

Policy measures to ensure access to decent housing for migrants and ethnic minorities

In the European Union, people from ethnic minority communities and immigrants are at greater risk of exclusion from the housing market. They experience this exclusion in relation to discrimination in the allocation of housing, the consumption of poorer quality housing and the high cost of housing relative to their income. This situation puts at risk the effective integration of immigrants and minorities into the community and creates problems that are damaging to social cohesion and the social and economic well-being of European societies. Policies to address the factors creating housing exclusion for immigrants and ethnic communities impact on key areas of European policies involving discrimination, immigration and social inclusion. In most Member States the National Action Plans (NAPs) on Social Inclusion have tended to ignore the significance of this issue or have not accorded it a high priority.

The importance of this issue led to the commissioning of a study on policy measures to ensure access to decent housing for ethnic minorities and immigrants. This is a summary of the main findings of that study. The study reviews the evidence on the nature of the housing situation and factors preventing access to decent housing for ethnic communities and immigrants and evaluates the policy responses that may address the barriers to access. The countries included in the study are five EU-15 states (Belgium, France, Sweden, Spain and the UK), two EU-10 states (Hungary and Slovenia) and one candidate country (Romania).

Purpose and method of study

The revised common objectives of the EU Strategy to combat poverty and social exclusion include targeting the high risk of social exclusion faced by some people as a result of immigration. Access to decent and affordable housing is a critical condition for inclusion in society and integration into a host culture. A key objective of this study is to assist the development of more coherent and integrated policies in relation to access to housing for ethnic minorities and immigrants as part of the further development of the NAPs on Social Inclusion and other relevant EU policy initiatives.

Migration to the countries of the European Union has varied considerably over time in terms of scale, causes, ethnic composition and consequences for receiving countries. The diverse ethnic composition of European states can be linked to these historical and contemporary migration patterns, and also to post-1945 boundary changes.

This varied experience is reflected in a diverse set of housing problems and policy responses. However, the common feature is that, in all countries, people from an immigrant or ethnic minority origin tend to be over-represented among groups facing housing hardship and exclusion. Furthermore, anti-discrimination policies and strategies to integrate immigrants/minorities tend to be poorly coordinated with housing policies.

The target groups of this study are immigrants with legal status and ethnic minorities (as defined by the countries concerned). The study had to work in the context of the difficulty of obtaining comparable housing statistics for the target groups. Most countries define incomers as foreign citizens. However, once immigrants receive residency status most countries do not identify citizens of foreign birth in official statistics. Only one country has an official definition of ethnicity with a racial dimension. Furthermore, while information is collected on national minorities in some countries, it is difficult to obtain reliable information on the Roma.



Table 1 Foreign born residents: number and percentage of total population

| | ABSOLUTE NUMBERS | | | PERCENTAGES | | | TOTAL | |
|------------------------------|------------------|--------------|----------------|-------------|--------------|----------------|-----------|------------|
| | EU-15 | Other Europe | Outside Europe | EU-15 | Other Europe | Outside Europe | Absolute | Percentage |
| Belgium ¹ | 563 000 | 26 000 | 303 000 | 5.50 | 0.25 | 3.00 | 892 000 | 8.70 |
| France ² | 1 195 498 | 360 181 | 1 707 507 | 2.10 | 0.60 | 2.90 | 3 263 186 | 5.60 |
| Hungary ³ | 11 000 | 83 000 | 17 000 | 0.10 | 0.80 | 0.16 | 110 000 | 1.10 |
| Romania ⁴ | 8 000 | 8 000 | 12 000 | 0.04 | 0.04 | 0.05 | 28 000 | 0.10 |
| Slovenia ⁵ | 14 000 | 154 000 | 2 000 | 0.70 | 7.70 | 0.10 | 170 000 | 8.50 |
| Spain ² | 312 203 | 40 771 | 448 355 | 0.80 | 0.10 | 1.10 | 801 329 | 2.00 |
| Sweden ⁶ | 224 700 | 48 000 | 177 000 | 2.50 | 0.50 | 2.00 | 450 000 | 5.00 |
| UK ² | 859 138 | 198 123 | 1 240 686 | 1.40 | 0.30 | 2.00 | 2 297 947 | 3.70 |

1 Foreign population in Belgium, 1 January 1999.

2 Eurostat 1999. Excludes naturalised citizens.

3 Resident foreigners 2001, Office of Immigration and Nationality of the Ministry of Interior for Central Statistical Office.

4 Foreigners in Romania 2002, National Institute for Statistics 2002 Census.

5 Population Census 2002. The census includes all persons living in Slovenia at the time of the census, regardless of their legal status.

6 2003 Statistics Sweden. Figures do not include those with Swedish citizenship.

Policies need to address diversity

Most countries in Europe have adopted an essentially market approach to housing provision based on home ownership and different approaches for low income groups. However, distinctive housing markets and housing policy approaches exist. Three broad policy types are identified as subsidised (or formerly subsidised) provision supplemented by rental allowances (France, Sweden and the UK), virtually no subsidised provision (Belgium and Spain), and transitional housing markets of the former Communist bloc (Hungary, Romania and Slovenia).

Hence, different policy approaches to ensure access to decent housing for migrants and ethnic minorities are necessary.

People from minority ethnic communities and immigrants are more likely to live in deprived areas and in poor quality, over-crowded and unpopular housing and to pay a higher proportion of their household income to occupy that housing. Furthermore, voluntary organisations report disproportionately high numbers of

immigrants and ethnic minority people among the homeless population living in hostels in many EU-15 countries. However, significant variations exist within and between different immigrant and ethnic groups. In addition, specific issues or problems can be discerned in countries with a long history of immigration, in countries with a more recent experience of immigration and in the EU-10 countries.

Policies need to understand and respect this diversity of experience and need.

The relative poverty and weak labour market position of people from minority ethnic communities restricts their choice in the housing market and constrains their ability to be residentially mobile in order to improve their housing situation. Legal status and ethnic origin are key factors affecting access to housing for immigrants. For both groups, racial discrimination and harassment play an important role in the disproportionate housing exclusion they experience. Immigrants face additional difficulties due to lack of information on local housing systems and how to gain access to decent housing.

There is little knowledge of (and in some countries little data on) the specific housing needs of ethnic minority communities among policy-makers.

The study provides evidence of the diversity of housing experience and of housing need among the target groups in the study countries.

Facilitating access to housing for immigrants and ethnic minorities takes place in the context of a predominantly private sector housing market and one where even the actions of social housing agencies are becoming more market oriented (e.g. becoming more reliant upon private finance and more risk averse in management decisions). The tenure differences between countries are evident but, in most countries, there has been a decline in the rented housing sector upon which immigrants and ethnic minorities mainly depend. It is in this context that, in the majority of our case study countries, central government involvement in housing policy-making, implementation or provision is relatively weak.

In France, a number of studies have highlighted the bad housing conditions particularly of households of Turkish, Algerian, Moroccan and black African origin. In the UK, Bangladeshi, Caribbean and African households are over-represented in social housing, high-rise housing and in over-crowded conditions. Housing segregation on ethnic lines has also been more distinct in Sweden in recent years. In Belgium and Spain, where home ownership predominates, ethnicity is correlated with poor housing rather than tenure differences. In Hungary, Romania and Slovenia, the numbers of migrants are small, and the most problematic indigenous minority is the Roma population who suffer a range of socio-economic disadvantages, reflected in poor housing circumstances. Poor housing conditions and urban segregation figure among the most striking material expressions of poverty hitting the Roma community in this group of countries.

Minority ethnic groups have a younger age structure which is reflected in household type and family size and hence their housing need. Partly for this reason, alleviation of over-crowding is a key housing need (especially for some ethnic groups). Although some minority groups (e.g. religious, ethnic and national) have housing

needs related to their extended family structures, it is more difficult to relate specific housing needs to cultural norms (such as attitudes to mortgage lending among Muslim households).

For immigrants, access to appropriate housing information and advice during the early stages of arrival and integration is lacking.

Recent immigrants are more vulnerable than previous waves (family reunion or labour immigrants). There is evidence of increasing levels of homelessness among recent immigrants, while those who arrived some years ago and who are now ageing have specific needs. Women are particularly vulnerable, especially as a result of domestic and family abuse. There is evidence of increasing numbers of immigrant and ethnic minority women in women's shelters.

The majority of Roma experience poor housing in all countries. However, in the EU-10 and Romania three distinct housing contexts are described in relation to remote rural communities, urban ghettos and shanty towns (often without legal title).

Housing policy context

The availability of public sector housing provides government with a controllable instrument of policy within which to mediate housing supply and demand. However, significant differences in approach are evident in countries with a large public sector housing stock.

France has a wide range of measures that include both mainstream (i.e. aimed at all excluded households) and targeted (i.e. aimed at minorities) policies. The approach to improve access to housing has historically focused on immigrant workers and has included a broadening range of approaches over time. France has developed its institutional approaches to include a wide range of specific agencies with funding and responsibility in this policy area.

In the UK policies have evolved to address mainly the role of social landlords in order to improve equality of access. This has involved guidance and regulation and has been informed by detailed research commissioned

by government. More recently, specific needs (young homeless, older people) have been addressed through a range of approaches including the development of ethnic-led (BME) housing associations and direct initiatives.

Sweden has tended to focus on issues concerned with segregation and neighbourhood renewal of residential districts where immigrant communities are concentrated. In this context local development agreements, which aim to prevent ethnic and discriminatory segregation in metropolitan regions, have been the subject of a recent peer review.

In countries where home ownership policies predominate (such as Belgium and Spain), the absence of central government responsibility or competence in housing policy means that implementation of the Common Objective to improve access to housing for vulnerable groups relies on indirect influence rather than direct control.

An integrated approach is required to ensure access to housing for immigrants and ethnic minorities; however, the competences to ensure this are divided between the different levels of government making this difficult to effect. Therefore co-operation between federal or regional structures of government, in which the regional governments are autonomous, presents difficult challenges to the development of co-ordinated strategies in this policy domain. As evidenced in Spain, this requires specific action to ensure vertical as well as horizontal integration to implement this social inclusion objective.

The third group of countries studied (Hungary, Slovenia and Romania) are characterised by housing policy driven by the transition to a market led housing system. The devolution of responsibilities from central government to local authorities has not been backed by proportional decentralisation of resources. This resource issue together with the privatisation of housing and the lack of a strong legal framework for housing maintenance have made it difficult for municipalities to deal with the housing problems of socially disadvantaged groups. These countries share the common feature that the scale and nature of housing problems of recent immigrants are not significant problems and that, with respect to minority groups, it is the housing situation of the Roma that is the most significant issue to address.

Differences in policy approach reflect the variation in the national housing situation. In Romania, the scale of the housing crisis is critical requiring legislative and institutional change and increased expenditure. Romania also has the largest scale of Roma housing situation to deal with. The scale of the problem requires long-term action that addresses the full range of issues of lack of basic infrastructure, housing improvement, utility and housing debt and integration. Hungary has prepared a national housing plan within which recent strategies are coping with the need to use both universalist approaches to deal with the needs of all disadvantaged groups in the housing market while making targeted policies for the Roma more effective and integrated. In Slovenia, the Roma issue is on a smaller scale and involves policies to address the issues involved in the illegal occupancy of land if housing investment is to occur within current public expenditure rules.

Policies to improve access to housing

Planning for housing needs

Specific housing needs of ethnic minority groups and immigrants, and the diversity of those needs, are not well understood or reflected in housing strategies and require local assessment and study. The French model of reporting and planning at national and local level provides an example of good practice but even here housing outcomes do not result in improved housing outcomes for the target groups.

For example, larger family size and hence the need for larger accommodation frequently results in extreme overcrowding. The causes of larger families are diverse and require local study to address the nature of the issue. Policy solutions need to be sensitive to this diversity of experience and this reinforces the argument for local studies (and consultation with ethnic community organisations) to inform housing strategies.

Evidence of an increase in homelessness among young people from immigrant communities suggests both a failure of integration strategies and the inability of policies to respond to the perpetuation of disadvantage of more vulnerable ethnic households. This situation suggests the

need for support as well as housing for vulnerable young people from minority ethnic communities.

A particular problem relates to the ageing of people in ethnic communities. Examples of new initiatives are cited in the research. However, the needs of this group of older people are also diverse and this requires local assessment.

The study demonstrated that, even in countries that have a strong system of housing planning, there is a lack of knowledge about or regular review of the housing needs and situation of migrants and ethnic minority groups. Housing market systems analysis, strategic planning and co-ordination with related policies is a necessary framework that is lacking in most of the study countries.

Supply issues

The lack of supply of affordable rented housing, especially in areas of employment opportunity, is the major barrier to achieving a satisfactory housing outcome.

In countries that have a supply of subsidised rental housing (France, Sweden, the UK), the government has a controllable policy instrument. In these countries a key issue is to ensure that allocation policies are transparent and fair. Where public subsidised social rented housing has been transferred to non-governmental organisations (e.g. in Sweden and the UK) this process requires adequate systems of regulation, monitoring and inspection.

Where government does not have an instrument of control (Belgium, Spain, Hungary, Romania and Slovenia) then households' only resort is the private market and the government's resort is the use of indirect measures of regulation and demand-side subsidies or the use of targeted provision or supply subsidies. Measures are also required to facilitate access to the (often limited) private rented sector. This requires action related to the cost of the accommodation, tenancy contract and conditions and the alleviation of prejudice or attitude to risk on the part of landlords. However, initiatives in this area tend to be small scale and localised in operation and their effectiveness is often threatened by inadequate or uncertain funding.

Legislation to regulate the private rented sector is in place or is being introduced in some countries. The potential of using regulation of private landlords as a mechanism for ethnic monitoring and enforcement of anti-discrimination legislation, in different legal contexts, requires further research.

The ability to implement strategies of housing investment and provision of affordable social rented housing relies on an adequate level of institutional, economic and administrative capacity. This capacity, both of the state and of civil society, is lacking in central and east European countries according to recent commentaries.

Strategies to combat social exclusion among the Roma are often couched in terms of integration strategies. Different integration issues are evident in relation to housing. In the rural areas issues relate to a lack of basic infrastructure and poor housing quality; in the urban ghettos poor housing issues are associated with segregation; in the shanty town areas issues of illegal occupancy compound the poor housing circumstances.

Hence policies to address the housing needs of the Roma need to be nuanced to reflect these different objective situations as well as the political and social issues they raise. The importance of EU funds for this purpose needs to be considered in the review of the Structural Funds.

Access issues

Although the EC Directive 2000/43 has had an impact to ensure the existence of a legislative framework within which housing discrimination can be acted upon, the structures and guidance for monitoring the effectiveness of action in the housing field are either inadequate or lacking in the majority of the countries studied.

Discrimination in housing is both direct and indirect and can be structural, institutional and individual. Discrimination in the housing market is poorly reported in all countries. This arises even in countries that have well developed structures and long experience in the implementation of anti-discrimination legislation.

Affordable housing is a scarce resource, access to which is determined by the tenure balance of the housing

market at the local level. Even in countries with a relatively large social rented or public housing sector, it is predominantly private market decisions that determine the allocation of the housing stock. Hence private decisions can be justified on the basis of market criteria and individual discriminatory action is therefore difficult to prove. In the field of housing very few cases of action are undertaken against discrimination by landlords and very few victims obtain compensation.

The indirect nature of discrimination in the housing market makes it difficult for individuals to pursue their case even when they are aware of their rights or have the resources to do so.

Whether or not the right to housing exists and is applicable in practice and whether discrimination is banned by legislation, the prevention of discrimination requires evidence in order to pursue the perpetrators and prevent its recurrence.

Equality of access to housing is a collective issue as well as an individual right and this may require a basis (in law) for group action and a pro-active role by the state

Action is needed to more effectively monitor the housing market and provide evidence. It is thus important that the operation of the housing market is monitored (at different spatial scales) to identify discrimination (in all the factors identified above) and that pro-active policies are developed to deal with identified inequities.

This indicates the importance of monitoring equal opportunities legislation in the preparation and implementation of (national and local) housing strategies and housing allocation and production. Good practice already exists in this regard (e.g. the Haut Comité in France) that could be disseminated elsewhere.

Countries with relatively strong social housing sectors have tended to provide mechanisms to regulate and monitor discrimination and equality in housing management practices (though these are not always effective). While such action is to be encouraged, this in itself is an inadequate response to the problem.

Given the difficulties in regulating the private sector and the few cases of discrimination brought against landlords, it is important that the burden of proof should be placed on the landlord rather than the tenant. Although this is required under Article 8 of the Council Directive (2000/43), our review suggests that this requirement is not made explicit in relation to housing law in all countries. This suggests a need to monitor the Directive in relation to housing and that the Commission should provide guidance.

Even where positive action has been taken there are lessons to be learnt in relation to the implementation of policy measures. First, regulation is not enough in itself. Second, enforcement in the area of discrimination in housing requires pro-active approaches to overcome the problems tenants face in raising their case and winning restitution. Third, fighting discrimination in housing will require appropriate agencies, adequate funding, regular independent monitoring and effective forms of implementation. This requires different initiatives and approaches in addition to anti-discrimination legislation and, while the place of responsibility in a single office (such as a commissioner, ombudsman or minister) is important, it also requires co-ordination between departments and agencies.

Housing policies and integration strategies tend to ignore housing access and do little to assist the assimilation of legal immigrants who are poor into the housing market. Immigration policies related to asylum reception, whether using dispersal or reception centre strategies, often exacerbate difficulties of access to housing. Integration policies focus on refugees or recent immigrants but the exclusion of second generation immigrants in the housing market indicates the need for a more long-term perspective. The reported increase in homelessness among immigrants and second generation immigrants, in some countries, in part reflects the ineffectiveness of integration strategies.

Such findings indicate that housing legislation and housing services should ensure that issues related to immigrants and second generation migrants are mainstreamed. Integration strategies and housing strategies need to monitor the housing situation of second generation immigrants. The role of NGOs in facilitating access to housing and in catering for homeless immigrants needs to be recognised and assisted.

Evidence of recent innovation in providing guidance on housing action in relation to integration of refugees is cited in the research and deserves to be more widely disseminated.

Information needs

In some countries there has been an evolution of approach from targeted strategies towards strategies in which ethnic minority needs are met through social inclusion policies aimed at all socially excluded and disadvantaged groups. Elsewhere the relative merits of universalist and targeted approaches are rehearsed. The use of assimilationist and non-targeted measures assumes that minorities within the disadvantaged will benefit from these measures and not suffer discrimination, and also that the preservation of cultural distinctiveness is of lesser importance. It also assumes that there are other measures in place to meet the information deficit faced by migrants and some ethnic minorities.

The success of policies requires the nature of housing outcomes to be monitored over time. This requires structures and procedures to carry out ethnic monitoring as well as the evaluation of programmes against defined policy objectives. There is little evidence that such monitoring is currently taking place in most countries or that it is being used to inform and bend mainstream policies and procedures in housing and related policy fields. Regulation, inspection and monitoring are a sine qua non of anti-discrimination and social inclusion policies yet these indicators are not mentioned in the NAPs on Social Inclusion.

However, this needs to occur at EU as well as national and local level to encourage (and enforce) accountability in this area. Effective monitoring using appropriate and agreed indicators is a necessary but not sufficient condition of policy implementation. Regulation and inspection are also required.

Summary of key policy recommendations

Key actions at EU level

Social Inclusion Objectives

1. Encourage NAPs on Social Inclusion to specify policies (linked to analysis) for access to housing relevant to immigrants and ethnic minority groups and identifying targets and monitoring procedures.

Structural Funds

2. Open the EU Structural Funds to housing (and related infrastructure) projects in areas that contain a high proportion of ethnic minorities and/or immigrants and lack adequate rented housing and or infrastructure.

Discrimination Directive

3. Disseminate good practice in respect of the organisational structures and procedures employed to monitor the effectiveness of action against discrimination in housing.

Indicators Sub-Committee

4. Identify indicators of housing exclusion and homelessness that are discrimination proofed and that reflect the needs of ethnic minorities and immigrants (e.g. overcrowding, affordability).

Integration / Immigration

5. Provide guidelines recommending the development of housing action plans in integration strategies for recent immigrants and second generation migrants and disseminate good practice in this area.

Key actions at Member State level

Planning for housing needs

6. It seems important that national, regional and local housing strategies should assess the needs of minority groups and migrants by periodic (local and/or regional) housing surveys and should monitor housing indicators related to equal opportunities legislation.

Supply issues

7. Increase the supply of affordable rented housing in areas that contain a high proportion of immigrants and ethnic minorities.
8. Establish and support minority-led housing (and homelessness) organisations.
9. Target provision to meet specific immigrant and ethnic minority needs to meet the supply deficit (e.g. larger families, new households, older households, the Roma).

Access issues (Anti-discrimination measures)

10. Introduce, and regularly review, regulation governing housing allocation in the public and private sectors by establishing an appropriate system of (housing) inspection and enforcement.
11. Regulate and inspect houses in multiple occupation.
12. Monitor and regularly report on the potential discriminatory and exclusionary effects of housing markets (in the public and private sectors).
13. Provide guidance to local authorities, housing organisations and private landlords and their agents on meeting the requirements of equal opportunity and anti-discrimination policies.

Information needs of minorities

14. Ensure information and advice is available to all households regardless of ethnic origin or immigrant status by means that reflect their language and cultural needs.
15. Include housing action plans in integration strategies to reinforce their effectiveness.

Further information:

A copy of the full report, including a detailed description and analysis of the policies in each of the eight Member States and five new Member States, can be found on the EU's social inclusion web site at:

http://europa.eu.int/comm/employment_social/social_inclusion/studies_en.htm

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