



Analysis of the Anti-Segregation Policies in the Countries Participating in the Decade of Roma Inclusion

Prepared by Stephan Mueller

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Republic of Hungary

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Introduction

General

All countries participating in the Decade of Roma Inclusion put a special emphasis on anti-discrimination as a cross-cutting issue in their Decade Action Plans (DAP).

The Hungarian Government, holding currently the presidency of the Decade of Roma Inclusion (1. July 2007 – 30. June 2008), defined anti-segregation policy as one of the priority issues during its presidency.

Segregation of Roma prevails still in many countries in Europe. In the sector of education progress can be observed. Many governments initiated anti-segregation policies such as the closure of neighbourhood schools only attended by Romani children or the gradual closing down of special schools only or in vast majority attended by Romani children.

On the other hand, the deterioration of the economic situation of the vast majority of the Roma led to a tendency that many Roma are forced to leave (better developed) multi-ethnic neighbourhoods and to move in (less developed) mono-ethnic neighbourhoods inhabited solely by Roma or where they constitute the overwhelming majority.

Anti-segregation policies are therefore crucial, in order to avoid possible severe negative consequences. The contacts between Roma and other ethnic groups will be more and more limited, since there exist increasingly separate neighbourhoods, unemployment of large parts of Roma makes contacts at the working-place more and more impossible and in education, Romani children leave or finish school much earlier than non-Roma.

These tendencies carry obvious dangers for the society at-large and if governments and societies on the one hand want to preserve the peaceful co-existence of Roma and other ethnic groups and on the other hand want to avoid an increase in the social and ethnic distance or even the development of parallel societies, they have to react immediately.

In order to facilitate an exchange of best practices and experiences, the Government of Hungary decided to initiate a survey on anti-segregation policies, in particular in the sectors Education and Housing, in the countries participating in the Decade of Roma Inclusion.

This survey should provide for an in-depth overview on the legal environment regarding anti-segregation, measures of authorities tackling or preventing segregation and on available data on actual segregation.

The Hungarian Ministry of Social Affairs and Labour developed a questionnaire and sent it out to all Governments of the countries participating in the Decade of Roma Inclusion.

Summary of the Questionnaire

This questionnaire focussed on the following issues in the sectors Education and Housing respectively:¹

How is segregation in education and in housing respectively defined?

Which data are available and are being used in order to define or identify segregation?

¹ For the detailed questionnaire see Annex 1

What kind of legal measures are introduced to request and promote anti-segregation and are data available on the outcome of these measures?

Does the government consider anti-segregation as a horizontal measure in other policies?

What kind of non-legal measures are implemented in order to enhance anti-segregation policies?

How is it ensured that anti-segregation policy is implemented at all levels (national, regional, local)?

Were any de-segregation pilot projects initiated since the launch of the Decade of Roma Inclusion?

Are there any specific nation-wide programmes in place, addressing anti-segregation in education and housing respectively?

What kind of anti-segregation measures are or were introduced making use of national and European Union funds?

Finally, the countries were invited to propose suggestions and recommendations

- a) regarding obtaining data on segregation in education and housing both at national and European level and
- b) regarding anti-segregation projects and policies in education and housing and how national and EU funds could better contribute to efficiently decreasing isolation of Roma communities?

Summary of Preliminary Results

Unfortunately, none of the governments could keep the original deadline. Submissions arrived only late January and during February 2008.²

A country replied only to half of the questionnaire. A second country, instead of replying to the questions, gave a brief general presentation of their respective policies or activities. A third country explained that there are not any relevant policies and legal framework in place.

It should be noted that most of the countries did not reply exactly to all questions; in some cases the answers given left the impression that they were deemed actually for other questions. However, it should be also stated that some of the questions could have been better elaborated.

These circumstances created considerable obstacles for the analysis of the questionnaire.

Due to the nature of the topic and the accordingly designed questionnaire, it was not possible to provide for any quantitative assessment of the results, but only for a qualitative analysis.

Further, it was not feasible to present at the current stage an introduction to the international and respective national legal frameworks and to best practices in anti-segregation policies at international level and at national level. Thus, the analysis of the anti-segregation policies in the countries participating in the Decade of Roma Inclusion is solely based on the answers given in the questionnaires.

It is envisaged that until the end of the Hungarian presidency in June 2008, a more substantial study will be finalised, including an in-depth analysis and a reference to the international legal framework and international best practices.

Based on the available data from the returned questionnaires, the following preliminary major results can be presented:

² One country replied even only on the first day of the Decade ISC meeting; the day the preliminary findings of the questionnaire were presented.

I. Education

1. Definition of segregation

1.1. How do you define segregation in the educational system?

Four countries either did not reply to the question or pointed at that there does not exist a definition for segregation in the educational system.

One country further mentioned that indications for segregation are ascribed to problematic situations such representation of Roma pupils in the classes, schools (also special schools) which however result from a number of factors – demographic indicators, geographic distribution of the population, economic situation, education level, social relations, and that the term segregation is very sensitive and in relation to the Roma it is negatively misused.

One country seems to have two legal acts in place which refer to “unlawful” segregation, inter alia in education.

Another country provided for a more detailed definition in education from a governmental order:

“(…)

Art.2 (1) Segregation is a very severe form of discrimination and has as consequences the unequal access of children to a quality education, violation of exercise within equal conditions of the right to education and human dignity. (...)

(2) The segregation in education of Roma pupils represents the physical separation of Roma from other children at school, in classes, buildings and other facilities, such that the number of Roma children is disproportionately high than that of non-Roma compared to the ratio of school-age Romani children in the total school-age population in a specific administrative unit. (...).”

1.1.1. Please, describe the definition of segregation in legal environment?

In some countries does not exist a legally binding definition of segregation. Therefore, in general, reference is made to discrimination-related definitions and to international documents such as the Convention on Elimination of all Forms of Racial Discrimination which is part of the respective domestic legal frameworks.

These countries whose legal environment includes definition of or reference to “segregation” regard segregation in relationship with discrimination and/or non-equal treatment.

Other countries referred to its minority-related legislation and to the Criminal Code which sanctions racial and other discrimination.

One of the definitions provided in the questionnaires is: “(...) according the Law on Protection from Discrimination the term “racial segregation” shall be the conduct of an act, the performing of an action or mission, which leads to compulsory separation, differentiation or dissociation of persons based on their race, ethnicity or skin colour (...)”.

1.1.2. Please, describe the definition of segregation in researches? If there are several definitions, please list some of them.

In the Decade countries we can find a couple of definitions of segregation in scientific researches.

In some countries segregation seem to be an issue in particular in the education sector, focusing thereby on Roma and providing for different definitions.

As important is considered the differentiation between legal and de facto segregation.

One country described de facto segregation that it is “(...) not a consequence of a certain law, of a public policy, but a continuation of a tradition, prejudices and inertia. The segregated schools are usually located nearby compact Roma communities, communities that are usually characterized by high poverty. Even if there are no legal barriers in registering or transfer of children to other schools, in practice there are a set of economic, bureaucratic and mentality barriers (...)”.

The questionnaires provided for replies on de facto segregation in the education system and identifying different kind of schools which de facto pursue (or have pursued) segregation.

- a) Primary schools, which were in the past special schools. According to the new Act it is primary school, however its curriculum is still of special schools consequently reduced compared to curriculum of standard primary school.
- b) Primary school with majority of Roma pupils. Curriculum is of primary school however school is de facto segregated as majority of pupils are Roma.
- c) Classes for disabled children attended by Roma pupils within standard primary schools
- d) Classes attended by Roma pupils within standard primary schools with curriculum of primary school.

Another differentiation regarding segregation of Roma in the education system was brought forward:

- a) schools attended only/mostly by Roma children,
- b) classes within the mainstream schools attended only by Roma children,
- c) schools for education of children with special needs or development classes within the mainstream schools,
- d) placement of children in schools for adult education.

In other countries, we can identify a more diversified understanding of “segregation”, including issues such as economic, cultural, symbolic, political or spatial segregation.

1.2. What kind of data do you use for the definition?

1.2.1. Social status of children/students? If, yes, please, specify measures

Due to the limitations in collecting and making use of “ethnic data” (see below 1.2.2.), most of the countries refer to data on the social status of the child or of the parents.

Depending on the country, terms such as the following are being used to define the social status or groups which could be targeted in the framework of anti-segregation or anti-discrimination activities: *pupil from a socially disadvantaged environment, pupil from a family receiving assistance in material hardship, family with income not exceeding the subsistence minimum, disadvantaged students or multiple disadvantaged students.*

Data are collected by research institutions, (Romani, human rights or minority rights) NGOs, are based on the census or compiled by an (public) institution which can only use them for their own purpose and is not allowed to make them public.

One country mentioned the measures it has introduced to support “disadvantaged Romani pupils, such as free books, free meals in the kindergartens and in most cases participation in excursions are free of charge. Further, it pointed at the Law on Rights and Freedoms of Minorities which provides for the possibility of affirmative actions such as annual enrolment of a number of persons of Romani origin in university.

1.2.2. Ethnicity? If yes, please specify ethnicity data?

According to answers given, in most of the countries ethnic data are not collected, *inter alia* since the legal regulations on anti-discrimination do not allow for the collection of ethnic data.

One country emphasised that this legal context creates serious problems, since it puts up obstacles not only for the planning of effective and efficient measures, but also for the monitoring and evaluation of the impact of those measures.

The results of censuses could be used, however, they can not take into account the phenomenon of ethnic mimicry, i.e. that Roma very often declare themselves of being a member of a different ethnic groups (in general, the majority in their direct surrounding).

Thus, most countries refer to the social status of the child or of the parents to be in a position to compiling data and working with data in the area of segregation. In some countries only researches can provide for disaggregated data according to ethnicity.

Only one country mentioned explicitly that it does not make use of “social data”, but uses “ethnic data”.

1.3. Data availability – what kind of database do you use for definition? (census, schools statistics, independent research, other – please, specify)

There exists a variety of approaches to compile relevant data on the situation of Romani pupils in the education system. However, according to the answers, official data collected by education-related authorities or gained through census-taking can (often) either not be used or are not feasible for defining or analysing segregation in the education system.

Therefore, the main approach for receiving data on segregation which are more reliable and representing the actual situation are researches (surveys) either conducted by independent scientific research institutions or by non-governmental organisations; very often commissioned by Government authorities.

Other methods to gain general data on situation of Roma in the education system are analyses of the census, or the compilation and analysis of data through the relevant education-related authorities. However, as one country emphasised, the education-related institutions do not compile and analyse data on segregation while another country stated that “(...) there is no official database, mapping, survey or research on segregation within the educational system (...)”.

Another country pointed at the fact that “(...) official statistics on education are unreliable, as they rely on schools to report data and there are incentives for schools to inflate their enrolment figures (...)”.

On the other hand, one country established an annual reporting system which includes reporting on “elimination of segregation” at the pre-university level.

1.4. How frequently do you check data for segregation (monthly, yearly, etc.)?

With some of the answers, it was not clear, if they actually refer to the frequency of checking data on segregation specifically or to monitoring processes in the education system in general. Further, only a few countries provided answers to this question.

One country has a general ongoing monitoring process, however, not specifically targeting segregation. Other countries conduct nationwide statistical analysis annually while another country relies on data collected by NGO on irregular basis.

2. Anti-segregation policy

2.1. What kind of legal measures are introduced for anti-segregation? Please describe measures and if available outcomes of measures.

Most of the countries did not introduce legal measures specifically requesting anti-segregation. In general, the respective Constitutions provide for the principle of anti-discrimination and equal treatment.

Consequently, legislation originally developed to promote anti-discrimination, i.e. the respective Law on Anti-Discrimination, or to promote equal treatment or equal opportunities, constitute the relevant applicable legislation for anti-segregation.

Member States of the European Union had to refer in their relevant legislation to two directives of the European Union: Directive 2000/43/EC, as of 29 June 2000, of the Council of the European Union, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and the Directive 2000/78/EC, as of 27 November 2000, of the Council of the European Union, establishing a general framework for equal treatment in employment and occupation.

One country refers to important political documents such as the Strategy for Improvement of Romani education and the Action Plan on Education; both of them contain provisions on anti-segregation. It also mentioned that the education policy provides for that the principle of non-segregation is not violated in the process of forming classes. However, there still exists one primary school and five classes in five other schools which are overwhelmingly or exclusively attended by Romani students. Meetings, organised by a Romani NGO were conducted with all stakeholders in order to turn these classes and school respectively into integrated classes or school.

Most countries introduced legislation specifically addressing the situation *inter alia* on the labour market or in the education system in order to strive for or guarantee anti-discrimination and/or equal treatment in all aspects of life of the citizens.

One country mentioned all programmes addressing the situation of Roma and institutions working on Roma-related issues while other countries referred to activities in the education system.

One country introduced in its “Public Education Act” the prohibition of school segregation, based on similar provisions in the Equal Treatment Act. Further, several targeted programmes and subsidies were introduced aiming at the “(...) integration of disadvantaged and low-educated students (...)” into the education system. The National Development Plans also include provisions on reaching equal opportunities for students who are considered disadvantaged.

One country introduced, in addition to anti-discrimination legislation, a governmental order “(...) on banning school segregation of Roma children and on approving the Methodology regarding the prevention and elimination of school segregation of Roma children (...)”.

2.2. Do you use the aspect of anti-segregation as a horizontal principle in any other policies? If yes, please indicate which policies these are and how it can be enforced.

One country replied stating that anti-segregation is also used with regard to gender issues, e.g., situation of women on the labour market; another one mentioned that anti-segregation is also an important issue for policy development at local level. Other countries reiterated that anti-segregation is used in the education sector.

One country said that regarding Roma the anti-segregation is an issue in all four priority sectors of the Decade.

One country introduced the obligation that all applications for national and European funds have to include an analysis of equal opportunities in public education.

2.3. Are there any other governmental measures (e.g. supports), which have the influence on enhancement / reduction of the enforcement of anti-segregation?

One country developed an extensive “plan of de-segregation”, starting with school-year 2007/2008, addressing segregation and/or avoiding segregation.

Another country stated extensively numerous legal acts in the education sector which should support equal opportunities for Romani children in the education sector while another one mentioned (PHARE) project and Government projects targeting Roma.

In another country the “Policy Concept of Roma Integration” which is adopted by the government, addresses anti-discrimination. Further, it established an “Agency for Roma Integration”. The primary goal is to support the integration of Roma at local level and school desegregation is one of its “top priorities”.

In another country it was proposed in the context of the Poverty Reduction Strategy to introduce a package of measures for material support of socially vulnerable families, including scholarships schemes. Findings of some researches revealed that parents agree to that their children are attending schools for children with special needs, since in these schools they receive material support not available in “general mainstream” schools. Therefore, the material support should be made available in the mainstream schools too.

A further country included in its Development Plan measures aiming at reduction of segregation and the support of equal opportunities in public education. Further, it included relevant measures aiming at desegregation in its “Public Education Act”.

2.4. How can the anti-segregation policy appear in decisions and measures at national, regional and local level?

One country stated that the order issued at national level is also applicable at regional and local level.

One country enumerated the “principal strategic documents”, another mentioned the closure of schools and kindergartens following a research, while a third country replied as follows: “(...) At national level via governmental decree or legislative process; at regional level via decision of the regional authorities or legislative process and at local level via decision of the local authorities or legislative process (...)”

2.5. Have you launched any de-segregation pilot projects since the launch of the Decade of Roma Inclusion program? If yes, please give us a brief summary of that (objective, location, number of participants, outcomes, monitoring, experiences including problems and best practices, etc.)

Some countries launched (or continued) new education-related projects since the start of the Decade. Some of these projects seem to address directly anti-segregation, however, other mentioned projects seem not to address explicitly anti-segregation.

Some of the projects, in particular the ones financed directly by REF seem to be a consequence of the launch of the Decade, while other projects might have started after the launch of the Decade, however, it did not become clear, if they were implemented because of the Decade.

2.6. Is there any nationwide program for de-segregation of schools/classes? If yes, please give us a brief summary (objective, location, number of participants, outcomes, monitoring, experiences including problems and best practices, etc.)

Only three of the countries seem to have a nationwide programme for desegregation of schools or classes.

As already mentioned one country passed a governmental order on de-segregation that “(...) authorizes Inspectors for Roma Education to formulate action plans to address cases of segregation that they identify, and where schools have a disproportionate number of Roma, or segregate Roma into separate classes. The school itself must ensure that the percentage of Roma is in line with the overall percentage of Roma children in the area within three years (...)”.

One country implements in the framework of the Operational Programme „Development of Human Resources 2007-2013”, one programme „Creation of favourable multicultural environment for practical implementation of intercultural education and behaviour”, will be realised on the whole territory of the country (and financed by the European Social Fund and the state budget).

Another country considers desegregation as a priority in education since 2002.

However, in other countries other national programmes include desegregation activities. Other countries seem to specifically address these schools in which desegregation is still a practice.

2.7. Please, describe what measures are introduced for national and EU funds allocation, aiming to stop segregation or to decrease of the segregation?

- List of special criteria for getting national and EU funds
- Program funded by national and EU funds for de-segregation

The Member States of the European Union primarily make use of the European Social Funds to implement projects deriving from the Operational Programme „Development of Human Resources 2007-2013” in the sectors of education and employment, but also still implement PHARE projects.

Another country provided for an extensive list of projects (55) in the education sector, implemented with resources from the state budget; the focus thereby, seems to be on activities in preschool institutions and in primary schools.

II. Housing (residential segregation)

1. Definition of segregation

1.1. How do you define housing (residential) segregation)?

Only one country provided a description of housing (residential) segregation: “(...) Spatial segregation in relation to housing is one of the typological features of the Roma settlements that are, in terms of location, outlying or set apart by a natural or artificial barrier. In addition the type of settlement is constructed also on the basis of these criteria:

- a. Ownership relations (legality of the land, house)
- b. Access to the infrastructure (sewer system, water system)
- c. The reach to road communications, electricity, natural gas, waste collection
- d. Number of the Roma, rate of the Roma and the state of the region

The indicator of absolute poverty is a characteristic feature. (...)”

Another country mentioned the following definition:

“(...)Segregation as also the socio-economic exclusion is usually interpreted as expression of way off from dominant norms within society and space. Spatial segregation supposes, throughout definition, spatial concentration. Spatial segregation could be also interpreted as the residential segregation of a group within a larger population as long as the deviations from a uniform distribution is bigger the level of segregation is higher (...)”.

1.1.1. Please, describe the definition of segregation in legal environment?

One country came forwarded with the following, however, not clearly stating, if this is the commonly accepted definition in the country: “(...)A sum of political discriminatory policies applied to a group (and through extension on whole community or all the members of a racial group) in order to limit its access to specific resources and compensations with public goods (...)”.

No further country provided a “definition of segregation in legal environment”. Some countries pointed at the existing anti-discrimination legal framework.

1.1.2. Please, describe the definition of segregation in researches?

Two countries provided for comprehensive definitions of (residential) segregation:

One country pointed at the problem that there does not exist a definition of “Roma settlement” which creates an obstacle for defining residential segregation.

It further mentioned that “(...) in literature and research the residential segregation is most commonly described as the exclusion from an adequate standard of housing (...)”.

At another point of the questionnaires it provides for a definition from UNDP for segregated settlements “(...) namely as dwellings located in a settlement distant from the municipality or separated with a barrier (...)”.

The segregated Roma settlement defined as a settlement located on the edge or outside the village/town, which does not have access to (connected) water mains and the proportion of unauthorised dwellings in it exceeds 20 percent.

Segregation as defined by legality of land, legality of the structure, accessibility of sewerage, water mains and waste collection. Accordingly settlements were distinguished into:

- **Segregated** (unsettled land ownership, dwellings built without permission, non-existent sewerage and water supply, unarranged waste collection)
- **Separated** (partially settled land ownership, partial legality of dwellings; non-existent sewerage, water supplied from wells, irregular waste collection)
- **Integrated Segregation** – spatial separation or distance of the Roma settlement from the parent municipality (spatial segregation) or separated use of public services and amenities by the Roma and non-Roma population of the municipality (social segregation)

Segregation: is a physical disconnection, separation of groups (housing, jobs, social functions). A dominant group usually induces it but frequently minority groups have a tendency to segregate, e.g. on the ground of fear. Complete segregation is rare.

Segregation: distinction, separation, detachment; separation of a certain section of the population on racial, religious or other grounds.

It also describes briefly the different existing Romani settlements:

Dispersed settlements: was the most elementary and most archaic type. It did not form a separate urbanistic unit. Particular dwellings were built apart from each other, often at a distance of several meters; later other dwellings were built on the free space.

Linear settlements: particularly on the river banks or in the vicinity of roads. Dwellings were built evenly on both their sides. The distance between particular dwellings was not great.

Street type settlements: Roma dwellings comprise a separate street, mostly at the village end. This type is very common.

It identifies further specific subdivisions of settlements:

Fully segregated settlements: they create a separate urbanistic unit that is physically separated from the municipality.

Segregated settlements: settlement structures that are physically separated from municipalities but are localised within their territories. The separating element of settlements from the majority section of the municipality is either a natural structure (field, river) or an artificial structure (road, wall or railroad)

Autonomous settlement structures within municipalities: most commonly they comprise self-contained streets or quarters, which are integral urbanistic parts of the municipality but from social and cultural point of view, form a separate entity.

The second country provides for this definition:

“(…) Analysis of Socially Excluded Roma Localities and Communities and the Absorption Capacity of Subjects Operating in the Field defines socially excluded Roma localities as a space inhabited by a group whose members consider themselves to be Roma and/or are considered Roma by their neighbourhood and are socially excluded. This may apply to single house as well as a street or whole town. Such a space is both the place to which “the excluded” are directed to and the place which contributes to their exclusion. Frontiers of such localities may be both symbolic and physical. For a locality to be perceived as Roma it is not at all necessary that the Roma inhabitants form the statistical majority in the specific locality.

(…)

An academic research uses following definition of segregation:

Segregation is social-spatial phenomenon. Social feature of segregated social group is important in aspects that cause spatial segregation or segregation of social group. Segregation represents

unequal spatial distribution of certain social group caused by its unequal position in the society and distinguished by concentration of this social group in certain territory inhabited dominantly exactly by this segregated group.

Hence segregation is defined by rate of uneven distribution and concentration of social group in space thereby spatial isolation from other social groups as well as specific reason, which leads to spatial concentration that is unequal situation of the social group in the society (...).”

Two further definitions were provided:

Poor Roma settlements (to which most of the settlements inhabited by Roma belong) are those settlements in which social, economic and environmental situation is under the average possibilities of the society of the given city, in which the settlement is located. Diversity of types of poor areas in which Roma lives is from absolutely inhumane slums to old parts of towns which are in relatively acceptable conditions.

The second definition is as follows: We call segregated parts of a settlement, where – irrespectively of environmental givens, the nature of buildings environment, infrastructural provision – the index of segregation is higher, than the index of segregation in the other parts of the settlement. Index of segregation: = the percentage of persons in active age with not more, than 8 classes finished at the elementary school and having no regular salary/wage.

1.1.3. Please, describe definition of segregation in available databases (if any)

Only one country answered this question:

The “2004 Atlas of Roma Communities” constitutes the only available and official database capturing the housing conditions of Roma population. It distinguishes the following different types of dwellings: an urban or village concentration, a settlement localised on the outskirts of the town/village, or a settlement that is spatially distant or separated by a natural or artificial barrier (brook, railway, road) from the town/village.

With some simplification it holds that the more distant the settlement is from the parent town/village, the worse quality of life is found inside because there are settlements (on the outskirts of the municipality or distant/separated by a barrier) in which the quality of life is higher than in some village or urban concentrations.

1.2. What kind of data do you use for the definition?

1.2.1. Social status of residents of the settlements? If, yes, please, specify measures.

Most of the countries mentioned the income (permanent income, irregular income) and the level of education as relevant criteria.

1.2.1. Ethnicity? If yes, please specify ethnicity data?

Ethnicity is in general not used as a means for definition. Ethnicity is only used as such when settlements were identified in researches as “segregated settlements” based on ethnicity or when they are defined as such by direct surrounding of this settlement.

1.3. Data availability – what kind of database you use for definition? (census, central statistics, independent research, other – please, specify)

Since data from the census, from the Central Statistics Office or from (central) authorities can be used only to a limited extent, data compiled during independent scientific researches or implementation of projects seem to be considered as the most reliable.

1.4. How frequently do you check data for segregation (monthly, yearly, etc.)?

Data on residential segregation are primarily compiled through independent scientific research which often does not allow for a regular capture of data. However, at least one country plans to conduct data capture annually while another one stated that this happens every ten year.

2. Anti-segregation policy

2.1. What kind of legal measures are introduced for anti-segregation? Please describe measures and if available outcomes of measures

It seems that most of the countries did not introduce any specific legal measures for anti-segregation in the field of housing, however, it was pointed out again that use could be made of the anti-discrimination law.

On the other hand most of the countries developed and implemented National Programmes and/or Action Plans aiming at an improvement of the housing situation of Roma or general national Roma-related strategies or included the issue in general Development Plans.

2.2. Do you use the aspect of anti-segregation as a horizontal principle in any other policies? If yes, please indicate which policies these are and how it can be enforced.

In addition to housing, education, regional development and implementation of Roma-related policies at local level were mentioned as areas in which anti-segregation is used as a horizontal principle.

2.3. Are there any other governmental measures (e.g. supports), which have the influence on enhancement / reduction of the enforcement of anti-segregation?

As stated in point 2.1.), most of the countries developed and implemented National Programmes and/or Action Plans aiming at an improvement of the housing situation of Roma or included the issue in general Development Plans.

Further, general Roma-related programmes/strategies or capacity building or community development activities at local level were mentioned as well as National Action Plans on Social Inclusion. In one country governmental institutions initiated the development of urban plans which should be conducted by local authorities with the support of the relevant central authorities.

One country stated the Decade of Roma Inclusion as a governmental measure.

2.4. How can the anti-segregation policy appear in decisions and measures at national, regional and local level?

One country elaborated on this issue: In the cities' development programs published in the framework of Regional Operative Programs the applicant has to prepare an Integrated Urban Planning Strategy. This strategy assigns the direction of city's development for the period of 2007-2013. Its aim is to create a complex planning and development system of the city. An anti-segregation plan is a part of the Integrated Urban Planning Strategy.

The anti-segregation plan has to focus on that part of the city where the rate of inhabitants with low-status (people in active age, educated not more than 8 classes, long-term unemployed) is minimum 50%. These parts of the city are the segregated areas. The anti-segregation plan aims:

- not to increase the segregation, the segregated areas by investments, developments financed by Regional Operative Programs and
- to define steps for reducing segregation.

The Ministry of Social Affairs and Labour prepared a network of experts on anti-segregation to help the applicants. The expert contributes to the preparation of anti-segregation plans, controls the implementation of Integrated Urban Planning Strategy and prepares reports. The applications in the framework of cities' development programs are not valid without the signature of the expert on anti-segregation. It means that cities can not be supported by the Regional Operative Programs, if they do not prepare their anti-segregation plans.

One country raised the issue that housing is in the competence of local authorities. Another country stated the relevant national programme is relevant for all three levels.

2.5. Have you launched any de-segregation pilot projects since the launch of the Decade of Roma Inclusion program? If yes, please give us a brief summary of that (objective, location, number of participants, outcomes, monitoring, experiences including problems and best practices, etc.)

One country continued with housing project under the auspices of the Ministry of Construction and Regional Development and local self-government authorities for citizens in material hardship, including Roma.

Another country started with the implementation of a project "Sustainable improvement and regularization of the Roma settlements" in one town, involving national and international stakeholders.

In a third country the responsible government office for Roma affairs established an "Agency for Roma Integration" in 2008. Its primary goal is helping Roma integration at local level in partnership with local actors. Spatial desegregation is one of the top priorities of this project.

A further country implements since 2005 a "Social Housing and Integration Project for Roma". The first evaluation results demonstrate that it is indispensable to involving NGOs in the programs and that it proved to be usefully to employing mentors in order to support the applicants and in some cases to involving Romani mentors and social workers. Further, the cooperation of state institutions and NGOs proved to be successful.

Another country is currently developing such a programme.

2.7. Please, describe what measures are introduced for national and EU funds allocation, aiming to stop segregation or to decrease of the segregation?

- List of special criteria for getting national and EU funds
- Program funded by national and EU funds for de-segregation

Only those countries that are Member States of the European Union for a longer period replied to this question.

While one country primarily referred to the use of Structural Funds, another country provided for an extensive list of supported activities, including the revitalisation of public areas, regeneration of apartment houses and the creation of (7-10) pilot projects focused on solving problems of Romani communities.

The projects will be linked with other activities such as interventions targeting social inclusion or more specific human resource development. According to the reply to the question, the main „(...) problem is not the condition of blocks of flats, but mainly unemployment, crime, drug addiction and low level of achieved education (...)”. therefore, not only interventions regarding the revitalisation of public areas and the regeneration of apartment houses will be conducted, but also activities of social and community welfare, interventions in human resources, employment etc. Since a common approach to tackling the issue of socially excluded Romani settlements does not exist, it is intended that through the pilot projects it will be possible to identify possible efficient procedures and interventions including housing interventions. The pilot projects will also verify to what extent public-private partnership is efficient in addressing the problems of the Romani community.

Municipalities shall develop „Integrated Plan of Urban Development (IPUD)” which contains set of time-linked actions (integrated projects), which will be realised in selected zone of the town (zone approach). The IPUD and pilot projects for Romany communities cover the following types of interventions:

- Revitalising of public areas
- Regeneration of apartment houses

In the selected zone of the town there may be (besides interventions related to the housing) supported also activities related to:

- Economic growth
- Renovation of physical environment
- Reconstruction of old industrial premises
- Protection and development of natural and cultural heritage
- Support of business, local employment and development of communities
- Providing of services to inhabitants regarding the changing demography structure.

Minimal financial volume for the IPUD of towns from 20 000 - 50 000 inhabitants is determined at € 2 million.

The third country invites municipalities to apply for the Social and Housing Integration Program for Roma people living in segregated settlements and for the programs supporting urban development. However, they first have to develop an “anti-segregation plan”. The Ministry of Social Affairs and Labour provides technical assistance for the applicants.

It further enumerated a couple of programmes funded by the EU, however programmes addressing a variety of issues (education, employment, anti-discrimination awareness campaigns). It was tried to identify these programmes relevant for residential anti-segregation:

- supporting of complex development programs for the reduction of segregation in a settlement or in an underdeveloped region, supporting of the implementation of the

managing/monitoring/and other special elements of the “flagship” program for complex development of underdeveloped regions;

- Sure Start Program (early intervention) in the most underdeveloped regions;
- Socially integrated actions of urban development and rehabilitation;
- Supporting of investments creating workplaces in the small underdeveloped and disadvantaged regions.

III. Suggestions

- 1. Please, specify your suggestions in regards of data availability in the field of educational and residential segregation? Please, describe your suggestion on national and European levels, as well.**

One suggestion made was to improve the collection of ethnically disaggregated data related to education with appropriate safeguards for protecting sensitive information and the identity and privacy of individuals and to develop education-related data collection procedures and mechanisms in order to ensure that ethnically disaggregated data on education are publicly available.

A further suggestion was to conduct research conducted by respective institution (Ministry of Education) in cooperation with Roma NGOs and educational experts into the conditions, causes and modalities of segregation in the education system.

Further to provide better access to data regarding residential segregation and their regular update in order to be enabled to plan properly activities and projects aiming at decreasing residential segregation. Data on ongoing activities or planned projects, especially projects implemented by central governments and local self-governments, could be used as an important instrument toward residential desegregation.

A last suggestion was that the Central Statistical Office publicizes the data collected in the course of the census in 2001 on persons with low status, broken down by a small unit (territory bounded by 4 publicly owned land).

- 2. Please, specify your suggestions in regards of anti-segregation projects and policy in the fields of educational and residential segregation? How the national and EU funds could be better allocated, aiming to decrease efficiently isolation of Roma communities in your country?**

Suggestions from the first country:

The success of the residential anti-segregation programmes is determined by a responsible approach of the communities concerned to improve their housing and particularly to be willing to adjust to new conditions and observe the obligations relating to the use of apartments.

We therefore recommend strengthening the work of community centres and supporting the activity of the community social work in the area of public education, counselling and provision of basic social services, as well as assistance in acquiring the habits and skills necessary for the integration of these citizens' groups in the society.

Further it suggested:

- Support for desegregation projects (placing at an advantage the projects that have the anti-segregation dimension in the very assessment of the projects);
- Agreeing on a universal definition of segregation;
- Creation of a fund to support pilot (innovative) projects aimed at desegregation (such solutions could then be mainstreamed);
- Legal prohibition for state funds to support projects that promote or deepen segregation.

Suggestions from the second country:

Proposals for amendment of the legislation according the residential segregation

- Amendments to the Law on the Organization of the Territory, granting to the municipalities additional powers in organisation of the territories in regard to the housing construction.
- Granting of target subsidies to the municipalities for implementation of the powers and commitments of the municipalities for construction of social housing for rent, including those under this Programme should be envisaged on the Organic Budget Law.
- Amendments to the Law on the Municipal Debt, introducing the possibility that the state guarantees for municipal debts made for construction of social housing and for renovation of municipality-owned houses.
- The foundation of housing associations for construction and management of social housing for rent should be laid down in the legislation and promoted.
- The modernisation of the financial and credit tools for the housing sector should be encouraged.

Due to highly limited financial capacity and the low purchasing power, the prevailing part of the Roma families cannot purchase or rent a separate dwelling. In order to ensure normal living conditions for the Roma families, it is necessary that the state, the municipalities, the NGOs and the banking system, as well as the international funds to combine the efforts for assisting the Roma community.

Suggestions from the third country:

Education

- Ensuring legal regulation for non-segregated inclusion and continual schooling and setting criteria for enrolment policy based on desegregation principles;
- Insuring capacities for providing support for Roma children in order to enable them to continue schooling in mainstream schools (material support, educational support, i.e. *inter alia* introduction of new teaching methods or Roma Teaching Assistants, sensitizing educational staff, i.e. teachers, pedagogues, psychologists, teachers for special education, school management).
- Developing a desegregation programme for schools and pre-school institutions that show a tendency that exclusively or in majority Romani children attend them;
- Monitoring of segregation in education on the basis of previously made indicators;
- Providing conditions for schooling of children older than between 7 and 15 that did not enrol in primary schools at all or dropped out.
- Evaluating and awarding teachers and schools that have success in improvement of Roma education, including through regular financing schemes of educational system.

Housing

- Relevant ministries should allocate special budget line or provide for “special funds” that will be used for implementation of measures and activities foreseen in Housing NAP. Yet, the practice of placing these issues in general budget lines showed very limited results.
- Local self-governments should also have special budget lines for improvement and legalization of Roma housing, in accordance with financial situation of particular municipalities.

- EU and donors should provide financial support (credits, grants) especially to local self-governments and NGOs for Roma housing projects.
- In case such documentation does not exist yet, urban planning documentation should be developed for parts of cities/municipalities in which Roma settlements are located. Existing urban planning documentation should be analysed whether they treat Roma housing in an adequate way, respecting anti-discrimination and anti-segregation principles.
- Relevant ministries and local self-governments should provide support to citizens for building, reconstruction and/or extension of existing houses through establishment of special funds, development of low cost housing, provision of credits, development of supported self-building programmes, aiming at efficient and affordable social housing.
- Special training should be organized for municipal authorities, which are in charge of housing issues, in accordance with the principles of tolerance and antidiscrimination, in order to build their capacities that they understand better the housing problems of Roma and that they could address these problems more efficiently.

Suggestions from the fourth country

“(…) In some of the Operational Programs, the Roma are pointed out as one of the target groups. Therefore, the questions are how these activities will be put into practice, who will implement the projects and which mechanism will be developed to guarantee an effective impact of these activities on the Roma disadvantaged communities

Solving housing and education problems of the Roma is a long term task, as it is in the majority of the countries. Resources that are not available right now are needed. The engagement of different institutions, public and private is required and close cooperation will facilitate higher impact.

Several aspects should be considered when confronting issues such as, how to involve the different stakeholders, and how to increase the efficiency of the actions putting the available resources in synergy.

- How to get better cooperation between the different ministries and departments at a national level: Housing department, Employment and Social Affairs, Interior, etc.;
- How to establish close links between the different ministries, (mainly the Ministry of Transport, Construction and Tourism), and the NAR as a body with the mandate of coordinating Roma policies;
- How to use the money of the Structural Funds, (mainly the European Regional Development Fund) for improving infrastructures, and the European Social Fund for refurbishment and training activities, putting these resources in synergy with the housing projects;
- How to improve the relationship and the cooperation with the civil society and the emerging NGO's that will have a more important role in the future;
- How to establish better cooperation with the emerging actors at the regional level as well as with the local authorities.
- Link housing measures with employment measures. This could be done by forming training groups in the areas of construction, basic building maintenance, electricity, etc. This would have the dual effect of improving the Roma neighbourhoods while at the same time improving the image of the group as a whole (…)

Suggestions from the fifth country

Targeted programs have to be launched for stopping the destruction of the most disadvantaged regions and settlements.

Both in settlements' development projects and public education's investments the applicants (institutions, municipalities) should prepare equal opportunity plans. These equal opportunity plans should be harmonized with other documents such as urban plans, urban development concepts, basic documents of institutions, their quality assurance systems etc.

IV. Final Analysis

The analysis of the questionnaire revealed that there does not exist a common definition or understanding of segregation across the Decade countries. Further, it became obvious that many countries make hardly use of the term "segregation" in their legislation and policies and refer instead to (anti-) discrimination, equal opportunities or equal treatment.

Comparing the answers of Member States of the European Union with the answers provided by non-Member States of the European Union, it seems that EU Member States obtain much more possibilities to address segregation, however, primarily in the framework of equal opportunities or equal treatment or anti-discrimination policies. In particular, the EU Member States have access to better equipped funds, not at the disposal of the countries not members of the EU.

Considering that anti-segregation should constitute an important issue of the envisaged "European Roma Policy" or "European Roma Strategy", it would be important that the European Union clearly works against segregation of Roma and includes anti-segregation into the "European Roma Policy" or "European Roma Strategy".

Regarding the Decade of Roma Inclusion, these preliminary results also raise questions or point at important issues to be addressed.

Would it be necessary and possible to develop a common understanding and commonly accepted definition of segregation?

Understanding the Decade also as a lobbying process aiming at improving the situation of Roma in the participating countries, the following could be discussed: should an agreement on a common understanding be further developed in order to create a common lobbying approach at the different institutions of the European Union?

In which way, could countries acceding to the European Union profit from experiences and lobbying of those countries already Member States of the EU?

Should there be an anti-segregation political framework in the EU?

Should there be anti-segregation focus for the countries acceding to the European Union?

Annexes

Questionnaire

I. Education

2. Definition of segregation

- 1.1 How do you define segregation in the educational system?
 - 2.7.1. Please, describe the definition of segregation in legal environment?
 - 2.7.2. Please, describe the definition of segregation in researches? If there are several definitions, please list some of them.
 - 2.7.3. Please, describe definition of segregation in available databases (if any)?
- 1.2. What kind of data do you use for the definition?
Social status of children/students? If, yes, please, specify measures.
Ethnicity? If yes, please specify ethnicity data?
- 1.3. Data availability – what kind of database do you use for definition?
(census, schools statistics, independent research, other – please, specify)
- 1.4. How frequently do you check data for segregation? (monthly, yearly, etc.)

2. Anti-segregation policy

- 2.1. What kind of legal measures are introduced for anti-segregation? Please describe measures and if available outcomes of measures?
- 2.2. Do you use the aspect of antisegregation as a horizontal principle in any other policies? If yes, please indicate which policies these are and how it can be enforced?
- 2.3. Are there any other governmental measures (e.g. supports), which have the influence on enhancement / reduction of the enforcement of anti-segregation?
- 2.4. How can the antisegregation policy appear in decisions and measures at national, regional and local level?
- 2.5. Have you launched any de-segregation pilot projects since the launch of the Decade of Roma Inclusion program? If yes, please give us a brief summary of that (objective, location, number of participants, outcomes, monitoring, experiences including problems and best practices, etc.)
- 2.6. Is there any nationwide program for de-segregation of schools/classes? If yes, please give us a brief summary (objective, location, number of participants, outcomes, monitoring, experiences including problems and best practices, etc.)
- 2.7. Please, describe what measures are introduced for national and EU funds allocation, aiming to stop segregation or to decrease of the segregation?
 - List of special criteria for getting national and EU funds
 - Program funded by national and EU funds for de-segregation

II. Housing (residential segregation)

2. Definition of segregation

- 1.1 How do you define housing (residential) segregation)?
 - 1.2.2. Please, describe the definition of segregation in legal environment?
 - 1.2.3. Please, describe the definition of segregation in researches? If there are several definitions, please list some of them.
 - 1.2.4. Please, describe definition of segregation in available databases (if any)?
- 1.2. What kind of data do you use for the definition?
 - 2.2.1. Social status of residents of the settlements? If, yes, please, specify measures.
 - 2.2.2. Ethnicity? If yes, please specify ethnicity data?
- 1.3. Data availability – what kind of database do you use for definition? (census, central statistics, independent research, other – please, specify)
- 1.4. How frequently do you check data for segregation (monthly, yearly, etc.)?

2. Anti-segregation policy

- 2.1. What kind of legal measures are introduced for anti-segregation? Please describe measures and if available outcomes of measures!
- 2.2. Do you use the aspect of antisegregation as a horizontal principle in any other policies? If yes, please indicate which policies these are and how it can be enforced?
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- 2.7. Please, describe what measures are introduced for national and EU funds allocation, aiming to stop segregation or to decrease of the segregation?
 - List of special criteria for getting national and EU funds
 - Program funded by national and EU funds for de-segregation

III. Suggestions

1. Please, specify your suggestions in regards of data availability in the field of educational and residential segregation? Please, describe your suggestion on national and European levels, as well.
2. Please, specify your suggestions in regards of anti-segregation projects and policy in the fields of educational and residential segregation? How the national and EU funds could be better allocated, aiming to decrease efficiently isolation of Roma communities in your country?

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- provides analysis and policy advice on PROGRESS policy areas;
- monitors and reports on the implementation of EU legislation and policies in PROGRESS policy areas;
- promotes policy transfer, learning and support among Member States on EU objectives and priorities;
- relays the views of the stakeholders and society at large.

The seven-year Programme targets all stakeholders who can help shape the development of appropriate and effective employment and social legislation and policies, across the EU-27, EFTA-EEA, Croatia, Former Yugoslavian Republic of Macedonia and EU candidate countries and Serbia.

For more information see: http://ec.europa.eu/employment_social/progress/index_en.html

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