



EUROPEAN COMMISSION

European Structural and Investment Funds

Guidance for Member States on  
the use of European Structural and Investment Funds in  
tackling educational and spatial segregation

**DISCLAIMER:** This is a working document prepared by the Commission services. On the basis of the applicable EU law, it provides technical guidance to the attention of public authorities, practitioners, beneficiaries or potential beneficiaries, and other bodies involved in the monitoring, control or implementation of the cohesion policy on how to interpret and apply the EU rules in this area. The aim of this document is to provide Commission services' explanations and interpretations of the said rules in order to facilitate the implementation of operational programmes and to encourage good practice(s). However this guidance note is without prejudice to the interpretation of the Court of Justice and the General Court or decisions of the Commission.

## **Contents**

1. Introduction .....	3
2. Objective and scope of the guidance note .....	3
3. Legal and policy framework .....	4
4. Guidance for effective implementation.....	6
4.1. Principles .....	6
4.2. Designing desegregation interventions.....	7
4.3. Specific guidance for education .....	9
4.4. Specific guidance for housing .....	12
4.5 Examples of desegregation measures in different territorial settings.....	14
5. Conclusions .....	18
Annex I. Checklist for the call for proposals .....	19
Annex II. Academic findings relating desegregation needs for an efficient ESIF programming .....	21

## **1. Introduction**

The objectives of the inclusive growth priority of the EU 2020 strategy and the corresponding headline targets cannot be achieved without a particular effort to reduce the educational and spatial segregation of marginalised people.

Experience of the 2007-2013 programming period has shown some mixed results in tackling segregation. In the field of housing, for example, the Article 7 (2) of Council Regulation (EU) No 437/2010 (ERDF Regulation) and the Commission Regulation (EC) No 1828/2006 (implementin regulation) specified two important conditions: the integrated approach and desegregation (spatial integration). This resulted in some housing pilot actions targeting marginalised Roma communities across Europe. As desegregation proved to be difficult, the outcomes of the housing pilots justified further methodological guidance on desegregation.

This guidance note provides recommendations on the efficient use of European Structural and Investments Funds (ESI Funds) in tackling educational and spatial segregation based on the EU legislative and policy frameworks.

## **2. Objective and scope of the guidance note**

The aim of the note is to assist the relevant public administration bodies of Member States, and in particular managing authorities, in effectively designing and implementing the investments to address the education and housing needs of marginalised communities (e.g. marginalised Roma, migrants and other socially disadvantaged groups)<sup>1</sup>, financed by the ESI Funds in the 2014-2020 period.

This guidance note builds on the EU anti-discrimination law and policy, including the thematic guidance fiche on Roma and marginalised communities<sup>2</sup> and other policy guidance frameworks.<sup>3</sup> It also builds on the 2011 COCOF note "*Guidance note on the implementation of integrated housing interventions in favour of marginalised communities under the ERDF.*"<sup>4</sup>

Segregation is caused by a number of factors, including discriminatory actions, economic and demographic mechanisms. It is characterised by the physical and social separation of members of a marginalised group from members of non-marginalised groups and unequal access to mainstream, inclusive and high-quality services. In other words facilities in segregated settings provide lower quality services.

In the framework of this note, desegregation is defined as the action to eliminate segregation. Desegregation interventions should establish the conditions for equal access to high-quality services, including education, housing, labour market, health and any other relevant field.

In terms of desegregation measures, the European Regional Development Fund (ERDF) and the European Social Fund (ESF) are the two most important funding resources. These funds in

<sup>1</sup> The note does not provide a definition for marginalised communities, leaving it to Member States' responsiblity on the basis of national indicators. It is also in line with the explicit, but not exclusive targeting of Roma communities cf. The 10 Common Basic Pinciples on Roma Inclusion (2009)

<sup>2</sup> [http://www.coe.int/t/dg4/youth/Source/Resources/Documents/2011\\_10\\_Common\\_Basic\\_Principles\\_Roma\\_Inclusion.pdf](http://www.coe.int/t/dg4/youth/Source/Resources/Documents/2011_10_Common_Basic_Principles_Roma_Inclusion.pdf)

<sup>3</sup> [http://ec.europa.eu/regional\\_policy/sources/docgener/informat/2014/thematic\\_guidance\\_fiche\\_roma\\_marginalised\\_communities.pdf](http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/thematic_guidance_fiche_roma_marginalised_communities.pdf)

<sup>4</sup> For example: COM(2013) 83 final, Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020, and also the Handbook for Improving the Living Conditions of Roma, an EC-WB joint project's final output (available for example at [http://ec.europa.eu/justice/discrimination/files/roma\\_wbhandbook\\_en.pdf](http://ec.europa.eu/justice/discrimination/files/roma_wbhandbook_en.pdf))

general support investment in childcare, education, housing, social and health infrastructure, human capital, access to the labour market, social inclusion, training and vocational training for skills and life-long learning.

### **3. Legal and policy framework**

Several legal provisions of the cohesion policy regulations identify the framework conditions of ESI Funds supporting desegregation measures in education and housing. The following provisions serve as the basis for the programming and implementation of the 2014-2020 programmes targeting the needs of the marginalised communities.

<b>Regulation</b>	<b>Articles</b>	<b>Content</b>
Regulation (EU) No 1303/2013 - Common Provisions Regulation (CPR)	Article 7	To prevent any discrimination based on racial or ethnic origin, during the preparation and implementation of programmes
	Annex XI - Thematic ex-ante conditionalities	<ul style="list-style-type: none"> <li>• National Roma Integration Strategies</li> <li>• National strategic policy framework for poverty reduction</li> <li>• Strategic policy framework to reduce early school leaving</li> </ul>
	Annex XI - General ex-ante conditionality	<ul style="list-style-type: none"> <li>• Anti-discrimination - necessary administrative capacity for the implementation and application of Union anti-discrimination law and policy in the field of ESI Funds</li> </ul>
Regulation (EU) No 1304/2013 - ESF Regulation	Article 3	<ul style="list-style-type: none"> <li>• Under TO8, TO9 and TO10 all relevant investment priorities</li> </ul>
		<ul style="list-style-type: none"> <li>• Specific investment priority under TO9 - Socio-economic integration of marginalised communities such as the Roma</li> </ul>
	Article 8	<ul style="list-style-type: none"> <li>• Promotion of equal opportunities for all, without discrimination based on racial or ethnic origin, through mainstreaming and specific actions the principle of non- discrimination</li> </ul>
Regulation (EU) No 1301/2013 - ERDF Regulation	Article 3	<ul style="list-style-type: none"> <li>• Under TO8, TO9 and TO10 all relevant investment priorities</li> </ul>

The Racial Equality Directive (2000/43/EC)<sup>5</sup> is a crucial element of the Union anti-discrimination legal framework, which sets out the obligation of all Member States to combat discrimination and prevent in particular discrimination based on the grounds of racial or ethnic origin notably in social protection, education and access to and supply of goods and services, including housing.

Segregation is discriminatory since it implies either a less favourable treatment or an unjustified particular disadvantage which are prohibited by this directive<sup>6</sup>. In this respect ESI Funds cannot be used to perpetuate segregation, which falls within the scope of discriminatory treatment.

The Charter of Fundamental Rights(cf. Article 21) is also crucial for the implementation of cohesion policy. It prohibits discrimination based on any ground, such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

## Policy frameworks

Council recommendation on effective Roma integration measures in the Member States (2013) <sup>7</sup>	<p>Relevant measures:</p> <ul style="list-style-type: none"> <li>• Equal treatment and full access for Roma boys and girls to quality and mainstream education (eliminating any school segregation, inappropriate placement of Roma pupils in schools for children with special needs, etc.)</li> <li>• Equal treatment of Roma in access to housing (eliminating any spatial segregation and promoting desegregation, promoting non-discriminatory access to social housing access to public utilities, etc.)</li> </ul>
Report on the implementation of the EU Framework for National Roma Integration Strategies 2015	<p>Relevant measures:</p> <ul style="list-style-type: none"> <li>• Particular attention has been paid to the misdiagnosis and consequent transfer of Romani children into special schools for children with mental disabilities (where they make up a disproportional part of the student body), the segregation of Romani children in mainstream education and conditions for access to social housing with potentially discriminatory effects.</li> <li>• Political will, long-term vision, determined action and sufficient funding must be ensured to fight discrimination and segregation. Mainstream public policies in the fields of education, employment, healthcare and housing are in need of inclusive reform. ESI Funds can be mobilised to finance antidiscrimination and desegregation actions.</li> </ul>
Country Specific	Specific focus on Roma inclusion

<sup>5</sup> Council Directive 2000/43/EC

<sup>6</sup> Two infringement cases have been launched by the European Commission against Czech Republic and Slovakia in the field of discrimination of Roma children in education.

<sup>7</sup> Council recommendation on effective Roma integration measures in the Member States, EMPLOYMENT, SOCIAL POLICY, HEALTH and CONSUMER AFFAIRS Council meeting, Brussels, 9 and 10 December 2013

Recommendations (2015)	<ul style="list-style-type: none"> <li>• Including requirements to ensure access to inclusive education – BG, CZ, HU, RO, SK</li> </ul>
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## 4. Guidance for effective implementation

This section explains the technical details of how to best address housing and education measures funded by the ESI Funds.

### 4.1. Principles<sup>8</sup>

The needs of marginalised communities can be addressed by targeted (direct) and mainstream actions. In both cases interventions must follow the principles of non-segregation and desegregation.

The principle of **non-segregation** aims to prevent ESI Funds investments from establishing new isolated facilities or strengthening existing ones. For example, improving or building basic services (water supply, sewage, etc.) may improve the living conditions. At the same time, investments in housing or education should not lead to increased concentration or further physical isolation of marginalised groups.

The principle of **desegregation** aims at actively eliminating or at least significantly reducing existing isolated settings with the use of ESI Funds. Preferably the actions should consist of direct relocation of inhabitants of segregated settlements into the mainstream neighbourhoods or of pupils from segregated schools or classes into the mainstream classes.

**In all housing and education operations the desegregation principle should be considered as a first option and non-segregation only as a second option.** Even if immediate desegregation actions are not possible, non-segregation actions must pave the way for desegregation processes.

Desegregation measures should be designed to address four types of challenges in parallel:

1. the empirically (statistically) proven social gap and physical distance between access to quality services by marginalised groups and by the majority population, such as Roma and non-Roma;
2. the stigmatized perception of the schools or neighbourhoods;
3. the mechanisms of public policy design that reinforce or even increase segregation, including mechanism of discrimination and the lack of coherence of desegregation measures across relevant policies;
4. the lack of awareness of national and local authorities on the anti-discrimination and equal treatment legislation.

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<sup>8</sup> These principles were elaborated by the "Handbook for Improving the Living Conditions of Roma" European Commission-World Bank 2015, [http://ec.europa.eu/regional\\_policy/sources/docoffic/cocof/2010/cocof\\_10\\_0024\\_01\\_en.pdf](http://ec.europa.eu/regional_policy/sources/docoffic/cocof/2010/cocof_10_0024_01_en.pdf)

Therefore, it is a prerequisite of effective desegregation measures to combine activities that address all these challenges at the same time by dedicating resources and attention to each of these challenges.

## 4.2. Designing desegregation interventions

In order to ensure efficient use of ESI Funds, the following conditions are recommended to be followed in the call for proposals. They are relevant for both targeted (directly addressing the needs of marginalised groups or deprived areas) and mainstream (targeting the general population) actions.

### Planning phase of call for proposals:

The relevant specific objectives and actions included in the programmes should be translated into the implementation framework with a particular view on desegregation. The following items – which may have already been programmed under the respective programmes – can be directly implemented by the managing authorities or included in the call for proposals (eligible actions, implemented by the beneficiaries):

1. Mapping of segregated educational facilities and neighbourhoods. It can be already part of the national policy framework or local, regional development strategies<sup>9</sup>. It requires predefined indicators and data collection and regular analysis on segregation, which can be carried out by the national statistical offices or other independent institutions<sup>10</sup>. The definition of segregated services and spatial isolation can also serve to monitor and evaluate ESI Funds measures. The following indicators, indices and measures have so far been used effectively in a number of Member States:
  - a. In the context of spatial segregation<sup>11</sup>:
    - Area-based (neighbourhood, city, micro-region level) social indicators like high rates of unemployment and low levels of education, and low infrastructure supply;
    - A list of settlements affected by a high concentration of marginalised people, based on ethnic data collection (e.g. Roma);
    - Other significant social indicators (e.g. share of people benefitting from social assistance schemes) can help to scrutinize the pockets of poverty and exclusion in urban and rural settings.
  - b. In the context of segregation in education facilities:

<sup>9</sup> Local and regional development strategies may include also mapping of segregated educational facilities and neighbourhoods. Local and regional development strategies are required by the 2014-2020 legal framework, such as sustainable urban development strategies (Article 7 CPR) or local development strategy for community-led local development (Article 32 CPR). Taking into the consideration the fact that these strategies may have been already finalised, mapping can be included in the course of the revision.

<sup>10</sup> Database on segregation should be publicly accessible.

<sup>11</sup> See examples in practice included in <http://www.opensocietyfoundations.org/sites/default/files/housing-vademecum-supplementary.pdf>. In Slovakia, the Roma Atlas and in the Czech Republic, the Mapping of the Marginalised Communities would represent 'i', which have been produced based on ethnographic field research exercises. The Hungarian segregation maps would be characteristic for 'ii' which are produced based on CENSUS employment and education data, and the URBAN indicators used broadly in EU-12 Member States are examples for 'iii'. More on the URBAN indicators is available here: [http://ec.europa.eu/regional\\_policy/sources/docoffic/official/guidelines/pdf/urban\\_en.pdf](http://ec.europa.eu/regional_policy/sources/docoffic/official/guidelines/pdf/urban_en.pdf) and general indicators applied for defining urban areas for interventions:

[http://ec.europa.eu/regional\\_policy/sources/docgener/studies/pdf/housing/2013\\_housing\\_study.pdf](http://ec.europa.eu/regional_policy/sources/docgener/studies/pdf/housing/2013_housing_study.pdf)

- Segregation index: high percentage of pupils with low-income and low-educational level parents in educational facilities (both at individual class and school level)
  - Dissimilarity index: deviation from the "fair-share" of the children belonging to a marginalised group across all school facilities of the locality.
2. The specificities of the different forms of spatial segregation should be reflected in the call for proposals enabling adequate responses (see more details under section 4.5.). The following forms of spatial segregations should be taken into account:
- a. integrated (non-segregated) urban and suburban neighbourhoods;
  - b. large deprived and segregated urban and suburban neighbourhoods;
  - c. small deprived and segregated urban and suburban neighbourhoods;
  - d. small rural localities with segregated neighbourhoods;
  - e. segregated villages and settlements in deprived micro-regions.
3. Within the varying spatial settings it is also important to address the links between spatial and education segregation in the scope of integrated approach. For example, residential segregation may lead to school segregation, especially in settings where schools are located in the proximity or within the segregated neighbourhood.
4. The implementation framework of desegregation measures in education and housing may include the involvement of external mentors, trained in urban development, social inclusion, health, education, equal treatment legislation or in any other relevant field. They can provide technical assistance and professional support for beneficiaries at local level in the planning phase of projects and also in implementation. Contracting external mentors can be done by the managing authorities or by the beneficiaries as part of eligible actions.
5. Both call for proposals and projects targeting desegregation of marginalised communities should be designed and implemented with the direct involvement of representatives of the communities in all stages of the process:
- empowerment and involvement of the future participants by targeted interventions (e.g. through community-led local development actions);
  - comprehensive analysis of needs taking into consideration possible divergent approaches to desegregation.
6. Facilitation of public debate at local, regional or national level in order to involve all stakeholders. The necessary resources can be allocated for public campaigns, awareness raising activities (conferences, seminars, PR activities), anti-discrimination actions as part of the technical assistance at national level or eligible action of operations at project level.

Selection of operations (see further examples in Annex I.):

1. Selection of eligible projects is based on a clear set of criteria based on the desegregation and non-segregation principles and the planning tools listed above. Selection criteria should not contribute in any way to increased segregation.
2. Selection criteria should also refer to different scenarios of spatial segregation (as discussed under point 3 above). In this regard, adequate responses to different forms of

spatial segregation can be facilitated. Non-segregation actions, for example in-situ upgrading or delivery and extension of services in segregated settings may be supported by ESI Funds only if desegregation options are not available in the short run, but they will pave the way for desegregation processes.

3. The operations must involve and empower the target groups in the stages of planning, implementation and assessment. This can be facilitated by interventions for community development<sup>12</sup>.

#### Monitoring of operations:

1. In line with the pre-defined indicators and other available data, targeted ESI Funds interventions should monitor the measures and their effects on desegregation. This may include the involvement of non-governmental organisations, research institutes and other independent organisations having experience in this particular field.

### **4.3. Specific guidance for education**

The following conditions can be part of both mainstream and targeted calls. Mainstream educational calls may address the needs of the general population; however prevention and fighting against segregation of marginalised children are also essential in this case. Targeted call for proposals should directly respond to the needs of marginalised children including the specific focus on desegregation. Measures of the programmes to improve the access to and participation in good quality, inclusive education by marginalised children should be assessed vis-à-vis spatial segregation. Different forms of segregated spatial environments may have a close link to the access to quality education.

Some examples of challenges:

- low educational outcomes, low enrolment rates, high drop-out rates of pupils;
- low participation in early childhood care and pre-school education;
- disproportionate and abusive placement of marginalised children in special education;
- poor or complete lack of access to high quality education and services, extracurricular activities, etc.;
- refusal of children from marginalised background at registration in educational facilities;
- inadequate skills, low motivation, as well as high turnover rates of staff in segregated schools;
- lack of sufficient and high quality human resource capacity in educational facilities in general;
- lack of sufficient high quality infrastructural capacity in educational facilities;
- rundown physical environment;

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<sup>12</sup> Very useful technical details on the effective design of such interventions are included in the Handbook for Improving the Living Conditions of Roma, WB/EC (2015), available at [http://ec.europa.eu/justice/discrimination/files/roma\\_wbhandbook\\_en.pdf](http://ec.europa.eu/justice/discrimination/files/roma_wbhandbook_en.pdf)

In order to respond to the challenges, actions should follow the integrated approach, and may be supported by both ERDF and ESF. This may require a broad range of actions, depending on the needs and linked to the respective policy framework (National Roma Integration Strategy, early school leaving policy framework). Following the basic principles set out in this note construction of new educational facilities in spatially segregated neighbourhoods should be avoided (except in segregated villages, where the access to mainstream, inclusive educational facilities on micro-regional level should also be assessed, further details under section 4.5). Marginalised children may face internal or intra-class segregation in schools, which requires reorganisation of the school structure, where ESF support can be vital. The following list of actions gives only some indications, closely related to education, but certainly can be completed with actions from other fields:

### **Examples of ERDF funded measures**

1. Infrastructure investments in educational facilities:
  - upgrading education infrastructure, including extension of capacities in non-segregated environment
  - new education infrastructure
2. Infrastructure investment in improved access to education (as part of an integrated operation)
  - investments in transport means (e.g. bussing)
  - investments in road infrastructure.

### **Examples of ESF funded measures**

Soft investments for enhancing access to good quality, inclusive education:

- introduction of innovative pedagogical tools and methods, including active and collaborative approaches which allow adaptation to individual needs and increase pupils' motivation
- putting in place early tracking systems and measures to address the root-causes of early school leaving
- more diversified teaching and non-teaching staff, reflecting diverse cultures and backgrounds
- training (initial and continuous professional development) for educational professionals (including leaders), with a special focus on understanding educational disadvantage and ESL risk factors, intercultural education and understanding diversity; multilingualism and teaching the instruction language as 2nd language
- individual support for disadvantaged students incl. Roma (transferred from segregated to mainstream settings)
- subsidized employment of additional professionals (assistant teachers, guidance counsellors, social workers, psychologists) for instance to provide individual support to struggling learners, including language support if necessary
- quality assessment
- training for and employment of mediators, mentors
- after-school and extra-curricular activities
- intercultural activities to enhance inter-cultural understanding

- raising parents' awareness on access to quality education
- better linkage between parents and professionals (active parental involvement in early childhood facilities and schools)
- enhancing the acquisition of social, civic and relational competences to transmit values, such as non-discrimination, respect for diversity and equality, etc.
- facilitating better and smoother access to quality schools by supporting transportation (bus services)

Educational desegregation measures should take into account the availability of existing educational facilities in various territorial settings:

- In the case of localities with more than one educational facility (early childhood, preschool, primary, secondary, vocational), any segregated facility is recommended to be closed down and the access to inclusive education should be ensured (desegregation measure). ESI Funds should not contribute to building or extending segregated educational facilities.
- In the case of localities with only one educational facility (early childhood, preschool, primary, secondary, vocational), the first option is still to ensure the access to inclusive education. At the same time for early childhood and preschool facilities the proximity conditions should also be considered. It is highly relevant in segregated villages in deprived micro-regions, where early childhood and preschool facilities may require investments in order to improve the quality of educational services (non-segregation measures).

Taking into account the specific needs of different age groups and the corresponding educational facilities, the following guiding principles should be observed for ESI Funds investments:

1. For **early childhood development (age 0-3)**, the preference should be given to access mainstream, inclusive, high-quality services. At the same time facilities should be located in walking distance for the target group, so services should be provided in the close proximity to the families. Investments in early childhood quality services are proven to be effective in decreasing the socioeconomic gaps, if access to such services are assured at earliest possible time, facilities provide high quality services and parents are also actively involved.
2. In the case of **pre-school facilities (age 3-6)** the preference should be given to access mainstream, high-quality services. At the same time facilities should be provided in the close proximity to the families. Similarly to early childhood development, investments in pre-school facilities are also proven to be effective in decreasing the socioeconomic gaps, if access to such services are assured at earliest possible time, facilities provide high quality services and parents are actively involved. In large urban areas access to mainstream, inclusive pre-school facilities should be the first option.
3. In the case of investments in **primary education** the preference is given to ensuring access to quality, inclusive education by marginalised children. This may include elimination of segregated schooling and relocation of pupils to mainstream schools. If schools located in non-segregated environment receive funding, measures to enable access by marginalised children from other locations or neighbourhoods should be allocated.

4. In the case of investments in **secondary schools**, access to quality education by marginalised children is required even if facilities are at a distance from the target groups concerned. Bussing or supporting dormitories (together with supporting accompanying services, such as scholarships, mentoring or other positive action measures) can also be supported. Assistance in secondary education via soft measures is especially vital to counteract early school leaving.

ESF and ERDF resources can be used for funding further measures like after-school and extra-curricular activities in order to support the integration process of marginalised children in education bearing in mind the specific scope of each fund. These actions should include specific focus on facilities where marginalised children can meet other (non-marginalised) peers, intercultural activities and the necessary learning facilities are ensured.

#### ***Desegregation of educational facilities in Kjustendil, Bulgaria***

Inclusion of Roma children in the mainstream school system was the main objective of the project carried out in Kjustendil, Bulgaria. The total population of the city is around 44 000, out of which Roma represents around 10 000, who mainly live in the segregated neighbourhood (Iztok). Before the project all children (around 1 000) attended the local segregated school. 350 children are now integrated in the mainstream schools of the municipality by introducing bussing services. The transport costs were first covered by an international non-governmental organisation (Roma Education Fund), which are now taken over by the local municipality (60 000 EUR/year). Local non-governmental organisation provides 8 mentors to help in communication and building relationships between parents and the schools. It also offers extra-curricular activities, such as afternoon schooling. Integration in the mainstream education has increased the educational outputs and improved further educational opportunities (secondary, higher education) for marginalised Roma children.

#### **4.4. Specific guidance for housing**

ESI Funds measures supporting access to social housing should not have any discriminatory and segregating effects. Specific conditions for housing measures can be applied in both mainstream and targeted call for proposals.

Mainstrem housing measures may address the needs of the general population; however prevention of and the fight against spatial segregation of marginalised people are also essential in this case. Targeted call for proposals should directly respond to the needs of marginalised people in deprived (segregated) neighbourhoods, including the specific focus on desegregation. Investments in housing infrastructure as adopted in the programmes should be assessed vis-à-vis different forms of spatial segregation.

Following the basic principles set out in this note, construction and purchase of new housing properties in spatially segregated neighbourhoods should be avoided (except in segregated villages, where the access to mainstream housing on micro-regional level should be assessed, further details under section 4.5). Investments in private housing should be limited to the provision of basic infrastructure (water supply, sewerage infrastructure, gas, electricity etc.) in deprived, segregated neighbourhoods and comply with the national state aid rules.

The following basic rules can be applied for housing infrastructure investments:

1. Housing infrastructure investments should be complemented by soft measures in the framework of an integrated approach. This may require broad range of actions, depending on the needs funded by ESF and ERDF and linked to the relevant policy frameworks (National Roma Integration Strategy, poverty reduction policy framework, etc.). The following list of actions gives only some indications, closely related to housing, but it can be complemented by other actions:

**Examples of ERDF funded measures**

- building new housing infrastructure
- purchase of housing infrastructure
- refurbishment, upgrading housing and related infrastructure (water supply, sewage, gas, electricity, etc.)
- conditions of low energy cost housing
- infrastructural development in social-, healthcare services, education

**Examples of ESF funded measures**

- access to employment, social inclusion, health, educational and other services
- improving basic and professional skills through mentoring and training, including vocational education for members of the marginalised groups
- income-generation activities, e.g. setting up social enterprises, micro-credit programmes (ERDF funding also possible).

2. ESI Funds investments should aim at contributing to close the physical and social gap between segregated and non-segregated areas and it should improve access to quality services and infrastructure (such as educational, social and health care facilities, public transportation, and public utilities such as water, electricity and gas, etc.). It can be achieved by a different set of measures (depending also on the territorial characteristics):
  - a. Housing facilities provided in non-segregated areas for marginalised groups may consist of elements of relocation from segregated neighbourhoods to mixed neighbourhoods, e.g. through provision of social housing by new construction or purchase of second hand homes (desegregation measure). Relocation of marginalised families should also take into account the following aspects:
    - i. Social housing facilities should not be provided in isolated areas, which may contribute to further exclusion;
    - ii. In order to support the smooth relocation of families, soft measures like community development, mediation, social work, vocational training, etc. should come before the infrastructural developments. Families from the marginalised communities should be involved in the constructions works, if applicable.
    - iii. To ensure financial efficiency, the existing available affordable and good quality housing stock should be considered first for relocation purposes, instead of relocating families by building more costly new housing, or bringing infrastructure supply to isolated neighbourhoods and settlements at disproportionately high costs.
    - iv. The relocation of families should thoroughly be planned and assisted by social work and other measures to prepare the moving families and the receiving families for the change.
3. Investments in infrastructures and services ensuring improved connection of the segregated area with neighbouring urban or rural areas (e.g. improved connections

between the targeted settlement and the principal population area by extension of public transport services). In this case, other accompanying actions should be envisaged for further integration of marginalised groups into mainstream communities, e.g. employment, health, education and social inclusion activities to enable access to and use of mainstream services located in the principal residential areas (non-segregation measure).

ESI Funds support can be also used for development of social housing schemes. Following the basic aims of the guidance note the following aspects can be considered:

1. Parallel housing schemes for marginalised groups should not be supported, as it may strongly contribute to further spatial isolation;
2. Housing investments in environmentally hazardous areas should be avoided. In the case of tackling housing exclusion of communities living in environmentally hazardous areas, ESI Funds support can be used only for relocation of inhabitants from such areas.

#### ***Relocation of marginalised families in Madrid county***

Desegregation activities on the territory of Madrid county have been carried out since 1997 with the financial allocation of EUR 217.5 million out of which EUR 174.4 million was allocated for housing. The primary objective of the actions was the relocation from the segregated neighbourhoods. The relocation was carefully planned with strong emphasis on empowerment of the communities. The adaptation period (2 years) to the new housing environment was an important element of the projects. Housing properties are purchased from the secondary housing market, rented by the beneficiaries and are in public ownership. As a direct result all the segregated neighbourhoods were eliminated by relocation measures.

#### **4.5 Examples of desegregation measures in different territorial settings<sup>13</sup>**

The following matrix summarises the range of potential non-segregation and desegregation investment needs in different territorial settings (further details regarding the specificities can be found in the studies referred to in the footnotes). It serves as a checklist to ensure sustainable results in tackling segregation in education and housing.

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<sup>13</sup> The matrix builds on:

- "What works for Roma inclusion in the EU, Policies and model approaches", European Commission, 2012  
[http://ec.europa.eu/justice/discrimination/files/whatworksfor\\_romaninclusion\\_en.pdf](http://ec.europa.eu/justice/discrimination/files/whatworksfor_romaninclusion_en.pdf)
- "Handbook for Improving the Living Conditions of Roma" European Commission-World Bank, 2014  
<https://openknowledge.worldbank.org/handle/10986/20787>

	Education		Housing		NOT recommended measures
	Recommended infrastructure measures (ERDF)	Recommended soft measures (ESF) to be carried out with or without the ERDF measures	Recommended infrastructure measures (ERDF)	Recommended soft measures (ESF) to be carried out with or without the ERDF measures	
<b>A. integrated (non-segregated) urban and suburban neighbourhoods with segregated school(s)</b>	<ul style="list-style-type: none"> <li>- elimination of segregated schooling</li> <li>- investments in mainstream, inclusive education (schools) in order to involve pupils from segregated school</li> <li>- investments in early childhood education and pre-school facilities</li> <li>- investments in transport means (e.g. bussing) and other accessibility measures</li> </ul>	<ul style="list-style-type: none"> <li>- community development and facilitation of public debates to prepare for the inclusion process</li> <li>- training of education professionals</li> <li>- training for mediators, mentors</li> <li>- better linkage between parents and professionals</li> <li>- after-school and extra-curricular activities</li> <li>- facilitating reforms of enrolment policies (national/local policy making)</li> <li>- awareness raising, public campaigns</li> <li>- individual support for disadvantaged/Roma students (transferred from segregated to mainstream settings)</li> <li>- quality assessment, early tracking</li> <li>- training of education professionals (including leaders)</li> <li>- training for and employment of mediators, mentors</li> <li>- better linkage between parents and professionals</li> </ul>	<p>no investment needed for desegregation</p>	<p>no investment needed for desegregation</p>	Extension of capacities of segregated schooling

		<ul style="list-style-type: none"> <li>- after-school and extra-curricular activities</li> <li>- intercultural activities</li> <li>- facilitating reforms of enrolment policies (national/local policy making)</li> <li>- facilitating access to facilities, e.g. by supporting transportation</li> </ul>			
<b>B. large deprived and segregated urban and suburban neighbourhoods</b>	Same as category "A"	Same as category "A"	<p><b>First option</b></p> <ul style="list-style-type: none"> <li>- investments in relocation of residents from the segregated neighbourhood (e.g. purchasing available properties, new construction, etc.)</li> </ul> <p><b>If needs are duly justified</b></p> <ul style="list-style-type: none"> <li>- investments in non-segregation interventions (e.g. basic infrastructure like water supply, sewage, roads, other public utility services)</li> <li>- Investments in access to low energy cost housing</li> </ul>	<ul style="list-style-type: none"> <li>- Accompanying measures like community development, social work, mediation, trainings, income generating activities (e.g. setting up social enterprises, micro-credit programmes), anti-discrimination activities, etc.</li> <li>- investment in administrative actions like legalisation and regularisation</li> </ul>	<ul style="list-style-type: none"> <li>- single ERDF types of measures ONLY</li> <li>- Building new housing properties and educational facilities in the segregated neighbourhood</li> </ul>
<b>C. small deprived and segregated urban and</b>	Same as category "A"	Same as category "A"	Same as category "B"	Same as category "B"	<ul style="list-style-type: none"> <li>- Building new housing properties and educational</li> </ul>

<b>suburban neighbourhoods</b>					facilities in the segregated neighbourhood
<b>D. small rural localities with segregated neighbourhoods</b>	Same as category "A"	Same as category "A"	Same as category "B"	Same as category "B"	- Building new housing properties and educational facilities in the segregated neighbourhood
<b>E. segregated villages/settlements in deprived micro-regions</b>	Same as category "A"  If access to inclusive education is strongly limited on micro-regional level:  non-segregation investment in existing schools facilities, particular attention should be paid to high-quality services	Same as category "A"  If access to inclusive education is strongly limited on micro-regional level:  non-segregation investment in existing schools facilities, particular attention should be paid to high-quality services	Same as category "B"  If access to mainstream housing is strongly limited on micro-regional level:  non-segregation investment in housing infrastructure	Same as category "B"  Services and actions should be planned on the micro-regional level, it ensures sustainability and access to high quality services	

## **5. Conclusions**

ESI Funds supported measures should follow the provisions and requirements of the European legal and policy frameworks.

Investments in both fields – housing and education – should not contribute to any perpetuation of segregation of marginalised communities and at the same time direct desegregation operations should be implemented.

The integrated approach, namely addressing the strong links between education, employment, housing and health will ensure that the needs of the people concerned are addressed in the most effective and efficient way.

This guidance note provides methodological suggestions and recommendations mainly targeting managing authorities in order to better design calls for proposals. The objectives of the note can only be achieved if close cooperation between Member States and the European Commission is established.

The Commission will closely monitor the design and implementation of measures supported by the ESI Funds in the field of educational and spatial segregation. The Commission will also explore how to promote exchange of good practice, to provide specific expertise to managing authorities for designing measures, and to organise moments to discuss and report on progress.

## **Annex I. Checklist for the call for proposals:**

1. Is the call for proposal in line with National Roma Integration Strategy and Country Specific Recommendations?
2. Will the call for proposal contribute to the output indicators of the relevant programmes?
3. Does the managing authority have a definition of segregation of marginalized groups in education and housing and pre-defined indicators to measure the segregation?
4. Does the call for proposal explicitly address the problem of segregation of marginalized groups?
5. Does the call for proposal explicitly exclude support for actions resulting in segregation of marginalized groups?
6. Does the call for proposal require demonstration of alignment of the actions with local and regional development strategy in place, which addresses social inclusion and desegregation of marginalized groups?
7. Does the call for proposal require justification of proposed non-segregation actions, which:
  - a. demonstrates that desegregation of marginalized groups is not possible?
  - b. the action leads to desegregation of marginalized groups in longer term?
  - c. the action is complemented with desegregation activities related to marginalized groups?
8. Does the call for proposal include indicators to monitor desegregation effect of the actions specifically on marginalized groups?
9. Was the call for proposal consulted with representatives of marginalized groups or stakeholders having knowledge of the target groups' needs (such as academia, NGOs, specialized think-tanks or possible beneficiaries working with the target groups)?
10. Does the call for proposal require delivery of supporting activities to ensure effective desegregation of marginalized groups?

## Selection criteria for operations:

1. Does the project proposal assess specific needs of marginalized groups?
2. Does the project proposal require demonstration of alignment of the actions with local/regional development strategy in place, which addresses social inclusion and desegregation of marginalized groups?
3. Does the project proposal contribute to the desegregation and inclusion of marginalized groups?
4. Does the project proposal ensure equal access to services by marginalized groups? Is building parallel services excluded?
5. In case that the project proposal includes non-segregation action, does the applicant demonstrated that:
  - a. all desegregation options (such as for example administrative, financial and other measures to enable access of groups to available mainstream educational and housing capacities) have been exhausted or are not available due to objective reasons?
  - b. the action will contribute to desegregation of marginalized groups in longer term?
  - c. is the action complemented by activities aimed at desegregation of marginalized groups?

6. Does the project proposal include specific, measurable relevant goals in relation to desegregation of marginalized groups?
7. Are there clear, relevant, adequate and monitorable indicators to measure the project's outputs in desegregation of marginalized groups, including Roma?
8. Was the project proposal consulted with target groups of marginalized groups or stakeholders having knowledge of the target groups' needs (such as academia, NGOs, specialized think-tanks or possible beneficiaries working with the target groups)?
9. Does the project proposal includes or is linked to supporting activities to ensure effective desegregation of marginalized groups?
10. Does the project proposal involve and empower the target groups in the stages of planning, implementation and assessment?

## **Annex II. Academic findings relating desegregation needs for an efficient ESIF programming**

**Segregated Roma poverty neighbourhoods and villages in Europe have diverse historical backgrounds, but they concentrate similar problems relating poverty, low education, unemployment, and discrimination.** Some Roma poverty neighbourhoods emerged decades or even hundreds of years ago, some are the results of recent international and internal migration activities, and the emergence of some are connected with the social impact of various economic crises of the past two and a half decades, including the one brought about by the political and economic transition in the early nineties. For example a shared problem of new EU Member States is that economic transition hit low-skilled and poor Roma much more than others. With the mass cut of jobs their inflow into the lower housing market segments speeded up, which in turn has caused further decline of areas where poor Roma were concentrated due to the off-moves of better off households (Skifter Andersen 2003). Today, '[p]overty is reproduced among Roma to a large extent, and socialization into deep/extreme poverty has been going on for at least the second generation after the transition' (Berescu et al, 2012). The concentration of poverty in such neighbourhoods is growing steadily, because the share of the population, and the size of the families have been increasing in such neighbourhoods. Moreover, many Roma poverty neighbourhoods, similarly to American ghettos, are places with diverse forms of crime, drugs and prostitution (Venkatesh, 2000 and Wacquant, 2008), whilst the residents are often times the victims and not the performers of deviant activities. *Therefore, desegregation has to aim at offering opportunities to develop alternative patterns of socialisation.*

**Ghettos are consequences of deliberate policies.** Peach's (1996) classification of segregation processes includes imposed segregation and voluntary segregation. Based on this classification, Roma poverty neighbourhoods are results of imposed segregation and not voluntary segregation (that is responsible for the emergence of ethnic villages as opposed to ghettos). European migrants form voluntary ethnic villages, whereas the spatial concentration in African American poverty neighbourhoods is negative and destructive. The latter is the result not only of poverty, but also of heavy discrimination.<sup>14</sup> Van Kempen and Sule Özüerken quote Kenneth B. Clark's argument from 1965 that 'the existence of the ghetto is the consequence of a deliberate policy of those who wield power in mainstream society: The dark ghetto's invisible walls have been erected by the white society, by those who have power, both to confine those who have no power and to perpetuate their powerlessness' (Clark, 1965: 11 quoted in van Kempen and Sule Özüerken 1998: 1637). The difference between ghettos and poverty neighbourhoods in general are striking: as evidence from the US shows, '[p]oor neighbourhoods that do not become ghettos have higher than average rates of social problems, but they do not experience the epidemic interaction that generates a whole much greater than the sum of its parts' (Crane, 1991: 1228), especially relating early child bearing and school drop outs. *Therefore, desegregation as a public policy has to address the mechanisms and institutional background of imposed segregation.*

**Roma poverty neighbourhoods are manifestations of negative social processes.** Roma poverty neighbourhoods are 'an outcome of the involuntary spatial segregation of a group that stands in a subordinate political and social relationship to its surrounding society' (Marcuse,

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14 For example, 'the difference between the observed and expected segregation in Chicago is 83 versus 10, so that we can say that although the black population is poorer than the white, wealth explains only 12% of observed levels of segregation' (Peach 1996: 393).

1997:228), as opposed to neighbourhoods where ethnic concentration establishes because of voluntary spatial concentration of a group which serves the welfare of the members. Similarly to the diverse forms of ethnic concentrations in the US, where black American ghettos can be considered a distinct form of ghettos, Roma poverty neighbourhoods in Europe are spatial arrangements where most member are of Roma ethnicity and Roma poverty neighbourhoods house nearly all Roma. Despite possible positive features of segregation, like ‘emergence and preservation of a culture that is not based on the norms and values of mainstream society but on those of a specific group’, Waquant warns not to romanitcize the conditions in such neighbourhoods. (van Kempen and Sule Özüerken 1998: 1935). Public authorities tend to contribute to an increase of spatial segregation for example via land policies, housing policies and investment policies in general (UN, 2014) *Therefore, concentrated Roma poverty neighbourhoods’ density and growth needs to be addressed by desegregation policies and investments.*

**High levels of segregation hinder many opportunities of integration.** Among others, segregation curtails the opportunities for people to participate in civil society, in quality education, access to various services like health care or police protection. Van Kempen and Sule Özüerken (1998) cite Waquant who describes to the plight of residents in segregated neighbourhoods as ‘organisational desertification’, and moreover, whose perception among other urban residence is connected with a negative image. The most recent process of hyperghettoisation means even more: Living ‘[i]n the hyperghetto, activities are no longer structured around an internal and relatively autonomous social space that duplicates the institutional structure of the larger society and provides basic minimal resources for social mobility. Living in the hyperghetto is living outside mainstream society’ (ibid, p.1634). Based on evidence in the US, Peach (1996) says that population effectively internalises politics of separation (see also Clark, 1965). We claim that the mechanism behind this process is connected with the ‘ethnic spillovers in the human capital accumulation process’ (Borjas 1997: 2), that is that the parents’ generation’s human capital (‘ethnic capital’) determines the aspirations and outcomes of integration of children, for example via school and residential choice. *Therefore, increasing the human capital of residents from segregated Roma poverty neighbourhoods should be addressed by desegregation actions to close the increasing gap that has been emerging since several generations.*

**Decreasing spatial segregation of Roma communities causes more benefits than maintaining segregation.** The strong perpetuation of spirals of decline, that is, the interaction of social decline, economic decline and technical decline (Prak and Priemus, 1986), can hold especially true for segregated Roma poverty neighbourhoods. Thus, any interventions in these realms reduce the pace and the negative effects of decline. For example, the more interaction happens from early childhood on in balanced communities (Bolt et al, 2010), the better will be the chances for mainstream education and labour market pathways for the individuals, because other role models and potential social resources will be available than that of the deprived (Bourdieu, 1986 and Decker et al, 2006). *Therefore, desegregation measures should serve increased interactions among Roma and non-Roma in various realms.*

**Tackling spatial segregation needs a differentiated approach.** As stated further above, there are diverse spatial arrangements, shapes, sizes and physical features of Roma poverty neighbourhoods throughout Europe, in part related with their historical development. Therefore, interventions in Roma poverty neighbourhoods must be differentiated, too, but they need to address mechanisms causing segregation and need to contribute to halting further, growing segregation. Thus, actions in Roma poverty neighbourhoods, depending on the neighbourhoods’ features, should aim at immediate full desegregation in the case of small

settlements and places which are characterized by hazard to health or life, and gradual desegregation in other, for example larger settlements. Gradual desegregation should include activities that make sure, as a minimum, that the population and density of Roma poverty neighbourhoods do not grow further. *Therefore, investments in Roma poverty neighbourhoods should be based on a combination of various tools, but they all should serve halting the further growth of the segregated neighbourhood.*

**Desegregation needs more than residential moves.** Examples show that interventions that only aim at spatial moves of people from ghettos produce unsustainable results (Bolt et al, 2010). Lynn and McGahey (1990) emphasize: '[s]imply hastening the emptying out of ghettos through residential mobility would not have much impact on the fortunes of poor people who had lived there. They would continue to face problems because of their low levels of education, skills, and work experience; poor health and disabilities; teenage and single parenthood; and racial discrimination' (5). Therefore, as put forward by the European Commission, based on evidence gathered from various examples, among those gathered by MtM/OSI (see Vademecum, 2011), *it is vital to foster applying an integrated approach in desegregation measures, which needs comparably more resources, and should be based on cooperation and synergies of multiple stakeholders. Still, this should not be an argument to avoid desegregation measures while designing housing interventions for marginalised Roma communities.*

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