

EUROPEAN ROMA GRASSROOTS ORGANISATIONS (ERGO) NETWORK and FEDERATION OF ROMA ASSOCIATIONS IN CATALONIA FAGiC

Roma access to quality and affordable housing in Spain

Research done by:

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Federación de Asociaciones Gitanas de Cataluña – FAGiC:

FAGiC – Federación de Asociaciones Gitanas de Cataluña (Federation of Roma Associations of Catalonia) is an umbrella organisation created in 1991 and brings together 96 local Roma associations from all over Catalonia, making it the most representative Roma organisation in Catalonia. FAGiC was created with the aim of defending and promoting the rights of the Roma within the Catalan society and to react and denounce any form of xenophobia or discrimination towards Roma population. Its main purpose is to improve actions aimed at the Roma, gather information about their aspirations and concerns, and establish a communication channel between the Roma and the rest of the Catalan society (www.fagic.org)

Which methodology we used:

FAGiC will use a mixed methodology. On the one hand, FAGiC will collect the information presented by the various researchers on housing and informal settlements and the Roma community. FAGiC has been directly involved in some of the reports.

In this case, we will use primary and secondary sources to present the best case study and representative in the heterogeneous territory of Spain.

FAGiC has been working on housing projects at regional level for more than 20 years. There is a higher incidence in the city of Barcelona, but historically they have worked on housing programmes in towns such as Santa Perpetua de Mogoda, Riu Sec or Can Tunis.

We also work as an intermediary with the Catalan Housing Agency, which is an administrative tool that facilitates the Generalitat's response to the current challenges in Catalonia on an issue as strategic as housing.

We work transversally:

- Advising families on legal procedures, renting, providing documentation, etc.
- Mediation between families and the authorities
- Social intervention during the relocation process
- Support for the most vulnerable families

As a member of the Equi-Sastipen-Roma network, FAGiC can organise meetings with experts from the network. There are Roma organisations, but also individual health experts who, with more than 25 years of experience in health issues, FAGiC can also bring first-hand experience to the case studies.

All our interventions are carried out at regional level, i.e. throughout Catalonia.

Overview of the socio-economic situation of the Roma in Spain

The majority of the Roma population suffers from severe inequality and lack of protection in access to economic and social rights. Poverty and exclusion affect more than 80 per cent of the Roma population and have a major impact on minors.

Educational attainment is by far the most important determinant of employment and thus of socio-economic inequality among the Roma population. Only 17% of the Roma population over the age of 16 have completed obligatory or higher education, compared to almost 80% of the general population.

The situation of Roma women is very unequal, worse than that of Roma men and worse than that non-Roma women. The inequality gap affects all areas: employment, educational levels, family responsibilities, and even low expectations and few opportunities for advancement and promotion.

Labour market integration is strongly determined by social and socio-demographic factors, but also by discrimination and other cultural factors.

Moreover, it is a demographically very young population, which means a very vulnerable socio-economic status in today's society. 66% of Roma are under the age of thirty.

According to the report of **Fundación Foessa about the Roma community in Spain** after the crisis (referred to the economic crisis after 2007) in 2019, Roma:

- Related to poverty: while 81,4% of the Spanish population are considered no poor, only the 33,5% of the Roma are under this category. The most significant data is about the situation of severe poverty which 37,7% of the Roma are under this category in comparison with the 4,8% of the non Roma.
- Related to education: the situation is even worse than in 2013 (during the economic crisis started in 2007). While the educational evolution for the non-Roma population has been favorable, for the Roma it has worsened. Probably because of the social cut that was made in education. This situation has worsened even more with the Covid situation due to the lack of equipment to follow the lessons online, access to Internet and other minimum access. It's curious that Spain mentioned in the report than the segregation in primary school is one of the highest in the EU, but it doesn't mention the Roma who are the most affected for the segregation in school. Also, it's interesting when it says that early leavers from education and training continues to fall, when Covid affected firmly to Roma and it is not reflected in the report.
- In relation to employment: the unemployment rate for the Roma population was of 48,8% (compared to the 17,3% of the non Roma). If Covid 19 has strongly affected people in Spain, imagine the Roma. This is highly important, because a high percentage of Roma are self-employed (many doing the street/flea/open markets) and the self-employed people were the most affected during the pandemic. Markets were closed for more than 6 months and then eventually were open with many limitations.
- In health, the data also has worsened from 2013 to 2018. While many Roma declared that they had good health in 2013 (48,8%), in 2018 the perception was less, only 34% declared they had good health and the situation of the non Roma is the inverse. Similar with the perception of bad health, in 2013 4% of the Roma declared to have bad health and in 2018 it was the 7,7% of the Roma. We believe that the situation has radical changed to worse after the pandemic.
- Access to housing: this situation is even worse with the increase of Roma population living under "irregular situation" (illegal occupation/squats).

✓ **Where do most Roma live?**

According to the Foessa Foundation (Fundación Foessa) report, the main sources of information on the residential situation of the Roma community in Spain are the Housing and Roma Population Mapping Studies carried out by the Fundación Secretariado Gitano in Spain. To date, only two such studies have been carried out, one in 2007 and the other in 2015 (FSG, 2008 and 2015-7). On the other hand, the Foessa Foundation has also produced two reports on the Roma community in Spain (2013 and 2018).

Neither of these reports analyses rural areas, but is based on the quality of housing, type of housing, access to housing, but mainly on ghetto or segregated neighbourhoods located especially in the periphery of big cities.

According to our experience and observation, we believe that the Roma community lives in both rural and urban areas, but with a higher percentage in urban areas, especially in segregated neighbourhoods. The immigration of Spanish people from the countryside to the city during the 50s and 60s of the 20th century, the post-war period, led to a large increase in the cities and the majority of Spaniards now live in urban areas. The same applies to the Roma people. Spanish cities are architecturally built in buildings and are therefore mostly flats (apartments). But we are also aware of Roma people living in houses and settlements.

According to the Foessa Foundation's 2018 Survey on Integration and Social Needs, 34.3% of the Roma community are homeowners compared to 74.1% of non-Roma. In relation to renting, 48.6% of the Roma community live in rented accommodation (of which 38.6% is social renting and 10% is private renting) compared to 25% of the non-Roma population. The report of the Foessa Foundation (2018) contradicts in some parts the report of the Fundación Secretariado Gitano (2017) as the results of their survey show a worsening of the housing situation of the Roma population. However, the FSG report speaks of an improvement in relation to the Roma community.

The Foessa report also mentions other situations such as re-rented housing and illegally occupied housing (in many cases forced occupations); options that, together with housing provided free of charge by other people or institutions, are considered precarious tenure (Laparra, 2014: 160), which increase in 2018 to 6.1%. The economic and employment vulnerability of the Roma population is reflected in the difficulties of maintaining housing in adequate conditions, being able to meet their basic expenses or being an excessive expense. On the other hand, settlements (especially informal ones) are on the increase, although they do not constitute a high percentage. There are historical settlements that have been in one place for many years and somehow there is no real commitment on the part of the authorities to re-house Roma families in adequate housing. In fact, the oldest shanty settlement in Europe is in Seville, "el Vacie"¹ and the largest one in Europe is in Madrid, "La Cañada Real"². And there are new settlements being created in abandoned factories in some cities, as is the case in the city of Barcelona.

Main problems: housing rent are on increase and are very high in comparison with the salaries/income of people. This issue combined with the difficulty of having a permanent or qualified job and low income and antigypsyism, the result is NO access to housing for a high percentage of Roma families.

✓ ***Roma homelessness***

According to the National Statistics Institute (INE – Instituto Nacional de Estadística), which conducted a survey of homeless people in 2022, a total of 28,552 homeless people were cared for in accommodation and catering assistance centres in 2022, 24.5% more than in 2012.

¹ https://www.diariodesevilla.es/sociedad/Chabolismo-Espana-problema-vivienda_0_1793521428.html

² https://english.elpais.com/elpais/2012/02/07/inenglish/1328627886_929407.html

Of these, 7,277 spent the night in public spaces or in temporary accommodation (in the hall of a cash dispenser, building, doorway, car, etc.).

The majority of homeless people are men (76.7%). However, it is worth noting that the proportion of women in this situation has increased to 23.3% compared to 19.7% in 2012. 51.1% of homeless people are under 45 years old, 43.3% are between 45 and 64 years old and those over 64 years old represent 5.5%. The average age of these people is 42.9 years old.

50.1% are of Spanish nationality and 49.9% are foreigners. 93.3% of Spaniards are registered in a municipality, compared to 75.8% of foreigners. With regard to foreigners, the majority are of African nationality (53.3%), followed by America (25.9%) and Europe (16.7%). In terms of length of residence, 43.1% of homeless foreigners have been in Spain for more than five years.

Unfortunately, there is no report on homelessness among the Roma community, so we are unable to provide data. Despite this, FAGiC is aware of Roma homeless people, both Spanish and from other countries. From this perspective, we consider necessary to carry out a comprehensive study of the situation of the Roma people in relation to housing, which should also include a study of Roma homelessness. In this context, it is important to categorise the different types of homelessness and residential exclusion according to the European category (Ethos) in order to have a picture of the reality and to know if people do not have accommodation (roofless), if people do not have housing (houseless), if people live in insecure housing (squats) or if people live in inadequate housing (shanty towns, etc.). In this way, it will be possible to design public policies that directly address the problems.

It is essential to comment that Spain has a Comprehensive National Strategy for Homeless People 2015-2020 approved in November 2015, which has objectives and implementation strategies, but there is no mention of the Roma throughout the strategy, which is why we believe that they are completely invisible in this context.

In 2023, the Secretary of State for Social Rights has launched the process of designing the New Homelessness Strategy 2023-2030, which has yet to be approved. On the other hand, we should add that the State Plan for access to housing 2022 - 2025 includes an aid programme specifically aimed at facilitating access to housing for homeless people. Several Autonomous Communities (Regions in Spain) have already implemented this programme.

In relation to the State Plan for access to housing 2022-2025, the word "Roma population" appears only once, and only to refer to point 2 of the objectives of the Programme of aid for the eradication of degraded areas, shantytowns and substandard housing (in no case does it refer to homeless Roma people):

"Particularly, but not exclusively, the areas identified in the Study-Map on housing and the Roma population drawn up by the then Ministry of Health, Social Services and Equality in 2016, in accordance with the Strategy for social inclusion, equality and participation of the Roma population, may be the object of this programme.³"

In relation to the National Strategy for Equality, Inclusion and Participation of the Roma People 2021 - 2030, the four specific objectives set in the area of housing are:

- Eradication of shantytowns and substandard housing.
- Reducing segregation and residential concentration of the Roma population.
- Guaranteeing access to essential services for the Roma population and improving the basic equipment and quality of housing.
- Reducing discrimination in access to housing.

Unfortunately, the National Strategy for Equality, Inclusion and Participation of the Roma Population has forgotten about homeless Roma people, whether Spanish or from other countries.

In this sense, the conditions suffered by homeless people are probably the worst face of social exclusion in our country and, moreover, the most visible. Despite this visibility, homelessness is one of the worst known phenomena and one that has suffered from a lack of comprehensive policies in its intervention. From our part, FAGiC regrets that the Roma People are excluded or made invisible within the Strategies to eradicate homelessness and that in the strategy aimed exclusively at the Roma People, this phenomenon is not considered. For this reason, we urgently call for the inclusion of the Roma in the studies carried out on the general population and for specific comprehensive studies to be carried out in relation to housing and the Roma. Only in this way will it be possible to design policies specific to the problem.

✓ *Living conditions of the Roma*

The data from the FOESSA Foundation 2018 Survey show that the evolution with respect to 2013 is uneven (unequal) in the indicators considered. On the one hand, some have worsened, such as the percentage of households that cannot keep their homes at an adequate temperature, which has risen to 58.6%; overcrowding, which has reached 28%; not having a full bathroom, 6.1%; or lacking a basic good (water, electricity, etc.), which has risen to 9%. On the other hand, there are several improvements: unhealthy conditions, architectural barriers, serious construction deficiencies and a degraded environment. Despite these advances, conditions are far from those of the non-Roma population, where these deficiencies barely leave a trace, the most common being the inability to keep the dwelling at an adequate temperature, which reached 16.2% in 2018, following a downward trend compared to 2013, like the rest of the indicators.

³ <https://www.boe.es/boe/dias/2022/01/19/pdfs/BOE-A-2022-802.pdf>

Given these conditions, which are still precarious and aggravated for many Roma families, it is understandable that in 2018 21.3% of Roma households consider that they need housing rehabilitation, compared to 5.2% of the rest of the population.

Residential vulnerability in the Roma community is very high in relation to the non-Roma population, as many Roma live on the outskirts of large capital cities and in peripheral neighbourhoods and shantytowns. This situation leads to marginalisation of the people living in these places, to which antigypsyism must be added, resulting in high rates of poverty among the Roma population.

According to the Foessa Foundation (2018), Roma people are the population group with the highest levels of social exclusion in Spain, with marked differences in relation to other groups at high relative risk, compared to the population as a whole, such as foreigners. Thus, while moderate and severe social exclusion reached 18.4% of the total population of our country in 2018, among the Roma population the incidence of this complex phenomenon rises to practically 70%.

In the comparison of socio-demographic profiles in 2018, the Roma population reaffirms its status as a group particularly vulnerable to social exclusion, as its risk of exclusion (69.9%) is almost four times higher than that of the non-Roma population (17.8%).

The Roma are followed in this fateful ranking of high relative risk of social exclusion by the population of foreign origin, especially non-EU immigrants, with an incidence of 46.5% (2.5 times higher than the population as a whole). Both groups are joined by minors (23.3%) and young people (22.6%), two age groups with a higher relative risk of social exclusion, exceeding the national average (18.4%) by 26.6% in the case of children and 22.8% in the case of young people.

The consequence of all these factors lies in the precariousness of housing and therefore the Roma population suffers from lack of running water and/or sanitation, as well as exposure to cold, heat, humidity, lack of access to electricity, etc.....

FAGiC calls for a more comprehensive and representative study of the housing situation and the Roma population in Spain, in which all the Roma organisations of at least the State Council of the Roma People participate, in order to show a more realistic picture.

In relation to overcrowding, according to Foessa, from 2013 to 2018 we find an increase in households with 5 and more members for the Roma community, reaching 26.3%, compared to 6.1%. This difference highlights the fact contrasted by other studies on the greater number of children in the Roma community, together with the greater frequency of households where two or more family nuclei live together; situations that can generate problems of overcrowding or housing deficits, as we have seen above.

✓ *Segregation and informal settlements*

Regarding the first question, if most of the Roma live in segregated neighbourhoods, according to our experience and knowledge, we will say yes and mostly urban segregated neighbourhoods. However, there is no real data about it, because the lack of reports/research in housing and Roma People and specifically lack of research in rural areas.

According to the FSG report (2015), one aspect closely related to the distribution of the Roma population in the territory is the frequent residential concentration of Roma in certain municipalities, neighbourhoods or urban areas. This is a traditional characteristic of the relationship between the Roma population and housing, which may be an example of a cause or a consequence of the difficulties of social inclusion of the Roma.

For us, the segregation and concentration is due to antigypsyism and the antigypsyist political will in the creation of these ghettos/neighbourhoods to place them mostly Roma families. It is also important to reflect about it 40-50 years after these policies took place, nowadays, the social exclusion and the difficulties in accessing the housing market outside these neighbourhoods make the tendency to concentrate Roma in this kind of neighbourhoods.

In relation to settlements⁴, the study on the profile and situation of people in shanty towns and informal settlements in Spain by the Fundación Secretariado Gitano (2023) shows that the majority of people living in these settlements are Roma (77%) followed by Arabs (13%). The total number of informal Roma settlements is unknown, as there are no studies on this phenomenon.

These data on ethnic composition prove the existence of structural discrimination on the basis of racial-ethnic origin, in particular antigypsyism, given that there is a large majority of Roma in all settlements, both shantytowns and informal settlements.

The predominant population in the settlements are children and adolescents. Specifically, half of the people living in the settlements are under 16 years of age and 73% are under 30 years of age. These data are particularly relevant because they show the enormous impact of this situation of vulnerability of children.

The vast majority of the population living in slums and shantytowns is in a situation of poverty and social exclusion, especially children. According to the at-risk-of-poverty indicator (income below the threshold of 60% of the median equivalised income), 93% of people in general and 99% of children in particular in the settlements are in this situation.

⁴ Shanty and slum settlements are defined as largely informal settlements with physical, functional and/or social isolation where objective conditions related to housing, poverty and other rights are significantly worse than those of the rest of the population.

The situation of poverty is worse for Roma people living in settlements. Compared to 93% of people at risk of poverty in the settlements, 97.2% of Roma live in this situation. The proportion of Roma in extreme and severe poverty is 66.8% and 87.1% (79.4% and 94.9% in the case of minors). The Roma population in Spain suffers from high levels of poverty, but this situation is notably aggravated in shantytowns and substandard housing. In 2018, poverty levels of the Roma population (Roma under-age population) in general amounted to 85.9% (89.1%) in the case of poverty risk, 65.6% (70.2%) in the case of severe poverty and 46.4% (51.8%) in the case of extreme poverty. Although these poverty levels are significantly higher than those of the general population, in the case of the Roma population living in settlements this situation of extreme severity is substantially aggravated.

Are the people living in these settlements protected? Some 60% of households in the settlements do not receive any public assistance. Against this backdrop of poverty, there is room for improvement in protection systems and public support in the settlements. In particular, only 39.5% receive some form of public financial assistance, whether it is Minimum Living Income (MLA), housing benefit, child benefit, scholarships or other assistance. In terms of non-monetary assistance, 13.3% reported receiving public assistance to help them with administrative procedures and/or formalities, 7.5% to help them find employment or training, 4.9% for food and 7.6% to support their children's education.

Housing conditions? The living conditions in all shantytowns and slums are significantly worse than outside them, with a high presence of cracks and dampness. Specifically, 42% of the population in the settlements have problems of major cracks with risk to the partition walls. In addition, 62% of dwellings in settlements have problems with leaks and/or dampness, compared to 19% of the general population.

In slum-dominated settlements, housing problems are even worse. Specifically, 78 per cent of dwellings have major cracks in walls or roofs, 83 per cent have moisture problems and half have a shortage of natural light. Settlements suffer more from pollution, dirt and noise problems than the general population.

Specifically, 50% of the population in settlements face problems of pollution, dirt or other environmental problems, compared to 12% of the general population. Noise is 30% in settlements compared to 22% of the population outside settlements. On the other hand, it is worth noting that in the settlements they do not perceive higher levels of crime or vandalism compared to the general population. In addition, 32% of people in settlements are at risk from living near roads, factories or power lines and 17% from flooding rivers.

All neighbourhood problems increase in shantytowns. In particular, 85% of households suffer from pollution and dirt, 79% are at risk from living near roads, 77% are at risk from pollution and 69% have noise problems. Furthermore, none of the people living in slum settlements answered that they had no neighbourhood or housing problems, compared to 28% living in non-slum settlements.

Supplies? Water and sanitation? In slum settlements there is a situation of extreme need in terms of lack of basic supplies. Half of the households in all settlements lack sanitation, and the lack of sanitation in slum settlements is as high as 90 per cent. In addition, 75% of households in slum settlements lack piped water. Moreover, 66 per cent reported not having had running water at some point in the last month, compared to 34 per cent in mixed settlements and 9 per cent in non-slum settlements (Figure 6). This situation represents a serious violation of the human right to water and sanitation.

In half of the households, the electrical installation is either very poor or non-existent. However, this figure varies significantly by type of settlement: 69% of households in slum settlements have no electricity and 92% have no or very poor electricity, compared to 21% and 5% respectively in non-slum settlements.

Acclimatisation problems are common in half of the households. In addition, 46% can afford to keep the dwelling at an adequate temperature. In particular, 44% of households use firewood as their main source of heat, followed by electric heating (30%). Finally, 5% of households use nothing at all. In slum settlements, the percentage with acclimatisation problems rises to 89%, and those who cannot afford to keep their homes at an adequate temperature reach 83%.

More than half of the households have no water or electricity contract. In particular, 27% of households have contracts for both and the rest have only one of the two contracts. Looking at these figures by type of settlement, 96% of households in slum settlements have no contract at all.

Do they have equipment? In slum settlements, the lack of a washing machine in 40% of households in shanty settlements and the lack of a refrigerator in 16% of households in shanty settlements stand out. While, in general, the lack of a mobile phone is not common, 16% of households in slum settlements do not have a washing machine, compared to 1% of the general population. Similarly, 13 per cent of slum households do not have a full bathroom (compared to 1 per cent of the general population).

Ownership status? Self-built and owned are the most common tenure regimes. Specifically, 46% of dwellings are owned and 31% are in self-built housing. In addition, 14% of households have been provided free or semi-free of charge. Only 8% of households are rented (4% social and 4% private). Interestingly, of those receiving rental assistance, only 6% are renting (social or private).

Apart from all this information collected in the FSG report, FAGiC would like to highlight the “urban settlements” in where many migrant Roma are living, especially in the case of the city of Barcelona, in old abandoned factories. The conditions are terrible and there is not supplies (electricity or water), no equipment and of course no ownership status. There is no privacy, as most of the families must share common spaces. This was such a phenomenon in the city of Barcelona that the Municipality created a service only to assist Roma families (mainly from

Romania) called SISFAM-ROM (Service for social intervention for Roma families), but in the last couple of years, especially African men are also living in these old factories. So the Municipality changed its service from SISFAM-ROM to SISFAM and now it is Service for social intervention to families with minors).

According to the report of FSG (2015), Portuguese Roma live in segregated settlements more frequently than those of other origins (17.22% compared to 2.53% for Spanish Roma and 6.58% for Eastern European Roma). On the other hand, the foreign Roma population - Portuguese and Eastern European - live in neighbourhoods/settlements located in another urban area of the municipality more frequently than the Spanish population (19.81% of the Portuguese and 20.22% of the Eastern European population, compared to 3.34% of the Spanish population).

Attempts at regularisation? Actually, the efforts to legalize informal settlements come from the activism of social organizations. There is no political party or local authority that has made a strong statement on the issue. Some measures to relocate families have been taken more for the image of the city than for the well-being of the families. Instead of improving the situation of the families, they have been expelled to the outskirts of the cities, thus hiding "the problem".

There have been rehousing of families in some cities, but they have been temporary measures and depended on the budget that has been available in that particular mandate. But, they were not general measures carried out by the whole state.

Currently, proposals are included in the Sustainable Development Strategy 2023. In the case of our organization, these measures are being worked on jointly with other organizations in Spain, in order to reflect precisely the issue of informal settlements too.

On 26 May, the new Law on the Right to Housing (Ley por Derecho a la Vivienda 12/2023) came into force, which recognises the social function of housing and identifies it as an asset of general interest. The law represents a step forward in guaranteeing the right to housing, especially for those people or groups who have the greatest difficulties in accessing decent, adequate and accessible housing.

Affordability of housing

It is important to acknowledge that access to housing is one of the main problems for the Spanish Population in general. There is not public/social housing enough to resolve the demands of the population. And private housing is not affordable for many families, because it represents a high percentage of the family income and also due to the compliance of the requirements to access the private market. Taking this into consideration, for a group who live in severe social exclusion conditions, the situation is even worse.

The issue of accessibility to housing is strongly related to other factors such as employment and antigypsyism. In relation to employment, according to the Foessa Foundation report (2018), the Roma population continues to be in a precarious situation compared to the rest of society. While 64% of the majority society are permanent employees, the percentage in the Roma population is only 29%. With regard to the Roma population, the most vulnerable employment formulas prevail: temporary contracts (39.5%), irregular/informal work (17.9%) and self-employment (13.5%). Furthermore, the occupations in which they are employed tend to be quite unskilled. The level of income of Roma people is far from that of the rest of the population and although moderate poverty has been reduced, severe poverty persists at the same level since 2007 (37%). This inequality and precarious situation affects Roma people's access to housing, whether owned or rented, because it does not meet the requirements for the private market.

In relation to public housing and according to the Special Bulletin on Social Housing 2020 of the Housing and Land Observatory⁵, Spain is one of the countries in the European Union with the least public housing built. Its share of the total number of primary dwellings (2.5%) is six points below the EU average (9.3%). Spain is also the twelfth European country with the least public housing in relation to its population, with less than one public housing per 100 inhabitants.

The lack of public housing to cover the needs of the Spanish population (including the Roma population) and the lack of requirements to access the private market, together with ANTIGYPGYISM (nobody wants to rent to Roma families and a large majority do not want to have a Roma person as a neighbour) are the main barriers and obstacles for the Spanish Roma population to access housing, whether rented or owned (very demanding requirements must be met in order to apply for a mortgage).

In relation to the percentage of income that Roma families spend on housing, this could vary. There is no such study. Experts recommend a maximum of 30% of income on housing, but from our experience we believe that Roma families spend more than 30% of their income on housing, especially taking into account the prices of rents in big cities and the precarious salaries that many of them may have. **It would be useful to carry out a comprehensive study on housing and the Roma population and to include this factor.**

The phenomenon of energy poverty goes beyond non-payment of bills, as one of the serious consequences of energy poverty is fires in homes.

According to the Foessa Foundation (2018), the economic and employment vulnerability of the Roma population is transferred to the difficulties of maintaining housing in adequate conditions, being able to meet their basic expenses or being an excessive expense. As we have already mentioned, in 2018, almost half of Roma households had delays in the payment of their utilities (55%), warnings that their utilities would be cut off (47.5%) and excessive

⁵ <https://www.newtral.es/vivienda-publica-espana/20230419/>

expenditure on housing (51.2%), which is considerably higher than in 2013, when only 16.7% of households were affected. To a lesser extent, there are delays in rent or mortgage payments (36.7%) or eviction notices (21.2%), albeit with more serious consequences and the latter having increased compared to 2013. All these situations of difficulty are much lower in the non-Roma population, where the highest prevalence is found in late payment of utilities (12.6%). In this sense, 55% of Roma households have difficulties in paying for supplies compared to 12.6% of non-Roma households.

Regarding energy poverty, it is important to mention that Spain has its National Strategy against Energy Poverty 2019 – 2024 which complies with the mandate established in article 1 of Royal Decree Law 15/2018, of October 5, on urgent measures for the energy transition and consumer protection. The Strategy is to protect the households that are in a vulnerable situation and cannot afford to pay the energy needed to keep their own home in good conditions of temperature. So, many families can benefit from it, the problem is the Roma families who are occupying a house because they don't have where to live, the Roma living in settlements and shanty houses who cannot prove place of residence because they are not owners or other reasons. A good example here is the settlement of La Cañada Real of Madrid which half of the settlement don't have electricity or other supplies and those sectors which have them suffer from many "cuts" from the companies which deny access to electricity to the families in the settlement.

Those families who have not access to the energy poverty benefit try to find other ways to heat the house or to illuminate the house and the consequences could be electrical overload (if they are taking electricity from other places) or butane heaters which can provoke fires in the houses.

✓ *Housing-associated bureaucracy*

This question is closely related to the previous question, the precarious employment situation of Roma families who are in a situation of severe social exclusion together with antigypsyism are the main barriers that Roma people face in meeting the requirements for renting or obtaining a mortgage.

It is added that the existing social aids, in a way, help families who already meet some of the requirements, those families who cannot prove income, cannot access social benefits to access and/or maintain their housing.

Navigating complex bureaucratic procedures, sticking to deadlines, preparing complete applications, obtaining documents, gathering information etc are difficult for Roma in Spain. Also, as NGOs we always raise awareness on the issue of the digital divide. Since COVID, most of the procedures have been digitalized, leaving many people out, adding another element of discrimination against the Roma population.

Also, the information about new procedures or requirements does not reach the whole population. The support in terms of access to housing comes from social organizations. This, in the case that these organizations work with housing projects. Otherwise, it often ends up being the effort of technicians outside of their functions. Also, it is stipulated that Social Services are a support tool, but in reality this is not always the case. The technical language that is used is sometimes difficult to understand. And if we add language barriers, especially in institutions that only use documents in Catalan, Roma migrants face even more difficulties

✓ *Antigypsyism in housing*

Antigypsyism is the main factor of discrimination and, consequently, social exclusion of the Roma population. It is a transversal element that affects all Roma in all sectors and at all levels of their lives. And in the area of housing it is very clear, from the expulsion of Romany families from a locality, to not wanting to rent housing to Romany people, as well as not wanting Romany people as neighbours.

Currently, there are different laws to deal with antigypsyism, but the problem is the implementation of these laws. The Catalan Housing Law, Law 18/2007 (28 December) provides for sanctions for discrimination in access to housing, but the first sanction was in August 2021 when Barcelona City Council imposed a 45,000 euro sanction on landlords and real estate agents for direct discrimination by not wanting to rent a house to a family of Moroccan origin. There is no known sanction for antigypsyism in access to housing.

Regarding antigypsyism, the State Pact against antigypsyism was approved on 30 March 2023. The document includes 158 proposals to combat and prevent antigypsyism, eradicate poverty and social exclusion and promote their participation, together with sectoral measures in the fields of education, employment, health and housing.

On 26 May 2022, the Spanish Parliament approved a reform of the Penal Code to include antigypsyism as a specific hate crime. On the other hand, last year, Law 15/2022 on equal treatment and non-discrimination was approved, which includes combating and preventing antigypsyism.

At the regional level, Catalonia also has its Law of Equal Treatment and No Discrimination, Law 19/2020 of 30 December, which also includes antigypsyism as a specific form of racism against Roma. Based on this law, Barcelona City Council approved a government measure against racism in the city that also includes antigypsyism.

These policies and measures have been approved in recent years and it is necessary to put the necessary mechanisms in place to implement them and thus combat antigypsyism directly. Spain has everything on paper, but the implementation of these policies is something different. The reality is not reflected in these documents. The document protects the person, but the system doesn't, so at the end it is not working.

✓ **Forced evictions**

The lack of access to housing means that many families have to "squat" (occupying) as the only solution to their problems. Many families are forcibly evicted without alternatives. In fact, Spain has been condemned on at least 8 occasions by the United Nations for violating the right to housing of families⁶.

There is an Emergency Table as an urgent housing alternative to situations of new homelessness, meaning to avoid new homelessness. This Emergency Table is a regional measure of the Government of Catalonia. As Spain is a decentralized State, each regional government decide their own mechanisms. This regional mechanism should last a maximum of 3 months, but it is taking approximately 2 or 3 years. In other words, when a family or person is evicted (whatever reason), the administration should provide an alternative housing. The family/person enter the Emergency Table and in a period of 3 months, an alternative should be given to the family/person. During this time, the family/person should sleep in a hostel paid by the administration. The Emergency Table is so overcrowded/saturated that it is taking an average of 2 – 3 years to give an alternative to the family/person. AS the administration cannot afford to pay a hostel for 2 – 3 years to these families, after a while when the administration does not provide alternative, the families squat again other house and then it is back to the previous situation. This is very common.

The law:

"Law 24/2015 on urgent measures to address the emergency in the field of housing and energy poverty is clear in this regard: it obliges in article 5.6 that: "The public administrations must guarantee in any case the adequate rehousing of persons and family units at risk of residential exclusion that are in the process of being evicted from their habitual residence, in order to be able to make the eviction effective. The mechanism for guaranteeing rehousing must be agreed by the Generalitat (Government of Catalonia) with the local administration for cases in which the assessment tables regulated in section IV of Decree 75/2014, of 27 May, of the Plan for the Right to Housing, process them as economic and social emergencies".

This means that social services pay for temporary stays as an alternative measure until social housing can be accessed. Economic resources (hostels, shelters...) and human resources (in the form of staff in housing offices, social workers, etc.) are allocated, which are sometimes non-refundable, as it is practically impossible to provide accommodation for such a long time due to the economic amount involved. We see how the accommodation offered does not act as a "bridge" to emergency social housing.

⁶ <https://www.publico.es/economia/onu-condena-espana-indemnizar-familia-ocupa-comunidad-madrid-le-niega-vivienda-publica.html>

As a result of this situation, we see how families are once again left without a residential resource and are even worse off than at the time of eviction. It is the perversion of the system, so many are forced to occupy housing.

We also notice that some agencies or social services that deal with these cases, do not have all the information available on the Emergency Table.

The REALLOTJEM (REHOUSING) programme has been in place since 2021. This programme of the Housing Agency of the Government of Catalonia was created in response to the lack of social flats for those families whose files have been favourable in the Emergency Table. They can look for a flat on the private market and the administration will pay the owner 18 months in advance in order to absorb the flat during that period of time and give them a housing alternative. But the demand is so high, that it is taking longer than expected.

Do forced evictions of Roma families exist? Yes, either because they cannot pay their rent or mortgage and are therefore forced to leave their homes, or because they forcibly occupy their homes. We do not have specific data, but we have direct knowledge through our Housing programme.

Are the Roma given adequate notice? Roma are given the legal notice. This is not the problem. The problem is that lawyers (public defenders or private ones) don't defend the Roma under this situation, in many cases lawyers defend the public administrations or banks. It is the same with social workers. In many cases, social workers are not professional with Roma families and they don't protect them as they should be.

Individual practice or entire communities? Both cases. In the case of entire communities, we see this in entire squatted (occupied) blocks/buildings, but each family follows the course of their eviction procedure. And then, in the case of camps or settlements, there is usually a relocation/rehousing programmes.

✓ **Environmental implications**

Many of the segregated neighbourhoods where Roma people live are located on the outskirts of large cities and close to industrial estates, which means that they are affected by serious environmental factors. Factories, landfills, thermal plants, wastewater treatment plants, etc., surround many of the segregated neighbourhoods where Roma people live.

In addition, a high percentage of people living in these neighbourhoods collect scrap metal to earn an income, and the accumulation of scrap metal contains toxic elements that can be harmful to health.

Generally, in Spain there are many containers for waste collections in all neighbourhoods. We can hardly talk about ad-hoc landfills or burning of this waste. Families usually come and throw their waste in the neighbourhood containers. Also, if there are settlements, these are

generally within or very close to the city. In the opposite case, sometimes families buy their own containers and place them in a space where they know it is the responsibility of the municipality to collect it.

In case of settlements in peripheral areas or factories, burning of toxic or hazardous waste for families for heating may happen.

Water is usually taken from public fountains (some of which are drinkable and suitable for consumption). Or in the case of an occupation of a local or an apartment, they usually have water, although they have to carry out some "illegal" action to be able to use it. In terms of hygiene, in some cities there are public showers with access to all citizens. Keep in mind that this is in the cities with more economic resources. In those cities where there are no public showers, families use their network of relatives or acquaintances.

Unfortunately, there are not research/studies about it and it will be very important because it affects the health of the Roma families living in these locations.

✓ *Nomadic lifestyle and Travellers*

We do not have official data, but in our experience there are no nomadic communities as such, but there are communities that are forced to change their homes for seasonal work reasons: fairs, grape harvest, agriculture and so on.

On the other hand, there are families who are not seasonal workers who, due to their lack of access to housing, are forced to occupy, are subsequently evicted and move to find another home to reoccupy.

✓ *Implications of lacking a legal address*

Although we do not have official data, experience shows that the vast majority, if not all, of the autochthonous Roma in Spain (Spanish Roma) are documented, have a National Identity Card and are registered in a fixed residence (Municipal Register of Inhabitants). The registration in a fixed residence is mandatory in you want to access any service such as school, sports, social benefits, etc....

It's true that some Roma are registered in flats where they don't live, maybe in the flat or a family member, but they are registered.... This can create problems as they don't actually live there, so they may miss important correspondence. The administration "punishes" some families for not responding to a procedure in the stipulated days without taking into consideration that this documentation can be lost. An alternative to this is to put the address of a social organization or social services that works with the family.

Consequently, local Roma in Spain should be able to access all existing services on an equal footing with the majority society. However, experience shows that there are still many cases of antigypsyism in access to services. To give an example, a social worker threatened one of our users that she would be removed from the Emergency Table if she went to the Ombudsman to demand speed in the allocation of services because she had been waiting for 4 years.

Roma migrants can find it difficult to access public services. Most municipalities do not allow access to social services for people who are undocumented or do not live in the municipality (registered in the municipality). In fact, Barcelona City Council promoted the SISFAM ROM service as an extraordinary measure to respond to the problems of Roma from Eastern Europe. However, they do have access to extraordinary or urgent aid that is temporary and not prolonged in time. The problem is that this type of services are municipals services, from local administrations, and usually the don't do extraordinary measures to support or help Roma who are undocumented or are not registered in a fixed residence. The case of the Barcelona City Council is unique.

✓ *Housing market – what can be done?*

Regarding the access to social housing. The situation of the real estate market, with a deficit between housing supply and demand in Spain, together with the reduction in purchasing power and the phenomenon of gentrification and tourist rentals in large cities, has led to serious distortions that cause great difficulty in accessing housing for a large part of the Spanish population.

The problem of access to housing, according to the annual report of the Ombudsman, is accentuated among young people and those with fewer resources⁷. The problem of access to housing is caused both by the high purchase prices and by the extra effort that a large part of the population has to make in order to rent housing.

According to data provided by the most recent appraised value statistics of the Ministry of Transport, Mobility and Urban Agenda, the average price in the third quarter of 2022 stood at 1,740 euros per square metre in the state, reaching 2,000 euros in 6 provinces. On the other hand, data from the Housing and Land Observatory for 2021 show that 40.9% of those living in rented housing at market prices are financially overexposed to the costs of renting, which means that they dedicate more than 40% of their income to paying the rent. In the European Union as a whole, this same percentage is much lower, at 21.2%, and in the euro area it is even lower, at 20.9%.

In this context, it is more necessary than ever to make a firm commitment to social housing in order to alleviate the serious problems that exist, especially in the most vulnerable families.

⁷ "Informe Anual Defensor del Pueblo, 2022, volumen I", Ombudsman Annual report, 2022, Volume I, page 255

However, according to official data from the Ministry of Transport, Mobility and Urban Agenda of the Spanish Government, the housing stock in Spain as a whole, in the year 2022, will reach 26,068,233⁸ and only 2.5% will be social housing.

This figure is far from the European average, which stands at 9.3 per cent, and from figures such as those of Denmark or the United Kingdom, where they reach 20 per cent⁹.

Despite being a generalised problem, this is aggravated in the case of the Roma population, due to the existing antigypsyism and the difficulties in accessing public services and having a level of income (due to low education, difficulty in accessing the labour market) that allows them to meet the expenses derived from the purchase or renting of social housing.

In this situation, in order not to violate the constitutional mandate of Article 43 of the Spanish Constitution and to guarantee the full effectiveness of the right to decent and adequate housing, it is essential that the public authorities promote more actions aimed at implementing social aid and structural measures to achieve a large stock of affordable social housing, both rented and owned.

Urban/rural development. In Spain, the share of citizens residing in urban areas has risen from 65% to over 87% between 1950 and 2018. This increase has been particularly significant until the end of the 1970s, during the period sometimes referred to as the "rural exodus", so that the urbanisation rate stood at 82% in 1981. Since then, the increase in the urbanisation rate would have continued, albeit at a significantly slower pace, as a result of disparate population dynamics between rural and urban areas.

The latter would have experienced a high demographic dynamism from the end of the last century until 2011, only to stagnate thereafter. Rural areas, on the other hand, although they increased their population until 2010, have suffered sharp population declines since then. However, there is a marked heterogeneity in the population dynamics of rural areas by size and whether or not they belong to a functional urban area. In particular, very small rural areas (less than 1,000 inhabitants) have reported high population losses in recent decades. Moreover, the negative contribution of natural population growth in rural areas stands out, as a result of a population structure biased towards older ages. In contrast, rural areas belonging to some functional urban areas have experienced significant population gains in recent years. In the period since the middle of the last century, Spain would have been one of the European countries with the greatest increase in the rate of urbanisation, so that this rate would have converged towards that observed in the most urbanised countries in Europe¹⁰.

⁸ <https://apps.fomento.gob.es/BoletinOnline2/?nivel=2&orden=33000000>

⁹ "Colaboración público-privada en el mercado de la vivienda en Cataluña" de La cátedra de empresa "Vivienda y Futuro" de la UPF y la APCE.

¹⁰ "TENDENCIAS RECIENTES DE LA POBLACIÓN EN LAS ÁREAS RURALES Y URBANAS DE ESPAÑA 2020", Banco de España, Documentos ocasionales Nº 2027

This migratory phenomenon, the disparity between demand and supply, gentrification and tourism have generated a constant rise in prices in neighbourhoods where working people have historically lived, which has led to gentrification in different areas of the city (for example, in Barcelona, Gràcia, Poblenou, Barcelona neighbourhoods, etc.).

Role of multinationals and private developers. Although there is no official data, there are many vulture funds, private developers, multinationals and large banks that buy packages of housing that further strain the relationship between supply and demand, contributing to a housing bubble that makes access to housing very difficult. A possible solution would be for the public administration to purchase housing and qualify it permanently as public/social housing.

✓ *National Roma Frameworks*

When trying to access housing, Roma face one of the most important obstacles to effective social inclusion. While this situation has improved in recent decades (although it would have been difficult for it to get worse, with a large part of the urban Roma population living in 'third world' conditions), re-settlement policies together with significant public investment have only succeeded in converting a large proportion of shanty towns and inadequate housing into 'vertical shanty towns', bringing with them quasi-widespread residential segregation.

Roma ghetto neighbourhoods exist in virtually every city in Spain, now shared with migrant populations. While these areas may be an improvement on shanty towns, they limit the possibility of social progress for their residents, keeping them physically and mentally isolated from mainstream services, with segregated schools, fewer job prospects and less cultural activities on offer, and associated with widespread social stigma. In these neighbourhoods, studies on housing and the Roma population (1991, 2007, 2015)²⁰ have found some material improvements, as well as persistent poverty and lack of opportunities for social or employment advancement.

The NRSF sets as a priority to reduce residential segregation, currently measured at 2.9%, to 1.9% by 2025 and 1% by 2030. It also proposes to eradicate slums and inadequate housing by 2030. Regarding the guarantee of essential services, it notes that 27% of households have access to heating and proposes to raise this percentage to 38% by 2025 and 50% by 2030.

We believe that in addition to severe residential segregation, estimated at 2.9%, the use of other indicators of residential segregation would be desirable. CSOs suggested indicators that could show different levels of concentration of Roma and migrants, to give a more realistic picture. In addition, we consider that indicators are needed to address the problem of inadequate housing.

On a positive note, the NRSF applies a cross-cutting approach in the fight against antigypsyism, leading in this case to a focus on discrimination in access to housing, although it does not propose specific measures in this area beyond the implementation of programmes and seminars, or the monitoring of offences recorded in this area.

We also highlight the importance of applying a gender approach and offering support to victims of gender-based violence in the area of housing. Even taking into account that Spain has a very developed gender approach in its policies against gender-based violence, we consider it very important that the NRSF incorporates this in relation to the situation of Roma women victims of gender-based violence in order to increase their chances of finding housing.

Access to housing is one of the main social problems in Spain. Although the eradication of slums and precarious housing is contemplated within the programmes of the current 'National Housing Plan 2022-2025', as it was in the previous period 2018-2021, the dimension of the structural problem of access to housing in Spain far exceeds the capacity associated with this plan, which makes us foresee that the impact, even with an increase in the budget, will be insufficient.

✓ *Conclusion and recommendations*

Good practices:

- Re-housing is usually carried out when there are shantytowns in Catalonia. FAGiC has an agreement with the Housing Agency of the Government of Catalonia and we work together for the re-housing of these settlements or shanty towns. Examples: Riu Sec, Lleida, Santa Perpétua de Mogoda, Abrera, etc... It is a long process, but with political will it can be done.
- In Catalonia, Roma organisations are involved in the re-housing of slum dwellers and adaptation to new housing.
- Usually, in Catalonia, an integral study of all families affected by housing in order to give extra support.

Policy recommendations:

- **Public-private partnerships in housing**

In Catalonia there have been different examples of public-private collaboration for the promotion of affordable housing with a vocation for permanence over time. This report highlights the right of superficies as a formula in expansion in the territory thanks to the Catalan Law 18/2007, of 28 December, on the right to housing, which gives an important boost to this model of collaboration, and which applies not only to housing issues, but also to its use in the construction of facilities. At the state level, Royal Decree Law 26/2020, of 7 July, regulates a series of specified rights of superficies: thus, article 31 of this regulation allows the exclusion of the payment of a fee or price by the owner of the surface without this altering the onerous nature of the right in rem constituted for tax purposes.

According to the study, this decision is a clear commitment to ensure that the need to promote affordable housing is not hindered in the sustainability of the development model by the mandatory imposition of a fee. And rather than the price or fee, what should be ensured is that the landlord offers the lowest possible rent and, therefore, that the imposition of a fee does not constitute a barrier to the presentation of competitive bids in the tenders called.

There are examples that respond to a model of institutionalised collaboration, with shared discretion and collaborative governance that goes beyond a contractual relationship more typical of concessions. There are other less atypical examples of public-private collaboration that have allowed the administration to address situations of vulnerability that required housing urgently and well in advance of the temporary nature of the construction of a development, such as the programme for the transfer of housing from large tenants, through agreements with the Catalan Housing Agency, the mechanism for the acquisition of housing by social entities or the Reallotgem (Rehousing) programme, also of the Catalan Housing Agency of the Government of Catalonia.

- Comprehensive study/research on housing and Roma must be done in order to have a real picture of the situation with the collaboration of the Roma organisations in order to create the right policies or measures to tackle the problem
- Link/connection of the National Roma Strategy Framework with mainstream policies on housing. All mainstream policies should reflect and target the situation of the Roma in Spain
- Include migrant Roma in all policies: mainstream policies and in the NRSF.
- Improvements to ensure effective communication between the judiciary and social services to guarantee rapid response to people in vulnerable situations.
- Housing solutions for those affected and, while these solutions are in place, an extension of the suspension periods for eviction.
- Where the plaintiff is a "large landlord" and the request for eviction affects vulnerable people, the use of a conciliation or mediation procedure must be demonstrated.
- Increase the supply of housing at affordable prices, prevent tensions in the rental market and support young people and vulnerable groups in accessing housing.
- Penalise, through the law on equal treatment and non-discrimination, all situations of discrimination in housing.
- Strengthen social organisations with resources to continue supporting the most vulnerable families.
- Provide real alternatives and decent conditions for the relocation of families, within certain proximity to the educational institution for minors, taking into account the gender issue and the type of accommodation they need to avoid situations of re-victimisation, etc.

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