

PRELIMINARY ANALYSIS OF QUESTIONNAIRE ON ANTI- SEGREGATION

Decade of Roma Inclusion

XII. International Steering Committee
Meeting

Budapest, 25 – 26 February 2008

Education

Definition of Segregation in Education

- In many countries does not exist any definition
- One country seems to have two legal acts in place which refer to “unlawful” segregation, *inter alia* in education.
- One country stated that the term segregation is very sensitive and in relation with Roma it is misused.

Definition of Segregation in Legal Environment

- 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 (as part of the domestic legal frameworks)
- These countries whose legal environment includes reference to “segregation”, regard segregation in relationship with discrimination and/or non-equal treatment or non-equal opportunities
- Other countries refer to its minority-related legislation and to the Criminal Code which sanctions racial and other discrimination.

Definition of Segregation in Researches

- Several definitions were provided. One example
- Primary schools, which were in the past special schools. According to new Act it is primary school, however its curriculum is still of a special school
- Primary school with majority of Roma pupils. Curriculum is of primary school however school is de facto segregated as majority of pupils are Roma
- Classes for disabled children attended by Roma pupils within standard primary schools
- Classes attended by Roma pupils within standard primary schools with curriculum of primary school.

What Categories Are Used for Definition – social or ethnic?

- Most countries do not collect ethnic data
- *inter alia* since the legal regulations on anti-discrimination do not allow for the collection of ethnic data.
- Therefore, most countries refer to data on the social status of the child or of the parents.
- One country pointed at the problem arising from these limitations: monitoring and evaluation and planning of projects is more difficult

Terms

Terms as the following are used for the defining target groups in anti-segregation 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 sources

- Research institutions
- NGOs (Romani, human rights or minority rights)
- Census (with limitations)
- Public institutions such as schools (with limitations)

Anti-Segregation Legal Measures

- **Most countries did not introduce legal measures specifically on anti-segregation.**
- **In general, the constitution or legal framework provides for principle of anti-discrimination or equal treatment or equal opportunities**
- **The legal framework constitutes the relevant applicable legislation**
- **Other measures: political documents: Strategy for Improvement of Romani education or Action Plan on Education;**

Anti-Segregation Legal Measures

- Member States of the European Union:
- Directive 2000/43/EC, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin
- Directive 2000/78/EC, establishing a general framework for equal treatment in employment and occupation.

Anti-Segregation as Horizontal Principle In Other Policies

- Education
- Housing
- Employment
- Regional and local development
- Gender

Nationwide Program for De-Segregation of Schools/Classes

- Two countries seem to have nationwide programme for desegregation in education, e.g., in framework of the Operational Programme „Development of Human Resources 2007-2013”
- Other countries include desegregation activities in other national programmes
- Further countries address specifically schools in which segregation is a practice

Desegregation Measures, Introduced with National or EU Funds

- 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 sectors of education and employment
- Other Member States of the European Union still implement PHARE projects
- Non-Member States of EU: no reply

Housing

Definition of Segregation in Researches

- **UNDP definition for segregated settlement: dwellings located in a settlement distant from the municipality or separated with a barrier.**
- **Academic research: 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.**
- **Additional criteria mentioned: not (fully) connected to infrastructure (water or electricity supply, sewerage system, waste collection, asphalted roads, etc), unsettled landownership, dwellings built without permission, non-adequate housing standards**

What Categories Are Used for Definition – social or ethnic?

- Most of the countries mentioned the income (permanent income, irregular income) and the level of education as relevant criteria.
- Ethnicity is in general not used for definition. Ethnicity is only used as such when settlements were identified in researches as “segregated settlements” based on ethnicity

Anti-Segregation Legal Or Political Measures

- **Most countries did not introduce specific legal measures for residential anti-segregation. Use could be made of the anti-discrimination law.**
- **Most countries developed and implemented National Programmes/Action Plans aiming at improving the housing situation of Roma or included the issue in general development plans.**
- **General Roma-related programmes/strategies or community development activities at local level**
- **National Action Plan on Social Inclusion**
- **In one country governmental institutions support development of urban plans taking into account Romani settlements**

Suggestions To Improve Data Availability

- **Develop appropriate safeguards for protecting sensitive information and identity and privacy of individuals**

Education

- **Develop education-related data collection mechanisms which ensure that ethnically disaggregated data on education are publicly available.**
- **Authorities shall conduct research (with Romani NGOs and educational experts) on conditions, causes and modalities of segregation in education**

Suggestions To Improve Data Availability

Housing

- Provide better access to data on residential segregation and their regular update allowing for proper planning of 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 future instruments toward residential desegregation**

Suggestions on How Do Better Allocate National and EU Funds

Country A

- For successful desegregation, communities should assume responsibility to improve their housing and particularly to be willing to adjust to new conditions and observe obligations related to use of apartments**
- Recommendation: strengthen work of community centres; support activities of community social work in public education, counselling and provision of basic social services, assist in acquiring habits and skills necessary for integration**
- Agree on a universal definition of segregation**
- Create a fund to support pilot (innovative) projects**
- Legal prohibition for state funds to support projects that promote or deepen segregation.**

Suggestions on How Do Better Allocate National and EU Funds

Country B

- Amend Law on the Organization of the Territory, granting municipalities additional powers in organising territories regarding housing**
- Grant targeted subsidies to municipalities for construction of social housing**
- Amend 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**

Suggestions on How Do Better Allocate National and EU Funds

Country B II

- Create foundation of housing associations for construction and management of social housing**
- Encourage modernisation of financial and credit tools for housing**
- 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 Roma families, it is necessary that the state, municipalities, NGOs, the banking system, and international funds combine their efforts for assisting Roma**

Suggestions on How Do Better Allocate National and EU Funds

Country C (Education)

- Ensure support for Roma children to enable them to continue schooling in mainstream schools (material and educational support, *inter alia* introduce new teaching methods or Roma Teaching Assistants, sensitizing educational staff)
- Develop desegregation programme for schools and pre-school institutions that show a tendency that exclusively or in majority Romani children attend them;
- Monitor segregation on the basis of defined indicators
- Evaluate and award teachers and schools that successfully improve performance of Roma in schools

Suggestions on How Do Better Allocate National and EU Funds

Country C (Housing) I

- Relevant ministries should allocate special budget lines for implementation of measures of Housing NAP. Yet, the practice of placing these issues in general budget lines showed very limited results.**
- Local self-governments should have special budget lines for improvement and legalization of Roma housing**
- EU and donors should provide financial support (credits, grants) especially to local self-governments and NGOs for Roma housing projects**

Suggestions on How Do Better Allocate National and EU Funds

Country C (Housing) II

- 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 anti-segregation principles are respected**
- Relevant ministries and local self-governments should provide support to citizens for building, reconstruction and/or extension of existing houses (funds, low cost housing, etc)**
- Training for municipal housing authorities, in order to increase their knowledge on housing problems of Roma and how do efficiently address them**