severely affected before the crisis by critical challenges in those areas, for example many Roma people and communities in Europe, these developments are having very serious effects.

In my report to the Human Rights Council in 2009, I looked at elements that explain the origins of the financial crisis in the housing market and showed how fundamental flaws of current economic and housing policies result in the inability of market and financial mechanisms to provide adequate and affordable housing for all. The implementation almost of a “one model first all” policy - the market (and in particular the financial markets), should be the solution for all - has been one of the fundamental errors : to consider housing only as a commodity and an investment asset, leaving the social and other value dimensions of housing aside.

The belief that markets could regulate the production of housing as the most rational means of resource allocation as well as the growing role of investment in housing under a globally integrated financial system has led public policies towards increasing State withdrawal. The result has been a significant reduction of national budgets and available public funds for housing as well as other state funded housing programs for the poor. State withdrawal from the provision of housing had several important consequences including the reduction of public house stocks and the rise in prices of housing with a detrimental impact on the most vulnerable sections of the population, which in this region of the world include a wide portion of Roma communities. When credit is available and a large amount of globalized financial capital seeks investment opportunities, the price of urban land grows. This results in segregated cities with, on the one hand, specific areas of the city for use by the wealthy or middle classes, and on the other hand, those that cannot afford to live in these areas are being pushed into slums or inadequate housing, living in areas with less or no basic services and too distant from their sources of livelihood.

Evictions are synonymous for many of destruction of possessions, threat to family stability, livelihoods, and access to basic services including schooling. Affected people also face the challenge of re-establishing a stable life and dealing with frequent breakdowns in family

relations as a consequence of the stress and economic challenges that are the result of homelessness. In addition to the physical and psychological trauma of eviction, households, especially women and children, and particularly those from communities with strong community linkages like Roma, lose the support systems they were used to and their relations with a community. The breaking of these social bonds and stability leads to many other problems.

Here, I must recall that the right to an adequate housing cannot be reduced to the physical quantity of a home or a shelter – is much more than that – Following to international law, housing is a condition to an adequate standard of living, which includes access to employment and sources of livelihood, to education, health and good environment and much more...

The dominant approach of housing policies directed to Roma - when they exist, - has been either to violate one of the most important elements of the right to housing – security of tenure – or to consider housing as a place for unwanted people frequently located in distant ghettos, heavily policed. On one side – the refusal to acknowledge the “right to stay” for communities that are there for decades or centuries (assuming that to unlock the land value is much more important than to respect collective rights and in the other hand promoting segregation by resettling them on unwanted areas) is a powerful machinery to promote anti-Roma sentiments and discrimination pushing a vicious circle of denial and exclusion. On the other hand, housing can be a powerful and decisive instrument to promote integration.

In this context, let me applaud the decision taken by the Council of the EU and the European Parliament in May 2010, modifying the European Regional Development Fund as regards the eligibility of housing interventions in favor of marginalized communities, including Roma.

The implementation of the housing integrated approach to promote Roma inclusion faces challenges, mainly because of the enormous existing gap between national commitments and local real policies and possibilities.

I very much hope EU Member States will make an effort and use this unique opportunity offered by the structural funds to start integrating and desegregating Roma populations by launching projects with the participation of local authorities and very important, together with Roma representatives.

The launching of the Decade back in 2005 and the identification of housing as one of its main priorities certainly represented an unprecedented political commitment by European governments to improve the socio-economic status and social inclusion of Roma. The growing commitment of the European Union to the issues concerning the Roma, as exemplified by the Common Basic Principles for Roma Inclusion, which were recommended by the Council of Ministers to the Member States in 2009; the process of exchange of good practices established since 2009 by the EU Platform for Roma Inclusion and the aforementioned decision on the use of the European Regional Development Fund are all extremely important initiatives to continue finding durable solutions to the challenges Roma find in the access to housing and the enjoyment of the right to adequate

housing.

But they cannot be just words and reports.

The inadequate and often appalling housing conditions for hundreds of thousands of Roma around Europe remain a critical challenge to be addressed without delay. They can only be reversed through the adoption and application of a truly sound human rights based approach to this issue.

I thank you for inviting me today and I am here to offer the instruments we have developed in the mandate ([www.righttohousing.org](http://www.righttohousing.org)) and the mandate itself to help you on your great efforts of the Decade, for Roma Inclusion.

*Note:* speech available at <http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-RRolnik-speech.pdf>.

**Michael Guet (Support Team of the Special Representative of the Secretary General for Roma Issues, Council of Europe): Council of Europe standards regarding Roma housing**

***[full speech]***

Ladies and gentlemen,

On behalf of the Secretary General of the Council of Europe and his Special Representative for Roma Issues, Mr Jeroen Schokkenbroek, I would like to introduce some of the standards developed by the Council of Europe in the specific field of housing, following the kind invitation addressed to the CoE by FRA and the Czech Roma Decade presidency. Indeed before discussing more concretely housing policies and measures and possibly assess their impact we should all bear in mind international norms and standards fixed in that area.

**Jurisprudence and decisions of the European Social Charter and the European Court of Human Rights**

At Council of Europe level the European Social Charter and Revised Charter (RESC), and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) contain directly or indirectly important housing and housing-related rights.

The Charter grants rights to social and medical assistance for those without adequate resources, establishing housing obligations in relation to physically and mentally disabled persons, children and young persons, migrant workers, elderly persons and rights to social, legal and economic protection for families, including a State obligation to provide family housing.

Part V of Article E of the Charter states: "The enjoyment of the rights set forth in this Charter shall be secured without discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national extraction or social origin, health, association with a national minority, birth or other status."

Article 30 (RESC) on the right to protection against poverty and social exclusion includes an obligation to promote effective access to a range of services, including housing.

Article 31 establishes a right to housing, with Contracting States undertaking to take measures designed to promote access to housing of an adequate standard, to prevent and reduce homelessness with a view to its gradual elimination, and to make the price of housing accessible to those without adequate resources.

The European Committee on Social Rights (CSR) interpreted Article 31, defining fundamental notions, such as adequate housing, homeless persons, forced eviction and housing affordability. It also established what action States are required to carry out to ensure the effectiveness of the right to housing: These include, among others, the control of adequacy, construction policy, social housing, housing benefits, judicial remedies, and emergency housing for homeless people. The Conclusions of the CSR in monitoring States obligations under Article 31 have demonstrated the application of a new set of benchmarks to national housing law and policy.

This implies that, for the situation to be in conformity with Article 31 of the Charter, States Parties must:

- adopt the necessary legal, financial and operational means of ensuring steady progress towards achieving the goals laid down by the Charter;
- maintain meaningful statistics on needs, resources and results;
- undertake regular reviews of the impact of the strategies adopted;
- establish a timetable and not defer indefinitely the deadline for achieving the objectives of each stage;
- pay close attention to the impact of the policies adopted on each of the categories of persons concerned, particularly the most vulnerable.

The jurisprudence of the Charter is also being developed through the **Collective Complaints Protocol**. This allows approved NGOs to lodge a complaint to the CSR where there appears to be a violation of any provision of the Social Charter by any State which has accepted it. Several Member States have been condemned concerning the inadequate housing of Roma families, lack of legal security of tenure, non-respect of the conditions accompanying eviction of Roma families from dwellings unlawfully occupied by them, or the lack of proper amenities.

Recalling our yesterday's discussion in Roudnice nad labem, I would like to highlight a few aspects of the Charter:

- Even if under domestic law, local or regional authorities, trade unions or professional organisations are responsible for exercising a particular function, States Parties to the Charter are responsible, under their international obligations to ensure that such responsibilities are properly exercised. Thus, ultimate responsibility for policy implementation, involving at a minimum supervision and regulation of local action, lies with the Government which must be able to show that both local authorities and itself have taken practical steps to ensure that local

action is effective.

Under Article 31§3, States Parties are required, in order to increase the supply of social housing and make it financially accessible, to adopt measures:

- for the provision of housing, in particular social housing;
- to ensure that waiting periods for the allocation of housing are not excessive; legal and non-legal remedies must be available when waiting periods are excessive.

Under Article 31§3, States Parties are also required to adopt comprehensive housing benefit systems to protect low-income and disadvantaged sections of the population. Housing benefit is an individual right: all qualifying households must receive it in practice; legal remedies must be available in case of refusal.

The **European Convention on Human Rights (ECHR)** contains many civil and political rights provisions which are being indirectly interpreted in the development of housing rights across Europe, especially within Articles 3, 6, 8, 13 and 14. These can also be applied in national courts since the Convention has been incorporated into national law in all Member States. Positive obligations on States are being established in the European Court of Human Rights (ECtHR) especially in relation to vulnerable persons who cannot assert rights themselves.

In *Moldovan and Others v. Romania* (2005), the ECtHR concluded that the applicants' living conditions, and the racially discriminatory manner in which their grievances were handled by the public authorities, constituted an interference with their human dignity, amounting to 'degrading treatment' within the meaning of Article 3. Article 8(1) protects the right of individuals to "respect" for their private life, family life and "home," although this does not amount to a right to housing.

However, the combination of obligations under Articles 3 and 8 can lead to positive obligations in this area. The ECtHR considered in *Marzari v. Italy* that, "although Article 8 does not guarantee the right to have one's housing problem solved by the authorities, a refusal of the authorities to provide assistance in this respect to an individual suffering from a severe disease might in certain circumstances raise an issue under Article 8 of the Convention because of the impact of such refusal on the private life of the individual..., this provision does not merely compel the state to abstain from such interference: in addition, to this negative undertaking, there may be positive obligations inherent in effective respect for private life. A State has obligations of this type where there is a direct and immediate link between the measures sought by the applicant and the latter's private life." Positive obligations on States to protect people's homes have been found under Article 8 in relation to protection from smells and nuisance from a waste treatment plant, toxic emissions emanating from a chemical factory, environmental pollution from a steel plant. Article 8 was also used by French courts to stop evictions of Roma families.

#### **Viewpoints and recommendations of the CoE Commissioner for Human Rights**

The CoE Commissioner for Human Rights, Mr Thomas Hammarberg, addressed the problem of housing, in particular the housing of Roma, on several occasions.

On 30 June 2009, his recommendations on the implementation of the right to housing

[CommDH(20095)] were published. These recommendations reiterated the major conclusions of his paper "Housing Rights: the duty to ensure housing for all", published on 25 April 2008, recalls the legal protection of housing rights in international law (UN, CoE and EU levels) which I just summarized as concerns CoE standards.

This report also highlights some **interesting national initiatives**.

§ The Homelessness (Scotland) Act 2003 obliges local authorities, by 2012, to secure adequate accommodation for all persons who become homeless, as part of a legally binding obligation to provide housing for all. The questions of intentional homelessness and local connection which limited eligibility in the past will be removed. This represents a major development in universal and enforceable housing rights for a European country.

§ The recent law on the justiciable right to housing in France aims to give people the right to seek legal redress before an administrative tribunal, where their right to housing has been avoided by public authorities. It can require the State to offer the claimant adequate housing, within certain categories of need.

§ Several Autonomous Regions in Spain are currently discussing ways to enforce housing rights for vulnerable groups. In Andalusia, a new law aims to ensure access to housing for three different priority groups; people with an income that is below the minimum wage, socially disadvantaged people and young people. It will be enshrined in Article 25 of the Regional Constitution of Andalusia (Estatuto de autonomía). In Catalonia, the National Pact for Housing aims to ensure that nobody experiences housing exclusion due to economic reasons. The Catalan Government will use elements of the Scottish and the French law in the prevention of homelessness, prevention of eviction and support for tenants.

In that respect, let me refer to one of the decisions of the **Strasbourg Declaration adopted at the High Level Meeting on Roma** on 20 October 2001, i.e. for the Council of Europe to set up an **electronic resource tool (database) on policies/good practices of Roma integration policies**. Positive policies and initiatives in the field of housing would be introduced in this database. Today's meeting will hopefully help us identify criteria to define what sort of Roma housing policy and measure can be regarded as a good practice or on the contrary what sort of measures has led to the failure of some projects.

When working on the future database, the Secretariat will take into consideration the work and information delivered at meetings of the Committee of Experts on Roma and Travellers (**MG-S-ROM**), e.g.

- the legalization of Roma informal settlements and/or the upgrading of Roma settlements/housing (Bulgaria, Croatia and Serbia);
- the use of structural funds in the context of housing projects for socially disadvantaged people (Slovakia);
- the construction of housing infrastructure and housing loans (Greece);
- the eradication of slums and integrated and co-financed (state/regional/local and EU funding) integrated housing projects (Spain);

- the desegregation housing policy as a criteria to allocate funds (Hungary).

An important aspect for assessing housing policies' impact is whether they respect the standards fixed by two **Recommendations adopted by the Committee of Ministers**, namely Rec(2004)14 on the movement and encampment of Travellers in Europe (addressing housing rights of nomadic or semi-nomadic populations) and Rec(2005)4 on improving housing conditions of Roma and Travellers in Europe. The latter provides a very concrete list of 52 provisions covering all aspects. It also defines "housing" for the purpose of that recommendation: "housing includes different modes of accommodation, such as houses, caravans, mobile homes or halting sites".

Positive examples of housing projects identified by FRA research studies, EC reports or through the Roma Decade would also be considered when studying best practices. They could be also identified through housing projects supported by loans of the CoE Development Bank (CEB). In this context let me stress that the CEB can be an important source for loans/grants for Member States housing projects (as was the case in Bulgaria and Hungary). Other positive practices may be identified through the Dosta! prize awarded by the Congress for Local and Regional Authorities of the CoE to municipalities that engaged in long term integration projects of their Roma or Traveller populations.

I would like to recall here that during an expert meeting on housing conditions of Roma and Travellers organised by FRA on 9 July 2009 to prepare FRA survey on this topic, frequent shortcomings of housing policies and projects were identified such as the fact that housing projects do not necessarily take enough into account **specific cultural needs and traditions**, which usually is a sign of a lack of **proper consultation with the beneficiaries** and communities concerned.

### **The issue of evictions**

Whatever good intentions exist in Member States at central level in trying to improve the housing situation of Roma, the overall impact can be limited if at the same time Roma are constantly evicted at the local level. And in that respect the number of eviction procedures of Roma and Travellers in Europe remain particularly alarming. This is why the MG-S-ROM adopted an Opinion on the housing situation of Roma and Travellers in Europe in 2009, which had a specific focus on evictions.

The CoE Coordinator for Roma issues, Mr. Scicluna, had indicated in 2006 in one document referring to Roma housing related aspects that evictions had unfortunately gained momentum in recent years.

These persistent evictions has led to a phenomenon of renomadisation or forced nomadism and result in the opposite effect of well-intended integration housing policies.

In order to comply with Article 31§2 of the Charter, legal protection for persons threatened by eviction must include:

- an obligation to consult the parties affected in order to find alternative solutions to eviction;
- an obligation to fix a reasonable notice period before eviction;



- accessibility to legal remedies;
- accessibility to legal aid;
- compensation in case of illegal eviction.

Furthermore, when evictions do take place, they must be:

- a. carried out under conditions which respect the dignity of the persons concerned;
- b. governed by rules of procedure sufficiently protective of the rights of the persons.

When an eviction is justified by the public interest, authorities must adopt measures to re-house or financially assist the persons concerned.

Finally, illegal occupation of a site or dwelling may justify the eviction of the illegal occupants. However, the criteria of illegal occupation must not be unduly wide. The eviction should be governed by rules of procedure sufficiently protective of the rights of the persons concerned and should be carried out according to these rules. Furthermore, the Committee observes that a person or a group of persons, who cannot effectively benefit from the rights provided by the legislation, may be obliged to adopt reprehensible behaviour in order to satisfy their needs. However, this circumstance can neither be held to justify any sanction or measure towards these persons, nor be held to continue depriving them of benefiting from their rights.

All proceedings for possession of a home engage Article 8 of the ECHR, but the justification for such lawful interference can be made on the grounds that it is in accordance with the law, necessary in a democratic society and proportionate to the aim sought to be achieved. In *Stanková v. Slovakia* (Application no. 7205/02, Judgment 9 October 2007) the ECtHR found that an eviction by a public authority, which met the above requirements, but without providing any alternative accommodation, produced effects which were incompatible with the right to respect for private and family life and home.

In that context would like to share with Decade Member States an interesting national example which is the French legislation of 9 July 1991 on eviction procedures:

- Evictions can only take place after a court judgment;
- The deadline for eviction should take into account the age and health of the occupiers, as well as the general situation of this family;
- Under no circumstances can an eviction take place between 1 November and 15 March of the following year, unless appropriate alternative accommodation has been offered.

As a conclusion let me quote the Spanish Ministry for Housing found in a paper submitted to MG-S-ROM: "a house is not only a material good. It is also many other things. It is our second skin; it is the space for our memory; it is sometimes the unique stable reference when everything changes around us. And it is of course something necessary for any project of life."

Thank you for your attention.

## **Eva Sobotka (FRA): Access to Roma housing in the EU**

*[full speech]*

### **1. Introduction**

In October 2009 the European Union Agency for Fundamental Rights (FRA) published a comparative study on the housing conditions of Roma and Travellers in the EU. These findings formed the basis for discussions at a Roundtable on Roma and Housing hosted by the FRA in Brussels in the same month. This conference gathered various key stakeholders including NGOs, international organizations, European agencies and national agencies. FRA devotes continuous attention to the issue of Roma and Traveller housing in the EU. In 2008, Roma and Traveller issues were exposed in FRA's European Union Minorities and Discrimination Survey (EU-MIDIS). And in 2009, FRA published two special reports based on the EU-MIDIS data, one was on the key findings of the EU-MIDIS on The Roma, and the other one was specifically on Housing discrimination against Roma in selected EU Member States (Bulgaria, Czech Republic, Greece, Hungary, Poland, Romania and Slovakia). In the context of this research, the term 'housing' is used to refer to all types of formal and informal accommodation, including houses, apartments, caravans, encampments, group housing, and informal types of housing. 'Roma' and 'Travellers' are used as umbrella terms, inclusive of the variety of groups such as Roma, Sinti, Gypsies, Jenisch, and Travellers and their subdivisions without prejudice to the manner in which any of these groups present themselves.

### **2. Understanding 'Housing'**

According to accepted European and international standards, housing is more than a simple matter of a shelter. In order for housing to be considered 'adequate' it must be safe and of good quality so as to protect its inhabitants from the elements. This does not mean that 'housing' should necessarily consist of a house or an apartment. The overall design, structure and location of accommodation should also cater for the cultural particularities of its inhabitants. Accordingly, housing can consist in caravans or encampments. Housing must be appropriately equipped to ensure proper sanitation, and must be large enough to house all its occupants. It must be located away from sources of pollution or environmental hazards, and give proper access to public utilities such as water and electricity. It must also be located with sufficient access to public services such as schools or hospitals. It is important that housing is adequate because it directly affects the quality of life of an individual and his participation in society. Housing conditions should not interfere with an individual's health or his access to the labour market, education and health services. If they do interfere, the housing conditions completely marginalise the individual and breach his fundamental rights. By acknowledging the right to adequate housing, EU Member States have legally bound themselves to UN and CoE obligations regarding this matter. Member States are the first-hand observers on the condition of Roma and Travellers housing in the

EU. The Racial Equality Directive 2000/43/EC prohibits discrimination in access to and enjoyment of housing.

### **3. The State of Roma and Traveller Housing**

There is evidence that the quality and location of Roma and Traveller housing frequently does not conform to the minimum requirements for adequate housing. Inadequate housing is usually a consequence of segregation that the Roma suffer from public authorities and/or the general public. Roma and Travellers are segregated to low value sites. This allows public authorities to neglect infrastructures and public utilities in these areas without facing the popular backlash of the majority of the population. Furthermore, by living in segregated areas, they are more prone to violent attacks, as they are more easily identifiable.

#### *Segregation*

Segregated areas can be found in several Member States, such as Bulgaria, the Czech Republic, Greece, France, Cyprus, Hungary, Italy, Lithuania, Portugal, Romania, Slovakia, Slovenia and Spain. In other Member States Roma often live with other minority groups, particularly immigrants, in socially deprived areas of low quality housing, such as Belgium, Denmark, Portugal and Sweden. Across the EU, segregation occurs because public authorities allocate housing to Roma and Travellers in particular areas. In some cases, authorities have gone as far as to try to justify this practice as a means of respecting the communal aspect of Roma and Traveller culture. Public opinion has a huge impact on an administration's housing policy. Non-Roma residents can pressure local authorities to the point of preventing integration of Roma into majority areas. Landlords, because of this pressure or their own personal prejudice towards Roma, have also brought about segregation. Fortunately, there is evidence that attitudes are changing and positive initiatives and integration projects are paving their way; as is the case in Bulgaria, Hungary, Czech Republic, Slovakia and Spain.

#### *Quality of Housing*

Roma housing tends not to be maintained by public or private landlords. Because of the overcrowding and the poor quality of some of the materials used in some settlements (cardboard or plastic), there are higher health hazards. It is possible, though, to point to renovation projects in several Member States, such as Germany, Hungary Slovakia and Spain. Roma living in unauthorised settlements or authorised segregated settlements, have limited or no access whatsoever to public utilities; whereas Roma living in urban areas are more likely to benefit from the general infrastructure. Connections to Roma settlements are less adequate than the ones to majority areas. This affects their access to education and health services, or even their access to job opportunities. All this does, is worsen their exclusion. Accommodation and sites provided by public authorities often fail to take cultural requirements into account, even where projects are well intentioned. Some families would still like to be nomadic, but have had to forfeit their itinerant life because of the shortage of sites for nomadic Roma and Travellers around Europe. This has led to disconnection from family and social isolation. The conditions referred to tend to be worse

for Roma and Travellers who are either from outside the EU or from other Member States, since often only nationals are entitled to public assistance. As a consequence non-nationals are far more likely to reside in unauthorised and informal encampments or abandoned buildings with the attendant consequences of not being able to access public services and utilities and vulnerability to eviction.

#### *Protection against Eviction*

In housing, it is important that the tenants' rights are as respected as the landlords' or landowners' ones. This is why, international and European human rights standards guarantee protection against eviction obliging States to guarantee 'security of tenure' as part of the right to adequate housing. Security of tenure obliges the State to make sure that certain procedures are followed. This means a landlord can remove tenants where they break their agreement in some way. However, it also means that tenants must receive prior notice of, and must have the opportunity to oppose, an eviction or claim compensation through the courts if it is unlawful in some way. Where evictions are planned by public authorities these are under an additional obligation to consult inhabitants in advance and provide alternative accommodation, if the residents cannot afford to fund replacement housing themselves. It should also be noted that where evictions are carried out in a discriminatory manner – for instance if Roma occupants are targeted – then even if the correct procedures are followed, this will be considered unlawful. Eviction of Roma and Travellers is a frequent occurrence. This is reported to occur through selective non-renewal of tenancy agreements, removing access to property, threatened or actual physically forceful or violent removal of people from their accommodation. At times entire settlements are evicted and property is taken or destroyed. Roma usually have short-term leases which increase their social instability and precarious situation. A related problem is that rental property may become unaffordable and the families may be subjected to eviction. This is why it is important to encourage ownership amongst Roma and Travellers. Authorities in parts of some Member States have introduced initiatives facilitating home ownership. For instance:

a. Hungary. Under the New Hungarian Development Plan (NHDP), local authorities have to develop Integrated Urban Development Strategies including Anti-segregation Plans. In 2007-2008, 20 out of 23 Budapest districts and nearly 150 towns and cities elaborated Integrated Development Strategies and Anti-Segregation Plans. Earlier, in the framework of the national level funded Roma Settlement Integration program taking place in over 35 small to middle sized villages, e.g. in Kerecsend and Szomolya, a number of 'nest-houses' were rented to young Roma families by public authorities. Alongside rent they made an additional payment towards accumulating savings to purchase a new home in the future. Once the family purchased another home a new Roma family would move into the 'nest-house' and the process would begin again. In most participating villages, besides refurbishing and upgrading homes, new houses were built, and second hand homes were purchased in an integrated environment, and the interventions were facilitated by social work and trainings.

b. Spain. The Housing Programme for Social Integration (HPSI) is a scheme run by the Autonomous Community of Navarra. It allows families living in slums or substandard housing to buy their own home. The public authorities fund up to 45% of the cost of purchasing a new property while the tenants undertake to repay the remaining mortgage. This scheme is only possible because of the active participation of the private sector. Without these mortgages provided by the banks, the cost of funding this scheme would be a lot higher for the government, and probably the programme would reach fewer families. It is important to note that this setup has been very successful, and so far no house has been repossessed by the banks. The families are chosen for this programme only if they commit themselves to adhering to various social inclusion measures (school attendance for the children, health monitoring, and participation in vocational training). This is a way of assuring their future inclusion in their new environments. This programme disperses the socially excluded families in different areas, so as to not create segregated areas. The fact that this programme has been operating since 1998, is a testimony to the clear political commitment of the autonomic government of Navarra and the municipalities of the region. This type of programme has a high level of transferability and could be replicated in most European countries, as it is also suitable for countries who cannot afford large scale spending for housing and social inclusion projects. What is essential to this programme is that it fosters social inclusion, because home-ownership will improve social status, which will consequently be an incentive to search for employment, to ultimately foster social inclusion. So far 320 Roma families have participated in the HPSI.

Some Roma and Traveller groups are itinerant, changing their location every few years. In order to ensure that accommodation is culturally adequate, public authorities should provide a sufficient number of authorised and adequately equipped halting sites. The principal problem is that an insufficient number of such public sites exist. The lack of authorised sites makes it inevitable that Roma and Travellers are more vulnerable to eviction on grounds of trespass. In some Member States unauthorised settlements are demolished without warning and accompanied by incidences of violence and intimidation. In other Member States inhabitants are open to criminal prosecution. In some Member States there is an opportunity to contest a planned eviction since the private or public landlord is obliged to seek a judicial order. However, others contemplate the possibility of issuing eviction orders themselves when the land is owned by a public authority; which means that it may not be possible to contest the order until after it has been executed.

#### *Lessons from Housing Projects*

The six Case Studies commissioned by the FRA (on projects in the Czech Republic, Hungary, Ireland, Slovakia, Spain and the UK) indicate that authorities in parts of these Member States have recognised the need for a holistic approach which includes promoting desegregation and social integration. Desegregation is important in order to allow Roma and Travellers the opportunity to access public services and employment. Desegregation also allows Roma to interact with the majority of the population, as they are not isolated in "Roma-only" areas. Authorities can also assist in social integration by providing support for

children to join the mainstream education system and adults to undertake vocational training, as well as assisting adults in finding employment. Social integration will help improve the social status of Roma and consequently lead to their acceptance by the majority of the population.

#### **4. Multiple discrimination**

At times an individual may possess more than one characteristic that places them at a disadvantage in relation to the majority population such as their age, race, sex, sexual orientation, or disability. Roma individuals with reduced mobility, physical disability or older Roma are more prone to discrimination in housing. Authorities do not cater to people with reduced mobility in segregated Roma areas; there is a poor very infrastructure. This has a direct effect not only on these individuals who are unable to access State help, but also on the individuals that have to care for them instead of working. Women and the elderly are also discriminated for their natural condition. The existence of multiple discrimination shows that the goal of changing public attitudes towards Roma and Travellers cannot be pursued in isolation from challenging prejudice towards other vulnerable groups in society. Unfortunately, the only cases where this discrimination was reverted to become an advantage, was when elderly or disabled Roma were in receipt of state benefits. In these cases landlords were happy to accept them, as this represented a stable income.

#### **5. Implementing Equality Legislation**

Introducing equality legislation cannot, by itself, combat discrimination. Potential victims must be aware of its existence for it to be effective. EU-MIDIS showed that only a quarter of Roma respondents knew that such laws existed. For instance, in Greece, eighty-five percent were sure that such laws did not exist. Discrimination against Roma and Travellers is well documented and widespread. Between 2000 and 2009 approximately only 550 housing-related complaints were filed with national equality bodies or Ombudsperson offices across the EU. These low numbers do not mean that Roma are not discriminated in housing. The lack of complaints across the EU is actually related to a lack of rights awareness. That is, those experiencing discrimination are not actually going on to report it because they do not realise it is unlawful, they do not know how to report it, or they do not believe that reporting it will make a difference. According to EU-MIDIS there are three reasons for under-reporting:

- a. Doubts over effectiveness. The majority of those who did not report these incidences stated that this was in part because they believed that nothing would be achieved by doing so. A quarter of respondents were also concerned that reporting would result in making the situation worse. Sixteen percent feared that they might be subject to reprisals.
- b. Lack of awareness. Only a quarter of interviewees said that they were aware of legislation prohibiting racial discrimination. Around half of respondents did not even know of the existence of such legislation, and the remaining quarter was

unsure if such legislation existed.

c. Delays and limited implementation. All Member States have national bodies responsible for promoting racial equality. But in some states the equality legislation has not been amended to prohibit discrimination in the context of housing. This has slowed potential awareness-raising activities by equality bodies and limited the scope of protection that they can offer.

## **6. Creating an Evidence-base for Policy Making**

The range and nature of the problems faced by Roma and Travellers in the context of housing is clear. However, the scale of these difficulties is less apparent due to the absence of data collection by Member States. Where data relating to access to and enjoyment of housing is collected by Member States, it is not disaggregated according to ethnicity. Therefore it is not possible to have a full picture of the extent to which Roma and Travellers are faced with particular issues compared to other social groups. Data should be collected and not only disaggregated along lines of race or ethnicity, but also along lines of age, religion, disability and sex, to be able to determine the real scale of multiple discrimination in the case of women, the elderly and the disabled.

Contrary to popular belief, data collection on race, religion, age, disability or sex is not prohibited if sufficient safeguards are in place in order to ensure that an individual's privacy is respected. Data protection law is important to protect individual privacy, but should not be interpreted in such a way as to create a barrier to protecting other rights. Only by collecting this data can policy-makers cater to the real needs of the Roma and Travellers. Acquiring this data would place Member States, the EU and civil society organisations in a position to fully understand the extent of resources and coordination required to redress the situation, as well as allowing policies to be tailored with greater precision.

## **7. Conclusions**

There is evidence of widespread discrimination against Roma and Travellers in access to and enjoyment of housing across the EU. The low number of complaints received in relation to housing discrimination suggests that measures should be taken to make Roma and Travellers aware of their rights and how they can be exercised, as the number of complaints is not the reflection of the discrimination that goes on in reality.

Roma and Traveller communities tend to suffer from a relatively low standard of housing. This includes inadequate housing in unsafe, overcrowded areas, with poor connection to public utilities, and bad infrastructure. Roma and Travellers are segregated to these areas and therefore become even more socially marginalised than they were before.

The positive measures to improve housing in Member States should go in conjunction with initiatives promoting Roma and Traveller integration. This can especially be done through education and employment opportunities. It is important to always include the Roma in initiatives that concern them. This will allow the Roma to become more self-sufficient and might change negative public opinion.

Roma and Travellers are frequent victims of evictions. Firstly, there are insufficient authorised sites for nomadic Roma and Travellers, obliging them to settle on unauthorised land. Secondly, the relatively low income among Roma and Travellers means that they tend to rent accommodation, often under short term or informal agreements. Such arrangements make them vulnerable to eviction with little or no notice.

In addition to racial or ethnic discrimination, Roma and Travellers with other vulnerabilities, such as the elderly, women or the disabled, experience further discrimination on these grounds. While the nature of the challenges facing the Roma and Travellers is clear, inadequate data (especially disaggregated data) exists to judge the extent of this.

*Note:* presentation available at <http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-ESobotka-ppt.pdf>

#### **Katarina Mathernova (World Bank)**

##### **[summary]**

*Ms Mathernova talks about the changes in the regulations regarding the ERDF and how they came about. The reason for amending article 7(2) of the ERDF regulation was fairly straightforward and pragmatic. Initially, there were restrictive conditions on the use of ERDF for housing projects in the new Member States: housing projects had to be made part of regular urban planning. This had a strong negative effect: funds would only be applicable to housing estates of the middle class and not reach the poorest of the poorest, who find themselves outside regular urban planning. In June of the 2010, Article 7 was changed. Ms Mathernova also talks about the role of funding for housing as a tool for community organization. In the implementing regulation for article 7(2) of ERDF two forms of conditionality were included: (1) it is now impossible to use the structural funds merely for housing renovation; in order to be funded a project has to possess an additional element of community development; (2) ERDF cannot be used to fund segregated housing. Segregation is one of the clearest examples of bad public policies: it seeks short term gain and produces medium term pain. Now that this regulation is in place, we urgently need examples of success in order to make sure that this regulation will continue to exist. We are thus entering a key period. The EC regulations will have to be included in the operational program of the Decade of Roma Inclusion, so that they can become part of the national plans.*

#### **Martin Lux (Institute of Sociology of the Academy of Sciences of the Czech Republic): Social housing in transition countries – a need for innovations**

##### **[Summary]**

*Dr. Lux provides a historical and sociological overview of the state of social housing in the*



*Czech Republic. During the socialist period there was no special policy on social housing. The regime tried to make housing a pure public good. Private property was abolished. It was a robust system, but it could hardly be called 'social housing'. It was characterized by unskilled management, bureaucracy, free-riding, low-quality construction, under-maintenance, huge inefficiencies, illegal practices, clientelism, and corruption. After 1989 there was a process of quick privatization. The discussion about equity consequences was neglected or biased. There were clear losers: poor and rural households. They were moved out of attractive locations, resulting in social segregation. Currently, social housing in post-socialist countries is mainly understood as a low-quality residual public housing for the poorest part of society, often spatially excluded. There is a need for new social housing schemes, new ideas for social housing. Building new massive social housing estates is not an option; that would bring back the mistakes of the past: passive clients and corruption. New social housing strategies should start from a multi-track approach. They should aim at social inclusion of the poor as well as good cooperation with the market. There should be a guarantee system between the tenant and the landlord. This should make for long-term rental contracts that are 'regulated' by the market. The guarantor can be the state, but later on it could also be a private insurance company.*

Note: presentation available at <http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MLux-ppt.pdf>

## 2.2 Reports from the working groups

### Working group 1

<b>TITLE:</b> <b>PRACTICAL APPLICATION OF ANTI-DISCRIMINATION LEGISLATION: CASE LAW AND MEDIATION PRACTICE RESULTING FROM THE WORK OF EQUALITY BODIES AND LOCAL AUTHORITIES</b>	
General information about the working group:	
Organizer	FRA Moderator: Michail Beis
Speakers (with affiliation)	<ul style="list-style-type: none"> <li>o Kalliopi Lykovardi (Ombudsman, Greece)</li> <li>o Robin Harms (Ombudsman for Minorities, Finland)</li> <li>o Fabien Dechavanne (HALDE, France)</li> <li>o Marian Mandache (Romani Criss, Romania)</li> </ul>
Short description of the main theme	Case law and mediation practice resulting from work of the equality bodies and local authorities.
Short description of the <i>objectives</i> of the working group	Explore cases and methods applied in practice concerning practical application of anti-discrimination legislation. Equality bodies, but also local authorities play an important role in addressing discrimination in housing.
Description (from the programme)	<p>The working group is to explore cases and methods applied in practice concerning practical application of anti-discrimination legislation. Equality bodies, but also local authorities are an important player in addressing discrimination in Housing. There are a range of approaches to producing positive outcomes, such as: integrated urban living of Roma and non-Roma, combating Roma residential segregation, Traveller participation in decision-making on housing issues, Roma housing projects in small communities, improving Roma housing and eliminating slums. While aware of the levels of discrimination that Roma experience in access to housing, as documented by the FRA EU Minorities Discrimination Survey, this working group will use methodology of appreciative inquiry and focus on what works, and how to overcome discrimination in a first place and what are respective roles and practical responses of variety of actors: local authorities, Equality bodies and Roma themselves. Results of the working group will be further shared with a network of Equality bodies and network of local authorities to disseminate results of the discussions and to build community of practice on non-discrimination in housing.</p> <p>For further reference on results of the EU Minorities Discrimination Survey please check the FRA Roma thematic</p>

	<p>page, available at:  <a href="http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm">http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm</a></p> <p>For further reference on the work of the European Network of Equality Bodies EQUINET please see  <a href="http://www.equineteurope.org/">http://www.equineteurope.org/</a></p> <p>For reference to FRA Roundtable on Roma and Housing held in 2009, please see:  <a href="http://fra.europa.eu/fraWebsite/news_and_events/events_archive/2009events/evt09_201009_en.htm">http://fra.europa.eu/fraWebsite/news_and_events/events_archive/2009events/evt09_201009_en.htm</a></p>
<b>Content of the working group discussion:</b>	
<p>Key points made by the individual presenters</p>	<p><b><u>Presentation 1: Kalliopi Lykovardi (Ombudsman, Greece):</u></b></p> <ul style="list-style-type: none"> <li>o The resistance that housing policies for Roma meet in several communities, and their poor outcomes, are strongly related to the unwillingness of local authorities to proceed with effective implementation of their planned policies.</li> <li>o The existing legislation needs to address more explicitly the systemic nature of the discrimination experienced by Roma.</li> <li>o A serious number of Roma cases do not fall within the scope of the directives as incorporated in the national legal order (e.g. law 3304/2005). The relevant provisions are applied only in cases where the state is providing a service and not in all functions of the state.</li> </ul> <p><i>Note:</i> presentation available at  <a href="http://www.fra.europa.eu/fraWebsite/attachments/roma-housing-conference-WG1-ppt.pdf">http://www.fra.europa.eu/fraWebsite/attachments/roma-housing-conference-WG1-ppt.pdf</a>.</p> <p><b><u>Presentation 2: Robin Harms (Ombudsman for Minorities, Finland):</u></b></p> <ul style="list-style-type: none"> <li>o About 10 % of all discrimination complaints to the Ombudsman concern Roma. Most of these complaints regard housing issues.</li> <li>o National anti-discrimination legislation covers housing</li> <li>o A clear national legislation for social housing is needed setting strict rules for qualification, based on an assessment of the actual problems of people, including homelessness, low income, and weak economic position.</li> <li>o Specific guidelines for municipalities and renting companies are in place regarding provision of housing.</li> <li>o Decisions by Parliamentary Ombudsman directing municipalities/rental companies.</li> </ul> <p><i>Note:</i> presentation available at</p>

	<p><a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-RHarms-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-RHarms-ppt.pdf</a>.</p> <p><b>Presentation 3: Fabien Dechavanne (HALDE, France) :</b></p> <ul style="list-style-type: none"> <li>o About 400 000 French Travellers live in caravans.</li> <li>o There is a special legal status for them (they receive “travel permits” controlled by the authorities every 3 months or every year)</li> <li>o Since 2000 every town of 5,000 people or more has the obligation to create specific housing areas or encampment sites for these Travellers. By January 2011 about 50 % of them have been created.</li> <li>o There are about 10,000 to 15,000 Roma immigrants (mainly from Bulgaria and Romania).</li> </ul> <p><i>Note:</i> presentation available at <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-FDechavanne-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-FDechavanne-ppt.pdf</a>.</p> <p><b>Presentation 4: Marian Mandache (Romani Criss, Romania)</b></p> <ul style="list-style-type: none"> <li>o Local authorities have become entirely independent from the government. The governments uses this fact as an excuse to justify their lack of action in the housing area.</li> <li>o Litigation is difficult.</li> </ul> <p><i>Note:</i> <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MMandache-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MMandache-ppt.pdf</a>.</p>
Examples of key <i>cases</i> mentioned, good ones as well as bad ones	<p>This working group has identified and discussed several cases:</p> <ul style="list-style-type: none"> <li>- attempt to prevent forced eviction (France, Lyon)</li> <li>- providing Roma with temporary access to electricity (France Melun)</li> <li>- a successful compensation claim by Roma family represented by the Ombudsman (Finland, Roma family vs. Himanka Municipality)</li> <li>- unsuccessful compensation claim by Roma family (Finland, Roma couple (1/2) vs. Järvenpää Municipality &amp; Rental Company owned by Municipality)</li> </ul>
<i>Legal frameworks</i>	<p><b>Romania</b></p> <p>Housing is maybe the field in which the least progress was made in the Roma inclusion process. Until about 2-3 years ago there was virtually no progress at all. The legal framework is outdated. There is a lack of implementation of international standards.</p>

	<p><b>Finland</b> There is clear anti-discrimination legislation in place regarding access to housing. Clear rules exist for qualification based on need for provision of social housing.</p> <p><b>Greece</b> Existing legislation needs to address the systemic nature of the discrimination experienced by Roma. A large number of Roma cases do not fall within the scope of the directives as incorporated in the national legal order (law3304/2005). The relevant provisions are applied only in cases where the state provides a service.</p>
<i>Key policies mentioned</i>	<p><b>France</b></p> <ul style="list-style-type: none"> <li>o About 400 000 French Travellers live in caravans.</li> <li>o There is a special legal status for them (they receive “travel permits” controlled by the authorities every 3 months or every year)</li> <li>o Since 2000 every town of 5,000 people or more has the obligation to create specific housing areas or encampment sites for these Travellers. By January 2011 about 50 % of them have been created.</li> </ul>
<i>Best practices mentioned</i>	<ul style="list-style-type: none"> <li>o Finland: there are clear national rules and provisions for access to social housing</li> <li>o Greece: the establishment of a Communication and Coordination Network with Local Authorities and the involvement of Roma representatives and NGOs. This has increased the impact and visibility of the Equality Body.</li> </ul>
<i>Identified opportunities for <u>improvement</u>, and opportunities for <u>innovation</u> (with special attention for opportunities/innovations relevant for Decade activities and challenges)</i>	<p><b>At the level of the local authorities:</b></p> <ul style="list-style-type: none"> <li>o There is a need to educate local authorities about the economic implications of Roma exclusion;</li> <li>o There is a need for a dialogue between local authorities, majority population and Roma (e.g. case of Agia Paraskeuh)</li> <li>o Guides with simplified language could be created and targeted at local authorities officials and Roma in order to improve their understanding of their duties and rights.</li> <li>o There is a need for research or quantitative surveys on the local level in order to identify the real needs of the Roma target group. Need for community mapping in order to design more focused policies and projects at the local level.</li> <li>o There is a need for clear rules about urban development on national and local level.</li> <li>o There is a need for a multi-integrated approach in housing policies. Inclusion initiatives should not focus only on housing but should take into account other social policy dimensions (e.g. education, employment, health).</li> </ul>

	<ul style="list-style-type: none"> <li>o Member States of the Decade should ensure the enforcement and implementation of sanctions against local authorities that work on the basis of discriminatory procedures.</li> <li>o European Commission funding must include an initial filtering system that monitors whether project proposals are in line with EU fundamental Rights.</li> </ul> <p><b>At the level of the equality Bodies</b></p> <ul style="list-style-type: none"> <li>o Equality bodies need to be aware and able to understand needs of the Roma at the local level. They need to communicate with Roma representatives at local level but also train/inform Roma mediators about the existence and mandate of the equality bodies.</li> <li>o NGOs could play the role of contact points for equality bodies at regional and local level.</li> <li>o Regional offices for the equality bodies could be established. This will foster a better understanding and better handling of the local issues, and might lead to a settlement of cases at the local level.</li> <li>o Volunteers (legal experts on discrimination, either judges or lawyers) could help inform victims of their rights and provide legal advice (see, the case of the House of Justice in France)</li> <li>o A cooperation between the equality bodies and the prosecutors could be established (see, e.g., the case of France – HALDE cooperation convention with the Paris Prosecutor)</li> <li>o Member States of the Decade should provide additional financial and human resources to equality bodies, so that they can be more pro-active (through seminars and campaigns) and are not forced to deal exclusively with case law.</li> <li>o Strategic litigation is of crucial importance.</li> <li>o There is a need for training and awareness raising on the Roma situation among the staff of the equality bodies.</li> <li>o Need for Roma representation at the equality bodies.</li> <li>o Need for better dissemination of knowledge about good practices at national level by the equality bodies.</li> </ul> <p>General:</p> <ul style="list-style-type: none"> <li>o The Member States of the Roma Decade are urged to ratify the protocol on the collective complaints under the Revised Social Charter (possibility of National NGOs to file a complaint), Finland international and national NGOs to file</li> </ul>
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	collective complaints
Stakeholders	<u>Current crucial stakeholders for policy implementation:</u>
	<ul style="list-style-type: none"> <li>o Local authorities</li> <li>o Equality Bodies</li> <li>o National Governments</li> </ul>
	<u>New stakeholders that may be important for policy implementation:</u>
	<ul style="list-style-type: none"> <li>o Roma NGOs</li> <li>o Prosecutors</li> </ul>

## Working group 2

<b>TITLE:</b>	
<b>HOUSING AND CONFLICT</b>	
General information about the working group:	
Organizer	Moderator: Cătălin Berescu, FRONTAL Association, Bucharest, Romania
Speakers (with affiliation)	<ul style="list-style-type: none"> <li>o Cătălin Berescu, FRONTAL Association, Bucharest, Romania</li> <li>o Claude Cahn, UN, Chisinau, Moldova</li> <li>o Nabeel Hamdi, Oxford Brooks, UK</li> </ul>
Short description of the main theme	<p>The workshop aimed to open a debate about the different forms of conflicts that are embedded in housing and that should be taken into account by future housing policies. We also elaborated on the limits of the transfer of good practices and on the use of participatory tools in the process of improving the housing conditions of the Roma.</p> <p>The workshop was designed in relation with the 4th workshop, Collaborative Planning and Mediating Shared Communities (Housing and Consensus) and in this respect tried to address both the problem (identifying conflicts) and the solutions (building consensus).</p>
Short description of the <i>objectives</i> of the working group	<ul style="list-style-type: none"> <li>o Identify the various expressions and the root causes of conflicts in housing.</li> <li>o Critically assess the benefits and limits of good practices.</li> <li>o Introduce the principles of participatory planning in relationship with a political framework.</li> </ul>
Description (from the programme)	In relation to housing, conflict is usually used as a specific term for events that have to do with the use of force or the lack of possibility to achieve a legal consensus. Demolishment's, fires, evictions are the final stage of a drama that usually started a long time ago. They come second as importance after the loss of human lives and they are subjected to a different regime of perception, far less dramatic than a work conflict or a school

discrimination episode. The built environment is a slow actor and the history behind any kind of conflict related to it is often too long and seldom entirely clear. But any conflict that takes place in a living area has to do with the quality of the space, with the amount of intelligence that was invested in the planning and design stage and with the care for maintaining it at a decent standard. Neighborhoods, areas, zones and houses are not indifferent actors in social conflicts and the particularities of European Roma housing are adding a degree of difficulty to this topic.

The purpose of our workshop is to highlight the roots of housing conflicts, starting from their most obvious manifestations. Some of them are well known, like segregation and forced evictions, some others are less frequent or harder to document, like environmental racism and exposure to improper living conditions. Legal aspects are sometimes clear, like in the case of refuse to access social housing, in some other cases (rent refusal, discriminatory advertising) it is harder to prove the facts.

Our attempt is to provide elements for developing a preventive attitude towards housing related conflicts. In this light, violence and legal fights are just the final stage of a longer conflict that was established from the very beginning of that neighbourhood. In our workshop we will be searching for the elements that define housing related conflicts and analyze the existing policies and their limitations.

Working Group Description:

**Relevance of the topic:**

The recent French expulsion crisis case is a perfect example of a kind of conflict with a strong housing component. Roma are labelled, judged and stigmatized for their daily activities, the final result is the expulsion but it can be argued that the main action of the conflict is actually the demolition, not the expulsion. As long as they will live in improper housing there will be reasons for targeting the camps and developing ethnically oriented policies against “the Roma way of life”.

**Objectives of the WG:**

The insufficient distinction between camps, illegal settlements, and squats is further fostering the confusion between nomads, migrants and refugees. The workshop aims to introduce a conceptual framework that can improve the design of future



	<p>policies of integration.</p> <p>How will outcomes of discussion at the WGs inform assessment of national action plans (housing area) of Member States of the Decade of Roma Inclusion?</p> <p>There is an uneven level of development of the actions and also of the plans within the Decade countries. The meeting will aim at drawing conclusions and sharing national experiences. In order to do that the moderator will ask the participants to give a national overview and will present it in a section of the report in a comparative way. Point out good practices.</p> <p>In order to have a connection to the on-filed situation the debate will be based on examples from real cases, with a focus on good practices. The actual situation is that there is a general mix of positive and negative aspects in every practice so the struggle is to distinguish among them and to go beyond the usual self-indulging reports that are aiming at creating a good image in a conference. This is why our goal is to have an open discussion within a group of people that brings together practitioners and independent researchers.</p>
Content of the working group discussion	
Key points made by the individual presenters	<p><b><u>Presentation 1 (Cătălin Berescu, FRONTAL Association)</u></b></p> <ul style="list-style-type: none"> <li>o <u>Indirect discrimination and conflict</u>: Some of the most acute conflict in society concern housing. The focus is usual on conflicts around the house itself – evictions, demolition, arson attacks etc. But sometimes conflict is embedded in the broader environment and we should recognize it as such. Discrimination in housing issues is often indirect.</li> <li>o <u>Need for a clear language</u>: In daily speech several names are used to refer to the areas inhabited by Roma: ghettos, camps, mahalas, carton cities etc. In order to develop better targeted policies, we need to rely on more precise definitions. The difference between “a ghetto” and “a poor neighbourhood” or between “a migrant camp” and an “ethnic area” should be made clear by national policymakers.</li> <li>o Recent examples show that local municipalities often create exclusion. If not properly designed, the current EU programmes that make funding available to municipalities might end up to serve the creation of new ghettos, which</li> </ul>

	<p>will be perhaps be clean and seem modern but will not have changed social relations on the level of the local community.</p> <p><b><u>Presentation 2 (Claude Cahn, UN, Chisinau, Moldova)</u></b>  Case study of an inspirational example: Naga City in the Philippines. This is a medium size city that has managed to improve the housing conditions of many of its slum dwellers through a municipal programme. It started from a human rights approach: the municipal government based its policy on the principle that appropriate shelter and protection against evictions are rights for all inhabitants. The legal department of the city has assisted slum dwellers in legal fights against evictions and in negotiations with landowners. A strong political commitment was the starting point of the process. The example illustrated the fact that it is not only the techniques that count but to a significant extent also the process: trust between local government and citizens is of crucial importance.</p> <p><b><u>Presentation 3 (Nabeel Hamdi, Oxford Brooks, UK)</u></b>  The root causes of poor housing lie in the cycle of exclusion and violence associated with it. Poverty is multifaceted. Creating sustainable neighbourhoods is a crucial part of fighting poverty. Reducing poverty can be done by making people less vulnerable and building up new capacities and assets. This can be done through stimulating civic participation. This is not just about building houses <i>with</i> the people concerned, but also about participatory design and about involving people in the entire process of gaining access to resources. Architects and urban planners play an important role in this process. They should be aware of the fact that a sense of community is crucial among people who live in social housing. They should aware of the fact that communities are never homogenous and that people who share an identity not necessarily share the same interests. The clash of identities and interest may create conflict even within a community.</p>
<p>Examples of crucial <i>cases</i> mentioned.</p>	<p><b><u>Romania:</u></b></p> <ol style="list-style-type: none"> <li>1. Cluj – recent forced evictions and demolishments in winter time;</li> <li>2. Miercurea Ciuc – multiple cases of environmental racism, residential segregation, exposure to improper housing conditions through direct and indirect policies;</li> <li>3. Tirgu Mures – social housing that resulted in unfit and unaffordable single room apartments for large families</li> </ol>

	<p><u>Italy:</u> Castel Romano – perfectly fascist residential segregation resembling to a classic concentration camp presented by authorities as Villaggio dela Solidarita; 2. Monachina, Candoni – improvised migrant camps, most of the people working on the black market.</p> <p><u>Greece:</u> Thessaly – loan programme in a rigid framework that resulted in many new houses, some of them in good conditions, many others just empty structures. It is the perfect illustration of ethnically oriented programme that disconsider the level of poverty, needs, size of family etc.</p> <p><u>Slovakia</u> Large housing programme that resulted in a significant upgrade of housing conditions but in further segregation. The official methodology claims that they are done in a participatory manner; the reality is that Roma are not able to participate.</p>
<i>Legal frameworks mentioned</i>	The role of ERDF has been discussed and analyzed.
<i>Policies mentioned</i>	Discussion of the human rights approach in Hungary, Greece (ERRC case against Greece), and the Philippines. Discussion on mainstreaming issues facing the Roma and addressing other groups simultaneously.
<i>Best practices mentioned</i>	Discussion of the ambiguity of most cases. During discussion Spain was mentioned. It is as a country that many see as a quite successful in integrating Roma, but the many failures and traps of development programmes are often disregarded.
Identified <i>opportunities for improvement</i> , and opportunities for <i>innovation</i> (with special attention for opportunities/innovations relevant for Decade activities and challenges)	Discussion about the role of identified best practices as models for promoting the development of Roma neighbourhoods. The transfer of a practice from one place to another is not self-evident. Solutions for housing issues have to be considered against the background of local dynamics and experiences.
Stakeholders	Current crucial stakeholders for policy implementation: <ul style="list-style-type: none"> <li>o A key actor is needed to lead the process, such as a mayor. Unfortunately, mayors in Europa are often not prepared to take on this task.</li> <li>o Some NGO's have managed to do good things (e.g. Habitat for Humanity). Such initiatives should be linked to a national policy.</li> </ul>

	<p>New stakeholders that may be important for policy implementation:</p> <ul style="list-style-type: none"> <li>o The Roma themselves – in order to do that, intense and long term community development programmes should be implemented.</li> <li>o The majority – a hostile majority will always find a way to divert even good plans developed by some elites, NGO's etc. If they can be involved the programmes are likely to be more sustainable.</li> </ul>
Key responses from the audience	<p>Discussion about the utility of looking for “best practices”, while in reality every situation is quite different and needs a separate assessment. Very often it is more worthwhile to start from what is already present in a particular community, without trying to impose the practices and strategies that worked somewhere else. On the other hand, success stories are inspiring and sharing them is important.</p>
<b>Assessment of the working group:</b>	
Objectives achieved by the working group discussion	<ul style="list-style-type: none"> <li>o This working group explored the variety of housing problems that face the Roma. It acknowledged the need for a larger diversity of policies.</li> <li>o The working group assessed the limits and benefits of the use of “good practices”.</li> </ul>
Objectives still to be achieved	<ul style="list-style-type: none"> <li>o It remains unclear how to remove the barriers and constrains that are build in the normative framework and prevent communities of accessing basic resources.</li> <li>o It remains unclear how to address the inner conflicts within a community in which very often a fraction would try to get control over all resources.</li> </ul>
Cross-linkages and relevant points for other working groups	<ul style="list-style-type: none"> <li>o What a house <i>does</i> is more important than what it is. Improving housing is primarily not about building houses but about creating a place that would sustain sustainable livelihoods.</li> <li>o Policies for improving Roma housing conditions should take very seriously into account the relation between the Roma and other communities. They should involve both the majority and minority population. Success in improving access to housing is primarily about building consensus within the community at large.</li> </ul>
Other notes	<ul style="list-style-type: none"> <li>o The observation is that most of the new examples are houses placed in isolated neighbourhoods. The main idea should be to socialize, not criminalize the Roma through housing projects. Policies should not aim in the first place at building new houses but at fostering a sense of belonging among entire communities.</li> <li>o The key decisions in planning are never purely political or</li> </ul>

	<p>purely technical but both politicians and technicians (i.e. architects and urban planners) have the tendency to blame each other when something goes wrong. EU policies should guide the process, taking into consideration that local politicians are the main creators of exclusion and that planners are subordinated both to the political will and to professional rituals that are not designed for the kind of practices needed to improve Roma neighbourhoods.</p>
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### Working groups 3 and 7 (closed sessions)

<p><b>TITLE:</b>  <b>MAKING ERDF AVAILABLE FOR FINANCING HOUSING FOR MARGINALISED COMMUNITIES</b></p>	
<p>General information about the working group:</p>	
Organizer	DG Regio, OSI LGI MTM
Speakers (with affiliation)	Alexandros Tsolakis (European Commission, DG Region), Adam Kullmann (Open Society Institute, LGI), Nora Teller (Metropolitan Research Institute), Eszter Somogyi (Metropolitan Research Institute), Marek Hojsik (Social Development Fund, Slovakia), János Csóka (Consensus Foundation, Hungary), Daniele Grabmüllerova (Ministry for Regional Development and Public Works, Czech Republic), Deyan Kolev (Amalipe Foundation, Bulgaria), Ilie Dinca (National Agency for Roma, Romania), Martin Simacek (Agency for Social Inclusion, Czech Republic), Márton Matkó (National Development Agency, Hungary), Bogdan Suditu (Ministry of Regional Development and Tourism, Romania), Juraj Kuruc (Office of the Plenipotentiary for Roma Communities, Slovakia), Elitsa Nikolova (Ministry for Regional Development and Public Works, Bulgaria).
Description (from the programme)	Workshop organised and chaired by DG Regio and supported by OSI's Making the Most of EU Funds for Roma initiative. The EU has recently amended the regulation on the European Regional Development Fund (ERDF), allowing financing the improvement of housing conditions for - newly including the replacement of existing housing as well - marginalised communities not only in urban areas, but also in rural areas, in the framework of an integrated approach. The amendment of the regulations create the possibility for the improvement of housing conditions for marginalised communities but does not ensure that targeted, truly integrative and sustainable interventions will be designed and implemented, which are based on previous lessons learned from pilots, NGO initiatives and state-financed (housing) programs for Roma.

	<p>The aim of the WS is to promote the possibility, and to provide methodological guidance to ensure that targeted, integrative and sustainable interventions will be designed and implemented at the same time.</p> <p>As a starting point, lessons are previously gathered from 5 MtM countries (Hungary, Czech Republic, Slovakia, Bulgaria and Romania), with a view of channeling them into an EC guideline to enhance the programming of well-working Roma projects with a strong housing component, and that can draw on the capacities of numerous stakeholders.</p>
<b>Content of the working group discussion:</b>	
Key points made by the individual presenters	<p><b><u>Introduction:</u></b> There have been plenty of local and national programs targeting at Roma and marginalized communities, but little has been done to systematically review these initiatives and channel lessons into nation programming of EU funds. It is also clear that housing inclusion, by itself, has proven to be an insufficient tool for the integration of marginalized communities, thus, this working group focuses on further conditions for the integration of Roma and other marginalized communities and elaborates how such conditions can be included into national level strategies.</p> <p>Moreover, to date there are few initiatives that try to harmonize social goals and the effectiveness of innovative ideas related to the improvement of housing conditions for marginalised communities in rural and urban areas. This working group collects such ideas, ranging from regulation strategies to technical solutions for housing, financial models, linking training and employment, etc. and explores the options of including them into national programmes.</p> <p><b><u>Presentation 1 (Alexandros Tsolakis):</u></b> Draft guidance on the implementation of the integrated housing interventions in favour of marginalised communities under the ERDF. The presenter focuses on the process of developing the guidelines and the main points of the current guidelines.</p> <p><b><u>Presentation 2 (Nora Teller):</u></b> Summary of the Vademecum on the ERDF prepared by the Metropolitan Research Institute: methodology, main findings and recommendations.</p> <p><b><u>Country presentations:</u></b> Representatives from 5 countries presented an overview of</p>

what sort of interventions have been done in Roma housing and planning. They have discussed the main challenges for 2011-13 and address the programming for the period after 2014.

Presenters:

- o Slovakia: Marek Hojsik, Social Development Fund
- o Slovakia: Slavka Macakova , ETP NGO: Housing programme in Hodejovo and Moldava
- o Hungary: János Czóka, Konszensus Foundation: Roma Settlement Integration Programme
- o Czech Republic: Daniela Grabmüllerová, Head of the Strategic Department, Ministry for Regional Development and Public works. Presentation available at <http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-DGrabmuellerova-ppt.pdf>.
- o Czech Republic: Jan Houdek, Centrom NGO
- o Bulgaria: Deyan Kolev, Amalipe Foundation: Lessons from the Strazhitsa project
- o Romania: Ilie Dinca, Agency for Roma Inclusion
- o Romania: Gelu Duminica, Agentia Imprenua: Nusfalau – and possible progress beyond the Nusfalau example. Presentation available at <http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-GDuminica-ppt.pdf>.

**Conclusions from the discussion:**

- o What are the main questions and challenges?

*1. Definition of marginalised communities*

From the presented examples it is clear that marginalised communities can be identified and mapped by using social indicators relating to e.g. education and employment level, or through considering the average size of households. Through such methods problems of lack of reliable ethnic data can be circumvented.

*2. Limits posed by the legal context*

Legalisation of housing for marginalised communities (e.g. with regard to land ownership, building permit, etc. ) is an issue in all countries, especially in Romania and Bulgaria. Without legalisation, interventions are limited to small scale actions, and no long-term programs can be implemented.

	<p><i>3. Integrated approach</i></p> <p>The workshop documented several good examples of projects that combine community development, early childhood development, education, employment, health or transport elements with housing elements. Participants agreed that housing elements are just a small part of all projects, mainly in the middle of the life cycle of the projects (therefore, the workshop was useful for ESF managing authorities as well). The challenge for national authorities is to allow enough flexibility for an integrated approach.</p> <p><i>3. Desegregation</i></p> <p>There are not so many good examples of desegregation. Only one existing programme currently aims at full desegregation (in Hungary). There have been problem cases in virtually every country. One problem, for example, may be that a project achieves positive outcomes in one part of a town but at the same time indirectly leads to negative outcomes in other parts of the same town. MRI presented a differentiated model of desegregation, where the aim can depend on location (urban/rural, inside/outside of the settlement), size (large/small) of the ghetto, some participants suggested to include other dimensions like history (traditional/new) into the model. Further discussion may be useful, e.g. about hindering disadvantaged households to move to segregated areas and assisting people living in segregated areas to move to integrated residential areas in such a way that the population of the segregated area will not increase (since the communities in question are usually young and have a high number of children, the population normally spontaneously increases quickly).</p> <p>o Overall conclusion</p> <p>One of the main results of the workshop is that it has been demonstrated to national authorities that there are very skilled, experienced and motivated NGOs and pilot projects in all the countries, so using EU funds on housing, as a minimum target on the extension of existing pilot projects, can have good results with relatively low risks. Most managing authorities agreed that it is realistic to finance the extension pilot projects in the current period.</p>



Key findings	<p>The increasing gap between the lowest and the higher layers of European societies will induce a to this date unseen reproduction of poverty, loss of productive labour force and considerably decreased chances of the upcoming generations. Children grow up among inhuman living conditions with parents who since generations have not experienced valued labour and regular income. This generation will only be able to develop paths out of poverty with societal support and commitment.</p> <p>The challenges faced are multiple: lack of access to labour, low or unfinished education, bad health conditions and severe living conditions reinforce each other. Policies have to address issues of labour market integration, education, health and housing in a simultaneous manner in order to achieve results. Income generation is the precondition for covering increased housing costs; but income generation is impossible without educated labour force in good health conditions who can get employment and adjust to changes in the labour market. Healthy children can go to school, and get motivated not to drop out if they see that education leads to better jobs with salaries and prestige. But maintaining housing that serves healthy living conditions is a costly issue.</p> <p>Thus, achieving results in all of the four domains are equally essential for integration – one cannot go without the other. Evidence shows that the synergy of successful interventions in all four fields can result in integration and results can be sustained with profound planning, decent methodology, and political commitment.</p> <p>Housing exclusion of Roma and other marginalized communities is a result of complex processes. Many Roma settlements were established around the fifties in the course of the post-WWII reconstruction and national level labour market policies that went in hand with inner-migration and re-settling large population groups. More recently, plenty of Roma neighbourhoods are the result of the economic crisis of the post-transition, dating back to the beginning of the nineties, where large production sectors were closed down resulting in mass unemployment that severely hit unskilled labour, many of them Roma.</p> <p>Severe dilapidation of living conditions occurs for large groups of society. The lack of broad and effective national level</p>
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	<p>inclusion policies acerbates today's challenges. Constraints in public finance, fragmented local governance structures, expensive energy costs challenge comprehensive local service delivery, which many times is the last resort for marginalized groups who lack contacts, social and cultural capital compared to mainstream society. Individual ways of upward mobility are more and more challenged due to the lack of viable and authentic role models, and increasing discrimination. Segregation is easily reproduced by wrong policy design. Building new housing in segregated neighbourhoods increases the population in the deprived neighbourhood and speeds up decline. Not taking all actions to halt the increase of the segregated neighbourhoods challenges the long-term success and sustainability of all interventions.</p> <p>Recommendations for implementation MRCs related programs locally:</p> <ol style="list-style-type: none"> <li>1. The programs should be based on integrated urban/ micro regional development plans covering not only the action areas but the whole city / micro region as well, and consequently the desegregation related mobilization should geographically target the integrated residential parts of the whole city and in the case of rural areas the whole micro-region.</li> <li>2. MRCs related programs should be of integrated approach combining housing, environment, social, employment, education, health, security and community development measures in order to tackle the complexity of problems that MRCs face with and to ensure the sustainability of results. Projects based interventions should be linked to mainstream services adjusted to the needs of marginalized as well in order to break different forms of exclusion.</li> <li>3. Legalising existing housing of marginalized communities should be a crucial element of the programs as legal title is a main requirement for households to get access to national and EU funded schemes and a main remedy against forced eviction. It is also an important condition in order to stop the increase of MRCs.</li> <li>4. Projects have to be developed through a participatory, community based planning to ensure developing real choices for the community as a whole, and for its individual members.</li> </ol>
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	<ol style="list-style-type: none"> <li>5. Programs should use a combination of housing interventions in order to tackle the problems of households with different housing difficulties and social and financial abilities.</li> <li>6. Soft measures should be launched well in advance to housing intervention.</li> <li>7. Long term program (at least 10 years) should be planned on local level as the integration of marginalized communities and households are of long term nature.</li> </ol> <p>Recommendations for MRCs related policy making on national level:</p> <ol style="list-style-type: none"> <li>1. In the remaining time (2011-2013) of this programming period mainly pilot projects should be implemented, and models and projects should be prepared for implementation in next period.</li> <li>2. In order to efficiently target marginalized communities, the concept of marginalized communities should be determined clearly. The definition of indicators and their benchmarks should be able to reflect social, housing and environmental disadvantages (absolute and relative deprivation) and serve transparency.</li> <li>3. To develop integrated urban / micro-regional development plans that adequately answer to the problem of MRCs, strict and enforceable methodological guidelines should be provided from national level.</li> <li>4. For planning and implementing local programs, expert support should be provided (supported planning and implementation). A responsible intermediary organization should provide expert support and coordination.</li> <li>5. Continuous monitoring should be implemented on national level to enforce basic principles of de-segregation, integration and participation. A basic conditionality towards municipality should be defined by the national state in order to develop concrete interventions for MRCs.</li> <li>6. A harmonization of different kinds of funds (EU, national, local and other) should be ensured on national level in order to channel sufficient amount of resources to MRCs for a longer period of time.</li> </ol> <p>Recommendation for the EU-level – for next period:</p>
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	<ol style="list-style-type: none"> <li>1. The EU could request from all Member States eligible for funds to start to set up mechanisms for legalising illegal settlements and the housing situation for the sake of the members of marginalized communities prior to any development. Additionally, the EU could contribute to the related expenditures.</li> <li>2. Mechanisms to enhance legalising existing housing of marginalized communities should be promoted as a first step before any housing development. The EU should request it from all Member States eligible for funds.</li> <li>3. Define more precisely the concept of desegregation by setting up related minimum requirements.</li> <li>4. The EU could require the development of some conditionality related regulation from the Member States making available funds for local governments only if they implement MRCs related projects.</li> <li>5. The current mono-funding approach together with the low level of cross-financing is not applicable to reach the optimal level of complexity and flexibility. It should be considered that inside one OP all interventions of integrated approach should be allowed with higher cross-financing rate. No dividing lines between other OPs and MRCs related program should be defined as it would seriously harm the complexity of the programs. The problem of overlapping could be tackled e.g. by a project database including all the projects of different OPs.</li> </ol>
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### 3.4 Working group 4

TITLE:	
COLLABORATIVE PLANNING AND MEDIATING SHARED COMMUNITIES	
General information about the working group	
Organizer	Moderator: Maria Faraone (Oxford Brookes University)
Speakers	<ul style="list-style-type: none"> <li>o Antonio Tosi (Politecnico di Milano)</li> <li>o Marek Hojsik (Roma Institute, Bratislava)</li> <li>o Bronislav Podlaha (Agency for Social Inclusion, Most and Cheb)</li> </ul>
Short description of the main theme	Case studies of collaborative planning processes that might be transferrable to other countries
Short description of the <i>objectives</i> of the working	The workshop allowed mixed teams to plan collaboratively according to their principles and methods a specific Roma

group	Ghetto community in the Czech Republic
Long description (from the programme)	<p>There is a degree of confusion and fear surrounding the housing conditions of the main marginalized groups in European society, that of the Roma. Planning policy and the social systems they govern are designed to serve predicated approaches to housing access with cultural approaches also enmeshed in this thinking. They do not incorporate an understanding of Roma communities from their perspective. Resulting marginalization contributes to a decline in health, life expectancy, employability, training and education and in general inclusion and tolerance with an increase in prejudice and xenophobia.</p> <p>Planning has a powerful role to play in desegregation of marginalized communities. The system, the societies it serves and the varying contexts must all be understood and used as tools to inform approaches to collaboration.</p> <p>One way to influence policy change with regards to planning and create viable communities is to resolve a degree of understanding from all sides at the ground level. There are inherent difficulties in this approach given the history of communication and ignorance about lifestyles of both resident groups from each other as well as from the local authorities. This work develops a methodology for setting contexts within which these relationships can establish, evolve and flourish.</p>
<b>Content of the working group discussion</b>	
Key points made by the individual presenters	<p><b><u>Presentation 1 (Maria Faraone, Oxford Brookes University):</u></b> Romani collaborative planning cases have been successful where local community, Romani and local authority had a chance to legitimize each other's contribution to society. A methodology was presented that incorporates the planning system through a process familiar to Roma traditional methods of engagement.</p> <p><b><u>Presentation 2 (Antonio Tosi, Politecnico di Milano):</u></b> Cases on Milan and Pisa highlight the need to clarify the assumption of responsibility from the part of public local institutions; the quality of the administrative frame; the communication style; along with the need to take seriously the reasons for the involvement of both parties; and therefore the articulation of the mediation models.</p> <p><b><u>Presentation 3 (Marek Hojsik, Roma Institute, Bratislava):</u></b> The transitions in Slovakia from communist housing policy to</p>

	<p>privatisation of real estate market where Roma were key losers in this process. Approaches to changing this lie in understanding the central and municipal roles in housing policy; addressing Roma myths; and relating actual indicators of their condition to the resulting success of interventions. There is a need for redefining what is meant by 'success'.</p> <p><b><u>Presentation 4 (Bronislav Podlaha, Local Gov't, Most and Cheb):</u></b> Introduction to Czech's Chanov Ghetto in terms of history, social conditions and site plans. The workshop then developed approaches to developing the site based on country specific values and future aspirations for the community.</p>
<p>Examples of crucial <i>cases</i> mentioned, good ones as well as bad ones</p>	<p>Cases in UK, Milan and Pisa indicate that what is missing is appropriate collaboration as well as those conditions that set the context for a local level public engagement. Links to local communities as well as to policy development in the long term create a degree of legitimacy necessary to bring value to the engagement process.</p> <p>Cases in Slovakia indicate that mixes of tenure options need to be made available for the Roma community who are currently left out of the relatively new privatised housing market. Relationships created directly with construction sector can create this access but political presence is still a barrier to be overcome.</p> <p>The case in the Czech Republic indicates the long standing nature of communities in remote and segregated areas is accepted as the norm. The potential and interest for these kinds of workshops is great and increasingly being seen as viable alternatives to the discovery of community needs as well as determining transitions to desegregation at the planning and eventually socio-economic levels.</p>
<p><i>Legal frameworks</i> mentioned</p>	<p>Housing policies are driven by political pressures. Public pressures are driven often by myths. This link between cultural ignorance and policy development needs addressing particularly in workshops at the local level. This is present in every country represented in the workshop.</p>
<p><i>Policies</i> mentioned</p>	<p>There are planning policies relating to the society at large but those relating to Roma communities are mainly about control instead of engagement towards establishing their own provisions. Policies are missing that would establish the context for legitimate public engagement. This is present in every country represented in the workshop.</p>

<i>Best practices</i> mentioned	Best practices only apply in terms of a methodology. The actual methods must be tailored by the specific communities and stakeholders themselves in order to ensure that the process is relevant to them.
Identified <i>opportunities</i> for <u>improvement</u> , and opportunities for <u>innovation</u> (with special attention for opportunities/innovations relevant for Decade activities and challenges)	<p>The conflict in which mediation occurs is a political conflict and requires that it take on the rules of the political game (Tosi). A ‘public space’ for active participation and innovation will be available when all parties are accepted as equals and there are direct implications of the results of the collaboration to local changes as well as policy level ones. So it is really about commitment at all levels by methods particular to a place and not about best practice.</p> <p>Ultimately we are reinventing tradition (Niculae). Both in terms of space making and in terms of engaging and local level decision-making. Innovation is embedded in looking back to what has always worked and ensuring the context is present for these methods to take root.</p> <p>Redefining of what integration and assimilation is required (Vermeersch) and these meanings relevant in each context will clarify transferability of methods from place to place, country to country.</p>
Stakeholders	<p>Current crucial stakeholders for policy implementation: Roma community, local authority, local residents, representative NGO’s, Roma communities with previous experience of collaborative engagement, media, planning advocates.</p> <p>New stakeholders that may be important for policy implementation include policy ‘reporters’ at the regional and national level who attend and then can act as workshop disseminators divulging resulting decisions and their implications towards policy.</p>
Key responses from the audience	<p>Questions and contributions focused on specific responses to the Czech Roma site during the active workshop and included introducing appropriate economic enterprises; making the area special to surrounding communities; creating an ideal mixed housing tenure attracting households from diverse socio-economic backgrounds by extending the community into green fields and away from highways; establishing a respect for place by treating landscaping, roads and house design with a degree of thoughtfulness, integrating the urban space with nearby communities. These decisions were approached with collaborative engagement methods with a cross section of the entire community represented. As a whole, the response was about how to maintain a respect for tradition both in the methodology and the spatial developments within a policy framework (often as barrier) that can report back results,</p>

	inconsistencies and opportunities for improvement of policy.
<b>Assessment of the working group</b>	
Objectives achieved by the working group discussion	Understanding the commonalities of issues, differences in approaches and mainly attempting to ensure that the same mistakes are not repeated in efforts to partner with Roma in establishing and developing their housing (and establish stopping places) communities.
Objectives still to be achieved	Actual case study applications of the methodology; running actual workshops and then relating changes to the evolution of the planning structure by local authority; and the degree of desegregation that these changes actually affect in Roma communities over time.
Cross-linkages and relevant points for other working groups	Key issues raised in the Housing and Conflict workshop are foundational to understanding what form the collaborative planning interventions can take. When the issues are clear then the solutions that come out of engagement are a response to these more directly.

### 3.5 Working group 5

<b>TITLE:</b> <b>SOCIAL HOUSING - GIVE PEOPLE THE CHOICE</b>	
<b>General information about the working group:</b>	
Organizer	The Sociology Department of the Czech Academy of Sciences and the Metropolitan Research Institute, Budapest (MRI)
Speakers (with affiliation)	<ul style="list-style-type: none"> <li>o József Hegedüs, MRI</li> <li>o Maurizia Tovo (World Bank)</li> <li>o Mona Prisacariu (Habitat for Humanity, Romania)</li> <li>o Martina Mikeszová (Czech Academy of Sciences)</li> <li>o Mina Petrovic (Belgrade University)</li> </ul>
Description (from the programme)	<p>There have been great changes to the public housing sectors of the former socialist countries, and Western Europe equally experiences changes to its social housing sectors. These developments show some convergences, namely, increasing targeting and the importance of demand side subsidies such as housing allowance schemes, but also some divergences in terms of seeking different institutional solutions, relying on the private rental sectors' supply, and different levels of decentralisation.</p> <p>With the marketisation of the housing sector and the deregulatory conditions set up by the states, additional options emerge for providing for housing, whereas, to help the</p>



	<p>vulnerable ones to access the rental sector and sustain themselves under market conditions, assistance schemes and alternative (rental) housing programs are developed. The aim of the WS is to gain an insight into selected countries' initiatives to enlarge the range of housing models and institutional settings under a diversity of circumstances and targeting at a variety of groups. Also, examples from the borders of "social" housing provision are revisited, i.e. from homelessness or Roma housing programs, and the transferability of the schemes is critically analysed.</p> <p><b><u>Relevance of the topic:</u></b> Especially in the post socialist countries, the states had to "withdraw" from the housing sector and cut subsidies for new construction (both public and private), and privatize not only housing industry and services, but also most of the public housing stock (with a few exceptions), limiting the public sphere's options to intervene in combating growing inequality and exclusion via direct housing supply. Nevertheless, each of the countries witnessed new directions in their housing policies, which necessarily included social housing programs and initiatives by an extended circle of stakeholders, e.g. either the NGO or the public sector.</p>
Short description of the <i>objectives</i> of the working group	<p>The objectives were: (1) discuss what developments have been in place in the past two decades in social housing provision in selected countries, (2) enable participants to elaborate the options for alternative models.</p>
<b>Content of the working group discussion</b>	
Key points made by the individual presenters (structure this by presentation)	<p><b><u>Presentation 1 (Maurizia Tovo, World Bank):</u></b> Through a discussion of case studies from Canada and Azerbaijan, this presentation concludes that it is important to adopt an approach to development that supports participatory decision making, local capacity building, and community control of resources. Presentation available at <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MTovo-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MTovo-ppt.pdf</a>.</p> <p><b><u>Presentation 2 (Mona Prisacariu, Habitat for Humanity, Romania):</u></b> Presentation of three possible alternatives for classic social housing programmes.</p> <ul style="list-style-type: none"> <li>o Housing programmes developed by local authorities in collaboration with NGOs. For example, in Romania, Habitat for Humanity proposed a "national agency for housing" for</li> </ul>

	<p>vulnerable groups.</p> <ul style="list-style-type: none"> <li>o Microfinance schemes for solving the most urgent housing needs for people living in poor conditions.</li> <li>o Large scale programmes for housing and urban development such as Habitat for Humanity's Neighbourhood Revitalization Initiative, which is successfully implemented in the US, see: <a href="http://www.habitat.org/env/NRI_default.aspx">http://www.habitat.org/env/NRI_default.aspx</a>.</li> </ul> <p>Presentation available at <a href="http://www.fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MPrisacariu-ppt.pdf">http://www.fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MPrisacariu-ppt.pdf</a>.</p> <p><b><u>Presentation 3 (Martina Mikeszová, Czech Academy of Sciences): Social Exclusion and Housing in the Czech Republic: Chance to Reintegration?:</u></b></p> <ul style="list-style-type: none"> <li>o Discussion of the current housing policy in the Czech Republic and the housing situation of socially excluded families</li> <li>o Discussion of the barriers preventing successful reintegration of socially excluded families into the housing market. Reintegration programmes usually consider three levels of housing: short-term emergency housing, social housing with supporting field social services and long-term independent rental housing. However, due to the unavailability of housing of high quality, in practice only the first step is implemented: short-term emergency housing.</li> <li>o Analysis of three examples of programmes aimed at the integration of socially excluded in the housing market</li> <li>o Discussion of a pilot model of "guaranteed housing"</li> </ul> <p>Presentation available at <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MMikeszova-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MMikeszova-ppt.pdf</a>.</p> <p><b><u>Presentation 4 (Mina Petrovic, Belgrade University): Roma Housing in Belgrade – Recent Approaches, Challenges, and Key Actors' Perspectives:</u></b></p> <ul style="list-style-type: none"> <li>o The presentation discusses the current approach to social housing and improving housing for Roma by in the city of Belgrade.</li> <li>o In 2003 a program for constructing 5000 units for resettling slums/illegal settlements mostly populated by Roma was introduced, but not implemented.</li> <li>o Major infrastructure projects were aimed at improving housing for Roma, but the evaluation is mostly negative.</li> </ul> <p>Presentation available at</p>
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	<a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MPetrovic-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MPetrovic-ppt.pdf</a>
Examples of crucial <i>cases</i> mentioned, good ones as well as bad ones	<ul style="list-style-type: none"> <li>o An example of a crucial bad case: One of the most known cases in Romania is that of Piatra Neamt (October 2001), when the mayor stated that he plans to build a “ghetto” for the Roma, thus stirring political and media attention. Mayors in the cities of Deva and Baia-Mare followed suit and expressed their intention to build similar housing estates for local Roma, to “solve” the social problems of these unwanted residents.</li> <li>o An example worth consideration is the case of the Homelessness Prevention Programme by The Salvation Army in Ostrava. 25 social housing flats have been offered through sublease agreements and function as training flats: the new tenants first receive a 6 month test agreement as well as social assistance before they receive a long-term lease agreement. In the period from October 2007 until the end of 2009 six households out of the original 18 concluded a lease agreement with the municipality; one household found independent housing and 11 households left the programme for violations of the terms of the programme.</li> <li>o Another example is the Community housing project - ČESKÝ ZÁPAD O.S., Dobrá voda near Toužim. The aim is to improve the locality. An NGO bought a house with 14 flats occupied by Roma (from Municipality) and started community work with the tenants (voting a residential board, participation in reconstruction, participation in housing management and maintenance, etc.). Results were positive.</li> </ul>

### 3.6 Working group 6

TITLE: GOOD PRACTICES IN IMPROVING THE ACCESS OF ROMA TO HOUSING IN RURAL AND URBAN AREAS	
General information about the working group:	
Organizer	FRA (Moderator: Eva Sobotka)
Speakers (with affiliation)	<ul style="list-style-type: none"> <li>o Michail Beis (FRA)</li> <li>o Antonio López Gandara (Fundación Secretariado Gitano, Spain)</li> <li>o Marta Álvarez Alonso (Dirección General de Asuntos Sociales y Cooperación al Desarrollo, Gobierno de Navarra, Spain)</li> <li>o Stanislav Svoboda (RPG RE Management, s.r.o.)</li> <li>o Pablo Espiniella (OHCHR Regional Office for Europe)</li> </ul>
Short description of the	Exploration of housing programmes in Ireland, the UK, Spain

main theme	and the Czech Republic. Presentation of OHCHR assessment tools for human rights budgeting.
Short description of the <i>objectives</i> of the working group	Present examples of good practice in the area of housing, and explore factors of successful housing projects to allow for learning across board.
Description from the programme	<p>This working group will focus on discussion of good practice in addressing housing situation of Roma in rural and urban areas. Michail Beis will present examples of housing project in rural area in Ireland and the UK: Cambridgeshire, where as two Spanish case study which deal with 2 housing programmes in Navarra and Madrid will present housing projects in urban setting. There are important elements of good practice such: as partnership and cooperation; innovation and creativity; adopting a multifaceted approach to the problems of the target groups; promoting equality and non-discrimination; ending segregation and supporting vulnerable groups within Roma/ Traveller communities; involvement of the target group in decision-making during all stages of the project from design to implementation; ensuring effective interaction between the Roma/ Traveller beneficiaries and the authorities.</p> <p>Despite the encouraging examples of good practice featured in these case studies and the FRA's report, there still remain notable challenges associated with transferring these successful approaches to other contexts. The key challenges in ensuring transferability are: difficulties in securing funding and co-funding; the high costs, the prevalence of racism and discrimination at the local level; the lack of political will to challenge segregation; the lack of formal evaluation and assessment.</p> <p>The outcomes of the discussions will inform the work of the European Commission and will be followed up within the Decade of Roma Inclusion countries when assessing national action plans.</p> <p>As a background and in preparation of discussion at the working group, it is recommended to check out the FRA report on Housing and Roma (comparative study as well as good practice report).</p> <p>See:  <a href="http://fra.europa.eu/fraWebsite/research/publications/studies_discussion_papers/case-study-roma-housing_en.htm">http://fra.europa.eu/fraWebsite/research/publications/studies_discussion_papers/case-study-roma-housing_en.htm</a>  <a href="http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm">http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm</a>  <a href="http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm">http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm</a></p>

	<p>For reference to FRA Roundtable on Roma and Housing held in 2009, please see:  <a href="http://fra.europa.eu/fraWebsite/news_and_events/events_archive/2009events/evt09_201009_en.htm">http://fra.europa.eu/fraWebsite/news_and_events/events_archive/2009events/evt09_201009_en.htm</a></p>
<p>Content of the working group discussion</p>	
<p>Key points made by the individual presenters (structure this by presentation)</p>	<ul style="list-style-type: none"> <li data-bbox="579 535 1362 824">o <a href="#">Presentation 1</a>: Michail Beis: UK and Ireland case studies. Practices aimed at improving the situation on non discrimination and equal opportunity. Roma and Travellers participated in the design and implementation of the projects. These projects are transferable and sustainable. Presentation available at <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-mbeis-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-mbeis-ppt.pdf</a>)</li> <li data-bbox="579 831 1362 1097">o <a href="#">Presentation 2</a>: Antonio Lopez Gandara: presented FSG. And their programmes in Spain. Cooperation between the different levels of governance is necessary. Monitoring of families beyond resettlement. Participation and dialogue with different stakeholders. Presentation available at <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-ALopezGandara-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-ALopezGandara-ppt.pdf</a>.</li> <li data-bbox="579 1104 1362 1393">o <a href="#">Presentation 3</a>: Marta Alvarez Alonso: projects promote integration and avoid social exclusion (ownership or rental). Strong coordination between different bodies (government, NGOs and private sector...). Housing has knock-on effect on education and employment. Presentation available at <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MAlvarezAlonso-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MAlvarezAlonso-ppt.pdf</a>.</li> <li data-bbox="579 1400 1362 1861">o <a href="#">Presentation 4</a>: Stanislav Svoboda: Presentation about the revitalisation of houses by the tenants themselves in cooperation with a private enterprise. This creates a sense of community and responsibility. This example gives additional impetus for how private owners and business could be involved in addressing the housing situation. Most importantly, the example illustrates that along with the housing conditions, one has to secure support of the local level authorities and influence also ways in which segregation of Roma is addressed with a long-term perspective. Where houses have been revitalised, it is essential that desegregation measures and further urban developments follows in line with standards adopted by</li> </ul>

	<p>relevant human rights compliant standards in the field.  <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MAlvarezAlonso-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-MAlvarezAlonso-ppt.pdf</a>.</p> <ul style="list-style-type: none"> <li>o <a href="#">Presentation 5</a>: Pablo Espiniella: Rights based approach to housing. Tool to understand the implications of the budget analysis process. Need for a monitoring and evaluation tool. Tool allows identifying areas of impact in the lives of the Roma. Presentation available at  <a href="http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-PEspiniella-ppt.pdf">http://fra.europa.eu/fraWebsite/attachments/roma-housing-conference-PEspiniella-ppt.pdf</a>.</li> </ul>
Examples of crucial <i>cases</i> mentioned, good ones as well as bad ones	<ul style="list-style-type: none"> <li>o Asperones shantytown (Malaga, Spain)</li> <li>o Navarra (Spain)</li> <li>o Liscina (Czech Republic)</li> </ul>
<i>Policies</i> mentioned	<ul style="list-style-type: none"> <li>o Cambridgeshire model of Traveller Needs Assessment (UK)</li> <li>o Traveller participation in decision making, Meath County Council (Ireland)</li> </ul>
<i>Best practices</i>	<ul style="list-style-type: none"> <li>o Cambridgeshire model of Traveller Needs Assessment (UK)</li> <li>o Traveller participation in decision making, Meath County Council (Ireland)</li> <li>o “Bridge-apartment” Programme in Cordoba (Spain)</li> </ul>
Identified <i>opportunities</i> for <u>improvement</u> , and opportunities for <u>innovation</u> (with special attention for opportunities/innovations relevant for Decade activities and challenges)	There is a need to share the knowledge from the working groups of this conference with other partners the EU context and the Decade countries.
Stakeholders	<ul style="list-style-type: none"> <li>o Current crucial stakeholders for policy implementation: NGOs and civil society, local authorities</li> <li>o New stakeholders that may be important for policy implementation: private sector (banks, property developers), increase the number of local authorities involved, media</li> </ul>
Key responses from the audience	There is a need for systematic and consistent assessment, evaluation and monitoring of programmes. In many instances there is also a need to clarify ownership of the properties. And involvement of the majority population is crucial.
<b>Assessment of the working group</b>	
Objectives achieved by the working group discussion	Presentation of cases of good practice in 4 EU Member States. The examples of good practice were important to understand which elements can make a project successful: good

	monitoring and evaluation, Roma-inclusive approach, efficient joined up governance between the different levels of governance
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## Annex 1. Conference organizers and workshop contributors

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**The Decade of Roma Inclusion Secretariat Foundation** (Decade Secretariat) is a private foundation established by the Open Society Institute in 2007. The Decade Secretariat serves as the main facilitation body of the Decade of Roma Inclusion 2005-2015 ("Decade"). It aims to support the work of the annually rotating National Presidency of the Decade. In addition to the annual transfer of know how and initiatives between national presidencies, the Decade Secretariat ensures a smooth transition and enhances coordination of all joint activities. It provides continuity to the Decade and acts as the continuous repository of information and knowledge on the Decade.



**The European Union Agency for Fundamental Rights (FRA)** is an advisory body of the European Union. It was established in 2007 by a legal act of the European Union and is based in Vienna, Austria. The FRA helps to ensure that fundamental rights of people living in the EU are protected. It does this by collecting evidence about the situation of fundamental rights across the European Union and providing advice, based on evidence, about how to improve the situation. The FRA also informs people about their fundamental rights. In doing so, it helps to make fundamental rights a reality for everyone in the European Union.

The Agency focuses on the situation of fundamental rights in the EU and its 27 Member States. Candidate countries and countries which have concluded a stabilisation and association agreement with the EU can be invited to participate following a special procedure.





**Local Government and Public Service Reform Initiative** (LGI) was established in 1997 with the aim to support the improvement of effective, democratic governance in the transition region of Eastern Europe and the former Soviet Union.

One of LGI's current flagship activities is the Making the Most of EU Funds for Roma (MtM) initiative (<http://mtm.osi.hu>). MtM covers the 5 EU member states of the Decade (BG, CZ, HU, RO, SK) and is extended to Southeast European countries as well (Macedonia and Serbia first). MtM provides technical and financial assistance to the preparation and management of EU funded projects on the one hand, and contributes to formulation of EU and national policies on using EU funds for Roma inclusion on the other.



**The Metropolitan Research Institute** was established in Budapest, Hungary in 1989. Since then, MRI has become a recognized institution working in the areas of housing policy and urban development as well as local government finance research. MRI has been involved in numerous Hungarian and international research projects and consultancy assignments, in a series of EU 5th, 6th and 7th Framework Programme projects, and several other EU level international programmes, dealing with urban housing and social issues. The most relevant ones are/were the project UGIS 'Urban Governance, Social Inclusion and Sustainability' dealing with the consequences of Urban Development Programmes, especially regarding social inclusion and urban sustainability. A further project was EXCLUSION 'Housing and Exclusion: Welfare Policies, Housing Provision and Labour Markets'. The overall objective of the currently running project DEMHOW 'Demographic Change and Housing Wealth' is, to investigate the ways in which, across member states, demographic change and housing wealth are linked. Moreover, MRI has been involved in consulting the Hungarian governments on developing national level social housing policies, elaborating approaches to Roma housing issues and social rehabilitation methodologies since the mid 2000s.



**The Open Society Fund (OSF) Prague** was established in 1992 as a member of the international network of Soros foundations. Since the very beginning it has been a significant independent organization with a number of specific features giving it a unique position among Czech foundations: receiving support from a private international donor, it is able to take a flexible approach to the current needs of society; to accept a healthy amount of risk when supporting projects; to support long-term projects aiming to initiate system changes and responding to some controversial issues; to bring into the Czech Republic successful innovative methods, and give systematic support to international cooperation.



**The Open Society Roma Initiatives** build upon the Open Society Foundations' many years of support for Roma communities, seeking to challenge prejudice and discrimination and to pursue policy change. The Roma Initiatives guide all the Foundations' program and grantmaking activity related to the Decade of Roma Inclusion 2005–2105. They work to increase the ability of Roma to participate in public life, advocate for systemic change in policies affecting Roma, challenge anti-Roma prejudice and negative stereotypes of Roma, and increase Roma participation in the Decade to make it an enduring success.



Úřad vlády České republiky

The Government Office of the Czech Republic, **Office for the Council for Roma Minority Affairs** was set up by Czech Government Decree No.581.dated 17.9.1997. The Council is the only inter-

departmental body whose purpose is the unification of Ministerial integration activities in relation to Roma communities. This body initiates systemic changes and the removal of barriers preventing Roma minority from living a full and dignified life in the Czech Republic. The Council is a permanent advisory and initiative body of the Government on issues related to Roma community. Since 2010 the Chairperson of the Council is the Prime minister of the Czech Government, members are Ministers or Deputy ministers together with Romani representatives. The Office for the Council for Roma Minority Affairs serves as secretariat for the Council.

## Annex 2. List of participants

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## Annex 3: Agenda

### WEDNESDAY 2 FEBRUARY 2011

#### 11:00 – 17:00 FACULTATIVE FIELD TRIP TO ROUDNICE NAD LABEM

Meetings with local authorities, local community  
Organised by: Agency for Social Inclusion

### THURSDAY 3 FEBRUARY 2011

#### 9:30 – 10:00 PLENARY SESSION: WELCOME

Venue:	Hotel Pyramida Congress Hall
Moderator:	Czeslaw Walek, Office of the Government of the Czech Republic
9:30	Ing. Miroslav Kalous, Deputy Minister of Regional Development
9:40	Morten Kjaerum, Director of the European Union Agency for Fundamental Rights
9:50	Robert Basch, Director of Open Society Fund Prague
9:52	Alexandros Tsolakis, Policy Expert, DG Regio, European Commission

#### 10:00-13:00 PLENARY SESSION: SETTING THE FRAME WORK IN-DEPTH DISCUSSIONS AND GOOD PRACTICE EXCHANGE

Venue:	Hotel Pyramida Congress Hall
Moderator:	Czeslaw Walek, Office of the Government of the Czech Republic
10:00-10:15	Adequate housing as a component of the right to an adequate standard of living and the right to non-discrimination: Raquel Rolnik (UN Special Rapporteur on Housing)
10:15-10:30	Council of Europe standards regarding Roma housing: Michael Guet (Support Team of the Special Representative of the Secretary General for Roma Issues, Council of Europe)
10:30- 10:45	Access of Roma to housing in the EU: Eva Sobotka (Fundamental Rights Agency)
10:45-11:00	Katarina Mathernova (The World Bank)
11:00-11:15	Social housing in transition countries – a need for innovations: Martin Lux (Institute of Sociology of the Academy of Sciences of the Czech Republic)
11:15-11:45	Coffee break
11:45-13:00	Discussion

#### 14:30 – 17:00 WORKING GROUPS SESSIONS

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### WORKING GROUP 1: PRACTICAL APPLICATION OF ANTI-DISCRIMINATION LEGISLATION: CASE LAW AND MEDIATION PRACTICE RESULTING FROM WORK OF THE EQUALITY BODIES AND LOCAL AUTHORITIES

OBJECTIVES OF THE WORKING GROUP ARE TO EXPLORE CASES AND METHODS APPLIED IN PRACTICE CONCERNING PRACTICAL APPLICATION OF ANTI-DISCRIMINATION LEGISLATION. EQUALITY BODIES, BUT ALSO LOCAL AUTHORITIES PLAY AN IMPORTANT ROLE IN ADDRESSING DISCRIMINATION IN HOUSING.

Venue: Hotel Pyramida, room TBC

Moderator: Michail Beis (Fundamental Rights Agency)

Speakers: Kalliopi Lykovardi (Ombudsman Greece)  
Marian Mandache (Romani Criss )  
Fabien Dechavanne (HALDE France)  
Robin Harms (Ombudsman for Minorities Finland)

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### WORKING GROUP 2: HOUSING AND CONFLICT

NEIGHBORHOODS, AREAS, ZONES AND HOUSES ARE NOT INDIFFERENT ACTORS IN SOCIAL CONFLICTS AND THE PARTICULARITIES OF EUROPEAN ROMA HOUSING ARE ADDING A DEGREE OF DIFFICULTY TO THIS TOPIC. OUR ATTEMPT IS TO PROVIDE ELEMENTS FOR DEVELOPING A PREVENTIVE ATTITUDE TOWARDS HOUSING RELATED CONFLICTS.

Venue: Hotel Pyramida, room TBC

Moderator: Catalin Berescu (architect, Romania)

Speakers: Claude Cahn (United Nations Office of the Resident Coordinator in the Republic of Moldova)  
Nabeel Hamdi (Oxford Brookes)

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### WORKING GROUP 3 (CLOSED): MAKING ERDF AVAILABLE FOR FINANCING HOUSING FOR MARGINALISED COMMUNITIES

THE OBJECTIVES OF THE WG ARE (1) TO DISCUSS THE NECESSARY CONTENTS OF ROMA INCLUSION PROJECTS WITH A HOUSING COMPONENT THAT SHOULD BE THE BASIS OF THE DESIGN OF NATIONAL LEVEL PROGRAMMING; AND (2) ENABLE STAKEHOLDERS (MAS AND NGOS EQUALLY) TO DISCUSS THE OPTIONS, CONDITIONS AND POSSIBLE OUTCOMES OF SUCH PROGRAMS.

Venue: Hotel Pyramida Meeting Room nr. 6

Moderator: Alexandros Tsolakis (DG Regio, European Commission)

Speakers: Adam Kullmann (Open Society Institute, LGI), Nora Teller (Metropolitan Research Institute), Eszter Somogyi (Metropolitan Research Institute), Marek Hojsik (Social Development Fund, Slovakia), János Csóka (Consensus Foundation, Hungary), Daniela Grabmüllerová (Ministry for Regional Development and Public Works, Czech Republic), Deyan Kolev (Amalipe

Foundation, Bulgaria), Ilie Dinca (National Agency for Roma, Romania), Martin Simacek (Agency for Social Inclusion, Czech Republic), Márton Matkó (National Development Agency, Hungary), Bogdan Suditu (Ministry of Regional Development and Tourism, Romania), Juraj Kuruc (Office of the Plenipotentiary for Roma Communities, Slovakia), Elitsa Nikolova (Ministry for Regional Development and Public Works, Bulgaria)

FRIDAY 4 FEBRUARY 2011

### 9:00 – 11:30 WORKING GROUPS SESSIONS

#### WORKING GROUP 4: COLLABORATIVE PLANNING AND MEDIATING SHARED COMMUNITIES (HOUSING AND CONSENSUS)

THE WORKGROUP WILL GO THROUGH THE WORKSHOP METHODOLOGY, CONTRIBUTE CONTEXTUALLY RELEVANT INFORMATION AND PROPOSITIONS AND EXERCISES. THESE WILL THEN BUILD ACTUAL WORKSHOPS TO SUIT PARTICULAR LOCATIONS WITH SPECIFIC CONDITIONS AND HISTORY WITHIN THE CZECH REPUBLIC / CEE.

Venue: Hotel Pyramida, room TBC

Moderator: Maria Faraone (Oxford Brookes)

Speakers: Antonio Tosi (Milan Politechnic)

Marek Hojsík (Social Development Fund, Slovakia)

#### WORKING GROUP 5: SOCIAL HOUSING – GIVE PEOPLE THE CHOICE

THE OBJECTIVES OF THE WG ARE (1) TO DISCUSS WHAT DEVELOPMENTS HAVE BEEN IN PLACE IN THE PAST TWO DECADES IN SOCIAL HOUSING PROVISION IN SELECTED COUNTRIES, AND (2) ENABLE PARTICIPANTS TO ELABORATE THE OPTIONS FOR ALTERNATIVE MODELS.

Venue: Hotel Pyramida, room TBC

Moderator: József Hegedüs (Metropolitan Research Institute)

Speakers: Maurizia Tovo (The World Bank)

Mona Prisacariu (Habitat for Humanity, Romania)

Martina Mikeszova (Czech Academy of Sciences)

Mina Petrovic (Belgrade University)

#### WORKGROUP 6: GOOD PRACTICES IN IMPROVING THE ACCESS OF ROMA TO HOUSING IN RURAL AND URBAN AREAS

OBJECTIVES OF THE WORKING GROUP ARE TO PRESENT EXAMPLES OF GOOD PRACTICE IN THE AREA OF HOUSING, AND EXPLORE FACTORS OF SUCCESSFUL HOUSING PROJECT TO ALLOW FOR LEARNING ACROSS BOARD.

Venue: Hotel Pyramida, room TBC

Moderator: Eva Sobotka (Fundamental Rights Agency)

Speakers: Michail Beis (Fundamental Rights Agency)

Antonio López Gandara (Fundación Secretariado Gitano)

Marta Álvarez Alonso (Dirección General de Asuntos Sociales y Cooperación al Desarrollo, Gobierno de Navarra )

Stanislav Svoboda (RPG RE Management, s.r.o.)

Pablo Espiniella (OHCHR Regional Office for Europe)

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#### WORKING GROUP 7 (CLOSED): MAKING ERDF AVAILABLE FOR FINANCING HOUSING FOR MARGINALISED COMMUNITIES

THE OBJECTIVE OF THE WG IS TO FACILITATE THE PROGRAMMING PROCESS BY DISCUSSING THE GUIDELINES OFFERED BY THE EC.

Venue: Hotel Pyramida Meeting Room nr. 6

Moderator: Aleksandor Tsolakis (DG Regio, European Commission)

Speakers: Nora Teller (Metropolitan Research Institute), Slavka Macakova (ETP - Center for Sustainable Development, Slovakia), Gelu Dumina (Agentia Imprenua, Romania), Deyan Kolev (Amalipe Foundation, Bulgaria), János Csóka (Consensus Foundation, Hungary), Jan Houdek (Centrom NGO, Czech Republic)

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#### 11:45 – 13:30 PLENARY SESSION

Venue: Hotel Pyramida Congress Hall

Moderator: Lucie Horvathova, Romodrom NGO

11:45 – 13:15 Reports from the workgroups followed by discussion moderated by Peter Vermeersch (University of Leuven, Belgium)

13:15-13:30 Conference conclusions (CZ Presidency of the Decade of Roma Inclusion, European Agency for Fundamental Rights, European Commission)