Good practice in addressing the situation of Roma in access to housing in the EU

Improving Access to Housing for Roma: Good Local Practices, Funding and Legislation
Prague, 03-04 February 2011
Lisbon Treaty - New general obligation for the EU to combat exclusion and discrimination

- The Union “shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child” - Art. 3 Para. 3 (TEU)

- “In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation” - Art. 10 (TFEU)
EU Anti-Discrimination Legislation

The Racial Equality Directive (RED) 2000/43/EC

- Implements the principle of equal treatment between people irrespective of racial or ethnic origin;
- Gives protection against discrimination in employment and training, education, social security, healthcare and access to goods and services including housing;
- Gives victims of discrimination a right to make a complaint through a judicial or administrative procedure, associated with appropriate penalties for those who discriminate.
- Shares the burden of proof between the complainant and the respondent in civil and administrative cases.
- Provides for the establishment in each Member State of an organisation (National Equality Body) to promote equal treatment and provide independent assistance to victims of racial discrimination.
EU-MIDIS: Roma experiences of discrimination

Countries researched: **Bulgaria, Czech Republic, Greece, Hungary, Poland, Romania and Slovakia**

500 Roma respondents interviewed in each Member State

Interview period: **3 May – 10 July 2008**
Average discrimination rate
% discriminated against in the past 12 months (nine social areas) – Experiences of discrimination

<table>
<thead>
<tr>
<th>Country</th>
<th>Discrimination Rate</th>
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<tbody>
<tr>
<td>CZ</td>
<td>64</td>
</tr>
<tr>
<td>HU</td>
<td>62</td>
</tr>
<tr>
<td>PL</td>
<td>59</td>
</tr>
<tr>
<td>EL</td>
<td>55</td>
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<tr>
<td>SK</td>
<td>41</td>
</tr>
<tr>
<td>BG</td>
<td>26</td>
</tr>
<tr>
<td>RO</td>
<td>25</td>
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Average: 47
Thinking about the last five years, have you ever been discriminated against when looking for a house or apartment to rent or to buy by people working in a public housing agency or by a private landlord or Agency? (%)

<table>
<thead>
<tr>
<th>Country</th>
<th>Yes, ethnically</th>
<th>Yes, other reason</th>
<th>No</th>
<th>Don’t know / Not applicable</th>
</tr>
</thead>
<tbody>
<tr>
<td>EL</td>
<td>32</td>
<td>2</td>
<td>60</td>
<td>6</td>
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<tr>
<td>HU</td>
<td>21</td>
<td>51</td>
<td>28</td>
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<tr>
<td>CZ</td>
<td>20</td>
<td>68</td>
<td>12</td>
<td>12</td>
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<td>PL</td>
<td>13</td>
<td>1</td>
<td>53</td>
<td>33</td>
</tr>
<tr>
<td>SK</td>
<td>11</td>
<td>61</td>
<td>28</td>
<td>28</td>
</tr>
<tr>
<td>RO</td>
<td>3</td>
<td>76</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>BG</td>
<td>12</td>
<td>66</td>
<td>32</td>
<td>32</td>
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</table>
**Awareness of laws prohibiting discrimination when renting or buying a flat**

<table>
<thead>
<tr>
<th>Country</th>
<th>Yes, such a law exists</th>
<th>No, there is no such law</th>
<th>Don't know/No opinion</th>
<th>Refused</th>
</tr>
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<tbody>
<tr>
<td>CZ</td>
<td>36</td>
<td>45</td>
<td>18</td>
<td></td>
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<td>PL</td>
<td>33</td>
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<td>HU</td>
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<td>SK</td>
<td>28</td>
<td>48</td>
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<td>BG</td>
<td>24</td>
<td>38</td>
<td>34</td>
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<tr>
<td>RO</td>
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</tr>
<tr>
<td>EL</td>
<td>13</td>
<td>85</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>27</td>
<td>47</td>
<td>23</td>
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Comparative Report Housing Conditions Roma and Travellers in the EU

- In December 2007 the European Commission asked FRA to develop a comprehensive comparative report on the housing conditions of Roma and Travellers.

- Evidence collected across the EU cover 2000–2009 by the FRA’s RAXEN network and additionally by contractor.
  - Comparative report
  - Six case studies illustrating various housing initiatives (qualitative research)
  - Analysis of relevant EU-MIDIS data (quantitative research)
Key findings field research + secondary data collection

- Large numbers of Roma and Travellers in the EU do not enjoy equal treatment in respect to housing
- Many live in substandard conditions, which fall far below even minimum criteria of adequate housing
- Some live in squalid shanty-towns and temporary camps, often in segregated and hazardous areas
- Roma and Travellers housing is often in areas with poor access to public services, employment and schools
- In some cases access to public utilities such as water, electricity or gas are inadequate or even nonexistent
- Many Roma are unaware of their rights under EU law - only 550 complaints have been filed to Equality Bodies regarding discrimination on accessing housing (2000-2009)
National policies

- Many MSs have adopted *Roma specific initiatives* for the *residential inclusion* of Roma, but most have, thus far, *failed to improve housing conditions proportionally with the funds that have been expended*

- These housing initiatives are often *not based on evidence* and are *without timetables or benchmarks for assessment*

- Some *regional and local authorities are reluctant to implement effectively the national housing policies*
Good practices

- **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.

- **Spain**: The **Housing Programme for Social Integration** (HPSI) run by the regional government of the Autonomous Community of Navarra helps families living in substandard housing and in slums to buy their own home. The programme is funded by the Navarra Department of Housing which, depending on family income, provides up to 45 per cent of the property cost while the rest is financed through a mortgage repaid by the beneficiaries. So far 320 Roma families have participated in HPSI.
The FRA suggests that EU institutions

- Strengthen the provision for **positive measures** to groups recognised as **excluded** or **disadvantaged**
- Strengthen **coordination at the EU level** with regard to good practice exchange among Member States.
- Consider to condition **the allocation of Structural Funds** related to housing on Member States’ **adoption** and **implementation** of **comprehensive action programmes** based on **equal opportunity** and **desegregation plans**.
The FRA suggests that Member States

- Make full use of EU legal instruments (e.g. Racial Equality Directive), and EU financial instruments (e.g. ERDF, ESF, etc.) in developing inclusion policies for Roma and Travellers

- Resource Equality Bodies adequately to allow them to collect complaints efficiently and task them to support discrimination victims in legal proceedings

- In order to enhance implementation of policies, to explore how to strengthen multilevel governance based on the effective partnership particularly with local and regional authorities, equality bodies, and NGOs.

- Strengthen public awareness of relevant laws and rights
How can local authorities develop sustainable programmes, access to housing and infrastructure development

- FRA and Roma Civic Alliance held a Roundtable with local level authorities and EC in May.

Some conclusions:

1. Local authorities and national authorities, in partnership should develop **methodological framework for developing housing projects**, which will need to be sustained by the experience and evidence from people on the ground. (consultation with Roma communities)

2. **Common Basic Principles of Roma Inclusion** should be further developed into guidelines for structural funds spending and planning housing and infrastructure policies at local level.

3. **Policies and projects must guarantee the respect of Human Rights** and cooperation between the Roma, Local Authorities and National Authorities.
How can local authorities develop sustainable programmes, access to housing and infrastructure development

(4) There is a need for a **clear and transparent legal and national framework**, working out **clear responsibilities on each level** – local, regional and national.

(5) There is also a need for setting up **independent institutional mechanisms to access, monitor recommend better implementation of housing policies and projects** and also sanction and take measures in case housing policies are not efficiently implemented. **In Spain for example there is an ombudsman on housing rights.**

(6) The best **route towards housing interventions is through public procurement and through public-private partnership schemes**. It is important to get private sector involved for they are the ones with the expertise. It is important to signify to the private sector a need for experience of working at community level and integrating **Common Basic Principles of Roma Inclusion in the housing projects**.
Thank you for your attention

For more information


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