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Precarious Housing in Europe

A Critical Guide

Sybille Münch, Anna Siede (Eds.)

Sybille Münch, Anna Siede (Editors)

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Preface

Precarious housing conditions are on the rise across Europe. Precarious housing refers to housing that is either unaffordable or unsuitable, for example because it is overcrowded, in poor dwelling condition, poorly located or even unsafe. An increasing number of people across Europe live in these undesirable conditions. In some Central, Eastern, and South-Eastern member states, governments have tried to variously ignore, prohibit, or legalise these precarious conditions for years, whereas in other regions such conditions are a more recent trend. Here, the economic and financial crisis, forced evictions in many regions, ongoing austerity measures and the commodification of housing have diminished affordable housing options. Some groups, in particular migrants, low-wage earners, single-parents and people with disabilities are particularly vulnerable to housing precariousness. There is evidence that many affected people across Europe have turned to informal settlements, either where housing has been constructed without the requisite permits, or squatting, in makeshift tent cities or overcrowded flats or students being housed in containers.

How to use this Critical Guide

Whilst a number of case studies, journal articles, and policy briefs scrutinize different aspects of precarious housing across Europe, this Critical Guide adds to the debate on causes, symptoms, consequences and possible solutions and makes them accessible for teaching, learning and self-study across multiple disciplines in higher education.

The Critical Guide consists of seven chapters dedicated to particular manifestations of precariousness or specific groups affected by precarious housing. Although the first chapters introduce the central principles of housing research, later chapters can also be read on their own or used in university teaching or self-study.

This publication proceeds as follows: Chapter 1 introduces the concept of precarious housing, while chapter 2 outlines the wider structural changes in European economies and housing policies that have led to a lack of affordable housing. Chapter 3 then examines one of the key consequences of a growing lack of

affordable housing in Europe, housing evictions and the displacement of residents. Chapter 4 considers how a migration status impacts migrants' ability to access affordable, safe, and secure housing generally and for refugees in particular. Chapter 5 covers forms of housing that might be considered 'informal', with a special emphasis on Roma communities. Chapter 6 examines experiences of homelessness and how different European states and cities have responded to a growth in homeless populations. Chapter 7 presents and discusses different policy responses that try to alleviate precariousness in housing.

Throughout the text we use boxes that serve to highlight key aspects such as important concepts or provide practical examples serving to demonstrate issues explained in the chapter.

An online glossary
https://mdl.donau-uni.ac.at/push/mod/glossary/view.php?id=35
helps to define key concepts.

Each chapter ends with the key messages of the respective chapter and a suggestion of further questions that can be used to encourage discussion in seminars or help readers to engage with the topics. They are followed by a link to free online resources that were developed by our project.

Each chapter in this book comes with a corresponding website that we call e-module. They are hosted open access by our partner University for Continuing Education Krems. For easier orientation, each e-module is structured in the same way, containing the following sections and content:

1. **Consolidating knowledge**: short tasks asking students to reflect on what they have read, for example to check their understanding of key concepts.

2. **Listening in**: complementary information on key concepts and practical examples in audio format, featuring our PusH Podcast Series as well as external podcasts.

3. **Getting active**: practical assignments encouraging students to explore the topics of the textbook further, for example through research, analysis or role-plays.

4. **Digging deeper**: sources for further research, including additional case studies or other reading material as well as online databases or literature.

Context

This book and the corresponding e-modules are the product of intensive inter- and transdisciplinary collaboration and intellectual exchange that received funding by the Erasmus+ Programme of the European Union as "PusH – Precarious Housing in Europe". Running from 2019 to 2022, this Strategic Partnership united colleagues from seven institutions from both older and younger EU member states. It was coordinated by Leuphana University in Lüneburg, Germany. In addition to Leuphana's Center for the Study of Democracy, the consortium comprised four further institutions of higher education involved in undergraduate, graduate and postgraduate education – Utrecht's Department of Human Geography and Spatial Planning of the Faculty of Geosciences, Durham's Department of Geography, the IUAV in Venice hosting the "SSIIM UNESCO Chair on the Social and spatial inclusion of international migrants –Urban Policies and Practices" and the University for Continuing Education Krems with its cluster on social space based research in built environment. These universities were joined by two partners from Bulgaria and Hungary representing countries where informal and precarious housing is a long-standing phenomenon. The Centre for Economic and Regional Studies in Budapest is a public research institute and the Open Society Institute in Sofia is a non-governmental, non-for-profit organization. Both have an established reputation for providing scientific evidence and policy advice on precarious housing.

Acknowledgements

At the time of the project's launch in autumn 2019, we had not anticipated that a partnership with the explicit goal of "internationalisation" would consist exclusively of regular Zoom meetings for many months, and that hopes of face-to-face meetings would fail again and again due to ever new waves of a pandemic. Nonetheless, a productive, engaged and friendly collaboration quickly emerged across

sites, held together by our passion for socially relevant research and commitment to gripping teaching materials and knowledge transfer. As coordinators of the Strategic Partnership we would like to thank the entire PusH team for their tireless efforts, be it as lead partners for certain parts of the work package, authors of chapters and e-modules, hosts of online multiplier events and our two summer schools in Venice and Sofia that could finally take place in summer 2022. While some of you appear as authors in this Critical Guide, others like Ronni Ravid and Philipp Piechura dedicated their time and creative energy to our e-modules. It was a pleasure working with you all.

We would also like to extend our deepest gratitude to our guest authors from outside the consortium who contributed single sections, sub-chapters and info boxes to our publication. Thank you for letting us benefit from your expertise and insights, Hanna Hilbrandt, Johannes Jäger, Vera Kovács, Giovanni Picker, Christian Smigiel, Nóra Teller, András Vigvári, Elisabetta Vivaldi and Gertjan Wijburg.

We are also grateful to the more than 80 participants of our three multiplier events who commented on earlier versions of this publication. For all three online events, we published full drafts of our chapters in advance and discussed them with external participants, including university teachers, policymakers, housing providers and NGOs from across Europe, as well as students from our institutions. Their valuable feedback was then used to thoroughly revise each chapter and we really appreciate the commitment and support from the community.

We would also like to thank Gundula Meyer for the administrative help throughout the project, our student assistants Céline Bläß, Celine Strufe and Maximilian Witte for their editorial support and, last but not least, Dominik Gruber (University for Continuing Education Krems) for guiding us through this final publication.

Thank you also to Erasmus+ and the German Academic Exchange Service DAAD for making this whole project possible.

Lüneburg, August 31, 2022
Sybille Münch & Anna Siede

Chapter 1 – Introduction: Understanding Precarious Housing

Gideon Bolt & Jonathan Darling

What does 'home' mean to you? What are your requirements relating to housing? What are the implications when adequate housing is not available? In this chapter, we introduce the concept of precarious housing and give an overview of the themes that will be dealt with in the following chapters of this book. The chapter starts with a section on the concept of home and the importance of housing. The second section (1.2) shows that the recognition of housing rights by EU member states has not led to a reduction of housing precariousness. On the contrary, we see an increasing problem of housing unaffordability and a rise in homelessness. Section 1.3 delves deeper into the concept of precariousness based on studies in the field of labour markets, where the concept originated. Section 1.4 gives a short introduction to the effects of neoliberalism on housing precariousness. The case study of Grenfell Tower is then brought forward as an illustration of how precarious housing conditions, shaped through years of neglect, austerity, and profit-seeking at the expense of public housing provision, can interact with precarious social conditions of immigration status, race, and class, to create tragedies that are all too avoidable. Section 1.5 provides an overview of the remaining chapters of the book.

Chapter 1.1 - Home and the importance of housing

What does 'home' mean to you? For many of us, thinking of home will bring to mind housing of some form. It might be a house or an apartment, a rural

cottage or an urban tower. It might be the place we grew up in or the place we now occupy. A sense of home changes and develops over time, with some places retaining their importance whilst others come and go – for example, despite having moved out twenty years ago, Jonathan still has his parents' house listed as 'home' in his mobile contacts list!

Irrespective of where home is for you, it is likely that home carries some kind of attachment. Whilst not always a positive place, home is most often associated with elements of security, comfort, and belonging. Yet despite their intimate connections, home and housing are not always aligned. Many of us have lived in properties that never quite feel like home, perhaps because they are temporary, uncomfortable, or do not quite fit our imaginaries of what 'home' would or should be like. Yet to feel at home relies on housing of some form, as at its most basic level shelter and security are crucial for us to feel at home. Being housed is not the same as being at home, but it is an essential starting point.

Through the chapters of this book, we want to get you to interrogate what it means to be housed in contemporary Europe, and to question how rights to housing are asserted, denied, averted, and contested. How we are housed, in what conditions and under what constraints, is fundamental to our wellbeing and to our sense of how we fit within society. Studying housing thus sheds light on the various social, cultural, economic and political forces that are shaping our lives. At the same time, as the chapters to come will illustrate, housing is a site of considerable struggle, as multiple groups challenge those same forces and claim rights to housing that extend beyond a demand for adequate shelter and towards a right to feel 'at home'.

For many groups across Europe, the right to housing is increasingly under threat, as economic inequality, housing market discrimination, and the risk of displacement combine to make housing precarious. At the same time, new arrivals to Europe seeking asylum and refuge face significant barriers to accessing security and shelter, and minority groups across the continent continue to face discrimination and displacement. It is these issues of inequality, access, and discrimination that we foreground in the coming chapters, to encourage you to think about who is affected by precarious housing conditions, how those conditions are responded to, what implications precarious housing has for different groups in society, and in what ways European societies might address the challenges of precarious housing. To begin with, we want to explore the right to housing in more detail and outline what we mean by 'precarious' housing in particular.

Chapter 1.2 - The right to housing and the rise of precarious housing

Housing provides a wide variety of functions for its residents (e.g. Harvey, 1973: Hooimeijer, 2007; Kearns et al., 2000). These include being:

(1) **A safe haven**: Housing is more than shelter. It can also provide privacy, personal safety and ontological security[1].
(2) **An activity centre**: The house is the location where people perform a wide range of activities (like sleeping, eating, caring for others, relaxing, and working) and where they can invite guests.
(3) **A base of operations**: A dwelling provides a relative location from which residents reach destinations like workplaces, schools, shops, and family and friends.
(4) **A neighbourhood location**: A dwelling is located in a neighbourhood, whose characteristics may positively or negatively affect the well-being of its residents (for example through the presence of green space, meeting facilities, crime, pollution or stigmatization).
(5) **An investment good**: Buying a house is a means for storing and enhancing wealth. The investment may not necessarily be focused on making a profit but can also be targeted at acquiring a substantial asset, which cushions the financial shock of reduced income in old age.
(6) **A source of status**: Residents may derive social status from their house. Feeling safe and in control of the home are necessary conditions for obtaining social status from it. Next to that, the reputation of the surrounding neighbourhood is an important determinant.

As housing is a basic need, which no individual can do without, the right to adequate housing is recognized in the United Nations International Covenant on Economic, Social and Cultural Rights (ICESCR)[2] and the European Social Charter

1 Giddens (1990, p.92) defines ontological security as: "The confidence that most human beings have in the continuity of their self-identity and in the constancy of their social and material environments. Basic to a feeling of ontological security is a sense of the reliability of persons and things".

2 Adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.

of the Council of Europe.[3] Article 11 of the ICESCR obliges State' Parties 'to recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.'[4] The European Social Charter establishes a right to housing, which includes access to adequate and affordable housing as well as a reduction of homelessness (Article 31 of the Charter). In addition, it requires a housing policy targeted at all disadvantaged categories; procedures to limit forced eviction; equal access for non-nationals to social housing and housing benefits; and housing construction and housing benefits related to family needs (see e.g. Articles 15 and 16 of the Charter; Kenna et al. 2016).

All EU Member States have ratified the ICESCR, as well as the European Social Charter of the Council of Europe. However, the reality is that EU Member States have breached their promise to ensure the effective exercise of the right to housing. FEANTSA[5] and the Foundation Abbé Pierre (2020) estimate that the number of homeless people in the EU has increased by 70% in the last ten years. About 700,000 homeless people are currently sleeping rough or living in emergency or temporary accommodation across the European Union. Next to that, the documentary PUSH, directed by Fredrik Gertten (2019), shows housing affordability is decreasing at a record pace in cities across Europe and the rest of the world.

Both trends point to an increasing precariousness of housing, both within Europe and beyond. By **'precarious housing'** we mean:

> People either living in unsuitable, insecure, unaffordable, or unsafe housing, <u>or</u> not housed at all and living either as street homeless or in hostels, encampments, or temporary accommodation provided by states, charities, and some religious organisations.

The increasing precariousness of housing negatively affects residents' abilities to claim urban spaces and limits opportunities for social justice. Muñoz (2018, p.371-372) argues that without "…access to stable affordable housing, from which urban residents are able to engage in long-term homemaking practices, access urban resources, and actively and publicly engage in urban life, there is no right to the city". As Muñoz (2018) highlights, housing provides a key foundation for

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3 European Social Charter (revised) of 1996, ETS No.163.

4 See https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx

5 European Federation of National Organisations Working with the Homeless

other social activities and can offer an anchor for belonging, especially for those new to a town or city. In this way, whilst adequate housing is important to ensure people's welfare, health, and security, it is also critical in giving a stable basis on which to interact with others. Precarious housing places these opportunities at risk in different ways, whether that be through the physical risks of unsafe accommodation or the stress and fatigue of insecure tenure and the fear of eviction. What makes housing precarious is complex and refers to different forms of economic, social, and cultural exclusion and inequity. You might, for example, consider whether your own housing is precarious in some way, and what factors are at play in making this housing precarious? You might also reflect on how precarious housing is experienced, as housing conditions shape how we feel about the places we live, our sense of self-identity and self-worth, and our willingness to engage with others. As the following chapters highlight, precarious housing opens up many questions and prompts many forms of political response.

Figure 1.1: Protest for housing rights at Bakats square (Budapest)

Source: Balint.misetics, licensed under CC BY-SA 3.0

Precariousness is a complex concept and has been discussed in relation to a range of different topics. Precariousness may relate to labour market relations and the rights of workers, to the status of migrants in relation to citizenship and residency rights, or more generally to a rise in insecure and unstable positions within society. Our aim in this book is not to cover all of these dynamics of being precarious, but instead to focus on how precariousness as a condition experienced by different groups impacts people's ability to access, experience, and sustain secure, affordable, and safe housing. With this in mind, two key dimensions of precarious housing run throughout our engagement with the topic, and we want you to consider these two themes as you read:

(1) How do different aspects of precariousness as a condition or experience (associated with limited labour rights, low wages, insecure employment, irregular migration status, and racial discrimination) influence access to safe and secure housing in Europe?
(2) How do different forms of housing *become* precarious in Europe (through, for example, unsafe conditions, insecure tenancies, aggressive eviction regimes, and forms of displacement driven by state interventions and market-led gentrification)?

It is this interconnection between precarious subjects and precarious housing that we foreground in the coming chapters. Reflecting on housing opens up questions over not only how we are housed, but also over our roles within wider structures of social, economic, and cultural life. To return to our opening question, we would ask you to consider not only where 'home' might be, but also who has the right to feel at home in Europe today, and what constrains that right for some more than others.

In the next part of this chapter, we want to focus a little on the first element above, on precariousness as a concept that has a number of different dimensions. Despite the importance of the concept, precariousness has received relatively little attention in housing literature compared to the labour market literature where the number of studies on employment insecurity has grown explosively. The next section draws upon the literature on employment precarity, as this is one of the main factors that increases the risks of housing precariousness. Moreover, both labour market and housing precariousness are driven by similar forces, namely, the rise of a neoliberal economic model that prioritizes competition and individual responsibility over state support and collective action.

Chapter 1.3 - Precariousness, precarity, and its links to the labour market

Chapter 1.3.1 The concept of precariousness: two approaches

Precariousness is subject to a rapidly growing body of literature and debate in the social sciences and humanities, with the concept being connected to all manner of different facets of contemporary life, from housing and labour conditions, to citizenship status and identity. Whilst we will not outline all of these uses in detail here, it is important to note that the terms 'precariousness' and 'precarity' have mixed but distinct meanings, and that whilst some authors use them interchangeably, others point to critical distinctions in their use (see Butler 2004; Han 2018). In this Introduction, we highlight two particularly influential approaches to understanding precariousness.

First, in social anthropology and cultural studies, the work of Judith Butler (2004, 2010) has been highly influential in proposing an ethics of political responsibility framed around shared conditions of living precarious lives. Butler (2004) argues that whilst all human life is fragile, interconnected, and vulnerable to injury, loss, and illness, how our societies are structured (through hierarchies of class, gender, race, and ableism) mean that some people are exposed to such fragility far more openly than others, and some countries are subject to violence whilst others are protected. For Butler, the world is structured by this differential exposure to vulnerability, be that within our proximate communities or through conflicts occurring many miles away, such that some lives are made safe and protected whilst others remain exposed. In this body of work, precariousness names a vulnerability that is inherent in human life, the fact that we are all exposed to risk and that we rely on others to help us at various stages in our lives. By contrast, precarity names the structures and conditions that distribute precariousness differently, that ensure that some groups of people are exposed in their precariousness more than others (Butler 2016; Han 2018).

Importantly, this is only one reading of precariousness among many others. We highlight it here because it is valuable in showing how precariousness has been thought of as a condition of vulnerability that may be common to us all and may reach into different aspects of our lives (Ettlinger, 2007). As we discuss throughout this text, a key factor in precarious housing is the way in which

different aspects of precariousness combine to make certain types of housing precarious for different people. This is where the term precarity is useful as it has a history associated with varying types of insecurity, most notably in the labour market, and has thus been used to highlight the structures and inequalities that shape how precariousness is experienced (Waite 2009).

In addition to the cultural account of precariousness advanced by Butler (2004), a second key approach to understanding precariousness is tied to developments in the labour markets of the Global North. This approach focuses on precarity as a condition experienced by workers as their jobs become increasingly insecure as a result of the dual forces of globalization and neoliberalism (Waite, 2009).[6] In particular, during the mid and late 1980s, in many post-industrial economies, it was recognized that employment did not protect workers from poverty and the concept of the 'working poor' entered academic debates (Waite, 2009). The rise of precarity within the labour market should be seen in the light of the declining profitability of traditional mass-production and the crisis of Keynesian welfare policies in the 1970s (Brenner & Theodore, 2002). As a consequence, **neoliberalism** gained more and more support, and politicians like Reagan (US president from 1981 to 1989) and Thatcher (UK prime minister from 1979 to 1990) were more than willing to pursue this agenda (Jacobs, 2019). Their aim was to diminish the role of the state as well as the influence of trade unions. Furthermore, welfare systems had to be scaled back in order to remain competitive in a world where investments were getting more and more footloose. One of the articles of faith of neoliberalism was 'labour market flexibility'. This is based on the assumption that by making labour markets more flexible, labour costs could be cut, enabling nation-states, regions, and cities to prevent the loss of financial capital to investment elsewhere. As most social democratic parties in Europe also embraced the neoliberal agenda at least to some extent, the trend towards more insecurity within the labour market has been widespread across Europe irrespective of the political composition of individual national governments. A focus on 'flexibility' thus translated into insecurity for many workers, as workers' rights were diminished, employers gained the ability to fire people at short notice, and responsibility for economic wellbeing was passed to individuals (see Box 1.1 below for details on forms of labour security and insecurity).

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6 Waite (2009, p.419) argues that "…precarious workers are not a uniquely 21st- or 20th-century phenomenon, insecurity is not a new experience for working classes, and of course the particular development trajectories of countries in the global South have meant that the 'precarious condition' is rarely even noted, perhaps because it is so ubiquitous. If we widen the perspective both geographically and historically to countries where informal sector work absorbs the majority of the workforce then precarity arguably becomes the norm."

It is these changes across Europe, that Standing (2011) focuses on in discussing the emergence of a distinctive socio-economic group – the precariat. This term combines the adjective 'precarious' with the noun 'proletariat'. For Standing, the proletariat consists of "workers in long-term, stable, fixed-hour jobs with established routes of advancement, subject to unionisation and collective agreements, with job titles their fathers and mothers would have understood, facing local employers whose names and features they were familiar with." (Standing 2011, p.6). By contrast, the precariat lacks such securities, and consists of people who lack the seven labour securities described in Box 1.1.

Standing (2016, p. 16) argues that research on precarity should not only focus on the conditions of the precariat, but also on the way in which people are 'precariatised'. This focus on process argues that even parts of the 'salariat' (those still in stable full-time employment and enjoying a wide range of benefits) are at risk of drifting into the precariat. This can be related to the concept of **commodification**, which is defined as "…treating everything as a commodity, to be bought and sold, subject to market forces, with prices set by demand and supply, without effective 'agency' (a capacity to resist)" (Standing, 2016, p. 26). Commodification has led to a more fluid division of labour within enterprises, as relocating activities within firms or to other firms have become increasingly common, namely in the context of offshoring (where the physical location of labour is changed, often with employment moving from higher- to lower-wage areas) and outsourcing (often a shift from public sector employment to private sector employment). Next to this, companies themselves have become commodities, to be bought and sold through mergers and acquisitions. This makes internal careers within a firm less and less likely. An OECD study of 26 European countries revealed that about half of the jobs created between 1995 and 2013 were in non-standard jobs (i.e., an indicator that combines workers on temporary or part-time contracts with their own account, and self-employed persons who do not employ others). For the latter part of the period (2007-2013), this proportion increases to approximately 60% (Kalleberg & Vallas, 2018). Within the EU, the highest proportions of precarious employment can be found in Eastern Europe and the lowest in Nordic countries (Matilla-Santander et al., 2020). The groups that run the highest risks of precariousness are younger workers, immigrants, manual workers, and women (Benach et al., 2014). Precarious employment has been found to have a negative effect on

both physical and mental health (Benach et al., 2014; Bentley et al., 2019; Matilla-Santander et al., 2020) and increases the exposure to (sexual) harassment at work, especially for women (Matilla-Santander et al., 2020; Reuter et al., 2020).

Box 1.1: Forms of labour security

Labour market security – Adequate income-earning opportunities; at the macro-level, this is epitomized by a government commitment to 'full employment'.

Employment security – Protection against arbitrary dismissal, regulations on hiring and firing, imposition of costs on employers for failing to adhere to rules and so on.

Job security – Ability and opportunity to retain a niche in employment, plus barriers to skill dilution, and opportunities for 'upward' mobility in terms of status and income.

Work security – Protection against accidents and illness at work through, for example, safety and health regulations, limits on working time, unsociable hours, night work, as well as compensation for accidents.

Skill reproduction security – Opportunity to gain skills, through apprenticeships, employment training and so on, as well as opportunity to make use of competencies.

Income security – Assurance of an adequate stable income, protected through, for example, minimum wage machinery, wage indexation, comprehensive social security, progressive taxation to reduce inequality and to supplement low incomes.

Representation security – Possessing a collective voice in the labour market, though, for example, independent trade unions, with a right to strike.

Source: Standing, 2011, p. 10.

Taken together, these changes in labour market structures have served to depress wages, reduce workers' rights, and place workers in competition with one another, thereby making employment less secure and more precarious. Importantly for our focus on precarious housing, these discussions of precarity and labour, highlight how changing economic conditions serve to shape and constraint housing choices, as insecurity of income impacts the ability to afford housing (see Chapter 2). Similarly, unaffordable housing, through which individuals

have to pay an increasing proportion of their income on housing, risks drawing people into precariousness through reducing their financial security.

Chapter 1.3.2 - Precarious migrants

Lewis et al. (2015) argue that the concept of precarity lumps together exploited migrants and workers that at least have some degrees of freedom in pursuing their working career. They propose the term 'hyper-precarity' to capture the additional constraints that migrants with a compromised socio-legal status are confronted with on top of barriers in the labour market. They illustrate this claim with three manifestations of the layering of insecurities produced by labour and immigration regimes:

- *Deportability*: For irregular migrants, the risk of deportation pushes them into the most invisible parts of informal markets where they are less likely to be caught in raids executed by immigration officers. Given their vulnerable status, they have a weak bargaining position vis-a-vis employers and they are unlikely to organize themselves or to take action against mistreatment at work.
- *Risk of bodily injury coupled with restricted access to healthcare*: Migrants with a comprised legal status tend to work in sectors with a relatively high risk of injury (e.g. construction, agriculture, catering and cleaning). Moreover, many employers hiring workers with an uncertain migration status are not inclined to adhere to health and safety standards. Workers that are injured often refrain from visiting health services, because they are not insured or may fear detection by authorities and subsequent deportation.
- *Transactional relationships*: Migrants without permission to work (like refused asylum seekers) are often forced to rely on non-commercial transactions for the provision of services for their survival (such as shelter). The services they provide to other asylum seekers, refugees, migrants, or established residents may range from childcare, cooking and housework, to sex work. Due to the difference in power between the receiver and the provider of these kinds of services, these arrangements run a significant risk of being exploitative.

The precarious position of irregular migrants also has negative impacts on their housing conditions, as we discuss further in Chapter 4. Irregular migrants often depend on rogue landlords that offer substandard housing conditions (Van Meeteren, 2014). Migrants with legal status are less likely to be exploited, but they still face hurdles that do not exist for other groups. They may be hampered in their residential choices by discrimination on the part of all kinds of actors within the housing market, such as mortgage lenders, real estate agents, (social) landlords, or authorities at the local and national levels (Aalbers, 2007; Bolt 2012). For instance, research from Belgium and Germany points to landlords as one of the major sources of housing discrimination against minority ethnic groups (Heylen & Van den Broeck, 2016; Mazziotta et al., 2015). Field experiments found that individuals with 'foreign-sounding' names have fewer chances of being invited to see a dwelling, an indication of how landlords were discriminating against certain ethnicities (Auspurg et al., 2019). The precarious status of many migrant groups in Europe, and the insecure housing conditions they experience, are critically intertwined and ensure that precarious housing is a particular concern for this part of the population. We focus on these issues in more detail in Chapter 4, where we dig deeper into the obstacles that different categories of migrants face in trying to access adequate, safe, and secure housing.

Chapter 1.4 - Neoliberalism and precarious housing

Chapter 1.4.1 - A housing crisis? What crisis?

Madden & Marcuse (2016) take issue with the term "housing crisis" as invoked by many commentators and activists, especially since the global financial crisis of 2008. They argue that the word crisis implies a temporary departure from a standard in which affordable and adequate housing is sufficiently available for all income groups. Their argument is that housing is always in crisis for dominated groups. For them, the word crisis is only in vogue when middle-class homeowners, as well as investors, face the consequences of a crashing housing market. They argue that this so-called 'housing crisis' is "…a predictable, consistent outcome of a basic characteristic of capitalist spatial development: housing is not produced and distributed for the purposes of dwelling for all; it is produced and distributed as a commodity to enrich the few. Housing crisis is not a result of the system breaking down but of the system working as it is intended" (Madden & Marcuse, 2016, p. 11).

The **commodification** of housing markets in the neoliberal era has meant that the exchange value of housing is emphasized at the expense of its use-value. The

use-value of a commodity is defined by the degree to which it satisfies the needs of its consumer. To meet the needs of residents housing must provide the various functions as introduced in the first section. The **exchange value** is the value realized when a commodity is sold or rented (Harvey, 1973). In the case of housing as a commodity, consumers who buy a house will often see it as a (long-term) investment, but there are many other players in the housing market in pursuit of exchange values. Developers and construction companies make money on new housing projects. Landlords make money on rent on their properties. Realtors derive exchange value from transactions and financial institutions from mortgages.

We might think of this distinction between use-value and exchange value as a difference between a house or property as a space for living in and as a space of investment. The two are not mutually exclusive, but they emphasize different elements of what is important in housing and draw our attention to different things. For example, we opened this chapter by asking what 'home' might mean to you. For most of us home refers to a house or property that we have an attachment to. That sense of attachment is, in part, associated with the use-value of a property – how we use it and how we value it as a site for living in. When we are asked about 'home' most of us would not consider an answer that referred to the financial value of a property or consider how much 'home' is worth in monetary terms. In this way, we have two different ways of potentially valuing housing and what it means to us as not just an economic commodity, but also a social space and basis for relationships, community, and security.

According to Madden & Marcuse (2018, p. 18), we have entered the 'Age of Hyper-Commodification'. If the extent of commodification expands and contracts historically, we are currently living through a period of unprecedented expansion. In today's transnational, digitally enhanced market, housing is becoming ever less an infrastructure for living and evermore an instrument for financial accumulation. In our example above, exchange value is becoming a dominant way of thinking about property, and use -value is relegated to a secondary concern.

There are three more specific, interconnected, and mutually reinforcing factors that constitute the hyper-commodification of housing today. The first factor is the

contemporary counterpart to enclosure7: deregulation, the removal of restrictions placed on **real estate** as a commodity. Second, and relatedly, housing has been undergoing a process of **financialization**. This is a generic term to describe the increasing power and prominence of actors and firms that engage in profit accumulation through the servicing and exchanging of money and financial instruments. Finally, commodification is reinforced by the globalization of housing. Residential real estate may be fixed in place, but it is increasingly dominated by economic networks that are global in scope. We might think here of the trend for wealthy investors from across the globe to buy properties in European capitals with no intention of living in them. Property is thus a global market, but also one where investment increasingly trumps living.

The next chapter will dig deeper into the concepts of commodification and financialization. The remainder of this section describes the tragedy of Grenfell Tower to explain what the deleterious effects of the neoliberal articles of faith on the lives of residents can be. The case of Grenfell Tower also serves as an illustration of how the production of precarious housing relates to wider forms of precarity, such as precarious employment, immigration status, and forms of racialized disadvantage.

Chapter 1.4.2 - Case study: Grenfell Tower

In the early hours of 14 June 2017, a refrigerator malfunction in a fourth-floor flat started a fire that would engulf the 24-storey Grenfell Tower building. 72 people lost their lives in the fire, 70 were injured, and a further 223 escaped as the tower block burned out of control. It took 70 fire engines and 60 hours to fully extinguish the fire. Grenfell Tower had been built in the 1970s as a response to London's need for social housing, forming a central part of the Lancaster West Estate in the Borough of Kensington and Chelsea.

The speed at which the fire spread through the building was primarily caused by a flawed £9 million refurbishment that took place in 2014-16. This process involved the addition of new external cladding to the tower block, cladding which was found to have extremely low fire resistance, and which enabled the fire to travel rapidly throughout the tower. As part of the refurbishment process, a more expensive non-combustible cladding was originally allocated, but this was subsequently changed in order to save costs amid an **austerity** drive by the local

7 Enclosure refers to fencing off and claiming of common land by individual landowners. The process has led (in the course of centuries) to the migration of dispossessed people to cities to become laborers.

government. The refurbishment process, and its cost-cutting measures, 'fatally compromised the building's original fire-resistant structure' (Hodkinson 2019, p. 2).

In the weeks and months that followed, anger and grief solidified into a desire for justice for those who lost their lives, as questions were asked about the conditions of the tower, its safety record, and the ways in which residents were treated by local authorities, housing providers, and politicians (Bulley et al., 2019). The tragedy shed light on a number of concerns at the heart of precarious housing in the UK for those in low-income employment, with precarious immigration status, or reliant on social welfare.

Perhaps most significant was how the tragedy of Grenfell reflected longer-term trends in the decline of social housing across Britain. This decline had three dimensions. First, it was decided to sell social housing to its inhabitants under the 'right to buy' scheme, seeing 2.5 million homes pass from public to private ownership since 1980 (Hodkinson, 2019, p. 6). Whilst generating revenue for central government, and associated with encouraging aspirations of homeownership as part of a neoliberal agenda of individualized economic responsibility, this decision left many local authorities with limited, and often poor quality, housing to support the most vulnerable (Boughton, 2018). Second, there was a drive to deregulate housing and reduce the perceived 'red tape' that affected building development, planning, and maintenance. Since 2010, a succession of Conservative-led governments has cut regulations on housing standards, safety requirements, and inspection regimes, in an attempt to stimulate urban development, a move that has bolstered the profits of building contractors but done little to provide new social housing (Hodkinson, 2019). In Grenfell, this deregulation trend combined with the outsourcing of building management and maintenance responsibilities to a private contractor meant that cost-cutting in the upkeep, repair, and safety of the tower was not only possible but also economically profitable. A final component in the decline of social housing has been the demands of austerity placed on local government. Austerity has meant 50% cuts to social housing and 40% cuts to local government budgets since 2010 (MacLeod, 2018). One impact of this policy has been that local government is unable to monitor and inspect housing conditions. These trends in social housing indicate that Grenfell must be

understood within a wider context of financialization, highly unequal housing markets, and profit-orientated deregulation. Indeed, as Dan Bulley (2019, p. 12) has argued *"The Grenfell Tower fire was an intricate product of an international political economy…that prized cost savings over human life"*.

The precarious conditions of the housing itself were compounded by the way in which residents' concerns over safety were routinely ignored. Some residents in Grenfell Tower made repeated attempts to raise concerns that conditions were not meeting health and safety requirements, with central fire alarms and emergency fire lighting having failed in the past. However, such concerns were passed between a range of outsourced contractors and companies, never able to fully address the needs of residents. At the same time, Grenfell Tower was home to families from across the world. Many had secure immigration status in the UK, but some did not, and this meant that many residents were reluctant to lodge concerns over safety before the fire, and fearful of seeking help afterwards. As Bradley (2019. p. 136) notes, "*health workers and legal representatives found that some people were too afraid to seek support from the emergency services or other officials, fearing that any contact with the state would be used as a pretext to detain and deport them*". A year after the fire, two-thirds of affected households were still without a permanent home (Bradley 2019).

The confluence of precarious immigration status, with a housing system that lacked clear accountability for safety and standards, served to heighten the precarity of residents, enabling the development of what MacLeod (2018, p. 473) argues was a *"…grievous vacuum of accountability alongside a scandalously anti-democratic approach to governing public housing"*. One response to this lack of accountability for the violence of the Grenfell Tower fire, has been a concerted campaign of community activism centred on demanding justice for those who lost their lives, and those who lost their homes, in the fire. Whilst a judge-led inquiry is underway into the tragedy, campaigners such as the Grenfell Action Group question the extent to which this will truly hold those in power to account (Bulley et al. 2019). A sense of this anger and outrage is evident in the comments of the Radical Housing Network, a London-based social movement advocating for the rights of tenants in precarious housing. In response to the tragedy, they wrote:

> "The fire at Grenfell is a horrific, preventable tragedy for which authorities and politicians must be held to account. Grenfell's council tenants are not second-class citizens – yet they are facing a disaster unimaginable in Kensington's richer neighbourhoods. This government, and many before it, have neglected council housing and

> disregarded its tenants as if they were second class. Nationally and locally, politicians have subjected public housing to decades of systematic disinvestment – leaving properties in a state of disrepair, and open to privatisation. Regeneration, when it has come, has been for the benefit of developers and buy-to-let landlords, who profit from the new luxury flats built in place of affordable homes. Across London, regeneration has meant evictions, poor quality building work, and has given tenants little meaningful influence over the future of their estates. The chronic underinvestment in council housing and contempt for tenants must stop. It is an outrage that in 21st-century Britain, authorities cannot be trusted to provide safe housing, and that people in council properties cannot put children safely to bed at night" (Radical Housing Network 2017).

The fight they outline here, against neglect and disrepair, the stark inequalities of housing provision in London, and the impact of punitive immigration rules on the ability to access safe and secure housing, is an ongoing one. In this context, Grenfell Tower serves as a traumatic reminder of how precarious housing conditions, shaped through years of neglect, austerity, and profit-seeking at the expense of public housing provision, can interact with precarious social conditions of immigration status, race, and class, to create tragedies that may be all too avoidable.

Figure 1.2: Grenfell Tower, London

Source: Alex J Donohue, licensed under CC BY-NC-ND 2.0

Chapter 1.5 - Overview of the themes in the textbook

In exploring precarious housing in Europe, the remaining chapters of this book examine a range of themes, focusing on how experiences of precarious housing intersect with other dynamics of precariousness, associated with insecure immigration status, racism and discrimination, class, wealth, and income disparities, and forms of homelessness and displacement. Each chapter draws on examples from across Europe to explore different experiences of precarious housing, and different responses to these conditions. Chapter 2 outlines some of the wider structural changes in European economies and housing policies, that have shaped contemporary housing markets and led to a lack of affordable housing in much of Europe. Focusing in on how housing has become commodified and how the exchange value of housing has gained prominence over use value, the chapter

provides a range of examples of the shifting political, economic, and cultural structures shaping precarious housing in Europe. Chapter 3 then examines one of the key consequences of a growing lack of affordable housing in Europe, the growth of housing evictions and the displacement of residents and tenants. Drawing on first-hand experiences of eviction and the growth of the 'eviction industry', the chapter explores how evictions have been challenged and how displacement from housing leads to a range of damaging social, physical, and psychological effects for displaced people.

With these foundations in place, Chapter 4 then moves to consider how precarious housing conditions intersect with experiences of migration. Chapter 4 considers the varied ways in which migration status impacts migrants' ability to access affordable, safe, and secure housing. From discrimination in the housing market to constraints on the owning of property in different parts of Europe, the chapter traces why it is often migrants who consistently face precarious housing conditions across Europe. Building on these insights, the chapter then focuses on one specific group of migrants, asylum seekers and refugees, in order to consider how they have been accommodated in different European countries and what challenges this has posed, both for European governments and societies, and for asylum seekers and refugees themselves. Chapter 5 shifts our focus to consider how forms of housing that might be considered 'informal', or beyond the boundaries of formal planning and legal regulation, have grown in significance across Europe, from homeless encampments and tent cities, to informal squatting among migrants and the occupation of space by Roma communities. In considering these examples, the chapter traces how informality as a legal category can be used as a tool to police access to housing and to destroy informal settlements, but can also be a source of negotiation and pragmatism between authorities and communities. Chapter 6 draws many of these precarious housing conditions together to examine experiences of homelessness and to consider how different European states, and European cities, have responded to a growth in homeless populations. Exploring some of the causes of homelessness, together with a range of experiments undertaken to find sustainable and sensitive public policy responses to homelessness, the chapter considers how homelessness is related to the insecure and precarious housing conditions noted throughout the earlier chapters of this book.

In drawing these threads together, and concluding the book, Chapter 7 focuses on how the development of affordable, safe, and secure housing as a right for all in Europe, might offer a challenging, but feasible, policy response to precarious housing. Working through examples of policy innovations designed to provide security of tenure, higher quality and safer housing, and affordable housing costs, the chapter considers what lessons we can learn from looking at housing solutions across Europe.

At a glance

Key points
▪ The recognition of housing rights by EU Member States does not necessarily mean that housing policy leads to a reduction of housing precariousness. ▪ Precariousness has received relatively little attention in housing literature compared to the labour market literature. ▪ Both labour market and housing precariousness are driven by similar forces, namely, the rise of a neoliberal economic model that prioritizes competition and individual responsibility over state support and collective action. ▪ The precarious status of many migrant groups in Europe, and the insecure housing conditions they experience, are critically intertwined and ensure that precarious housing is a particular concern for this population. ▪ The commodification of housing markets in the neoliberal era has meant that the exchange value (value realized when a commodity is sold or rented) is emphasized at the expense of its use-value (the degree to which it satisfies the needs of its consumer).
Start thinking
▪ What are the things that make you feel at home (or not at home) in your current housing situation? ▪ Do you consider your own housing (or the housing from someone you know well) as precarious in some way, and what factors are at play in making this housing precarious? ▪ Section 1.3.2 argues that neoliberal policies are partly responsible for the Grenfell Tower disaster. How would you react to that argument if you were representing a government that advocates neoliberal policies?
Learn more
Have a look at our e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=52

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Chapter 2 – Precariousness and the Financialization of Housing

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As we have seen in Chapter 1, precarious housing means that people have a range of difficulties securing adequate housing conditions. This chapter starts by offering a general overview of housing precariousness across Europe, based on recent Europe-wide statistics (section 2.1). Section 2.2 provides examples of precarious living with a focus on young people. We then link these forms of precariousness with the development and working of financial markets, by discussing what financialization of housing means and how this intersects with precariousness (2.3.). In the last part (2.4.), we analyse the main actors shaping housing financialization and the commodification of European housing markets. Throughout these sections, case studies shed light on some specificities and examples.

Chapter 2.1 – Overview of housing precariousness in the EU

In chapter 1, we argued that precarious housing refers to the situations in which people are either (1) living in unsuitable, insecure, unaffordable, or unsafe housing, or (2) not housed at all and living either as street homeless or in hostels, encampments, or temporary accommodation provided by states, charities, and some religious organisations. People who are not housed at all (the second part of that definition) will be the focus in later chapters (see Chapter 5 on informal settlements and Chapter 6 on homelessness). In this section we will focus on people who are inadequately housed (the first part of the above definition). We structure the discussion around **the three dimensions of precarious housing** identified by Mallet et al. (2011). They describe precarious housing as housing that meets at least one of the following three conditions:

1) unaffordable (high housing costs relative to income)
2) unsuitable (overcrowded and/or poor dwelling condition; unsafe and/or poorly located)
3) insecure (insecure tenure type and subject to forced moves).

In this section, we give an overview of housing precariousness in the EU based on each of these three dimensions. We make use of EU statistics on income and living conditions (EU-SILC, see: Box 2.1). This Eurostat database provides a lot of detailed quantitative information on the first two dimensions, but limited information on insecure housing. A survey in 2012 revealed that 7.2% of the EU-population has experienced a forced move for housing reasons (such as eviction/foreclosure or a landlord not renewing a tenancy) or have reported that they are being forced to move in the next year (Clair et al., 2019). However, there is no recent EU-SILC data on this issue. We discuss these issues further in Chapter 3 on *Displacement and Evictions*, focusing on insecurity in a more detailed way. In this section, we emphasize how the lowest income groups are particularly vulnerable to housing precariousness.

Box 2.1: Explanation of EU Statistics on Income and Living Conditions (EU-SILC)

EU Statistics on Income and Living Conditions (EU-SILC) is the European Union's database of statistics on income and living conditions across Europe, compiled and held by Eurostat. The EU-SILC methodology is an online Eurostat publication describing the methodological and practical framework for the computation and production of these statistics and is useful in highlighting the challenges of gathering such data across Europe.

All EU Member States are required to implement EU-SILC, which is based on the idea of a common 'framework' as opposed to a common 'survey'. That means that each member states transmits data to Eurostat, based on common procedures, concepts and classifications. Also a few non-EU members (United Kingdom, Iceland, Norway, Switzerland, Montenegro, North Macedonia, Serbia and Turkey) participate in EU-SILC. The individual countries are responsible for collecting the data, which is done through large scale surveys. In some countries (Denmark, Finland, Iceland, the Netherlands, Norway, Sweden and Slovenia) information on demographic and income variables can be obtained

from registers and administrative data. The survey data are collected on the basis of a nationally representative probability sample of the population residing in private households. All private households and all persons aged 16 and over within the household are eligible to be included in the survey, irrespective of language, nationality or legal residence status. As with most surveys, EU-SILC does not cover homeless people or persons living in collective households or in institutions (Wolff et al., 2010)

The primary target variables relate to either household or individual level and cover different areas: basic/demographic data, income, education, labour information, health, housing and social exclusion. The statistics are available either in form of microdata (with limited access) or as aggregated data (publicly available in the online database). In the e-module associated with this chapter you can find an assignment that will introduce you to the online database of EU-SILC.

Chapter 2.1.1 – Unsuitability

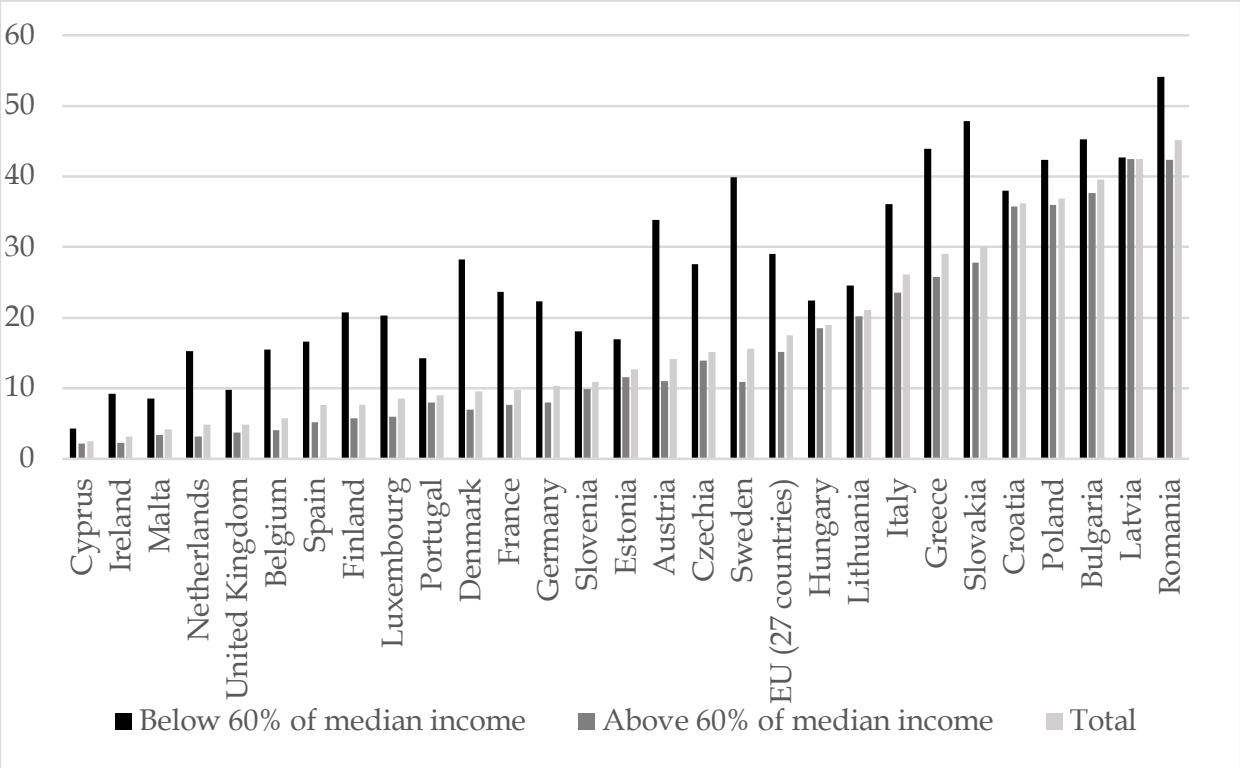
One of the most frequently used indicators for housing unsuitability is **overcrowding**. Overcrowding does not only have a negative effect on housing satisfaction but has also been found to have negative effects on physical and mental health (Pendall et al., 2012). Next to that, the academic performance of children is negatively affected by living in overcrowded households (Goux & Maurin, 2005). According to the definition of Eurostat, a person is considered as living in an overcrowded household if the household does not have a minimum of rooms equal to:

- one room for the household;
- one room by couple in the household;
- one room for each single person aged 18 and more;
- one room by pair of single people of the same sex between 12 and 17 years of age;
- one room for each single person between 12 and 17 years of age and not included in the previous category;
- one room by pair of children under 12 years of age.

In the EU overall, 17.5% of the population lives in an overcrowded household, but there is a wide variation between member states in this respect (see figure 2.1). In Romania, Latvia, Bulgaria, Poland and Croatia more than a third of the population lives in overcrowded households, whereas overcrowding is a rare

phenomenon in Cyprus, Malta, and most Western European countries. If you look at the relative position of low-income groups, Western European countries appear to lead the rankings. In The Netherlands, low-income groups have a 4.7 higher probability of overcrowding than other income groups. The Netherlands is followed by Denmark and Ireland (4.0 higher risk for low-income groups), Belgium (3.8) and Sweden (3.7). Another risk factor for overcrowding is being born abroad. Of all adult persons having been born in a foreign country, 21 percent live in an overcrowded household. There is a big difference in this respect between migrants from within the EU and outside the EU, as the overcrowding rate for the former category is at 13 percent, which is lower than in the EU as whole. The overcrowding rate for migrants born outside the EU is 25 percent, but it is much higher in Bulgaria (60%), Italy (48%) and Greece (47%).

Figure 2.1: Overcrowding rate by income group[8] in the EU (2020) and the UK (2018), countries sorted by total overcrowding rate



Source: EU-SILC

Table 2.1 presents, next to overcrowding, four other indicators for the **unsuitability of a dwelling**: the presence of a leaking roof and/or damp conditions, the absence of a bath or shower, the absence of an indoor flushing toilet, and the inability to keep the house warm in winter. The overall trend is positive, as the prevalence of each of these aspects of precarious housing has diminished over the course of the last decade. Nevertheless, 1 out of 7 Europeans still endures living in damp conditions, and 1 out of 14 is unable to keep their house warm in the

8 A low-income group in the EU-SILC statistics, is defined as households that have an income below 60% of the median income in a country. The median income in a country is the value above which half of the population has a higher income, and below which half of the population has a lower income. In the EU, 18.4% of the households had an income lower than 60% of the median income in 2018. To make a fair comparison between households, the size and composition of households has to be taken into account. A single household, for instance, has less mouths to feed and needs less space than a couple with three children. To adjust for that, Eurostat uses equivalised disposable income. That is the total income of a household (after tax and other deductions), divided by the number of household members converted into equalised adults. They use the so-called modified OECD equivalence to weight all members of the household. The first adult gets weight 1.0. The second adult and each subsequent person aged 14 and over gets weight 0.5, and each child aged under 14 gets weight 0.3.

winter. Having no bath or shower or no indoor flushing toilet has become rare in the EU, except in Romania where over a fifth of the population has no bath or shower or no indoor flushing toilet. Nevertheless, Romania has made substantial progress in this respect as in 2010 almost 40% of the population endured these housing conditions.

The risk of living in unsuitable housing conditions, according to each of the five indicators used by EU-SILC (table 2.1), varies for different groups. Low-income groups are at a much higher risk of living in such unsuitable housing conditions. In relative terms, the contrast with the total population is sharpest with regard to having no bath or shower or not having indoor flushing toilet for the sole use of their household. Here low-income groups are at a three times higher risk than the total population. Another category that is exposed to a higher risk of housing precariousness are children. They are substantially more likely to live in overcrowded houses and are also slightly overrepresented when it comes to the other unsuitability indicators. Seniors (65+) tend to belong to smaller households and have a relatively low risk of living in overcrowded houses. They are also less likely than the average population to live in a house with a leaking roof and/or damp conditions. There is no evidence of a gender gap in the EU regarding housing suitability and household composition plays only a minor role in the vulnerability on the housing market (Table 2.1). The overcrowding rate for singles is not known (but they are likely to run a low risk), and they are as likely as the total population to live in damp conditions. However, in the other three indicators, singles score slightly higher than the general population.

Table 2.1: Unsuitability of dwellings in the EU by 5 indicators (percentages)

	Total EU population		Suitability of dwelling for specific categories (2020)				
	2010	**2020**	*Low-income groups*	*<18 years*	*>65 years*	*females*	*singles*
Overcrowding rate	19.1	17.5	29.0	25.6	7.0	17.3	N.A.
Presence of leak and/or damp	16.3	14.8	22.8	16.2	12.7	14.9	14.4

No bath or shower	3.2	1.6	5.5	1.8	1.9	1.6	2.2
No indoor flushing toilet	3.7	1.8	5.7	2.0	2.1	1.8	2.2
Inability to keep home warm in winter	9.9	7.4	17.8	N.A.	N.A.	N.A.	10.0

Source: EU-SILC.

Table 2.2: Top 5 ranking on each of the indicators for unsuitability of the dwelling

	1	2	3	4	5
Overcrowding rate	Romania	Latvia	Bulgaria	Poland	Croatia
	45.1	42.5	39.5	36.9	36.2
Presence of leak and/or damp	Cyprus	Portugal	Slovenia	Hungary	Italy
	35.9	26.4	25.0	24.0	19.3
No bath or shower	Romania	Latvia	Bulgaria	Lithuania	Estonia
	21.6	9.0	7.4	7.2	5.2
No indoor flushing toilet	Romania	Bulgaria	Latvia	Lithuania	Estonia
	22.8	13.2	8.0	7.6	4.0
Inability to keep home warm in winter	Bulgaria	Lithuania	Greece	Cyprus	Portugal
	27.5	23.1	17.1	20.9	17.5

Source: EU-SILC.

Geographically, those countries that have the highest scores on housing unsuitability indicators tend to be located in Eastern Europe. Bulgaria can be found in four out of the five top 5 rankings as presented in table 2.2. Lithuania, Latvia and Romania have made it to three lists, in each of which the latter country has taken the top position. Estonia, Cyprus and Portugal are mentioned twice. Cyprus and Portugal appear to score highly on unfavourable climatic conditions (dampness and an inability to keep the home warm in winter).

Source: *"Craiova, Romania: slum" by GIORGIO 1972 is licensed under CC BY-NC-SA 2.0*

The EU-SILC dataset also contains relevant indicators for the **unsuitability of the wider residential environment** (see table 2.3). In 2018, 18% of the EU population suffered from noise from neighbours or from the street, 14% felt they had problems with pollution in their local area, and 11% felt that crime or vandalism was a problem in the area they were living in. These problems in the residential environment do not only negatively affect residential satisfaction and feelings of home, but also have been found to be detrimental to physical and mental health (Kress et al. 2020; McAlexander et al. 2015; Ruijsbroek et al. 2016). Overall, the trend in these indicators suggests that the proportion of the EU population having to cope with unsuitability of the residential environment has declined since 2010.

Low-income households are at a higher risk of living in unsuitable residential environments, but the contrast with the rest of the population is less sharp than we have seen in the indicators of housing unsuitability. Singles are at a higher risk for each of the residential environment problems. Residents of big cities are most likely to suffer from noise, crime and pollution, while these problems are least prevalent in rural areas. On the other hand, rural areas have the highest scores on difficulty in accessing public transport. This lack of accessibility supresses the possibilities to participate in social and economic life for those who do not have access to a car (Allen & Farber, 2000).

Table 2.3: Unsuitability of the residential environment in the EU by 5 indicators (percentages)

	Total EU population		suitability of residential environment for specific categories (2018)				
	2010	2020	*low-income groups*	*singles*	*Cities*	*towns and suburbs*	*rural areas*
Noise from neighbours or from the street	20.6	17.6	20.9	20.4	23.8	16.4	10.4
Crime, violence or vandalism in the area	13.1	10.7	13.4	11.9	16.3	8.4	5.8
Pollution, grime or other environmental problems	15.2	13.7	15.4	16.6	23.2	12.9	8.6
Difficulty in accessing public transport (2012)[9]	20.4	N.A.	21.7	N.A.	9.7	22.0	37.4

Source: EU-SILC.

Chapter 2.1.2 – Unaffordability

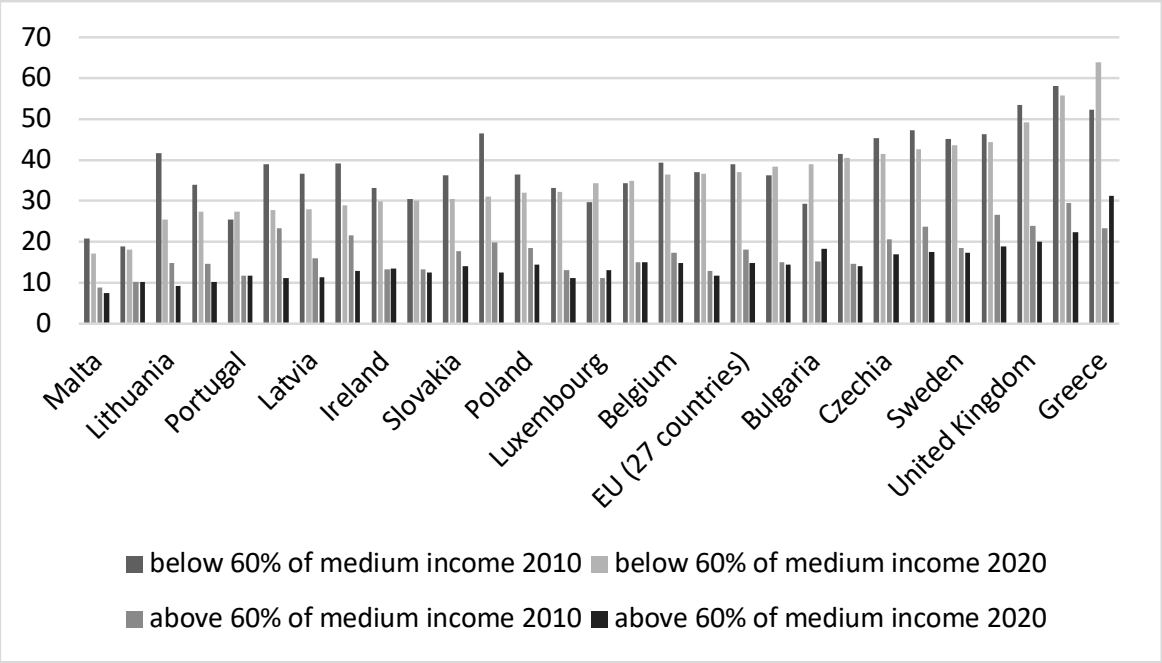
In the EU-27, the average household spent 18.5% of its disposable income on housing in 2020. This is somewhat lower than in 2010 (22.5% in the EU-27). However, there is an increasing divergence in this respect between low-income households and other households. Low-income households have seen their share of housing costs decreasing at a slower pace (from 39.0% to 37.0%) compared to other households (from 18.1% to 14.9%). The highest shares of housing costs for low-income households can be found in Greece, followed by Denmark and the

9 This indicator is only available for 2012.

UK (see figure 2.2). Relative housing costs have also increased most in Greece, mainly due the steep decline in incomes because of the Greek financial crisis (Housing Europe, 2019). Bulgaria and Luxembourg have also witnessed a steep rise in the share of housing costs for low-income groups. This **rise in the relative cost of housing** plays a key role in making housing increasingly precarious for a range of groups across Europe, with those with the lowest incomes most adversely affected.

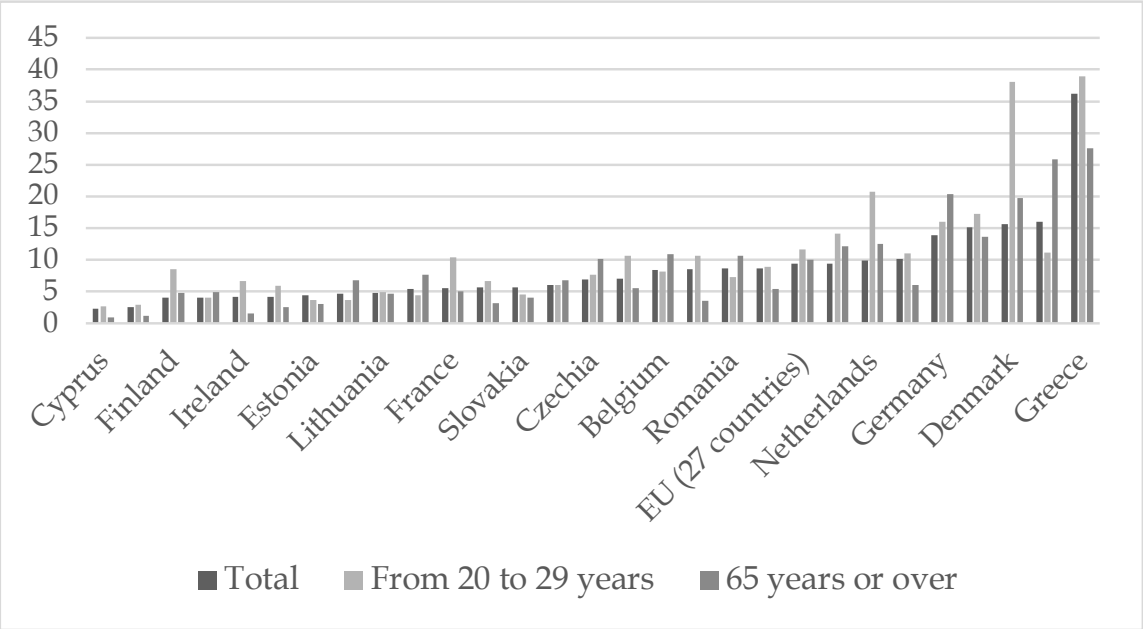
Almost 1 out of 10 (9.4%) EU-27 households experience housing costs 'overburden', which is defined as spending more than 40% of household disposable income on housing. The risk of housing cost overburden is not equally distributed over the generations (figure 2.3). Younger households (those in the 20-29 years age bracket) run a higher risk of paying more than 40% of their income for their housing (11.7%) compared to the general population. Younger people are especially vulnerable in Denmark as their risk of housing cost overburden (38.1%) is 2.4 times higher than for the total population. Similarly, younger people in Finland and the Netherlands are more than twice as likely than the general population to experience housing cost overburden. In the next section (2.2), we will focus in more detail on the affordability issues that young people are facing in particular.

Figure 2.2: Share of housing costs in disposable household income by income group in 2010 and 2020 in the EU and the UK (countries sorted by share for low-income groups in 2020)



Source: EU-SILC.

Figure 2.3: Housing cost overburden rate by age category in the EU (2019) and the UK (2018), countries sorted by overall overburden rate



Source: EU-SILC.

The highest share of population affected by housing cost overburden is to be found among tenants in the private sector. The overburden rate in this sector is 2.5 times higher than in the housing market as a whole (Housing Europe, 2019). Within the private rental sector, the highest risk of housing cost overburden can – most probably – be found within the informal segments. These **exploitative forms of rental housing** have emerged during recent and historical periods of housing crisis across Europe. This is a direct result of several factors, such as:

- Immigrants arriving in cities and needing shelter;
- Skyrocketing rental prices in the formal, non-exploitative private rented sector;
- Lack of government regulations of the private rented sector;
- Lack of social and/or affordable housing; and
- Exclusion from other forms of housing.

Within the informal segments of the housing market, people are often reliant on insecure, low-quality, and relatively expensive forms of rented housing. These housing markets are linked to wider patterns of precariousness, as those living in these forms of housing generally belong to the urban precariat – namely those with insecure and/or low-skilled jobs, single parents with children, foreign immigrants (regardless of their legal status), and those suffering other forms of precarity and discrimination. These exploitative private rental markets are often not visible for local governments, and their extent is unknown because of a lack of data (due to the fact that informal housing arrangements often operate on the borders of legality). As a result, addressing the issue with local policymaking and regulation is difficult (Chapter 5 unpacks some of these negotiations around informal settlements in more detail).

While it is difficult to assess the size of the informal rental market, qualitative research and investigative journalism shed some light on the problems in this housing market segment. For example, media coverage in the UK often highlights living conditions in exploitative rental housing in London – in which landlords take hundreds of pounds for low-quality, substandard housing (be it tiny refurbished 'apartments', living spaces in garden sheds – 'beds in sheds', or even bed spaces in which one person sleeps during the day and another during the night).

The urban precariat is more vulnerable to rent hikes or informal arrangements (renting without a contract for instance) – and even more so in a private rental sector that lacks regulation and effective monitoring (Curran, 2012; Watt & Minton, 2016). To give another example, recent research has investigated the role of exploitative private rental housing in Budapest (see Box. 2.2).

Box 2.2 Exploitative private rental housing in Budapest

In Budapest, according to microcensus data from 2016, 83.4% of flats were occupied by owners, with the private rental sector comprising 11.5%, and 2.4% of occupied dwellings being publicly owned housing units. This means that the share of the rental sector is low, and municipal social housing is inaccessible for most of those households in need. As a result, rental prices were increasing rapidly: average rental prices for a 40 sqm flat in Budapest rose by 130% between 2011 and 2019, whereas wages only increased by 35% (Ámon et al., 2019). Exploitative forms of private rental housing emerged because many in the population are excluded from the formal private rental sector (either because they cannot afford rental prices, cannot pay the usual 2-months deposit, or are Roma people who suffer discrimination, or are families with children for whom owners tend not to let homes). These exploitative forms of rental housing often mean low-quality flats or rooms, without a formal contract, for a relatively high price. Research found cases where utilities were not available as the owner did not pay the utility costs for the provider. Rents are due upfront, with renters being kicked out immediately when not paying on time (sometimes combined with physical assault). Deposits are usually not asked by the landlord. There are no formal contracts between the owner and the renter, which makes renters particularly vulnerable in cases of dispute. Without formal contracts, renters cannot register these flats as official places of residence, ensuring that they are excluded from several local services (such as local schools). Often, families circulate between precarious forms of housing: emergency social service institutions (such as family shelters and mothers' shelters), formal rental housing, exploitative forms of private rental, workers' hostels, and temporary living in overcrowded flats with friends or relatives (Ámon & Balogi, 2018).

As we will see in section 2.3, precarious households in urban areas are not only at risk of being exploited by private landlords, they are also confronted with the growing role of fund managers and major investment companies which have

increased high-cost private rental supply at the expense of more affordable options. This is part of a wider trend of the **financialization** of housing, which not only affects the private rental sector, but also the social rented sector and homeowners too. As we shall see, this convergence of factors is making housing increasingly precarious for many different social groups.

Chapter 2.1.3 – Limitations of the available data

Clair et al. (2019) combined the different dimensions of housing precariousness that are available in the EU-SILC into one composite measure. In doing to, they find a similar series of associations to those described above. Precariousness across Europe is higher among renters, single people, young people, those who are unemployed or have lower education levels. Furthermore, precariousness is negatively associated with age and health. However, it should be emphasized that there are several **limitations** to the use of EU-SILC data (Clair et al., 2019; Dewilde, 2015):

- Not all dimensions of housing precariousness are measured. Apart from a relatively crude indicator for forced moves in 2012, there are no measurements for housing security. Furthermore, there are no indicators for accessibility to services.
- There are some difficulties in the measurement of crucial variables. For instance, there is a measurement of total housing costs, but not of the different cost components. Furthermore, the distinction between 'renting at market rate' and 'renting at reduced rate' deviates from official statistics on private and public/social renting.
- The number of socio-demographic indicators is limited. For instance, there is no information on minority ethnic status, on relationships between all household members, and length of residence.
- Perhaps most importantly, the most vulnerable and precarious groups are likely to be strongly underrepresented. People without a home address will not end up in the sample and those who move very frequently are less likely to be included. Therefore, the figures presented in this section tend to understate the magnitude of precariousness in Europe.

Due to these limitations, the data do not provide much insight in the roles of **gender** and **ethnicity** in housing precariousness. The data on housing

unsuitability (Table 2.1) seems to suggest that precariousness is not gendered, but more detailed studies in several countries of the EU show that such a conclusion would be unfounded. For instance, women as well as single parents in the Netherlands are more likely than men and family households to hold a 'housing outsider status' (Arundel & Lennartz, 2020). This housing outsider status refers to both the dimension of affordability (housing cost burden) and housing equity (renters as well as homeowners without equity or negative equity belong to the outsider category). Women and single parents are also the groups that are most likely to endure the combination of being an outsider in the housing market and in the labour market (defined as low income, not employed, or employed with a non-permanent contract with poor prospects for promotion). Furthermore, research among private renters in Ireland, reveals that female-headed households are at a much higher risk of experiencing precarious housing than male-headed households. This is because women are statistically more likely than men to be lone parents and, therefore, more likely to need to cope with the costs of divorce or separation, and face challenges over continuing work due to childcare responsibilities (Waldron, 2021).

Research in the US shows that ethnic and migration status are very strong predictors of precarious housing, even after taking into account differences in incomes between the various groups (Pendall et al., 2012). In chapter 4 we will focus on the housing position of different categories of migrants in Europe and return to some of these critical discussions. In the next section, we will focus on the challenges that a specific social group, younger people, are faced with.

Chapter 2.2 – Examples of precarious housing: focus on young people

The shortage of affordable housing has a negative impact on diverse groups. In chapter 4, for example, we will specifically focus on refugees and other migrants, in Chapter 5 we will deal with residents of informal settlements, including Roma settlements across Europe, and in Chapter 6 we will discuss homeless people.

In this section, we focus on young people. Many young people are struggling to get access to the housing market and are forced to either be dependent on their parents longer than they would like, or to rely on unorthodox and often precarious housing arrangements. In this section we focus, first, on the precarious housing situation of students, and second, on young professionals.

Chapter 2.2.1 Student accommodation

The shortage of student housing has led to a range of unorthodox solutions to accommodation needs. One of these solutions, the use of shipping containers, will be discussed based on examples in Gothenburg and Copenhagen. Then we look at how student accommodation has become increasingly financialized in Germany. Next, we will focus on the vulnerable position of international students, who are faced with extra barriers due to their unfamiliarity with local housing markets and discrimination, illustrating some of the intersections between youth and migrant status that mark precarity.

Containers for housing students

Several European countries have experimented with shipping containers as a temporary solution for accommodating students (Forrest, 2015). An example is that of the 'Urban Cribs' complex on Chalmers' campus Lindholmen in Gothenburg. To solve the housing shortage for students, in 2016 a container system was placed on a plot that had a temporary building permit for 15 years. The containers are stacked in piles of five.

Source: harry_nl is licensed under CC BY-NC-SA 2.0 (https://www.flickr.com/photos/23363966@N02/41618038015)

As the housing units are facing another stacking of containers, most tenants keep curtains closed to prevent people from the opposite unit from looking in. The price-quality ratio is quite unfavourable. Students get an apartment of 26 m^2 and pay a monthly rent of 5,000–6,000 SEK (500–600 euros). The rent is relatively high, as the housing company has only 15 years to make a gain on its investment. The containers turned out to be unsuitable for the Swedish climate as tenants complain about a lack of ventilation, moisture damage, and mould. Next to that, the Department of Environment found that the water temperature in the pipes was too low, meaning there was a risk that Legionella bacteria might grow (Davidsson, 2017).

This raises the question of whether these types of temporary units help to solve the issue of housing shortages. One point of view is that these quick-fix solutions will not help to alleviate the housing shortage in the long run (as housing units will not be available to future generations of students) and may also to lead to the normalization of sub-standard housing for low-income groups (Forrest, 2015). The opposite point of view is that housing containers offer a good solution for students who want to leave their parental home and that their use takes pressure off the 'regular' housing market. At the same time, containers are not inherently low-quality dwellings. They can be designed in such a way that they are comfortable and healthy for residents, although that would increase construction and maintenance costs. An example of a more successful project (in terms of both better affordability and higher quality of design) is Urban Rigger in the Harbour of Copenhagen.[10]

Student housing in Germany (Sybille Münch)

Precariousness and the lack of affordable housing is an issue for students in Germany, too. A rise in the number of students and the insufficient growth of places in halls of residence has aggravated the problem, particularly in larger cities and smaller, attractive university towns. At the beginning of the academic year, the European Students' Union (2019) reports, 'local student unions organise emergency accommodations for first semester students in gyms, private houses, on the floor or in private living rooms.' While in the past, subsidised rooms in halls of residence and shared apartments were the most common forms of housing for those students who no longer live with their parents, the past years have

10 See Scandinavia Standard (https://www.scandinaviastandard.com/bjarke-ingels-group-and-urban-rigger-bring-student-housing-to-copenhagens-harbor) and this clip on YouTube: Urban Rigger (https://www.youtube.com/watch?v=YaznoAGHu9s)

seen the arrival of financial investors in the sector of what is called 'quality purpose-built student accommodation' (PBSA; see Box 2.3 for more details).

There are 238,469 publicly subsidised residential places in Germany, of which around 194,580 (82%) are in the student services sector. Most of these places are in halls of residence. In many places, the student services have also rented places from third parties. The Students' Services manage all student housing under their public mandate. The German National Association for Student Affairs (Deutsches Studentenwerk, DSW) is the umbrella organisation of the 57 student services in Germany, the so-called 'Studentenwerke'. One of the core tasks of the DSW is to provide students with affordable and study-appropriate housing in student halls of residence. However, the gap between a 49% increase in students since 2007 (from 1.94 to 2.86 million), and the expansion of publicly funded places in halls of residence by only 8.5% in the same period has grown sharply. As a result, existing dorm capacity is insufficient in many places. Overall, the supply rate, marking the ratio of residential places to the number of students, has fallen further in recent years from 15% to 9%, causing long waiting lists at the beginning of each term (DSW, 2020; Streit, 2020)

Box 2.3 Quality purpose-built student accommodation (PBSA) in Germany

'This housing crisis, which as mentioned does not only affect students, is, on the other hand, an interesting alternative for investment funds', rejoices the CBRE report (2018, p. 4), published by the world's largest commercial real estate services and investment firm. PBSA investment in Germany, like in the Netherlands and France, has expanded rapidly in recent years, with global investors seeking new opportunities (Tostevin & Hyett, 2018, p. 20). Private investment in this area was relatively low until a few years ago. For example, in the 30 largest German university towns there were only 12,000 places run by private providers in 2010. By 2015, the stock had doubled to about 25,000 places, and it was expected that the private stock would increase to at least 41,000 places by 2020 (Henn et al., 2015). Private landlords are mainly targeting the surplus demand for small flats in the free housing market. Therefore, they build housing complexes with individual flats, usually measuring just under 20 to 25 square metres. These units are usually fully furnished, with en-suite bathrooms and kitchenettes and generally equipped to a high standard. Hence,

they have little in common with the offer of the 'Studentenwerke' and are predominantly in the high-priced segment (Henn et al., 2015). The sophisticated furnishings are not only intended to increase comfort but also have financial reasons: Since there are hardly any subsidies for the cost-intensive construction, investors need to charge high rents to generate a return. The providers can justify this by offering extensive services and entertainment facilities such as small private cinema halls, gyms or sun decks (CBRE, 2018). While a place in a publicly subsidised hall of residence costs 242 euros on average per month and a room in a shared flat 397 euros, a micro flat costs 542 euros on average according to an analysis by Bulwiengesa. However, this study does not distinguish between flats for students and young professionals (Streit, 2020). Residents usually pay an all-in rent, which already includes utilities for heating or a fast internet connection. For first lettings, rents can be freely set. According to Savills, a global real estate services provider, *'student accommodation is classified as residential but is exempt from various sections of tenancy law. To qualify for these exemptions, the property must focus on students and have a high tenant turnover'* (Tostevin & Hyett, 2018, p. 23).

According to Savills' World Report 2018, the 'UK is by far the largest market in Europe for student accommodation', and student housing investment volumes were at £3.9 billion invested (excluding development sites). Around two-thirds came from international investment (Tostevin & Hyett, 2018, p. 20). PBSA investment in Germany, like in the Netherlands and France, has, however, expanded rapidly in recent years, with global investors seeking new opportunities. In 2019, 24 properties were sold at 487 million euros (Streit, 2020). Due to the Covid-19 pandemic and the turn to remote teaching at many universities, the market for micro-living in Germany, which includes student housing, slumped in the first half of 2020. Just seven properties for 160 million euros were traded, according to an analysis by real estate service provider CBRE. Micro-apartments are often rented by people new to a city, including the growing number of international students in recent years, many of whom now stay away in the face of travel restrictions (Streit, 2020).

International students' housing experiences in the Netherlands (Ilse van Liempt)[11]

International students are a growing, heterogeneous, group of young adults navigating housing markets that are largely unfamiliar to them (Baas, 2019; Bista,

11 This text is based on Fang and van Liempt (2020).

2016; Myers et al., 2019). Despite studying abroad being – in many ways – a privileged activity, the privileged situation many international students find themselves in does not automatically guarantee adequate housing conditions in their host countries. Most finance their stay abroad with student loans and savings (Hall, 2010; Hordósy et al., 2018) and generally lack social and cultural capital that may be important for finding housing (O'Connor, 2017). Over the past years, anecdotal accounts of international students in European countries have shown that many of them experience difficulties finding and maintaining adequate housing (Hoolachan & McKee, 2018, Kuzmane et al., 2017).

In the context of finding housing, social capital refers to the personal social network which individuals can draw on. Cultural capital refers to knowledge of housing-market practices as well as being 'culturally compatible' with the local housing context, for instance, by speaking the local language (Boterman, 2012; Hochstenbach & Boterman, 2015). Moreover, online information is a poor substitute for tacit knowledge of housing-market practices, a form of cultural capital (Maslova & Chiodelli, 2018). This might lead to complications for international students trying to find housing, which, ideally, they need to secure before arriving in the host country (O'Connor, 2017; Obeng-Odoom, 2012).

Dutch universities do not provide accommodation but help international students to find housing by including information about housing options online (Kuzmane et al., 2017; Verhetsel et al., 2017). Most also cooperate with student housing associations although the latter generally have too few rooms to guarantee housing for every international student. Hence, most students have to find housing in the private rental sector, where there is a grave housing shortage and very high competition (Boelhouwer, 2019; Hochstenbach & Boterman, 2015; Savills, 2017). Due to high house prices, a studio/flat is unaffordable for most students. Instead, most rent rooms in flats where they share facilities such as the kitchen and bathroom and have a bedroom to themselves. These shared flats are both clustered on or near university campuses and spread out over the whole city (Nijënstein et al., 2015; van Huijsduijnen et al., 2019).

Box 2.4 Discrimination of international students in Utrecht (The Netherlands)

'Based on 18 semi-structured qualitative interviews with international students conducted in 2018 and 2019 several structural and contextual issues were found that prevented international students from accessing accommodation in Utrecht. First of all, they felt neglected by their universities, receiving little or no institutional support and second, they felt discriminated against by Dutch students who sometimes acted as landlords and constrained their access to the housing market. One obstacle in the Dutch student housing market was the so called *hospiteeravonden* (hospitality evenings) during which the residents of a flat invite a number of students to introduce themselves. The student who makes the best impression will be offered the room. Interviewees found these *hospiteeravonden* strange and compared them to job interviews, beauty pageants and talent shows:

> 'You go there, and you sit there with four or five people and you have to present yourself. The people living there, like, judging if you will be able to live with them. So, it's like "You didn't pass the test, you can go".' (Ada, 23, Greece)

This puts pressure on students to appear confident and likeable and some of them reported several incidents of undisguised racism. On the Internet, while looking for rooms, international students are also confronted with discrimination with many landlords refusing to rent to international students:

> 'Most posts start with this: NO INTERNATIONALS in capital letters. I feel angry. (…) And then there are some that, instead of saying "We're looking for Dutch people", say "Dutch-speaking" people, which leaves some room for internationals but only those that speak Dutch, and that's a very small percentage of people.' (Ananda, 24, Greece)

Legal counselling in cases of problems with landlords was also regarded largely ineffective. Nina's landlord decided to sell the flat in which she and six other international students were renting a room. They were certain that their landlord could not end their contracts on a whim and took the municipality's offer of free legal counselling. However, their landlord did not stop pressurising and harassing them. Feeling stressed and having to complete their MA theses at the same time, the tenants decided to 'let it drop':

> 'We just ended up going to lawyers and legal help (…), trying to postpone as much as possible the fact that we were being kicked out of our apartment. (…) And even though I was very pissed off and outraged because of what the landlady was doing to us, I was like: "Okay, I don't want to be part of this". I was busy with my thesis at the time and I did not want to have extra things at the back of my mind and live with such tension.' (Nina, 23, Romania)

Many interviewees called the Dutch student housing system flawed and complained that it leaves international students feeling stressed, abused and vulnerable. Interviews also revealed the great and continuous (emotional) impact that the search for housing had on students' daily lives and on their education. The feeling of not being taken seriously by universities highlights the perceived lack of institutional support for international students in the Netherlands when it comes to housing.

Despite the Netherlands' reputation as a liberal and tolerant country, prior research has found the housing conditions of certain ethnic groups to be lower than those of the ethnic Dutch (Aalbers, 2007; Bolt et al., 2008, 2010, Özüekren & Van Kempen, 2002). This also seems to be the case for international students. Research from Belgium and Germany, neighbouring countries of the Netherlands, points to landlords as one of the major sources of housing discrimination against certain ethnic groups (Heylen & Van den Broeck, 2016; Mazziotta et al., 2015). Moreover, field experiments found that individuals with 'foreign-sounding' names have fewer chances of being invited to see a dwelling – seen as indicative of landlords discriminating against certain ethnicities (Auspurg et al., 2019). Qualitative research in Utrecht among international students similarly revealed that they are faced with discrimination and that they experience a lack of support from the university (see Box 2.4).

Chapter 2.2.2 – Young professionals

As many young professionals do not have a permanent employment contract, they are excluded from homeownership, even if they have a middle or high-income job. Access to the private market is also difficult as many landlords prefer tenants with permanent jobs. While previous generations were more likely to hold permanent work contracts and to improve their housing situation over the course of their lives, young people are not likely to enjoy the same **housing career** as previous generations and have fewer opportunities to move up the **housing ladder**. Instead, they often make sideward or even downward movements on the housing ladder due to the insecure nature of their contracts and their housing. Research on young professionals in Ireland reveals that they often rely on alternative housing arrangements, especially when they lack the social connections that may partially compensate for an insecurity of income. These alternative arrangements include prolonged sharing with friends and strangers, and increasingly commonly temporarily moving back with parents (Bobek et al. 2020).

The prevalence of moving back to parents differs widely between different parts in Europe (Arundel & Lennartz, 2017). In Southern European countries the likelihood of 'boomerang returns' is three times as high as in the Social Democratic welfare regimes of Northern Europe (Sweden, Norway, Denmark, Finland). This can be explained by stronger familialistic cultures, constrained (rental) housing markets and rudimentary state welfare provisions. In conservative welfare regimes (like Austria, Belgium, France and Luxembourg), the likelihood of boomerang returns is only slightly higher than in Northern Europe (and the difference is not statistically significant). In new Member States[12], also characterised by a strong familialistic-orientation and limited state welfare, the likelihood of returning to the parents is more similar to Southern Europe. There are also individual factors that affect the likelihood of boomerang returns. For instance, men are more likely than women to return to their parents, while the likelihood of returning to the parents is lower for young people with a higher level of education and a higher age. In many cases, life events like losing a job, entering education, and breakdown of relationships are triggers to move back to parents (Arundel & Lennartz, 2017).

Another coping strategy used by young people is **property guardianship**. It is an arrangement which offers homeowners with empty properties a reduction on

12 Bulgaria, Cyprus, Czech, Estonia, Hungary, Lithuania, Latvia, Poland, Slovenia, Slovakia

security and maintenance costs, while guardians are offered a residence for much lower cost than elsewhere in the private rented sector. The flipside is that residents are sometimes living in conditions that do not meet the standards expected in residential properties and get temporary contracts without any tenants' rights (Ferreri et al., 2017). Property guardianship originated in the Netherlands in the early 1990s and has expanded to Belgium, France, Germany, Ireland and the UK. Property guardian companies act as intermediaries between property owners and property guardians. The property guardians do not pay rent, but a monthly 'licence fee' to access the dwellings. There are at least 31 property guardianship companies active in the UK, most of which are in London. Interviews with guardians in London revealed that they are young, have a regular income (which is a prerequisite to becoming a guardian), and see this as the only affordable option in London. Many of them were working in the creative sector and argued that the flexible housing situation matched with their job mobility and insecurity. While some see it as a positive experience, others feel trapped due to their lack job security. As one of the interviewees of Ferreri et al., (2017, p. 254) stated: *'We're having to work harder and live less securely and accept the fact that there actually aren't any rights to work and nobody's particularly geared towards changing that, I guess. We're so busy all the time, it's harder to do that kind of thing.'*

Property guardians move frequently between different buildings and neighbourhoods which makes it hard to get connected to their living environment and establish community connections. The short notice period of two weeks is experienced as stressful for some guardians. Next to this, unannounced inspections (which would not be legal under a regular tenancy agreement) add further to their ontological insecurity. Nevertheless, most guardians seem to accept the lack of security and privacy as an inevitable condition of contemporary urban life, which points, in the words of Ferreri et al. (2017, p. 256) to an *'internalisation of a neoliberal discourse of personal responsibility and adaptability, particularly in times of a labour and housing "crisis".'*

Section 2.2 has highlighted the hurdles that young people are faced with on the housing market. For young professionals, the precarity of their jobs (see also section 1.3) makes it not only difficult to get access to owner occupation, but also to the formal private rental market. The access to the public rented sector is also limited, as many young professionals do not comply with income criteria (they

may earn too much) or have an unfavourable position on the waiting list compared to older house seekers. Some young people are confronted with additional obstacles related to their ethnic and migration background. They often lack the social capital to find a suitable dwelling and are confronted with overt and covert forms of discrimination. For students, there is a lack of affordable housing options, as the supply of student accommodation does not keep pace with the increasing number of students, which is partly due to the internationalisation of higher education. The increasing lack of affordable dwellings is obviously relevant to all age categories and cannot be understood in isolation from the increasing financialization of housing. In Box 2.3 we illustrated the consequences of financialization in the provision of student accommodation. In the next sections, we delve further into financialization by defining the concept (section 2.3) and by focussing on the actors that play a role in the financialization process (section 2.4).

Chapter 2.3 – Financialization of housing

Chapter 2.3.1 – Defining financialization and commodification

Capitalism is based on the premise that more and more things and services needed for our livelihood are exchanged as market goods. This process is named **commodification**. As we have seen in Chapter 1, commodification of housing speeded up as a consequence of neoliberalism. Money and capital are widely used as a medium through which these market exchanges can easily proceed. These processes are described widely as **financialization**, becoming a buzzword in the 2010s (Christophers, 2015).

There is a wide variety of definitions of financialization (Aalbers, 2019). Some scholars simply equate the term with the rapid expansion of financial activities. For example, how much money is present globally in the markets or how much money is traded globally and at what speed. For instance, the ratio of the value of foreign exchanges in transactions to global trade in 'real' products was 2:1 in 1973 and 104:1 in 2017 (Dutta, 2018). Others refer to financialization as the increasing power of financial actors in all areas of our life. For example, financial assets and liabilities held by financial actors are several times larger than the GDP of entire countries. For example, in 2019 the largest asset manager in the world, the Blackstone Group manages assets over USD 571 billion. This power of financial actors leads to the transformation of firms, households, and the state in response (Aalbers, 2019). In this book we refer to financialization as:

> a broader process of the growing role of the financial sector as a source of

profit (compared to the 'real' sector of production or trading of goods). In terms of housing, an important aspect of financialization is that housing has become a financial asset that can be easily traded in financial markets for profit-seeking purposes, often detached from the social and lived value of housing as a source of shelter and social life.

Of course, the presence of financial actors is not necessarily antithetical to providing adequate housing for people. Financialization has meant in many countries of the world that more people gained access to credits from which they could buy a house. Many authors argue, however, that this 'democratization' is linked with increasing inequalities within the society (Rolnik, 2013), as more 'risky' social groups can only access these credits on less favourable terms and during crises risks are borne by private individuals instead of financial institutions.

Chapter 2.3.2 – Financialization and commodification of housing

As in other sectors of the economy, commodification has taken place in the realm of housing. This means that housing (land, flats, houses etc.) is sold or rented on markets, and not offered as a basic human need (see also Section 1.4 on the prioritization of exchange value over the use-value of housing). Although an increasing share of the population secures its housing through commodified forms, we can still observe other forms of exchange beyond housing markets (Polanyi, 2014). For example, reciprocity, redistribution, subsistence production, gifts or inheriting housing may substitute for or may combine with commodified forms. Some existing and imaginable forms are summarized in Table 2.4[13]. People in precariousness have limited access to commodified housing markets and therefore often rely on non-commodified forms to secure their livelihoods.

The process of housing financialization is explained by David Harvey (1978) by differentiating between three circuits of capital in the capitalist accumulation process:

- The primary circuit of capital is the production process – capitalists buy labour power, produce value and surplus value (commodities) which are

13 For a discussion of these see, for example, Deng (2018), Duncan and Rowe (1993), Heath and Calvert (2013), Manzo et al. (2019), as well as Ward (2019).

sold for the working class, with which commodities workers reproduce their labour power. However, as Marx and followers have shown, because of the tendency of the rate of profit to decline, the production process becomes less and less profitable. Therefore capitalists search for other sectors to invest in.

- The secondary circuit of capital functions through the financial sector – money flows in large masses into the built environment (housing, real estate, infrastructures etc.) which is a profitable longer-term investment in times of crisis, compared to investing into the production of goods.
- The tertiary circuit of capital can also siphon off money from the primary circuit of capital – this involves investments into technology and science as well as social expenditures (which in the long-run would raise the profitability of the production process).

What follows from these understandings is that commodification of housing is a prerequisite for financialization. Without property ownership (legal systems guaranteeing property) and without a large share of commodified forms of housing (be it homeownership or rental housing) financialization cannot unfold. If housing were made available for everybody as a human right, there could be no commodification. Furthermore, commodification and financialization is socially, historically and geographically unequal. Processes like redlining (banks offering no loans in certain localities/neighbourhoods), financial exclusion (excluding or discriminating precarious livelihoods from financial instruments, such as loans or credit cards), luxury homes bought by millionaires as an investment, or the emergence of gated communities are just a few processes which signify these inequalities.

Table 2.4: Commodified and non-commodified forms of housing

Forms of housing		**Examples**
Commodified	Housing market	Flats and houses bought or rented on the housing market
Partially commodified	Housing market	Social rental housing; Non-profit forms of commodified housing
Non-commodified / de-commodified	Housing as reciprocity	Moving to a flat of a family member and caring for them in exchange;

		House-sitting (looking after homes and pets when owners are away); Kinship and local community helping each other in building activities
	Housing as redistribution	The state takes over empty flats and redistributes them for homeless people
	Housing in subsistence production	Self-built housing
	Housing as gift	Parents give children a flat to live in, free of charge; Inherited housing

Source: authors' compilation.

Chapter 2.3.3 – Land rent, housing and the importance of decommodification (Johannes Jäger)

Land rent is an essential part of house prices, and an important aspect regarding housing financialization. When house prices rise, it is often not the prices for construction but the land prices (the prices for the location) that increase. High and/or increasing prices for housing tend to be very problematic for poorer households who, as we have seen in 2.1, often spend a very high share of their income on housing.

As land rent theory shows (Jäger, 2003, 2020), land rent (i.e. profits stemming from the simple fact that someone owns a parcel of land) is not something natural or unavoidable but a specific institution related to the private property ownership of land in capitalist societies. Land rent regulates the access of people to land/space and excludes poorer people from more privileged spaces. Moreover, land rent represents a transfer of resources from those who do not own land/real estate to those who do.

The land rent mechanism can be limited completely or in part by implementing regulations such as public landownership, forms of land regulation and price

controls, public provision of different types of infrastructure, public housing policies etc. These regulations or policy measures (and their combination) that limit the rent mechanism can be considered as **decommodification**. While decommodification of land and housing tends to benefit poorer people who do not own land or real estate, it creates a conflict with the interests of landowners and real estate business who want to extract the maximum amount of rent. This pressure is currently increasing as a result of financialization processes. Land rent and the specific mechanisms that limit its effects are highly contested. The struggles between these groups and their relative capacity to impose regulations in their interests are decisive.

Critical political economy perspectives on land rent (Harvey 1978, Heinz & Belina, 2019, Jäger, 2003) show that the struggles about the regulation of land, the form of production of housing and the provision of access to housing are related to the broader context of economic development. Specific economic development models tend to benefit the power of landowners while others tend to favour lower income people by (partial) decommodification. An example of the former is provided in Box 2.5. An example of the latter type of model is the so-called Fordist growth model which was influential after the 1930s crisis. Many western countries chose the path of substantially repressing the rent mechanism. The implementation of regulations that allow for the unhindered functioning of the land rent mechanism has become common during the neoliberal period since the end of the 1970s. This commodification of land and housing has led to increasing problems for poorer people and the middle classes and deepened urban polarization in many countries and cities across Europe.

Box 2.5: Land ownership and the urban development of late-19th century Paris

19th century Paris is one of the textbook cases of how financialization affects investments into housing, not only fundamentally changing the urban fabric, but also the urban society.

The second half of the 19th century in Paris, often celebrated as the era in which wonderful buildings and the 'modern' urban structure was created, has a dark side. The huge property boom of the time was fuelled by an alliance of financial capital (bankers) and the state (in the case of Paris, Baron Haussmann is a main figure), emerging business forms and new financial mechanisms, a new credit system, the foundation of different lobbyist groups – all paving the way for massive speculation with real estate.

By 1880, as Harvey (2003) remarks, more than half of Paris' flats were owned by landowners, and between 1880 and 1914 corporate owners (insurance companies, real estate investment firms), increased their share on the residential property market (Yates, 2012). This has led to significant class tensions: the middle class were pushed out from the city, and as rents became unaffordable for the working class; inner-city Paris became a city for the urban bourgeoisie (Harvey, 2003; see also Clerval, 2013).

There are still important exceptions that show that even under neoliberalism an important degree of decommodification of land and housing is possible. This depends on the specific trajectories of housing policy, and on the outcome of specific national and urban struggles (we discuss some of these struggles in more detail in Chapter 7). Moreover, neoliberalism is not the end of history. On the contrary, it shows already important crisis tendencies that potentially facilitate progressive forms of development, and hence the decommodification of land and housing presents an increasingly important future direction for policy and study.[14]

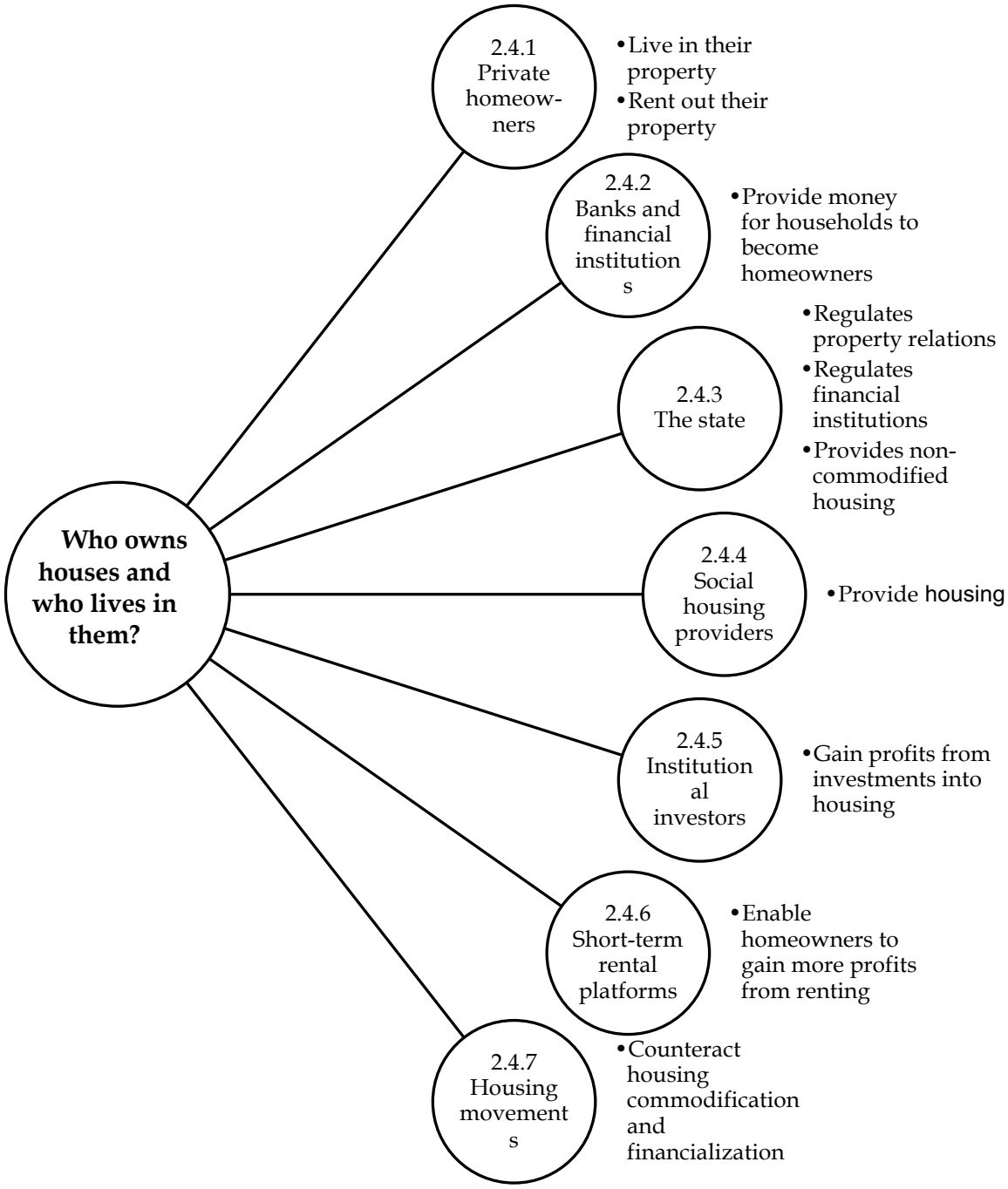
Chapter 2.4 – Actors shaping housing financialization

As we have seen, housing financialization and housing commodification involves several actors. All of these actors have an impact on who own houses and who lives in them. Figure 2.4 summarizes the main actors we deal with in the following parts of section 2.4., be it private persons/households (section 2.4.1), non-profit companies (such as housing associations in some countries, section 2.4.4) or for-profit companies (section 2.4.5 on institutional investors). Banks and financial institutions (discussed in section 2.4.2) provide financing for owners / would-be-owners and enable profit-seeking money to flow into housing. The state (2.4.3) is involved in housing financialization/commodification processes in

14 Wijberg (2020) identifies three types of reforms that would lead to de-financialisation of housing: (1) Financial reforms aimed at dismantling finance-led housing accumulation. (2) Reforming the public and affordable housing sector and introducing alternative housing models. (3) Alternative modes of urban governance (see also Ryan-Collins, 2019). In Chapter 7 we explore these reforms further.

different forms (as an owner of houses itself, and as a regulator). Section 2.4.6 identifies short-term rental platforms (Airbnb and others) as an emerging new actor responsible for taking housing stock away from offering affordable housing and turning positioning such housing as part of a profit-seeking machine. In conclusion (section 2.4.7), the role of housing movements is discussed in providing alternatives to housing financialization/commodification, a topic we develop further in Chapter 7.

Figure 2.4: Main actors of housing financialization and their role in housing markets



Source: Márton Czirfusz

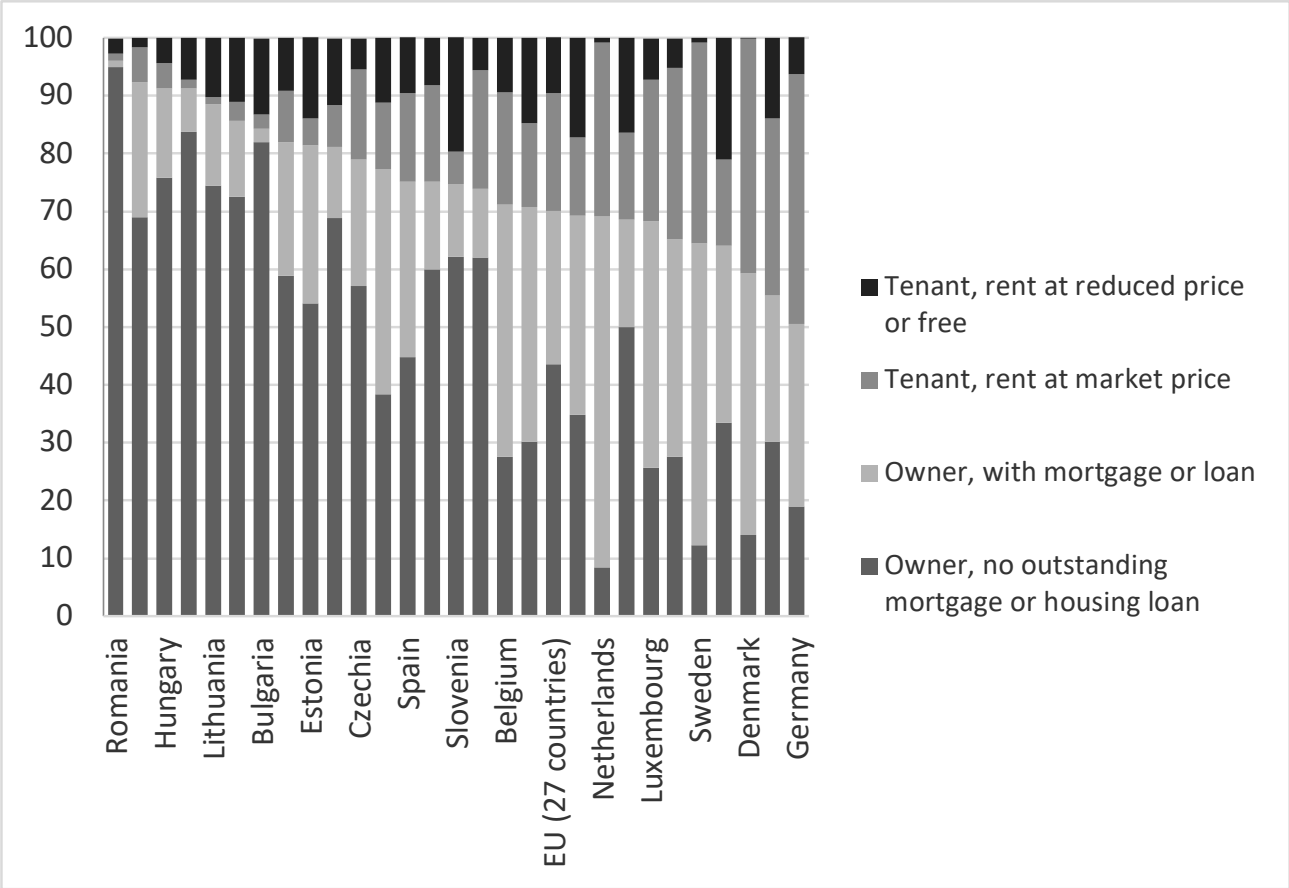
It should be noted that this is not a full or exhaustive list of possible actors on European housing markets, and each actor's role is diverse in different countries and different urban and rural settings. Our aim is to provide some examples from different geographies across Europe to lay out some basic questions on the role of these actors. We encourage readers to compare these examples with their own local contexts, by searching for similar or different processes and relationships between the actors shaping housing financialization (see assignment in the e-module).

Chapter 2.4.1 – Private homeowners

The previous section on land rent has shown that gaining rents from owning land is an important mechanism of housing commodification and financialization. Therefore, homeowners are important actors on contemporary housing markets.

In countries where homeownership dominates in the housing sector, precarious people struggle with securing adequate and affordable housing. Homeownership may exacerbate socio-spatial inequalities by limiting socio-spatial mobility and contributing to precariousness. For example, a family living in a remote village and owning a house has limited access to urban labour markets. They cannot sell their property (as there is limited demand for their house), and even if they sell it, they can very rarely afford to buy anything in an urban housing market. Even if they possess cultural and social capital for upward social mobility, their housing (and the capital fixed in their property, i.e. the value of their house) may restrict their life chances in general.

Figure 2.5: Distribution of the population by tenure status in the EU (2020) and the UK (2018)[15]



Source: EU-SILC.

More than two-thirds of the population of the EU-27 lives in owner-occupied housing, with Southern and Eastern European countries above average (in Romania, Hungary, Slovakia and Croatia more than 90% lives in owner-occupied housing); with Germany on the other end of the spectrum with only half of the population living in owner-occupied housing (Figure 2.5).

In countries where homeownership dominates, young people's access to the rental market is limited which forces them to secure their housing needs via

15 Denmark and the Netherlands have large socially rented sectors, but issues with classification of tenancies by the EU-SILC data mean that these are still classified as being 'market rented' (Dewilde, 2015).

different means. In many countries, multi-generational households are one solution for limited financial capacities (see section 2.2). During crisis periods, as after the global financial crisis 2008, this phenomenon may intensify, but also new living strategies beyond homeownership may evolve (Moreno Mínguez, 2016). Second, intergenerational transfers are crucial in the homeownership model. Grandchildren may inherit the grandparents' house, or children may receive gifts from their parents to buy a house. Third, loans may substitute for the lack of the first two sources. Of course, the restricted accessibility of loans limits opportunities of the youth (Filandri & Bertolini, 2016). Within loans, mortgages are the most prevalent financial products and the most discussed within the housing financialization literature, as will be explained in more detail in the next section.

Chapter 2.4.2 – Banks and financial institutions

Banks and other financial institutions are intermediary institutions that channel money for those who need this for obtaining housing. The most general form is offering different financial products (loans, or in its specific form, mortgages) for future homeowners to finance obtaining their properties. Apart from standard banks, building societies (a German and Austrian variant is the 'Bausparkasse') are also involved in providing this type of financing.

Mortgages are loans in which the house being purchased is the collateral on the loan. This means, if someone is unable to pay back the loan (the share of non-performing loans is an important benchmark for this), the lending institution may take the house from the owner after a legal procedure called foreclosure. The terms on which mortgages can be taken by individuals, are different in each country, depending on financial regulation by the state; and different financial institutions may also have different policies. Figure 2.5 shows variations across EU Member States: in the Netherlands, Denmark or Sweden for example, most homeowners have loans or mortgages attached to their properties.

Fernandez & Aalbers (2016) differentiated between four country types ('trajectories'), based on homeownership rates and mortgage-debt-to-GDP[16] ratios (Table 2.5). They argue that there is a general shift from "regulated mortgage and capital markets, limited cross-border capital flows and a low private-debt-to-GDP-ratio towards higher private debt levels and an increasingly 'liberalized' financial environment"(ibid, p. 72). At the same time, countries differ in starting

16 Mortgage-to-debt ratio is the amount of all mortgage loans taken by households compared to the GDP of the country. This indicator is a common measure of financialization.

points, starting times and different paces, which implies that they move in the same direction, but maintain their essential institutional differences. The four trajectories developed by Fernandez & Aalbers reflect different positions of countries in globalized financial flows, specificities of financial regulations (whether mortgages are available, to whom and to what cost), as well as historical paths of the housing market (such as the share of homeownership). Trajectory I includes the United Kingdom, Iceland, Ireland, and Spain with high levels of homeownership, a high to very high mortgage-to-GDP ratio, as well as large cross-border capital flows. Iceland, Ireland and Spain have learnt a very hard lesson from their growth strategy based on the increase of private debt, as they were confronted with a large overcapacity of residential real estate following the housing boom between the mid-1990s and 2007. Trajectory II includes the Netherlands and Denmark. These countries combine moderate homeownership levels with very high mortgage-to-GDP levels. According to Fernandez & Aalbers (2016) the high level of debt as a percentage of GDP and extremely high cross-border capital flows are indications that these countries have reached the limits in terms of housing-based financialization. Trajectory III includes most Southern as well as Central and Eastern European countries with low private debt levels and cross-border capital flows due to a large stock of mortgage-free residential real estate. Countries in trajectory IV, including Germany, Switzerland, Austria and France are characterised by very low to medium homeownership rates, low mortgage-debt-to-GDP levels (due to strict conditions for mortgages), and very low price-to-income levels.

Table 2.5: Diversified European trajectories of financialization of housing

		Share of homeownership on the housing market	
		High	**Moderate to low**
Mortgage-debt-to-GDP ratios	High	**I:** UK, Ireland, Iceland	**II:** Netherlands, Denmark
	Moderate to low	**III:** Central and Eastern European countries, Southern European countries	**IV:** Germany, Switzerland, Austria, France

Adapted from Fernandez & Aalbers (2016).

Before the 2008 crisis, national regulations and banks' policies made it possible for lower-income households to get a loan in most EU member states. Loans denominated in foreign currencies, such as the Euro, Swiss Francs or the Japanese

Yen were highly problematic in many Eastern European countries after the 2008 crisis. Foreign currency mortgages were offered because of lower interest rates compared to domestic currencies, but the risk of changing exchange rates was taken by the borrowing households. Monthly loan payments skyrocketed because of the devaluation of national currencies compared to the currency of the loan after 2008 (Pellandini-Simányi & Vargha, 2018; Bródy & Pósfai, 2020).

Financialization of homeownership via mortgages has recently led to various new financial products and financial institutions. In the remainder of this section we will consider two of them in detail: securitization processes and the growing role of debt collecting companies.

Securitization of mortgages was a key process driving the 2008 financial crisis. The financial system was based on household debt and mortgages. Financial institutions issued mortgage-based securities to finance excessive lending. By introducing new financial products, banks were able to repackage and pass over bad loans to other banks and investors, shifting the risk to them, establishing a secondary market of these financial products and hiding which assets (homes) are behind them (Lavoie, 2012). As the crisis hit, most of the consequences were pushed to the population – either in the form of losing a home because of foreclosure or bailing out financial institutions with taxpayers' money. Policies protected rent-seeking financial institutions, investors and construction companies by passing the risk on to homeowners, therefore extending the precarity of poorer homeowners.

Banks and other financial institutions were overwhelmed with non-performing loans after the 2008 crisis. National and Eurozone regulations strengthened, decreasing risk stemming from mortgage lending. Several banks in several countries reacted with getting rid of non-performing loans, selling these to **debt collector companies**. These institutions, partly international giants (like the Swedish Intrum), partly smaller national or regional ones, bought large packages of non-performing loans from banks and tried to make revenues by either negotiating with the households about repayment or starting the legal enforcement process. Particularly in Southern and Eastern Europe this process led to many households losing their homes, especially among vulnerable, precarious groups of the population (Bródy & Pósfai, 2020).

Chapter 2.4.3 – The state

As it may have become clear from previous sections, the state has an important regulatory function in housing financialization – not only through regulating how and to which extent housing might become financialized, but also more generally, through regulating property relations and offering non-commodified forms of housing.

The state plays these roles on different geographical scales. In some cases, local municipalities drive financialization processes (for example via changing land use regulations or local tax regimes which attract investors into financialized housing provision). In other cases, regional or federal state actors have important duties in housing financialization. Nation-states are crucial players (by constructing a national framework of both housing and financial regulations), and supranational actors (such as the European Union, the Eurozone or international development banks) play a regulatory and policy role as well.

As only commodified housing can be financialized, a state decommodifying housing provision (for example by building social housing) is acting against financialization processes, whereas a state and government selling social housing or liberalising financial markets is fuelling housing financialization processes. Many states operate like companies under the current neoliberal financialized policy regime (Aalbers, 2017). Within this process, even social housing provision can become a form of investment, as the state prioritises the profit aspect over housing as a basic social need (Bayliss, Fine & Robertson, 2016). Section 2.4.4 provides an example of this. In other instances, the nation state is an intermediary between households' housing provision and international finance: national housing programmes are often financed from state debts. The state can also be a significant landowner, therefore, by selling or profiteering on land or land use, financialization and commodification of housing can proceed (for the UK case see Christophers, 2018).

Financial regulations define which financial products might be available for whom in the realm of housing. For example: Are mortgages allowed or not? What are the specific rules under which a bank or other financial institution can lend money to households for housing purposes, and for companies for construction activities or property development? Which forms of housing does the state

subsidise and to what extent (e.g. housing associations, housing cooperatives)? Supply- and demand-side interventions into the housing market can also have a decisive impact on the extent and characteristics of housing financialization. These aspects can change over time in individual countries (Topal et al., 2019).

In order to understand financialization of housing we need to look at the role of the state beyond housing. For example, social changes towards precariousness within society have detrimental effects on how precarious groups find adequate and affordable housing (see Chapter 1). Therefore, their position in the labour market, for example, directly influences how and where they live.

Chapter 2.4.4 – Social housing providers

The two main types of social housing providers in Europe are municipalities and non-profit organisations, like housing associations (Scanlon et al., 215). Germany and Spain are exceptions to this rule as most social housing is provided by private landlords (Germany) or in the form of subsidised owner occupation (Spain). In some countries, such as Denmark, all housing is provided by housing associations, while in other countries (for example, Czech Republic) all social housing is owned by municipalities. Most countries have a mix of both types of owners, but the composition of this mix varies widely between countries. In recent years, many countries have seen a housing stock transfer from municipal housing to housing associations. Critical commentators argue that this is a neoliberal policy that sees control through the state as an anathema to individual freedom and believes that private providers can be more efficient and more responsive to their 'consumers' (Smyth, 2013).

Within Europe a distinction can be made between 'dual' and 'unitary' rental markets (Kemeny, 1981; Elsinga, 2020). In **dual markets**, there is a strong division between an unregulated private rental sector and a small state-governed social housing sector. The latter is strongly regulated and is targeted at low-income households. In **unitary rental markets** (e.g., Sweden, Denmark, Germany, Austria and The Netherlands) private and social housing providers operate in a common rental market. The social housing stock has a higher quality than in dual systems and is also accessible for more income categories. That is also the reason that Sweden uses the term public housing instead of social housing for its non-profit rental sector. A comparison between Western European housing regimes reveals that low-to-moderate-income groups are better off in countries with a unitary market, in terms of both housing quality and affordability (DeWilde, 2017). However, the trend towards commodification has not bypassed the countries with a unitary

rental market. For instance, in Sweden and Denmark rental market regulation has declined, while the social rental market in the Netherlands is shrinking (DeWilde, 2021). The Netherlands still has the largest social rented sector, in relative terms, in Europe. In the e-module we explain how financialization has had a damaging effect on the Dutch social sector.

Chapter 2.4.5 – Institutional investors (Gertjan Wijburg)

Institutional investors of different types (asset management companies, pension funds, insurance companies etc.) are increasingly interested in investments into real estate, including housing. As real estate prices increased in the past years across Europe, and housing is a secure asset class compared to others, financial capital has increasingly sought investment opportunities into housing. These processes were also driven by government decisions, including the privatisation of pensions which led to aggressive profit-seeking investment politics of private or public pension funds. These processes are illustrated with the case of the private rental sector of Germany.

Germany did not experience a debt-fuelled housing boom during the mid-2000s (Andrews et al., 2011). For that reason, it is sometimes believed that the German housing system operates largely outside the domain of financialized capitalism. Nevertheless, Germany has become well-known for what Wijburg and Aalbers (2017) have called the 'alternative financialization of housing'. Rather than capitalizing on housing indirectly through mortgages and other financial innovations (Gotham, 2009), financial market actors have acquired large (formerly subsidized) housing portfolios directly from public authorities, municipalities and private corporations (Heeg, 2013). They actively manage these portfolios as 'cash cows', among others, by increasing rents, optimizing management structures, reducing costs and selling individual housing units at market prices (Kofner, 2012). The sale of Berlin-owned GSW has become exemplary for the evolution of German-style housing financialization. First sold in 2004 to private equity firm Cerberus (Holm, 2010), the housing portfolio of 66,700 units became part of Deutsche Wohnen in 2014 – a listed real estate company which trades publicly and holds a long-term, rather than a speculative investment strategy (Wijburg et al. 2018). However, it is one of the many examples of approximately more than 900,000 housing units sold to financial market actors.

The German Ruhr area, long perceived as a post-industrial area of decline, has become part of Germany's heartland of listed real estate activity in recent years. In accordance with Byrne's (2016) 'asset price urbanism', Wijburg et al. (2018) capture the ways in which urban housing, land and space are shaped and reshaped by listed real estate companies as 'listed urbanism.' Listed urbanism refers to how these stock market entities and their shareholders transform urban space-making in ways that optimize the production and collection of rent. More structurally, it refers to how a rentier structure emerges which enables the extraction of local rents to the benefit of international capital markets and their global beneficiaries (Wijburg et al. 2018).

Precarious housing and the financialization of poverty

Institutional investors in Germany also own a few under-maintained properties, which are formally extracted from the private rental market (Wijburg et al., 2018). In Germany, such properties are called 'junk real estate', or in German *Schrottimmobilien*. Landlords no longer invest in them, speculating that they will demolish the properties later, sell the land, or develop new residential properties to exploit rent gaps in the existing area. For the time being, such properties are rented out below market value, often to precarious households (Wijburg, 2018). Bernt et al. (2017) have shown that private landlords receive public subsidies for housing unemployed workers, refugees and other immigrants, thus discounting the costs of providing housing below market value. Although it is meant as a temporary solution, housing shortage and permanent unemployment make it difficult to lift these households from such tenant positions (Wijburg, 2018). Local examples from Essen (see Figure 2.6) illustrate how this 'financialization of poverty' affects the urban landscape. The owners of both properties shown in the pictures below are unknown. Both give an impression of what type of properties are rented out by listed real estate companies. The example on the right received local media attention for the mess that some of its tenants left on the streets.

Figure 2.6: Under-maintained property rented out near Essen's railway station (left), and another one in Old Essen (right).

Source: photos courtesy of Gertjan Wijburg (2016).

Chapter 2.4.6 – Short-term rental platforms (Christian Smigiel)

Many European cities are experiencing a rapid and intense growth of short-term rentals, Airbnb being one of the most widely debated actors (Srnicek, 2017). Critical research has revealed the negative impact of short-term rentals on housing markets and local communities (Cócola-Gant & Gago, 2019; Ioannides et al., 2019). Moreover, a growing number of empirically based studies disprove the myth of the sharing economy since commercial providers tend to get the highest revenues and dominate the market in many cities (Grisdale, 2019; Mermet, 2017; Wachsmuth & Weisler, 2018). Local as well as transnational entrepreneurs/investors use short-term rentals primarily for an increasing rent extraction (Cócola-Gant & Gago, 2019; Semi & Tonetta, 2020; Smigiel et al., 2019), thereby also linking these processes to financialization. Nevertheless, there is evidence for a

variation across cities in Europe and within cities (Adamiak, 2018; Kadi et al., 2019; Roelofsen, 2018; Schafer & Braun, 2016; Semi & Tonetta, 2020).

Housing availability is a major concern since short-term rental platforms put pressure on local housing markets. Housing units are withdrawn from the regular (long-term) tenant market and shifted to the short-term rental market (Grisdale, 2019; Gurran & Phibbs, 2017; Mermet, 2017), mostly affecting inner-city areas and historical urban centres as focal areas of tourism (Barron, Kung & Proserpio, 2017).

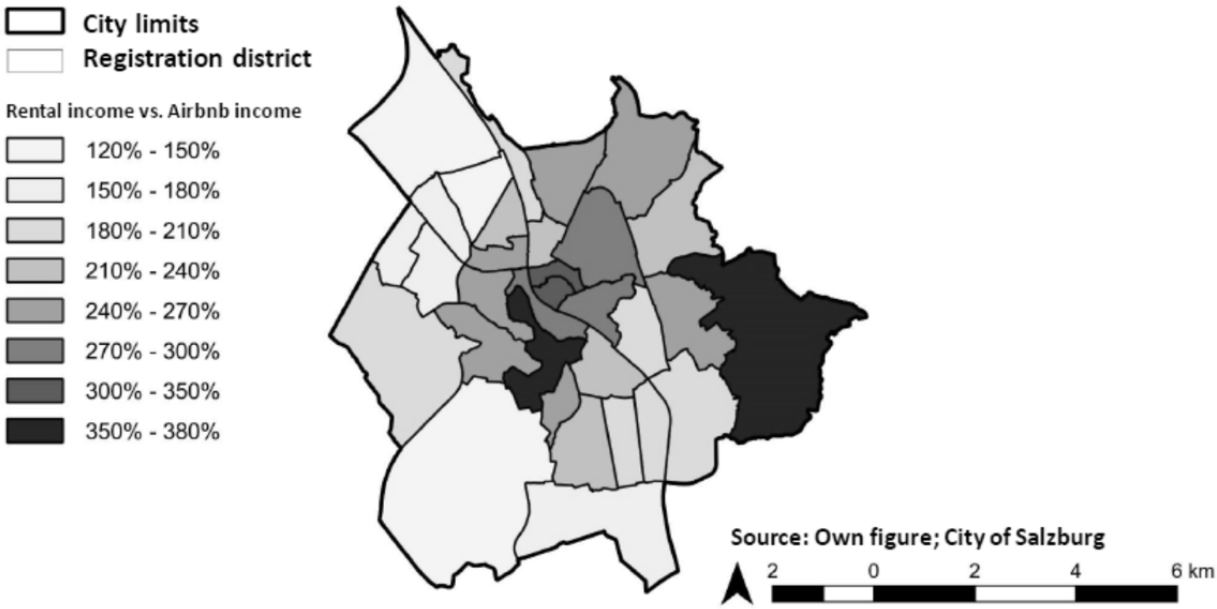
Displacement as a result of short-term rent is another critical outcome which has hit cities in European cities such as Barcelona, Lisbon or Reykjavík (Cócola-Gant, 2016; Mermet, 2017). This includes different forms of direct and indirect displacement, like the removal of long-term residents as well as the loss of daily shopping facilities or places of encounter. In this respect, the urban precariat is particularly vulnerable to the effects of the rise of the financialization of short-term rental. (see Chapter 3 for more details on displacement processes.)

In many cities Airbnb is part of a rapid **touristification** (Sequera & Nofre, 2018). It has fostered the spatial expansion of touristification beyond classic tourist zones towards former residential zones. Finally, Airbnb is becoming an issue for policymakers. While municipalities have welcomed short-term rentals initially, there is a growing concern that Airbnb is disturbing housing affordability (Amsterdam, 2019). There is an intense debate on adequate policy responses which vary from temporal to spatial restrictions (Nieuwland & Van Melik, 2020). Urban policymakers face data problems or struggle to intervene, since short-term rental is often enforced at the EU or national level (Aguilera et al., 2019). Recently the Court of Justice of the EU ruled in favour of Airbnb denying the disruptive nature of short-term rentals on housing markets. The Court followed Airbnb's argument by saying that Airbnb is an information society service, an intermediary, and not a dominant actor of the real estate market, protected by the EU's E-Commerce directive from the year 2000 (Court of Justice of the European Union, 2019). It remains to be seen if European municipalities will be successful in pushing the European Commission for a reform of this outdated EU's E-Commerce directive. To illustrate how short-term rental affects housing processes, the case of Salzburg is discussed below. Additionally, you can read more on the case of Venice in the e-module associated with this chapter.

The case of Salzburg

The city of Salzburg has a long-standing tradition of urban tourism due to its historic centre (a listed UNESCO world heritage site since 1996), festivals (the world-famous Salzburg festival for music and drama since 1920), and other visitor attractions (hometown of Wolfgang Amadeus Mozart and the Oscar-winning movie 'The sound of music'). However, tourist numbers have been rising rapidly especially in the last ten years. In 2018, Salzburg (156,000 inhabitants) registered more than 3 million overnight stays and roughly 7-8 million daily visitors.

Figure 2.7: Rental income vs. Airbnb income in Salzburg



Source: Christian Smigiel

Salzburg has seen a dramatic increase of short-term rentals, reaching more than 1,100 Airbnb listings during the high season in August 2019. Web-scrapings show that 74% of the listings are entire homes, 24% are private rooms and only 2% are shared rooms. Most of the listings are concentrated in the old-town and other inner-city districts. Airbnb hosts in Salzburg are largely local entrepreneurs who have two or more listings, use professional operators to manage their listings and have a profound knowledge of the local housing/Airbnb market.

Commercial hosts know each other and use similar services such as specialized legal advisors. Profit-making is the main motive of Airbnb hosts. Figure 2.7 illustrates this new short-term rent gap, showing the difference between monthly rental income to monthly short-term rental income. In all parts of the city of Salzburg, more money can be made with short-term rentals than with regular rentals. The biggest short-term rent gaps can be found in a few neighbourhoods close to Old Town centre and in the Gaisberg area in the east, which is located outside of the city limits. Gaisberg is a local mountain just a few kilometres from Salzburg's Old Town and a popular tourist destination.

To evaluate the impact of Airbnb on local housing markets, Wachsmuth and Weisler (2018) have developed thresholds that allow us to distinguish between permanent and occasional short-term rentals (60 days booked, 120 days available or only 120 days availability)). Depending on the chosen threshold, 50-80% of Salzburg listings are permanently withdrawn from the regular housing market, since they are booked and listed from between 4 to 8 months per year. Direct and indirect forms of gentrification occur as well. This includes displacement pressure in residential zones outside of the classical tourist hotspots as well as new economic barriers for lower and middle-income groups to enter an already tight housing market.

Chapter 2.4.7 – Housing movements

One of the central questions in housing financialization, both from a research and a policy perspective is whether financialization can lead to affordable housing. Although many international organizations, governments, and policy-advisors suggest that new financial products will provide more and better-quality homes for the lower and middle classes, it is rarely the case in practice. For the most part, financialization processes in housing lead to commodification, larger exposure to profiteering, indebtedness of households (via different financial products, ranging from mortgages to consumer credits to usury), inaccessibility to housing, as well as low-quality housing solutions. Also, policies to include some affordable units in a private sector housing development often lead to cheap and poor 'affordable' flats in marginal and segregated parts of the development.

Therefore, housing movements emerged calling for **definancialization** and **decommodification**, making claims for affordable and accessible housing for precarious households and for wider society. They insist that we need to think of the use value of housing, and not its exchange value, and to focus on a house as a home, rather than an investment (Madden & Marcuse 2016; see Chapter 1).

Political changes in this direction are present in different realms of the housing sector. In most cases, people in precarious forms of housing (including homeless people or indebted homeowners) are active in these movements. One example from the United Kingdom illuminates some foci of these struggles for affordable housing via decommodification and definancialization (Box 2.6). Further initiatives of alternatives to financialization are discussed in Chapter 3 and further examples of housing rights' movements are discussed in Chapter 7.

Box 2.6: The Greater Manchester Housing Action

Greater Manchester Housing Action was founded in 2015 and is a key actor in the housing movement in the city. In the context of UK devolution processes in which city-regions gained new powers in their territories (Hodson et al., 2020), including housing development, the organization is fighting for the 'right to housing' in the Greater Manchester area. Property-led urban regeneration and urban growth has been typical in the past decades of urban development and spatial planning in Manchester (Hodson et al., 2020). In this context, the Greater Manchester Housing Action focus on the need for affordable housing and the availability of housing in general. They outline community-led alternatives (co-housing, cooperatives, and community land trusts) for combating financialization processes in the city and make recommendations to important stakeholders in the field of housing (Goulding, 2018). Moreover, they have been pushing the local government to build new council housing, and for the introduction of social rent in inner-city areas (where housing prices are currently very high, because of investors' build-to-rent developments) (Goulding & Silver, 2019).

At a glance

Key points
▪ Different dimensions of housing precariousness show a large variety across the European Union. In terms of housing suitability, there is an improvement in most countries, however, housing affordability has worsened for low-income groups in many EU countries. ▪ Risk of housing precariousness is higher among renters, single people, those who are unemployed, have lower education levels, and a lower income. ▪ Young people are also affected by affordability issues as a result of housing financialization and employment precarity. ▪ Housing financialization is a key process in current European housing processes, with large variations across the continent, depending on which actors are powerful in which sectors of the housing market.
Start thinking
▪ What are the most critical issues of housing precariousness in your locality? ▪ Do you think that providing temporary housing in shipping containers is a good solution to solve the shortage of housing for young people? ▪ Who are the most important actors shaping housing financialization in your country? ▪ Which actors shaping housing financialization have played a role in your current or previous housing tenure?
Learn more
Have a look at our corresponding e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=65

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Chapter 3 – Eviction & Displacement

Gideon Bolt & Ilse van Liempt

One of the consequences of the affordability crisis on the housing market (see Chapter 2) is the rise of evictions and displacement. Both terms refer to situations in which people have to leave their homes based on external conditions and sometimes by force. Such situations often remain invisible to the public and have rarely been studied in detail. This chapter starts by exploring the meaning of evictions and displacement (section 3.1), then looks at the links between displacement and gentrification (section 3.2). Section 3.3 then offers an overview of the rate of evictions in the EU, as well as the main factors that increase the risks of evictions. This is followed by consideration of the negative consequences for adults and children in households that have to go through an eviction process (section 3.4). In section 3.5 we shift the focus to the process of evicting and the institutions that play a role in carrying out evictions. Finally, we focus on policies (section 3.6) and collective actions (section 3.7) designed to prevent evictions.

Chapter 3.1 – The meaning of eviction and displacement

One of the consequences of the affordability crisis on the housing market (see Chapter 2) is the rise of evictions and displacement. Displacement occurs when a household is forced to move from its residence by conditions which affect the dwelling or its immediate surroundings. An eviction is a specific form of displacement, which refers to the removal of a tenant from rental property by the landlord through legal action or to the removal of persons from premises that were foreclosed by a mortgage. In contrast to displacement, an eviction is, by definition, an involuntary move. However, the distinction between voluntary and

involuntary moves is not always so easy to make in practice and a realistic perspective on the phenomenon must consider the full range of different ways that tenants are forced to move out (Hartman and Robinson 2003). Indeed, statistics on evictions paint only a partial picture of the number of involuntary moves. Considering the legal process related to evictions, tenants may decide to give up the battle and move out at many different stages during the process, as they could experience it as too intimidating or too expensive. The situation is often uneven, too, as many tenants do not have lawyers, but landlords do (Hartman and Robinson 2003).

While the stories of millions of people being evicted from their homes in the USA have long dominated the media, the number has also increased dramatically in Europe. There is an increase of what in the literature has been called a 'housing precariat' who can no longer afford their houses (Köppe, 2017). This **'housing precariat'** consists predominantly of women, families with children, the young, and lower income households (Köppe, 2017). These groups are at constant threat of losing their house predominantly because of financial reasons. The aftermath of the Covid-19 crisis might lead to more economic hardship and precarity among renters and homeowners, thereby increasing risks of eviction and displacement.

Eviction and displacement remain understudied aspects of the lives of the urban poor (Purser, 2016)[17]. It is a phenomenon that remains largely invisible to the general public, such that some authors call it the 'hidden housing problem' (Hartman and Robinson 2003). We will shed some light on these issues in the following parts of this chapter, starting with the links between displacement and gentrification.

Chapter 3.2 – Gentrification and displacement

Gentrification is the replacement of lower income groups with a higher income population. The term was coined by Ruth Glass (1964) who described the process of gentrification in London as the influx of middle-class people displacing

17 A fruitful attempt to diminish the knowledge gap is the European Union's European Research Council (ERC) project "The Impact of the International Right to Housing on National Legal Discourse: Using Data Science Techniques to Analyse Eviction Litigation (EVICT)". See: https://www.eviction.eu/

working-class residents in urban neighbourhoods. Although gentrification was a new word in 1964, the process has been described in much older writings. For instance, Friedrich Engels wrote in 1872 of how Parisian workers were forced to move out of the city centre to the margins of the city as a result of speculation in the real estate market:

> "The result is that the workers are forced out of the centre of the towns towards the outskirts; that workers' dwellings, and small dwellings in general, become rare and expensive and often altogether unobtainable, for under these circumstances the building industry, which is offered a much better field for speculation by more expensive dwelling houses, builds workers' dwellings only by way of exception"(Engels, 1975 [1872], p. 18).

Most emphasis in the gentrification literature is put on how areas are changing as a result of population change and not so much on what happens to the residents who are pushed out as a result. Peter Marcuse (2010, p. 147), who works in the political economy tradition of Marx and Engels, takes distance from that by arguing: "If the pain of displacement is not a central component of what we are dealing with in studying gentrification—indeed, is not what brings us to the subject in the first place— we are not just missing one factor in a multi-factorial equation; we are missing the central point that needs to be addressed".

Marcuse (1985) identified four types of **displacement**, the first two of which are forms of direct displacement, while the latter two are forms of indirect displacement. These are:

1. **Direct last-resident displacement:** this can be physical (e.g. when landlords cut off the heat in a building, forcing the occupants to move out) or economic (e.g. a rent increase that makes housing unaffordable for particular groups).
2. **Direct chain displacement:** this looks beyond standard 'last-resident' counting to include previous households that 'may have been forced to move at an earlier stage in the physical decline of the building or an earlier rent increase' (ibid, p. 206).
3. **Exclusionary displacement:** this refers to residents who cannot access housing as it has already been gentrified or abandoned: 'When one household vacates a housing unit voluntarily and that unit is then gentrified or abandoned so that another similar household is prevented from moving

in, the number of units available to the second household in that housing market is reduced. The second household, therefore, is excluded from living where it would otherwise have lived.' (ibid, p. 206)

4. **Displacement pressure:** this refers to the dispossession suffered by poor and working-class families during the transformation of the neighbourhoods where they live. Even if households are not forced to move out, their connection to their neighbourhood is disrupted. Relevant social ties may have moved out and are replaced with a population with a different lifestyle. Shops and other facilities that people are familiar with disappear and are replaced with services that are more geared to the new residents and residents may experience a different treatment by police and other authorities. This is what Elliott-Cooper et al. (2020) refer to as the process of 'un-homing', severing the links between residents and the communities to which they belong.

Early debates in the gentrification literature revolved around the question of whether demand-driven or supply-driven processes play a dominant role. Scholars focusing on the demand side point to the role of consumer preferences. They argue that the emergence of a new middle class or creative class, linked to the growth of cultural industries and producer service jobs, has created more demand for vibrant neighbourhoods close to inner cities (Ley, 1996). Scholars stressing the supply side focus on actors like landowners, real estate owners, investors and real estate agents. The Marxist geographer Neil Smith introduced the concept of the rent gap, which he defined as "…the disparity between the potential ground rent level and the actual ground rent capitalized under the present land use" (Smith, 1979, p. 545). The capitalized ground rent can be defined as "the actual economic return from the rights to use the land that is captured by the owners given the present land use" (Slater, 2015, p. 120). In the course of time, the value of a house may decline due to ageing and deterioration. Moreover, even if neighbourhoods remain in good condition through investments in maintenance, they will have more and more trouble over time competing with new neighbourhoods that are usually added to the market at the top of the quality and price hierarchy and are more geared to contemporary housing preferences. The potential ground rent is the rent that might be gleaned under a 'higher and better' use, which might be brought about through redevelopment and transformations in a

neighbourhood. Gentrification is clearly one means by which the rent gap can be closed, wholly or at least partially.

When the difference between potential ground rent and actual ground widens, it becomes attractive for investors to buy and renovate properties, resulting in an increase in rents and also the value of the property. Smith dissents from the presentation of gentrification in the popular media as well as in scholarly papers as a re-urbanisation process, arguing that "Gentrification is a back to the city movement all right, but of capital rather than people". (Smith, 1979, p. 547).

Most authors acknowledge that supply-driven and demand-driven processes both play a role in gentrification and that the relative influence of these forces will differ between urban contexts and periods (Lees et al., 2013). Hackworth and Smith (2001) proposed a periodisation of gentrification. They argue that the specific dates will vary between different contexts, but that many different places follow common trajectories due to broader political and economic developments. In the first wave (prior to 1973), gentrification was sporadic and mainly restricted to small neighbourhoods in Northeastern USA and Western Europe. As gentrification was seen as a recipe against urban decline it was also partially funded by the state. The second wave (roughly from the end of the 1970s to the end of the 1980s) was characterized by a more laissez-faire approach by the state. At the same time, the process became more geographically spread, covering larger parts of the big cities, but also spreading out to smaller non-global cities. According to Hackworth and Smith (2001) this is also the wave that triggered the most intense political struggles over the displacement of poor residents. While some scholars predicted the end of gentrification after the stock market crash of 1987 and the recession of the early 1990s, a new wave started in the course of the 1990s. According to Hackworth & Smith, 2001, p. 468) this third wave was different from the previous ones in four respects:

1. Gentrification expanded to neighbourhoods further away from the city centre.
2. Effective resistance to gentrification declined, due to the continuous displacement of the working class and the morphing of most militant anti-gentrification groups of the 1980s into housing service providers.[18]

18 For instance, in the 1980s many squats in the Netherlands have gone through a process of legalisation, in which the building becomes owned or rented by the former squatters. In Amsterdam, the city council bought 200 buildings handing them over to housing associations which then made contracts with individual tenants (Pruijt, 2003).

3. Larger property developers became more involved in gentrification processes. While during previous waves they only stepped in after gentrification had already started, they were now increasingly initiating the process.
4. The state is much more involved in the process than during the second wave. Public policy constraints on gentrification were replaced by subsidized private-market transformation of the urban built environment.

Since the publication of Hackworth & Smith (2001), other scholars have identified a fourth (Lees at al., 2013) and a fifth wave (Aalbers, 2019) of gentrification. The fourth wave is specific to the US and entails the consolidation of pro-gentrification policies in combination with an intensified financialization of housing (see Chapter 2 for discussion of these trends). The global financial crisis that started in 2007 paved the way for a bigger role of the financial sector in real estate in European countries, too. Characteristic for this fifth wave is that state support for gentrification (temporarily) slowed down and that the prominent role of the state is supplemented by financial actors. Next to the role of facilitating homeownership through mortgages (as in earlier waves), financial actors play a more direct role in steering the gentrification process as is reflected in the rise of corporate landlords (i.e., landlords backed by international capital markets) and 'sharing economy' letting platforms, like Airbnb (Aalbers, 2019).

In the 20th century, gentrification studies mostly covered the US (mainly New York) and the UK (mainly London). However, gentrification has become a much more global phenomenon and is affecting neighbourhoods in other parts of the world where gentrification was once considered absent or marginal at most. As Box 3.1 explains, it is increasingly international finance that shapes much contemporary gentrification, in this case in Mouraria, Lisbon.

Box 3.1: Displacement in Mouraria, Lisbon

Mouraria neighbourhood is a historical neighbourhood in central Lisbon (Tulumello & Allegretti, 2020). During the years after the global financial crisis (2009-2014), Mouraria was subject to urban regeneration policies, which were driven by neoliberal policy principles. Although the refurbishment of public space and improvement of services for vulnerable populations were part of this policy, most focus was on stimulating entrepreneurship and tourism. In terms of housing, there was an absence of public housing policy. Municipally owned dwellings were sold to boost private investments in the housing stock and regulations for refurbishment were loosened. While the same policies boosted gentrification and displacement in other neighbourhoods, Mouraria initially profited from it. Due to the cooperation between young new residents and long-term residents, Mouraria managed to claim a relatively large part of Lisbon's participatory funds and to steer the money into projects aimed at social cohesion, promoting cultural identity and multiculturalism, innovation centres for improving access to health and employment, and capacity building for local organisations. While Mouraria was relatively successful in halting the local forces pushing gentrification, it lost the battle against displacement when powerful external forces, touristification and financial speculation, became dominant. A series of measures to liberalise the housing market made (international) real estate investments more attractive. Moreover, booming tourism in Portugal led to a huge increase of short-term rentals. Lisbon also attracted an increasing number of European pensioners and international students.

Lisboa - Mouraria 2 by zip 95, licensed under CC BY-NC-SA 2.0

To explain why resistance to displacement[19] was not successful here, Tulumello and Allegretti (2020) discuss three categories of factors capable of halting gentrification (drawing on Ley and Dobson (2008):

(1) **Spatial characteristics**: The Arabic spatial fabric, characterized by a maze of narrow alleys, made the neighbourhood initially less attractive to high-end housing. However, the 'Amouraria real estate development', a gated community built over a green public space, destroyed part of that fabric. Moreover, the same characteristics that make Mouraria less attractive for high end real estate, make it a popular destination for tourists who want to stay in an 'authentic' neighbourhood.
(2) **Social composition and capacity for mobilization**: As explained above, the citizens of Mouraria were able to take advantage of existing policies as they managed to build bridges between the different categories or residents and to mobilize themselves. However, it proved to be much more difficult to organize resistance when external capital became the main driver of neighbourhood change.
(3) **Policy responses to gentrification**: The liberalization of the national housing policy removed barriers for external capital to be invested in Mouraria. Although the municipality occasionally stepped in to defend the interests of residents (to prevent forced evictions or put limitations on new licensing of short-term rentals) these efforts were too limited to curb displacement.

Chapter 3.2.1 – State-led gentrification

Following the work of Hackworth & Smith (2001) understandings of gentrification have evolved. In the 1960s, gentrification was described as a spontaneous process that was initiated by individual owners who decided to invest in houses, but the definition has broadened to involve all processes related to creating affluent space and upward class transformation (Davidson & Lees, 2005; Teernstra, 2015). For example, Teernstra (2015, p. 1462) argues that a new form of gentrification can be referred as **'state-led gentrification'** (see also Davidson, 2008):

19 See also section 3.7 on collective actions against evictions.

> 'One of the ways in which gentrification has mutated is the emergence of state-led gentrification, in which state actors use gentrification as a policy tool to create more expensive housing in (low-income) neighbourhoods […]. Instead of "state-led gentrification", these policies and interventions have also been referred to as "social mixing", "urban restructuring" or "urban renaissance". While the terms in fact refer to similar processes (bringing higher income people into low-income neighbourhoods), the latter are less loaded with a class-based tone. These terms are consequently often favoured by policymakers and scholars who take a less critical or class-based view of the process.'

In many European countries there is a strong involvement of the (local) state in the renewal of housing estates. This renewal is aimed at attracting middle class residents by transforming the tenure structure. The social transformation policies tend to be most radical in neighbourhoods where most dwellings are in the hands of the municipality or housing associations. For example, Van Gent (2010) found in his comparison of four housing estates that in Barcelona (Sant Roc), social transformation was least drastic, as most residents were owner occupiers and therefore had a quite strong bargaining position. They were granted the right to be relocated within the neighbourhood after the demolition of their dwelling. By contrast, in Stockholm (Tensta) a failed attempt was made to change the social composition by the privatisation of part of the housing stock in the late 1990s. Large-scale restructuring was not an option in Stockholm, as the Swedish policy framework does not cover the costs of the demolition of municipal dwellings. In Amsterdam (Bijlmermeer) and Birmingham (Central Estates), where most dwellings were socially rented, the restructuring of the housing stock was much more focused on changing the socio-economic profile of the population.

In the Netherlands, neighbourhoods with a high proportion of social rented dwellings built in the post-war period (1945-1970), and a high proportion of low-income households, are most likely to be targeted for restructuring. While targeting poor neighbourhoods is consistent with a philosophy of creating a greater social mix, it is perhaps surprising that the ethnic composition of a neighbourhood also seems to play a role in the targeting of neighbourhoods. Even when housing stock characteristics and the proportion of low-income households are controlled for, the proportion of members of minority ethnic groups is a strong predictor for the probability of an intervention aimed at replacement of social housing by owner-occupied homes (Permentier et al., 2013). Although changing

the ethnic composition of the neighbourhood is not part of the formal policy, there are many indications that migrant populations are considered a 'problem' and immigrant-dense neighbourhoods have a high chance to be targeted for 'renewal'. A policy maker in Amsterdam, quoted by Van Gent (2010, p. 73-74), argues "*We are diluting problems and by doing so making them more manageable. (...) This means that if you have 80 per cent immigrants (in a neighbourhood) and you lower it to 60 per cent or 40 per cent, the problem will be easier to manage.*"

This 'migrant problematization' and its exclusionary effects is certainly not unique to the Dutch case. For instance, one of the motives for the regeneration of Sant Roc in Barcelona was the policymakers' fear of 'ghettoisation' and the perceived negative consequences of the concentration of immigrants for housing prices in the area (Van Gent, 2010). Similarly, in Montreuil (France) a high proportion of immigrants is considered a 'problem' by local planners as it is allegedly to have had negative impacts on the neighbourhood's reputation (Kipfer, 2016). A planner interviewed by Kipfer (2016, p. 612) argued: "The general environment on Rue de Paris is pretty repulsive; in general it is a built form characteristic of faubourgs [19th century suburbs]; it has always been an immigrant neighbourhood … and today it is the neighbourhood [in Montreuil] with the highest proportion of immigrants; this presents a bad image … it is rather difficult to mix senior managers in suit and tie with immigrants living in a hostel … The existing mix and ethnic concentration is the problem." The high proportion of immigrants is viewed as a barrier to attract real estate investment and middle-class residents. The creation of social mix is based on the paternalistic idea that new residents may exercise the much-needed social control in the area and act as positive role models for the residents that are not forced to relocate. Kipfer's argument is that social housing redevelopment should not only seen in the light of a neoliberalist ideology (aiming to facilitate accumulation and land-rent valorization), but also as a racist (or, in his words, neo-colonial) agenda to fragment the social spaces of non-white residents. He shows that redevelopment has a disproportionate effect on immigrants in France as renewal projects are predominantly located in Zones Urbaines Sensibles which tend to be areas with high concentrations of immigrants and their descendants. According to Kipfer (2016), social mixing is not only racialized in terms of targeting areas of high immigrant population, but also in the practices of the allocation of social housing. His research found that Commissions responsible for housing allocation are biased in their attempts to prevent

the recreation of 'ghettos' or the concentration of 'large families' (a term used as a code for migrants). Despite these trends, the only European country where reducing the number of immigrants is the official goal of state-led-gentrification is Denmark, a case we discuss further in section 3.2.2.

In the Scottish context, the ethnic composition of neighbourhoods is much less of a concern (due to lower migrant numbers), than in France or Denmark. Even here though, housing estates are stigmatised on the basis of population composition. Estates like Craigmillar in Edinburgh (Kallin & Slater, 2014) and Glasgow's East End (Gray & Mooney, 2011) are demonized by media and politicians, because of the concentration of poverty and the pathological effects (like criminality and the culture of poverty) that are believed to result from this concentration. Such territorial stigmatization in British cities is connected to the process of **residualisation**, which can be described as the trend through which the social rented sector gradually becomes the exclusive domain of low-income households. The stimulation of home ownership and a nationwide 'Right-to-Buy' policy[20] has normalised home ownership and delegitimised council housing (Kallin & Slater, 2014). In combination with an allocation policy which located the most deprived tenants to the most deprived estates, it can be argued that in this case it is the state that has created the 'concentrated poverty', which it laments.

In the traditional literature on neighbourhood decline, neighbourhood trajectories are portrayed as a natural, apolitical process. All neighbourhoods are supposed to go through a certain life cycle in which the number and order of the different stages - growth, stability, decline and renewal - is fixed (Van Beckhoven et al., 2009). Although life cycle theories are heavily criticised in academic work, policy documents still present the decline of housing estates as the outcome of "inevitable processes of impersonal quasi-natural forces" (Gray & Mooney, 2011, p.11). Scientific research however suggests almost the opposite. There is nothing natural about neighbourhood decline (Bolt, 2018). The decline of neighbourhoods is the outcome of economic forces and of political decisions (see also Box 3.2 on demolition as an act of violence). The concentration of poor households in housing estates is the result of political choices with regard to (among others) the planning of new neighbourhoods, the prioritization of homeownership, and austerity measures. Even the stigmatization that often goes hand in hand with the social and ethnic transformation of housing estates, is partly produced by state actors.

20 This UK policy gives tenants of council housing, and also tenants from some housing associations, the legal right to buy their house, usually at a large discount. The Right to Buy Scheme does not apply anymore in Scotland (since 2016) and Wales (2019).

The rationale for creating a worse reputation is that it widens the rent gap (thereby increasing opportunities for profit), which facilitates state-led gentrification focused on displacing the poor to make space for the middle-classes (Kallin & Slater, 2014).

State-led gentrification may lead to an upgrading of a neighbourhood, but it does not help the residents of housing estates and it does not reduce the level of segregation within a city as displaced households tend to move to other poor neighbourhoods (Posthumus et al., 2013). Even within the group of displaced households, segregation tendencies can be found. Displaced households in the Netherlands with a relatively high income are less likely to move to a poorer neighbourhood than their counterparts with a low income. Next to that, belonging to a minority ethnic group reduces one's propensity to move to a more affluent neighbourhood as well as the likelihood of moving to a neighbourhood with a lower proportion of minorities. While native Dutch households move to neighbourhoods with a substantially lower proportion of ethnic minorities non-Dutch households move to comparable neighbourhoods in terms of ethnic makeup. In other words, the sorting process amongst displaced households is not different from the sorting process amongst other movers which leads to the overall conclusion that urban restructuring cannot be seen as an effective tool to reduce ethnic and socioeconomic segregation (Bolt & Van Kempen, 2013).

Box 3.2: Demolishing as an act of violence

In 2021, Anne Lacaton and Jean-Philippe Vassal, known in France as 'champions of social housing', won the Pritzker Prize, which can be seen as the architecture's equivalent of the Nobel Prize. In 2004, Lacaton and Vassal, together with architect Frédéric Druot, published the manifesto PLUS, in which they take a stand against the French government's plan to slate a substantial part of the post-war social housing stock to replace them with new dwellings. According to Anne Lacaton "Demolishing is a decision of easiness and short term. It is a waste of many things – a waste of energy, a waste of material, and a waste of history. Moreover, it has a very negative social impact. For us, it is an act of violence" (Wainwright, 2021).

A good example of their approach is the Grand Parc Bordeaux project, in which 3 social housing buildings of 530 dwellings were transformed. All families stayed in their dwelling during the construction works, which implied that there were no interventions on the existing structure, stairs or floors. The energetic performance of the building envelope was highly improved by the addition of winter gardens. These extension of 3.80 meter deep also made the apartments lighter and more spacious. Using prefabricated modules and careful planning, the transformation took just 12-16 days per apartment and the average costs were €65,000, about a third of the cost of demolishing and building anew. Moreover, there was no increase of rent after the transformation.[21]

"Anne Lacaton and Jean-Philippe Vassal: Reinvent: Enchanting the Existing"
Source: Columbia GSAPP is licensed under CC BY 2.0

21 See EUMiesAward for more information: miesarch.com

Although displacement is stressful for most residents, Kleinhans (2019) claims on the basis of a review of Dutch studies that individuals and households that are forced to move as a consequence of urban renewal should not be portrayed as victims. Most households report that they are more satisfied with their new housing and neighbourhood compared to the situation before their forced move. Residents that take most advantage of relocation are those who had moving plans prior to the demolition of their house and who saw forced relocation as an opportunity to move to a better housing situation. Some categories of residents, like single parents and seniors, have a higher risk of losing relevant social ties within the neighbourhood however, but many movers consider social ties with neighbours relatively unimportant. According to Kleinhans (2019, p. 320) displacement as a consequence of urban renewal should thus be seen in a less negative light than displacement in the context of 'pure-market driven gentrification'. A crucial difference with market-driven gentrification is that households who are forced to move in the context of urban renewal have a right to compensation. They are offered an alternative dwelling, get financial compensation for their moving costs, and are often also entitled to receive counselling to ease the challenges of the moving process.

However, the outcome for displaced households depends to a large extent on how the relocation process is organised, as is revealed by comparative research on forced relocation in France and the Netherlands (Posthumus & Lelevrier, 2013). Both countries aim to create a more mixed population in disadvantaged neighbourhoods through urban renewal, but they differ in their relocation policies. In the Netherlands, the predominant allocation policy is choice-based letting. Tenants respond on a weekly or biweekly basis to notifications of all available social housing units of all housing corporations in their municipality for which they meet the eligibility criteria. Tenants who are forced to move due to urban renewal are given precedence over other house-seekers. Depending on the tightness on the social housing market this precedence may be restricted to a certain part of the housing stock (e.g., multifamily housing; see also Kleinhans, 2019). In France, all tenants who live in a building that is slated for demolition have the right to be relocated to another social housing unit that is comparable in size and rent. However, the choice of alternative social housing is much more limited than in the Netherlands. Housing associations in France tend to relocate their tenants within their own housing stock, while Dutch tenants can opt for vacancies within

the total social housing stock in the region. Moreover, tenants in France cannot choose from a list of vacancies, but they have to agree on what is offered to them. As they usually get a maximum of three consecutive proposals the choice is much more limited than for residents in the Netherlands. Interviews with displaced households in both countries confirmed that most Dutch tenants experienced that they had a reasonable number of options to choose from, while most French tenants did not feel to have any choice. This does not necessarily mean that French residents are less satisfied with their new residential environment, as it depends very much on whether they are offered an alternative dwelling in their own neighbourhood or not.

A comparison of the relocation processes in Dutch municipalities (Rotterdam and the Hague) and French municipalities (Bagneux and Orly) revealed that displaced residents were most likely to be dissatisfied when they could not remain in the neighbourhood. In the Dutch cases, this preference could be satisfied due to freedom of choice within the allocation system. In Orly, almost all tenants moved within the neighbourhood as virtually the entire housing stock owned by the housing association was in the same neighbourhood. In Bagneux, the opposite applied as the housing association did hardly have any housing stock in the old neighbourhood after the demolitions. This led to a lot of distress, as is illustrated by the following quote of a displaced mother (Posthumus & Lelevrier, 2013, p. 150):

> "'I wanted to stay in the Tertres. I loved it there, and when I had to move, I just cried. All my children cried because we had lived there for 34 years. The children cut out a piece of the wallpaper to take with us. We didn't want to leave the Tertres, we'd lived there for such a long time. I'm not happy here.'"

The relocation was most problematic for the large polygamous immigrant families in the Tertres building, due to their strong attachment to the neighbourhood. Moreover, their families were often forced to break up, as each wife was offered her own unit after relocation.

Chapter 3.2.2 – Denmark's Anti "ghetto" policy

The term **ghetto** has been prominent in public debates in Europe. The scholarly literature on ghettos (e.g., Marcuse, 1997; Peach, 2009; Walks, 2020), defines a ghetto as an area where, (1) as a consequence of racist forces within the dominant society (2), a particular ethnic or racial population forms (almost) the whole

population and (3) where most members of that particular groups are housed. In this section, we are looking at the Danish policy on ghettos.

Since 2010 Denmark has compiled a "ghetto list" on an annual basis. Since the passing of the "ghetto deal" in Denmark in 2018, an area is characterized as a 'ghetto' when over 50% of the population are immigrants or children of immigrants from non-western origin and when two out of the following four criteria are met:

(1) Over 40% of residents (18-64 years) being without affiliation to the labour market or the education system;
(2) The share of convicted residents is three times as high as the Danish average (from age 15 onwards);
(3) The share of the population (30-59 years) with no education other than primary school is over 60%; and/or
(4) The average income level is less than 55% of the regional income average level.

If two of these criteria are met, but less than 50% of the residents are from non-western origins, the area is categorized as a 'disadvantaged area'. Furthermore, there is also a new third category, 'tough ghetto', which is reserved for the areas that has been on the 'ghetto list' for a number of consecutive years (Olsen, 2019). The criteria to define a ghetto have changed somewhat over time, but the most controversial one, a high proportion of 'non-Western' residents, has always been a key defining characteristic. The Danish definition of a 'ghetto' is at odds with the definition in the scholarly literature as it does not meet even one of the three criteria of a ghetto found in the literature:

(1) The main reasons that immigrants and their descendants are concentrated in disadvantaged areas in Denmark is their lack of economic capital, the availability of vacant units in non-profit housing areas vacant and the tendency of the ethnic majority to avoid these areas (Andersen, 2019). Although discrimination plays a role in the weakening of their housing market position, there is no racist regulation that forces them to live in such areas. On the contrary, a part of the immigrant population will be forced to move out of these areas as a result of government policy.

(2) None of the "ghetto areas" are dominated by a single ethnic group. All areas are characterized by a very diverse population in terms of ethnic background.
(3) An overwhelming majority of non-western residents (94.7%) lives outside the "ghetto areas."[22]

According to Human Right experts at the United Nations "[t]he application of these laws targeting racial, ethnic, and religious minorities is a clear violation of the right of equality before the law and equal treatment before tribunals" (OHCHR, 2020). Since the "ghetto deal" has passed, residents of "ghettos" in Denmark are treated differently to other Danish residents. For example, when children reach the age of one, they are given 25 hours a week of mandatory care (if families do not comply with that family allowances are withdrawn) and pre-school children are required to take language tests[23]. These mandatory instructions in "Danish values" and Danish language for pre-school children are argued to be incompatible with racial equality in the enjoyment of cultural rights by OHCHR (2020). Another problematic outcome of this law is that when a child in a household from a 'ghetto' commits a crime, the whole family can be evicted from their home. Unlike evictions for other reasons, alternative housing is not offered when crime is the reason for eviction. Next to that, sentences for crimes committed in 'ghettos' are twice as high as elsewhere in the country (O'Sullivan, 2020).

One of the most controversial aspects of the Danish 'ghetto deal' is that the share of non-profit family housing stock has to be reduced to 40% by 2030. Non-profit housing associations are required to make a reduction plan together with the municipality in which their housing estate is located. There are four options: 1) sale to private investors, 2) demolition of housing and 3) converting family units into units for the elderly or youth, 4) sale of land to developers to build new units that are not non-profit housing (in-fill)[24]. This plan needs to be approved by the Ministry for Transport, Buildings and Housing and a failure to get this

22 https://headtopics.com/de/why-denmark-is-clamping-down-on-non-western-residents-dw-24-03-2021-19379323

23 All children in Denmark have to take language tests pre-school. But in schools where more than 30% are from an area which has been on the list of deprived areas at least once within the last three years, there are compulsory language tests for all children in grade 0 and for older children with Danish as second language. If they fail these tests (three of four times, with measures to secure improvement between them), they have to attend the year they are in once more and are therefore not allowed to advance to the next grade/year.

24 This differs from the first option as the first option is to sell existing blocks which means that residents will be evicted, whereas the last option 'just' means adding new units and new residents, but leaving less green space.

approval gives the Ministry the power to force a reduction in the original housing stock through forced sale or demolition. Additionally, housing allocation rules are adapted to deny people on social benefits or with a criminal past the opportunity to move into "tough ghettos" (Olsen, 2019). The redevelopment plans of 2019 were estimated to lead to the forced move of 11,000 social housing tenants (O'Sullivan, 2020). One of the targeted housing estates is Mjølnerparken in Copenhagen (see Box 3.3).

Box 3.3: Redevelopment of 'ghetto' Mjølnerparken

Mjølnerparken consists of 500+ apartments spread among four building blocks. To meet the requirements of the government to reduce the public housing stock to 40%, the Mjølnerparken's housing association has decided to sell two blocks to private investors. In response, 12 tenants filed a lawsuit against the Danish government, with support from the Open Society Justice Initiative. This raised the interest of Office of the High Commissioner for Human Rights, the leading UN entity on human rights. Human Right experts of the United Nations urged the Danish government not to "…go ahead with the sale of the buildings of Mjølnerparken under its 'Ghetto package' laws until courts have had a chance to rule on it, taking applicable rules of international human rights law in full account (…) While the legality of the "Ghetto Package" is being litigated in the Danish high court, the sale of Mjølnerparken must not move forward. It does not matter whether they own or rent, all residents should have a degree of security of tenure, which guarantees legal protection against forced eviction, harassment and other threats" (OHCHR 2020). The Court of Appeal of Eastern Denmark ruled on 15 December 2021 that a group of residents is entitled to pursue its lawsuit against the Danish Ministry of Interior and Housing. The ministry had tried to have the case rejected as inadmissible ever since it was filed in May 2020[25].

25 See: Court upholds residents' case against Danish Ministry of Interior and Housing, https://ec.europa.eu/migrant-integration/node/33444_fr

"Mjølnerparken"
Source: Leif Jørgensen, licensed under CC BY-SA 3.0

The "ghetto" policy not only stigmatizes minorities, but also the housing estates in which they live. It is very hard for local housing managers to put forward counter-narratives to the harsh and pervasive 'ghetto' rhetoric in the media and in national politics. Schultz Larsen & Delica (2021) characterize their efforts to destigmatize these areas as 'Sisyphean'[26] labour. Although they acknowledge that area-based initiatives may have positive effects on both neighbourhoods and their residents, they do little to curb the dominant logic of neoliberal urban governance. The unsuccessful efforts of destigmatization

> '…are not unforeseen policy consequences of dealing with a wicked problem but integral to the institutional logics and contemporary political economy of neoliberal urban governance of advanced marginality. In fact, the Sisyphean character of the labor of territorial destigmatization has become a legitimation of the

26 Sisyphus was the king of Ephyra (Corinth) in Greek mythology. After he died, Zeus gave him an eternal punishment for his tricks and hubris. He was forced to push a boulder uphill and each time he nearly reached the top of the hill, the boulder would roll off and Sisyphus had to start all over again.

current radical policy measures of demolition, eviction, gentrification and reprivatization of the stigmatized territories' (Schultz Larsen & Delica, 2021, p. 439).

In 2019, the Liberal-Conservative coalition, which was supported by the far-right Danish People's Party was replaced by a centre-left coalition. The Social Democrat housing minister, Kaare Dybvad, has scrapped the stigmatising term "ghetto". The new term for ghetto is now parallel society, while tough ghettos are renamed as 'restructuring areas'. However, that did not lead to a substantial policy change and the minister has even doubled down on the claim that the number of non-western residents needs to be reduced, arguing that too many non-western foreigners in one area "increases the risk of an emergence of religious and cultural parallel societies" (The Guardian, 17 March 2021). Moreover, the term ghetto has a sticky nature and even public officials tend to use the g-word instead of the new policy terms.

Chapter 3.3 – Evictions in the EU

Chapter 3.3.1 – Prevalence of evictions

The single biggest cause of homelessness in Europe today is loss of tenancy – in other words, an **eviction**. In the UK, an increasing number of these evictions are "no-fault evictions" – meaning the landlord need not give any reason why they are pushing someone out of their home[27]. A study for the Joseph Rowntree Foundation and the Cambridge Centre for Housing and Planning Research found that in 2015 80% of private-sector evictions in England occurred under these 'no-fault' provisions (Clarke et al., 2017)[28]. If the tenant cannot find a new house, he or she risks ending up on the streets. Some temporary accommodation is

27 In the UK (as well as in Spain) the tenant protection is very weak compared to countries like Germany, Belgium and the Netherlands. Countries such as Sweden and France take a middle position in this respect (Vols, 2019).

28 The UK Government has committed to abolish 'no-fault' section 21 evictions in the private rented sector. On 3 March 2021 the Housing Minister, Christopher Pincher, said the Renters' Reform Bill will be brought forward "once the urgencies of responding to the pandemic have passed." Scotland had already abolished no-fault evictions 2017. See: https://commonslibrary.parliament.uk/research-briefings/cbp-8658/ .

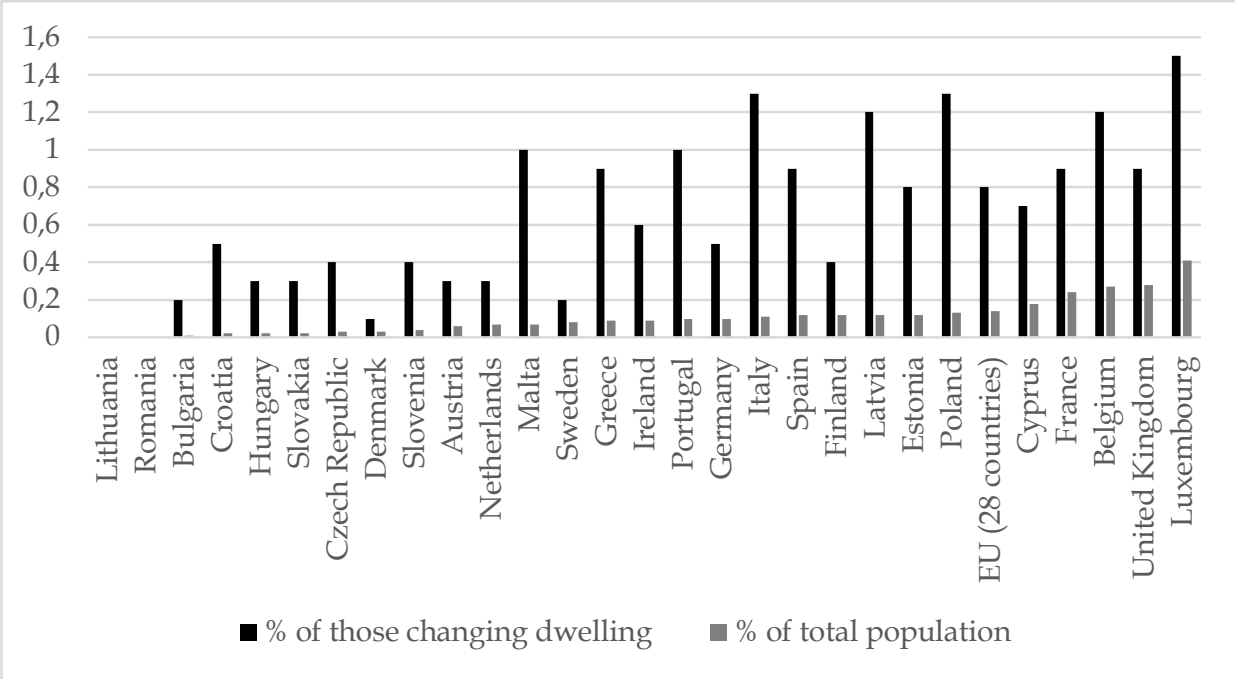
available for those evicted but this type of accommodation varies hugely in quality: a B&B, a hostel, or a room in a budget hotel. In these accommodations families often live in a single room, with siblings sharing a bed, and they may have to share facilities with people they do not know. The wait for a more permanent home can be long.

Eviction is often a traumatic experience associated with loss and dispossession (Desmond, 2016; Lancione, 2017). Some children will spend their formative years living in temporary accommodation and moving constantly. This makes it very difficult to build relationships, to feel safe and secure, to concentrate on schoolwork and more generally to feel at home and confident about where one lives.

The only available overview of EU wide data on **evictions** is given by Kenna et al. (2016), who base their analyses on the EU-SILC housing module in 2012. Unfortunately, more recent EU-SILC surveys do not contain questions on forced moves. Based on this survey it can be estimated that over 700,000 EU residents have been evicted in the five years prior to the survey. That amounts to 0.8% of all people who moved in that period and to 0.14% of the total population. In Luxembourg, the risk of evictions is highest, followed by the UK, Belgium and France. In most Eastern European Member States, the number of evictions is very low (Figure 3.1). This will be related to the high proportion of the population living in owner-occupied housing without any mortgage or loan.

It is, however, important to emphasize that people who have experienced an eviction are likely to be strongly underrepresented in the EU-SILC sample, since the sample was based on households living in 'regular' housing. Persons who moved to temporary accommodation or became homeless after an eviction are not likely to end up in the sample, unless they find a regular dwelling after a very short spell of homelessness. Next to that, respondents could only mention the 'main reason' for the last change of address. That means that people who have been evicted could also have mentioned other events that may have led to an eviction (e.g. rising rents, losing a job, or a divorce).

Figure 3.1: Evictions in the EU (countries sorted by eviction rate)[29]



Source: Adapted from Kenna et al. 2016, p. 49.

Based on a comparison of legal statistics collected from bailiffs, Kenna et al. (2016) conclude that in Finland the actual number of evictions is more than twice that which is reported in the EU-SILC survey. It is not likely that the amount of under-reporting is the same in all countries (For instance, in Denmark the under-reporting of evictions in the survey is even more extreme than in Finland), but it is safe to assume that evicted persons are under-represented in the survey in each Member State, especially those who end up on the streets or in temporary accommodations. To gain insight in the occurrence and geographical patterns of evictions, several eviction mapping projects have been initiated (see the e-module for this chapter for more detail on these projects).

Chapter 3.3.2 – Risk factors

The study of Kenna et al. (2016) not only gives an overview of the prevalence of evictions in the EU, but also of the major risk factors. At the individual level

29 Eviction rate: the percentage of the national population who changed their dwelling during the preceding five years.

the most important risk factors are unemployment, financial instability and household indebtedness. In most evicted households across all EU countries, adults are unemployed and rely on transfer incomes. In most cases, evictions are not due to financial problems alone, but to a complex combination of financial, relational and health factors (Holl et al., 2016). For instance, household breakdown including divorce is strongly increasing the risk of eviction. Individuals with complex support needs, including mental ill-health and substance abuse are also vulnerable to eviction. In Northern Member States they seem to form a larger proportion of the evicted households than in the rest of the EU.

European research on evictions is scarce, but that which does exist finds that single men, migrants, and people between 25 and 45 are in general at higher risk of being evicted within the European Union (Fondation Abbe Pierre & FEANTSA, 2017). Furthermore, there is a significantly higher proportion of evictions among tenants than among property owners (Kenna et al 2016). For the US, the picture is similar, except for a more prominent role of women. Based on an extensive review of studies in the United States, Hartman and Robinson (2003) discovered that people who are being evicted are mainly poor, women and minorities. Matthew Desmond (2016) also found that in Milwaukee black women get disproportionally evicted from their homes. This is not to say that women's right to the city in Europe has not been eroded along gendered lines. Watt's (2018) study with homeless women in London shows that there were three main reasons for approaching the council as homeless, these were family disputes, domestic violence and evictions (Watt 2018). In Europe we do see single parents, especially single mothers, clearly being overrepresented in eviction data, while households consisting of two parents with children are underrepresented (Fondation Abbe Pierre & FEANTSA, 2017, p. 76-77). There is limited data on the effect of citizenship and migration background on eviction risk, but the available research (e.g. in Finland and the Netherlands) shows that foreign-born households have an increased risk of being evicted. Furthermore, qualitative studies have highlighted that Roma groups are also disproportionately vulnerable to evictions (Ciulinaru, 2018; Lancione, 2019).

Next to the individual level, there are also macro level factors that affect the rate of evictions. In times of economic crisis more people have difficulties in paying their rent or mortgage. For instance, in Spain the collapse of the housing bubble (as a consequence of the Global Financial Crisis) led to no less than 415,000 foreclosures between 2008 and 2016. The current Covid-19 crisis also has severe

impacts on the housing market. Many European governments[30] have introduced temporary bans on evictions and expulsions during the Covid-19 crisis (OECD, 2021). Some countries introduced rent moratory or suspension of mortgage payments. This has led to a (temporary) reduction in evictions. For instance, the number of evictions carried out with police force in France was 79% lower in 2020 compared to 2019, while the drop in the UK was 76%.[31] But some countries are now slowly lifting these bans and there is growing concern about what will happen next. Many tenants are worried about not being able to pay rent after losing jobs, and about meeting housing costs when lockdown ends. There are fears all over Europe that without protections, rent payment problems and homelessness will grow increasingly after the unwinding of Covid-19 support programmes (Blakeley, 2021; Owen & Matthiessen, 2021).

Finally, tenure distribution and housing policy also play a role in the rate of evictions. A limited availability of affordable social rental housing leads to an increasing reliance among low-income households on private rented housing characterised by high and rising rent levels. In Spain, Ireland and the United Kingdom, evictions from this sector are the highest among all tenures (Kenna et al., 2016). Furthermore, eviction rates tend to be higher in countries where homeless prevention policies are lacking or poorly implemented (Stenberg et al. 2011). Research in Denmark, Finland and the Netherlands, shows that roughly a quarter of evicted households become homeless at some point after the eviction (Kenna et al. 2016). As evicted households in these countries are more likely to be people with complex support needs than elsewhere, it is not possible to make an EU-wide estimate of the rate of homelessness after eviction. Chapter 6 deals with the occurrence and drivers of homelessness in a much more extensive way.

Chapter 3.4 – Consequences of evictions

Chapter 3.4.1 – The wide-ranging negative effects of eviction

Matthew Desmond's (2016) Pulitzer Prize-winning book, *Evicted: Poverty and Profit in the American City* has been a big boost for academic explorations of the

30 This includes Austria, Belgium, Finland, France, Germany, Hungary, Ireland, Luxembourg, the Netherlands, Portugal, Spain, Switzerland and the United Kingdom (OECD, 2021)

31 See: https://www.oecd.org/els/family/HC3-3-Evictions.pdf

causes and consequences of evictions. Based on intensive ethnographic data collection in the trailer parks and informal settlements of Milwaukee, the book follows eight families swept up in the process of eviction. The main message of his book is that evictions have long-term negative consequences as they push people deeper into poverty:

> 'Losing your home and possessions and often your job; being stamped with an eviction record and denied government housing assistance; relocating to degrading housing in poor and dangerous neighbourhoods; and suffering from increased material hardship, homelessness, depression, and illness – this is eviction's fallout. Eviction does not simply drop families into a dark alley, a trying yet relatively brief detour on life's journey. It fundamentally redirects their way, casting them onto a different, and much more difficult path. Eviction is a cause, not just a condition, of poverty' (Desmond, 2016, p. 299).

One of the reasons that evictions are a cause of poverty, is that working adults in evicted households are at an elevated risk of losing their job. That can be due to the psychological stress of the eviction process having a negative effect on people's work performance. Furthermore, some evicted households are forced to move to residential areas that are too far away from their jobs. It is perhaps not surprising that some evicted persons resort to destructive survival strategies, like committing crimes (Alm & Bäckman, 2020).

The psychological toll of evictions is reflected in the increased occurrence of depression and suicides (see also Box 3.4). The review study of Vásquez-Vera, based on 47 articles (mainly from the US) shows overwhelming evidence of the negative effects of the threat of eviction on mental (e.g. depression, anxiety, psychological distress, and suicides) and physical (poor self-reported health, high blood pressure, and child maltreatment) health outcomes. There are also indications that the threat of eviction increases the likelihood of developing unhealthy behaviours (like unhealthy eating, smoking and drinking), but the evidence for that is less solid. The qualitative evidence reveals that exposure to eviction threat is often experienced by individuals as a personal failure, which leads to feelings of embarrassment, social isolation and less self-efficacy. These are risks for the development of anxiety and depression which can even lead to suicide.

Fowler et al. (2015) found that between 2005 and 2010 suicide attributed to evictions and foreclosures doubled. A Swedish study showed that those who had lost their legal right to their dwellings and for whom the landlord had applied

for the eviction to be executed were four times more likely to commit suicide than those who had not been exposed to this experience (Rojas & Stenberg, 2016). It is not uncommon that eviction enforcements are cancelled even after a judicial decision has been made, and many suicides took place before the eviction, which indicates that the threat of an eviction can become unbearable. Rojas & Stenberg (2016, p. 411) conclude: 'Given that an eviction is the final step in a conflict between a landlord and a tenant, which is grounded on an asymmetric power relation between the two (in which the landlord has the upper hand), it is not difficult to envisage eviction from a suicidogenic perspective as a traumatic rejection, that is, as an exquisitely shameful experience in which one's most basic human needs are denied.'

Box 3.4: The pain of evictions

The negative effect of residential instability on psychological stability can be illustrated by the following quotes of interviewees in Watt's study on evictions in London.

"I thought I can't manage it, it's like killing me. This moving and not knowing, I mean, you know there are two things here. As a foreigner, as a person who's not accepted in her own country, you know I felt like an alien here. And this pain of moving, moving, moving, not knowing even your bedroom, something that you feel is yours. Something that you can think, 'this much I have, this much is mine'. And I thought that I need to do something different."

"It was very stressful and very frightening. I still, up until today, dream about being evicted from Barnet Homes. It's not over because although I have moved, there is always this worry, what are they going to do next? I was pushed into a flexible tenancy and I'm not happy. I'm very insecure about the tenancy."

The places evicted households end up in are often poorer than the places they have to leave. They are forced to accept substandard housing conditions, due to their precarious financial situation and specifically in the American context there is also the issue that they are often not eligible for public housing because of their record of unpaid debts. The residential instability caused by evictions has negative consequences for the communities that are left behind too. It takes time to build trust and social cohesion in neighbourhoods. Communities with a high

turnover rate are less successful in their capacity to discourage crime and encourage civic engagement (Sampson et al., 1997).

Chapter 3.4.2 – Focus on children and adolescents

There is lack of research into the effects of eviction on children, but they are likely to pay an even higher price than adults. As we have seen above, evicted families often end up in poor and unsafe neighbourhoods. Growing up in precarious housing circumstances does not only have short-term consequences (like a poorer school performance), but also long-term consequences. Adults who spent their childhood in poor and unsafe neighbourhoods have significantly lower incomes than others (Chetty & Hendren, 2018). The consequences are probably even more severe for those children that are placed out-of-home. Children who do not grow up with their parents have, as adults, increased risks of homelessness, low educational attainment and unemployment. A study in Sweden found that among evicted children, 3.6% are placed in out-of-home care (within a two-year period after the eviction), compared to only 0.3% of non-evicted children. That means that the risk for evicted children is twelve times higher. Of course, it needs to be taken into account that parents who are evicted are likely to have characteristics, like their socioeconomic position, that lead to a higher likelihood of out-of-the home placement in comparison to the general population. Yet, even after controlling for these factors, the risk of placement in out-of-home care was twice as high for evicted children.

Fortunately, most children stay with their parent(s) after an eviction, but these children are likely to be impacted due to the parenting stress that is triggered by the process of eviction and its aftermath. At least two years after their eviction, mothers still experienced significantly higher rates of depression than their peers, which has a negative effect on the socio-emotional development of their children (Desmond & Kimbro, 2015). A study on health effects of housing evictions on adolescents also found long term negative effects on general health and mental health, although the effect was weaker for those who had gone through the eviction process longer ago (Hatch & Yun, 2020).

Chapter 3.5 – The political economy around evictions

Chapter 3.5.1 – Debtfarism

Neo-Marxist researchers (e.g. Baker, 2020; Cooper & Paton, 2019; Soederberg, 2018) argue that evictions should be understood in the broader context of the

political economy of capitalist development, as part of the financialization process as discussed in Chapter 2. According to Cooper & Paton (2019), housing financialization not only involves the transfer of debt from the private to the public, but also to the transfer of debt and risk to the household level.

Central concepts for these neo-Marxist scholars are **primitive accumulation** and **accumulation by dispossession**. Primitive accumulation refers to forms of enclosure and eviction that produce a landless proletariat, a social class of people who have no property of substance and whose labour is the only thing they can sell (Harvey, 2009). In this process, expropriation and eviction leads to the migration of dispossessed people to cities to became labourers. In the process of primitive accumulation, eviction should be seen as the foundational act, not the result, of the capitalist system (Baker, 2020). Accumulation by dispossession is characteristic for neoliberal capitalist policies that result in a centralization of wealth and power in the hands of a few by dispossessing the public and private entities of their wealth, land or house. Accumulation by dispossession can be seen as a secondary process recurring throughout the capitalist cycle, rather than at the point of inception (Baker, 2020).

Cooper & Paton (2019) argue that the profit that is produced through repossession and extraction of debt from low-income people and places, can be described as a special form of dispossession. They propose the term "accumulation by repossession" to "…describe how profit is not only to be generated through land rent and marketization but that these very sites of capital accumulation increase poverty and evictions. This is, in turn, capitalized upon by the debt recovery and enforcement industry."

In line with that idea is Desmond's assertion that poverty is not just a product of low incomes, but also the product of extractive markets (Desmond, 2016, p. 305). A player that assumed an increasing role in the exploitation of poverty and the rise of evictions is the debt industry. Soederberg (2014, p. 1) uses the term **debtfarism** to describe the "increasing reliance of the working poor on expensive forms of privately created money (what is conventionally termed as 'consumer credit')". Central to the rise of debtfarism is the encouragement of the reliance on credit to augment and/or replace the living wage or government benefit cheque. A clear example of the effect that cutting welfare benefits has on debt is the introduction of the controversial "bedroom tax" in the UK. Since 2013, social housing tenants who have a spare bedroom have had their housing benefit reduced by

14%. For tenants with two or more spare bedrooms the reduction amounts to 25%. This policy has impacted 500,000 tenants, many of which have fallen into rent arrears as a result (Cooper & Paton, 2019).

For people living close to the poverty line, consumer credit is the short-term solution to be able to afford the rising housing costs and other consumer goods when real wages are stagnating or declining and welfare benefits are cut. In the long run, it puts people even further in poverty. We will now turn to the eviction industry, which manages to draw profits from the debts of people living in poverty.

Chapter 3.5.2 – The eviction industry

There are a variety of public institutions and private companies involved in the evicting process. In this section, we focus on two of these professions: bailiffs and judges and we draw on examples from the UK. It is noteworthy though that the processes of eviction and the actors involved differ substantially from country to country.

Bailiffs

Bailiffs in possession of a writ are the only persons who are legally allowed to access dwellings to conduct evictions. In England and Wales there are two types of bailiffs. County court bailiffs are civil servants, based in the County Courts. High Court Enforcement Officers (HCEOs) are private individuals appointed by a court. HCEOs can take on cases that are transferred from County Courts to the High Court and they charge a fee for enforcement services from the landlord. The profits in debt recovery companies are growing very fast in these times of austerity (Cooper & Paton, 2019). Whilst private companies figure prominently in this industry, Baker (2017) focuses on country court bailiffs as they handle most cases in England and Wales. In this context, three aspects of eviction practices are striking:

(1) **Eviction routine:** Bailiffs only receive a very short formal training (5 days) with a refreshing course once a year. That means that they must learn on the job how to conduct evictions. The bailiffs would not be attached to the same districts of their city for a long time. The philosophy is that the rotation system prevents them from getting 'comfortable' and bored but is also believed to increase the efficiency of debt collections. The downside

of this system is that it prevents bailiffs from getting a deeper knowledge of different areas of the city, which leads to a reproduction of stigmas that are attached to the 'tough' areas in the city.

(1) **Affective micro-management:** In the coaching of bailiffs much emphasis is put on being able to 'talk' and use body language in such a way that tensions during the eviction process are reduced. For obvious reason, tenants can be very emotional, and bailiffs are expected to use their intuition to test the emotional disposition of the tenant and to manage their own emotions to prevent escalation. Bailiffs who do not have control of their emotions and express bias against certain groups (e.g., women or ethnic minorities) are being 'phased out'.

(2) **Risk assessment:** Prior to an eviction, a risk assessment needs to be made. Risk may vary from unintentional dangers (for instance, asbestos) to outright forms of non-cooperation and violence, as well as verbal abuse. Risks are usually indicated by the landlord and the bailiff teams act on this information, by requesting the presence at the eviction of necessary agencies (e.g., the Fire service, NHS Mental Health services, animal handlers, or social care workers). Social movements against eviction, such as squatter groups, make eviction much more complicated and, in some cases, this leads to what Baker (2017) calls "public policing 'events' in their own right". An interviewed bailiff expressed the sentiment that there has been an increase in risk in recent years, which has also altered the occupational culture: "I've been here 6 years—How has it changed over time? I think we're more risk aware, we're much less … I think when I first joined, a lot of ex-police officers were bailiffs and they were very … a lot of bravado—'Oh, we don't need help, I'll do this, I'll do that I don't care I'll take on the world.' I think now we realise the world's changing; it's becoming more dangerous out there, people are becoming more desperate, and we realise, that we know we can't operate by ourselves."

Judges

Court hearings on evictions tend to be very short. According to research on County Courts in the UK, it is not unusual that 60 cases are decided in three hours (Hunter et al., 2008), meaning there are only three minutes for each case. Most tenants do not show up for their case, but if they turn up, some more time will be spent. That leaves even less time for the remaining cases. This fits very well in

Desmond's characterization of the American civil court as an "eviction assembly line: stamp stamp stamp". That does not mean possession is automatically awarded to the landlord. In the UK less than one third of all repossession proceedings make it through to the final enforcement (Baker, 2017). Interviews with district judges conducted by Cowan and Hitchings (2007) have shown how judges have incorporated neoliberal notions on the urban poor in their decisions. They make a division between 'deserving' and 'undeserving' poor and emphasize the individual responsibility for getting into problems of rent arrears. This can be illustrated by the following quotes from these interviews with judges:

> 'Look, if you've chosen not to pay [the rent] then why do you expect the court to help you now? If there's a lot of people screaming out for accommodation, willing to pay for it, why should I give priority to people who are not prepared to do so? Not are unable to do so, but not prepared to.'
>
> 'One of my guiding principles, is I look to see to what extent the tenant has helped him or herself or is able to help him or herself and, if they are able to help themselves and do absolutely nothing to help themselves, then I don't see why the court should help them, frankly.'
>
> 'You can usually tell people who are, who genuinely had a problem which hasn't really been much of their own doing. And then you can also tend to pick up on those people who've had a problem, but a lot of it is brought about by their own doing as well as maybe housing benefit.' (Cowan and Hitchings, 2007, p. 373-374)

Chapter 3.6 – Policies to prevent evictions

There are several policies aiming to reduce the effects of evictions introduced above. Kenna et al. (2016) classify measures to prevent evictions into three groups:

(1) **Primary prevention measures** reduce the risk of homelessness among the general population and are focused on interventions in social welfare and/or on enlarging the number of affordable dwellings, either by enlarging the number of social rented market or by taking measures to ensure a better functioning private market.

(2) **Secondary prevention measures** focus on people who have a greater potential risk of eviction and homelessness. The measures include housing advice and counselling, legal aid and debt settlement.
(3) **Tertiary prevention measures** apply after eviction and are focused on preventing or ending homelessness arising from evictions as quickly as possible. This includes rehousing schemes and measurements to secure a minimum income.

While primary prevention measures are discussed in Chapter 7 and tertiary measures in Chapter 6, in this section we focus on secondary measures. Although there are many studies on interventions to prevent evictions, only a few present scientific evidence on the (cost-)effectiveness of these interventions. Holl et al. (2016) found in their review study the strongest evidence for the following three interventions:

(1) **Debt advice**: Evans and McAteer (2011) compared two groups of social housing tenants with rent arrears in the United Kingdom. One group (the 'experimental' group) had received debt advice services and the other group (the 'control group') had not received these services. In the experimental group there was a substantial decrease in the level of arrears (37%), while the level of arrears in the control group increased (by 14%). That indicates that debt advice can be an effective intervention to decrease rent arrears, which may help to prevent evictions in the future.
(2) **Intensive case management:** The evidence for this intervention is weaker, as it is based on a qualitative study that did not include a control group (Hill et al., 2002). In Dundee, Scotland, families evicted and families at risk of eviction due to antisocial behaviour were included in an intensive multi-method intervention. Social care workers used a combination of individual, couple, family and group work to tackle antisocial behaviour. They worked on only three cases at the same time, which meant that they could invest a lot of their time in the families. The duration of support could range between a few months and two years. The intervention appeared to be effective in reducing antisocial behaviour and therefore decreasing the chance of being evicted. However, it is difficult to assess the cost-effectiveness of these kinds of intensive interventions.

(3) **Legal support:** Seron et al. (2001) studied the effect of legal assistance on the outcomes of court cases. Low-income tenants who had received court orders regarding the non-payment of rent were recruited to participate in the research. For inclusion in the research, the participants needed to be interested in having legal aid, while not having an attorney (yet). The participants were randomly assigned to a treatment group, who received legal assistance, advice and representation by volunteer attorneys, and a control group who did not receive any legal assistance. The number of eviction warrants that was ordered at the end of the court process was significantly lower in the treatment group than in the control group.

While the interventions above are targeted at very specific groups, an alternative strategy could be to choose for a general suspension of evictions (a moratorium). The Polish court enforced the statutory ban on 'evictions to nowhere' for households with children or vulnerable people until alternative accommodation is arranged. According to Kenna et al. (2016) such suspensions in the execution of eviction orders are legally permitted in most EU Member States.

Chapter 3.7 – Collective actions against evictions

All over Europe evictions are also resisted actively. Residents and activists organise themselves in different ways and work locally, nationally and even transnationally together to fight against evictions in innovative ways (further details on such housing movements are also discussed in Chapter 7). Dekel (2020) makes a distinction between four types of resistance mobilisations.

(1) **Atomistic encroachment**: Residents act individually or in small groups, but without developing connections with other actors. Their weak social capital makes them highly vulnerable to eviction, as there is no outside actor to struggle by their side. In a more developed stage, squatters may form networks with neighbours and adjacent communities, but a structured organization is lacking.
(2) **Engagement with local politics**: Inhabitants organize themselves in squatter groups and engage with local politicians and bureaucrats in an instrumental manner to obtain assurance that no eviction will take place.
(3) **Grassroots mobilization**. This is a much more structured and broad-based organizational form. In comparison to the aforementioned types, it has a much more consolidated ideology and commitment to social goals, aiming for comprehensive change in policies, and not only at the local level. Informal communities throughout a city (or region) form networks

of acquaintanceship and solidarity, establish civic organizations and councils, agree on shared goals, and recruit to their side other local actors from social movements, religious institutions, NGOs and political parties (see Box 3.5 for an example of grassroots activism in Bucharest).

(4) **Trans-local networks**: At a highly advanced stage, residents integrate their struggle into parallel regional, national and global struggles. They form sophisticated collaborations among local councils, grassroots organizations, professional NGOs, nationwide social movements and political parties, international funds and institutions, and global solidarity movements. They push an anti-eviction demand to the front of the political agenda and assert their claim to the "right to the city". Their struggle becomes a prominent issue in the cities and nation's politics, and politicians battle to win their votes by promising to adopt their causes.

An example of a movement that managed to have an impact on the national political agenda is the Platform of Mortgage Victims (PAH) movement in Barcelona (De Weerdt & Garcia, 2016). PAH is member of The European Action Coalition for the Right to Housing and to the City[32] and was founded in 2009 as a response to the effects of the housing crisis. Within four years it spread over all regions in Spain. The movement adopted a wide variety of strategies to fight housing exclusion. One of these strategies was to influence public opinion through social media as well as traditional media and through organising demonstrations. A poll in 2013, which indicated that 81% of Spaniards supported the movement, illustrates that this strategy was very effective.

Next to that, the PAH has developed strategies to prevent eviction (see also Box 3.6 on research methodologies to prevent eviction). For instance, members of a local platform block the entrance of the home-to-be-evicted to gain time for negotiation with the financial institution. Victims are helped in enforcing a revision of the mortgage contract by providing accessible information on debt

32 The European Action Coalition for the Right to Housing and to the City is, according to its website (https://housingnotprofit.org/join-us/) "a convergence process between movements from different cities in several European countries fighting for the respect of these fundamental rights. After having campaigned independently for years, those movements (groups and, social movements composed by tenants, slum/ self-built neighborhoods dwellers, squat residents, victims of inadequate housing, victims of eviction or affected by indebtedness, professionals and researchers) felt the need to gather in order to strengthen this fight to take common action and common positions on European Housing issues."

renegotiation as well as social support. PAH has also organised collective renegotiation groups (organised per financial institution) to exert joint pressure in the renegotiation of mortgage contracts. If eviction cannot be prevented, displaced households that cannot find an alternative on their own can be housed in one of the blocks occupied by PAH. The squatting of empty building blocks is not only a means to secure housing for evicted households, but is also used as a means to pressure the owners of the building (particularly financial institutions) to offer legal contracts and social rents for families needing housing.

Apart from their actions on the local level, PAH has also been successful in influencing housing policies. Many municipalities have signed motions providing possibilities to fine financial institutions for vacant housing property. At the national level, an amendment was passed to temporarily suspend evictions of vulnerable families. Another amendment, which was passed under pressure of PAH as well as the European Court of Justice, redressed the legal imbalance between creditor and individual debtor. Debtors are now allowed to defend their case in court in the case of abusive clauses in the mortgage contract. Next to that, the maximum interest on arrears is limited, while the period for starting the mortgage eviction is extended from 1 to 3 months of delayed payment. Although these amendments only satisfy a small part of the wishes of PAH, they illustrate that the movement has been effective in influencing the national housing agenda (De Weerdt & Garcia, 2016).

Box 3.5: Resistance against eviction in Bucharest

As in many other Eastern European cities property **restitutions** to interwar owners and their heirs have been a major reason for mass evictions in the inner city of Bucharest, as new owners raise rents to unaffordable levels or sell their properties to speculators or investors (Lancione, 2019). One of the apartment complexes that is demolished is Vulturilor 50 in the central Traian neighbourhood. In 2002 this building was restituted to its pre-nationalisation owner, who signed contracts with the renters. However, the new owner sold it to a Norwegian investor in 2007, who stopped renewing the rental contracts in 2014 and proceeded to evict the community. Although the renters had the legal right to be allocated to social housing, they only got the offer from the local authorities to be rehoused in gender-segregated homeless shelters.

On September 15 2004 all 150 inhabitants (many of whom belonged to the Roma community) were violently evicted. The community did not give up the struggle and built an encampment on the street that was in place for over 20

months. In July 2016, the group was permanently evicted from the camp and divided over separate public shelters. The demand to be relocated in social housing was not granted and men ended up in different shelters than their wives and children. The eviction process and the struggles against it can be watched in the documentary 'A inceput ploaia/It started raining' (www.aincepu tploaia.com).

Veda Popovici is an organizer and researcher for the FCDL—Frontul Comun pentru Dreptul la Locuire [Common Front for Housing Rights], a radical movement that fights for the right to housing in Bucharest. She not only laments the rapid decline of the social rented sector in Romania (to less than 2% of the housing stock), but also distances herself from Western-style housing movements, that are – in her view – more concerned with preservation of interwar architectural heritage than with the fate of the people who are evicted in the privatisation process. She argues: *"The neoliberal enclosure of public property in post-socialism, backed by civilizational narratives of anti-communism, needs not merely a subaltern local administration but also amnesic subjects that forget histories of struggle and resistance. Such subjects praise Western models of protest culture while claiming green grass, bike lanes and free Wi-Fi on the street. Distancing themselves from such social movements, groups such as FCDL are building radical housing movements that are structurally anti-racist and anti-capitalist and seek a radical redistribution of property. Claiming social and public housing constitutes a step in the broader vision for a city that belongs, materially and politically, to the people."* (Popovici, 2020, p. 108)

"Romania: Illegal eviction"[33] *by P.A. Wagner licensed under CC BY-NC-ND 2.0*

Box 3.6: Methodologies for Housing Justice Resource Guide

Methodologies for Housing Justice Resource Guide is an initiative of the Housing Justice in Unequal Cities Network. This is a network of movement-based and university-based scholars that are not satisfied with the canonical methods that are in use in housing studies and who share the viewpoint that methodology is political. The Resource Guide presents innovative methods that are being used by researchers across academia and activism and situates these methods in an orientation towards housing justice. These methods include:

Eviction Observatories: Auto-representation by those facing evictions and threats of evictions with additional research and mapping conducted by university researchers. The point of "observing" is to build solidarity, create change, and fight systems of exploitation and unequal power.

33 The photo does not picture the eviction at Vulturilor 50, but at strada Sfintilor 13 (also in Bucharest). According to the photographer, 6 families (more than 30 people, most of whom belong to the Roma community) were evicted by the local police (3-2-2017) in an abusive and illegal way (without announcement and without the necessary legal papers). In an act of protest some of the former inhabitants decided to squat the street in front of the house. The picture is part of a photo album containing 35 pictures (see: https://www.flickr.com/photos/pawagner/albums/72157698978692335)

People's Diaries: Solicited diaries with questions that focus on the experience of dispossession, such as indebtedness. The purpose is to uncover and share the lived experience of housing and financial dispossession and to build political alliances through these story-telling methods.

Countermapping: Cartographies of property and power that identify actors, policies, and territories along with narrative oral history and mural projects that make tangible "the life stories and community experiences of people" experiencing and fighting dispossession.

Court Records as Living Archives: Analyzing court records to take account of who has standing within legal reason, how state power and propertied power are asserted over different types of spaces, and how such records tell or elide the voices and stories of people facing housing inequality and precarity.

People's Audits: Pinpoint and track key policies, seek public records regarding the implementation and impact of these policies, highlight the lack of information available to the public, develop political methods that enact accountability from elected officials and those who hold public office.

Displacement Alert Maps and Watchlists: To compile and interpret public information to produce risk indicators and risk maps that pinpoint the potential targets of predatory financialization and speculation; to make such information available to housing justice movements and advocates for organizing strategies and tactics.

See https://escholarship.org/uc/item/41g6f5cj *to read the whole Resource Guide.*

At a glance

Key points
▪ The financialisation of the housing market has created an increase in displacements and evictions and has created a 'housing precariat'. ▪ Evictions and displacements refer to situations in which people have to leave their homes based on external conditions and sometimes by force. ▪ Statistics on evictions paint only a partial picture of the numbers of involuntary moves. ▪ The periodisation of gentrification refers to the fact that many different places follow common trajectories due to broader political and economic developments. ▪ The single biggest cause of homelessness in Europe today is evictions.
Start thinking
▪ Do you think displacement as a consequence of urban renewal is less negative than displacement in the context of market driven gentrification? Why (not)? ▪ What is the role of international finance in gentrification processes? ▪ Why would women, and especially single mothers, be overrepresented in eviction data? ▪ New housing and welfare policies in Europe tend to increase the number of evictions, can you think of an example of such policy? ▪ What policy/policies would work best to reduce (the effects of) evictions in your opinion and why?
Learn more
Have a look at our corresponding e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=67

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Chapter 4 – Migrants' Right to Adequate Housing: Barriers, Policies and Practices

Michela Semprebon, Giovanna Marconi, Francesca Ferlicca and Flavia Albanese

This chapter focuses on migrant's housing precariousness, which often also affects people with a migrant background who already acquired citizenship. The first part introduces some relevant terms useful to understanding the main challenges that different groups of migrants face in accessing adequate housing. The main categories used to refer to migrants will be explained, which reflect specific conditions and legal statuses produced by the European migration regime. Each legal status is associated with specific rights and entitlements (or lack thereof) that strongly influence the level of precariousness that migrants can experience. The main obstacles migrants face as a result are then explained, as well as the formal or informal housing options they may find accordingly and the specific barriers in accessing public and private housing markets. The chapter then focuses on varying forms of public policy, including i) housing policies, to understand if and how they are (un)able to guarantee migrants' right to adequate housing and equal treatment, and; ii) reception policies, which include forms of accommodation but not housing in the strict sense, aimed at providing shelter to asylum seekers and refugees. The chapter draws on previous discussions of the private housing market (see Chapter 2), to highlight how discriminatory attitudes and exploitative conditions push migrants into precariousness.

Chapter 4.1 – The labelling of migrants and their representation

Defining and understanding who can be considered "a migrant" is not as easy a task as it might seem at first glance. According to Eurostat, immigration can be defined as "*the action by which a person establishes his or her usual residence in the territory of a Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another Member State or a third country.*" Similarly, the European Migration Network (EMN) Glossary[34] defines "**migrants**" as people "*who are outside the territory of the State of which they are nationals or citizens and who have resided in a foreign country for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate*". This definition is very broad and includes individuals such as European migrants, (some) international students, non-European migrants, regular/documented and irregular/undocumented migrants, asylum seekers, refugees, rejected asylum seekers, unaccompanied minors, and victims of trafficking.

A first observation stemming from this definition is that, normally, they are not citizens of the country in which they live. Etymologically, the concept of citizenship derives from the Latin word civis (citizen). As in the Roman city, being a citizen means — at least in the formal sense — being entitled, as a member of a nation-state, to an exclusive set of rights, privileges, and responsibilities. An arbitrary logic underpins the opposition between 'national' and 'non-national' and all discriminations against immigrants are linked back to this fundamental differentiation enacted by law, as a supreme justification of discriminations (Sayad, 2006; Wimmer & Glick-Schiller, 2003; Brubaker, 1992). As Joppke (2010) sharply observes, citizenship is formal and institutional and is far more immune to charges of "prejudice". Yet, non-citizens are more likely to experience precarious conditions in many areas of everyday life. Exclusionary drives against migrants are formally rooted (and justified) on the assumption that non-citizens should be entitled to limited rights.

However, non-citizens are a very heterogeneous group, and the rights to which each migrant is entitled depend *in primis* on their legal status. Before introducing the main categories into which migrants are subdivided, we have to

34 EMN Glossary is an online resource of terms related to migration and asylum in Europe. Unless otherwise specified the definitions in this chapter draw from EMN Glossary (available at this link: https://bit.ly/3IBmAtM and included in the e-module attached to this chapter).

consider that it is not always possible to clearly distinguish among them. Furthermore, the same person can easily shift from one status to another during their life-time and stay in their country of destination. In many cases there are overlaps in categories. For example, an unaccompanied minor can also be an asylum seeker; a rejected asylum seeker can become undocumented; a victim of trafficking can both be documented as well as undocumented.

A crucial variable for the migrant population concerns the possession (or not) of a valid permit to live in the given country, i.e. a document issued by the competent national authority to a non-national stating the right to reside in the concerned state during the period of validity of the permit. Being in possession of a permit, that might be issued on different grounds (e.g. for work, study, family reunification, international protection etc.), implies having access to given rights. Similarly, the absence of a permit or visa often means the removal or lack of such rights. Migrants who hold a valid residence permit are defined as "**regular**" or "**documented**". This category includes migrant workers and their families, international students as well as people with refugee status (or other forms of European or national protection, such as subsidiary and humanitarian protection). When referring to migration in Europe, as we are doing in this chapter, it is also important to keep in mind that the European Union established freedom of movement for citizens of all member states. As a consequence, there is a relevant difference between mobile EU citizens and third-country migrants, formally defined as "Third Countries Nationals" (TCNs), as they are entitled to differential residence permits. As of January 1 2020, the number of regular migrants from third countries living in EU Member States was 23 million, representing 5.1% of the EU population (Eurostat, 2021).

In the global context, "**irregular**"/"**undocumented migrants**" are non-nationals who enter and/or stay in a country without a regular visa or permit. In the EU context, this category may include TCNs who entered a European country without a regular document, overstayed a visa or failed to leave after being ordered to do so. The irregular population also includes people born to irregular migrant parents, since most European countries do not have birth-right citizenship (*ius soli*). The number of undocumented migrants cannot be accurately captured statistically as this is a population on the margins of legality and, as such, a population that is often resistant to survey processes. As a result, the size of undocumented populations across Europe can only be estimated. According to a Pew Research Center Report (2019), TCNs living in Europe without authorization are

estimated to have reached a peak, between 4.1 million and 5.3 million, in 2016 and have been decreasing since then.

Another broad differentiation applied to migrants relates to the different reasons to migrate. For example, looking for better life opportunities or fleeing from serious threats to their life and liberty (i.e. escape from human rights abuse). Among these, forced migrants include asylum seekers and holders of (inter)national protection. In the global context, an **asylum seeker** "*is a person who seeks protection from persecution or serious harm in a country other than her own and awaits a decision on the application for refugee status under relevant international and national instruments. In the EU context, [it is] a TCN or stateless person who has made an application for protection under the Geneva Refugee Convention and Protocol in respect of which a final decision has not yet been taken*". The application for asylum can lead to a positive or negative outcome. A negative outcome implies the rejection of the application and can lead to removal from a country or to becoming 'irregular' within a country and denied further rights. A positive outcome can lead to the status of refugee or to either subsidiary or humanitarian protection, leading to a permit to stay within that country.

Table 4.1: The main differences among documented and undocumented mi grants (TCNs)

Regular/Documented TCNs	Irregular/Undocumented TCNs
Hold a residence permit	Do not hold a residence permit
Entitled to rights of stay, work, and study	No right of stay, work, and study
Freedom of movement within the territory of the EU (Schengen area)	Continuous risk of being expelled/re patriated
Possibility of getting formal job and housing inside or outside the country of residence	Impossibility of obtaining formal employment and housing
Possibility to access social services/ benefits	Limited access to services (only emergency care, education for kids, basic assistance)

Source: The authors with Solomon Elala Seyoum (intern at SSIIM Unesco Chair in 2022)

In line with the refugees convention signed in Geneva in 1951, the **refugee status** is recognised to a person who, "*is unable or unwilling to return to their country of origin owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group*", or a stateless person, who "*being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it*". The basic principle that lies at the core of this definition is that of non-refoulement. This forbids a country receiving asylum seekers from returning them to a country in which they would be in danger of persecution. However, this principle is rarely mentioned or considered in public discussions.

Subsidiary protection can be granted to a TCN or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to their country of origin — or in the case of a stateless person to their country of former habitual residence — would face a real risk of serious danger. **Humanitarian protection** in the EU is a form of non-harmonized national protection.

The above terms associated with categories of migrants and legal statutes are critical in understanding migration related issues and have consequences for socio-spatial inclusion and access to housing. Research on migration in the EU has documented hierarchies of more or less included migrants, created by a) the complexity of co-existing migration, integration, labour and human rights policies and b) tensions between the practices of different levels of governance, with some cities granting access to social membership even for those who are labelled as "illegal" by the nation-state. This "complex stratification" (Carmel & Paul, 2013) is further intensified because of the multidimensionality of migrant civic, economic and social rights as well as discretionary practices on the street-level (Chauvin & Garcés-Mascareñas, 2020). Even though we try to work with these established categories in this chapter and demonstrate the consequences they have for accessing housing markets in Europe, it needs to be stressed that the boundaries among them are often blurred. Additionally, although these terms are useful, they should be used with critical awareness, because categories *de facto* produce labels that have become politicised (Crawley & Skleparis, 2018; Zetter, 1991), particularly in recent years. Studies on asylum applicants in Europe demonstrate that the production and reproduction of labels (Van Aken, 2005; Isin, 2008; Zetter, 1991) correspond to unequal treatment with respect to access to rights and regularization of the legal status (Fassin, 2012; Pinelli, 2015), work and

housing (Manocchi, 2014; Marchetti, 2020), and it can be associated with violations of human rights.

Besides bearing in mind how the legal status of migrants affects access to housing, it is important to highlight that not all migrants living in Europe are perceived as such. As Delgado (2010, p.26) observes, "the migrant does not exist except as a conceptual figure". In the social imaginary of western countries, where immigration is often perceived to be a problem, the epithet 'migrant' is often applied to people perceived as having a series of negative characteristics and, as Balibar (2007) states, always conceived as figures of "lack" (of status, rights, residence permits, etc.) with respect to citizens. According to Delgado, two characteristics define who is classified as a 'migrant'. First, migrants are those who are recognised, and recognisable, as being 'different' in some way to citizens, as marked by aspects of otherness, foreignness or as 'outsiders'. This may be due to legal status, race or ethnicity, religion, language, or cultural norms. These all mark individuals as potential migrants. Second, Delgado argues that migrants are marked by their relatively poverty and low economic status,[35] one effect of which is that migrants are more likely to require the support of public assistance and services, and thus are seen as competitors for resources perceived as scarce (Delgado, 2010).

This combination of socio-cultural difference and economic insecurity, shapes which social groups are understood as migrants, and the forms of stigma that are often attached to such labels. Perceived socio-cultural distance from citizens (regarding, for example, religious beliefs and practices, ways of dressing, uses of public spaces) play a key role in shaping perceptions of who is a migrant and how migrants are treated and viewed. Most significantly, racism remains a fundamental driving force in many forms of anti-immigrant and xenophobic sentiment, with those perceived as 'migrants' often coded in racialised terms. Despite legislation to protect rights and address prejudice, racial discrimination and abuse remain persistent features of European societies, with distinctions of class, access to resources, and treatment by public authorities being embedded in systems of racial inequality and privilege. These dynamics further shape how different social groups are understood in relation to migration, with migrants from white settler

35 Foreigners of higher status and with more economic means are not only hardly considered as migrants, but their arrival is often even actively promoted as part of internationalisation strategies.

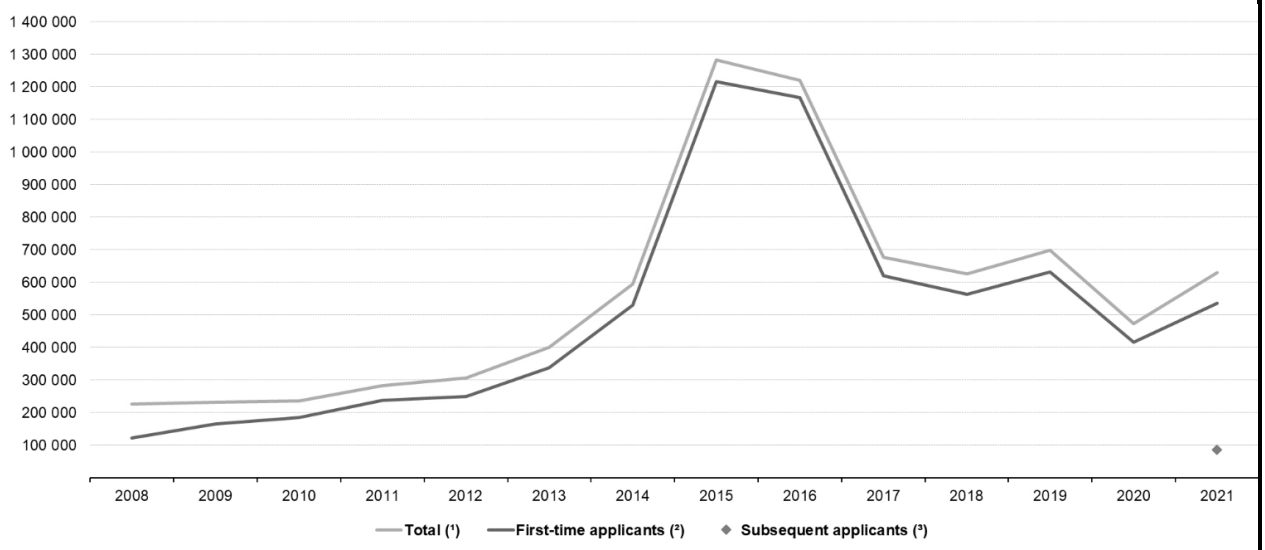
countries (such as Australia, Canada, or the US) often being positioned as 'desirable' or 'high value' migrants to the detriment of others. These groups are more likely to be seen as 'assets' as opposed to 'threats' to European societies. For other migrant groups, stigmatisation through press coverage, the criminalisation of migration, and harassment from authorities, can combine to focus attention on migrant groups perceived as 'dangerous', 'illegal', or 'unwelcome'. The upshot being that these migrants are exposed to greater vulnerability, both to discrimination in access to housing, but also to exploitative labour conditions, physical and sexual abuse, and hostility from authorities and the autochthonous. Thus, whilst migrants may face forms of precariousness in housing that are distinct from those facing citizens, there are multiple differences between migrant groups and their treatment, as distinctions of race, class, gender, sexuality, and religion, all combine to pattern how, and if, migrants experience discrimination.

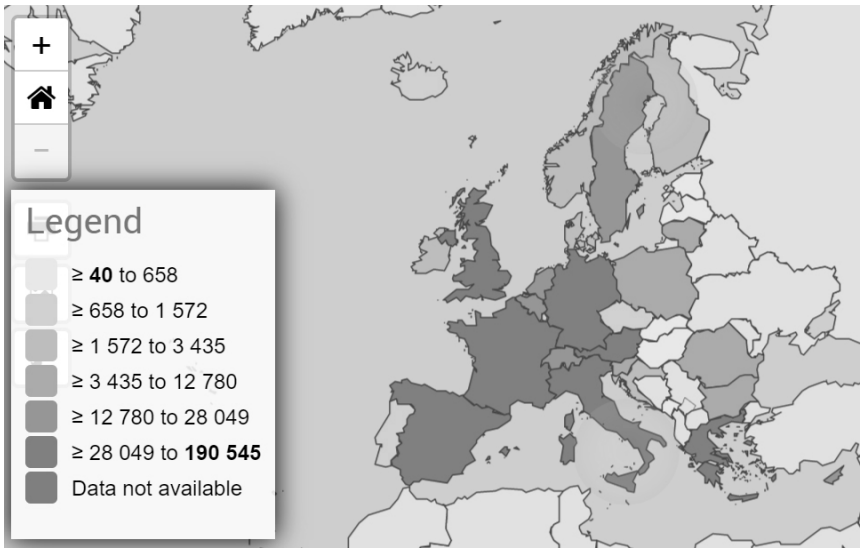
Box 4.1: Asylum seeker flows to Europe

Asylum seeker and refugee movements concern the whole world. At the end of 2021, almost 90 million people were displaced worldwide (UNHCR, 2022). This figure includes asylum seekers (4.6 million) and refugees (27.1 million), but also internally displaced people (IDP) (53.2 million), by far the largest group. IDPs include people who never cross the borders of their own country and undertake internal migration movements.

Contrary to common perception in Western countries, 83% of the world's refugees are hosted in low- and middle-income countries, particularly those neighbouring those of origin (72%). Eurostat data (https://bit.ly/3cbPvsg) show that the number of asylum applicants in Europe has risen considerably in the period 2008-2021, with a peak in 2015 (1,282,000) followed by a constant drop until 2020 (471,000) for then starting growing again as a consequence mainly of the crisis in Afghanistan in 2021 (648,00) and the invasion of Ukraine by Russia in 2022 (up to 6 million escaped by June).

Figure 4.1: Number of asylum applicants (TCNs) in the EU, 2008-2021 and geographical distribution in 2021





Source: Eurostat, 2021

2015 was characterised by a notable increase in flows, with respect to previous decades. With the growth of arrivals, the theme of asylum seeker and refugee reception gained significant political attention, both at European and national levels. This time frame has been referred to as the year of the "refugee crisis"

or "humanitarian crisis", causing confusion on whether the crisis was caused by refugees or governments (Glorius & Doomernik, 2020). It was rather a "migration reception crisis" (Rosenberger & Mueller, 2020), in fact, as it concerned the challenges faced by governments and administrations in dealing with asylum seeker arrivals not only in 2015 but also in the following years. The concept of "crisis" has been associated with the quantitative dimension of flows and the implicit understanding these new arrivals would represent a "burden" to nation states, as they would require welfare service provision and engagement to support migrants' inclusion into society (Scholten & Van Ninsen, 2015). Yet this perspective frames recent events as a "crisis" predominantly for European nation-states and their political systems, while overlooking the global dimension: while European media have been mostly focused on asylum seeker movements within Europe and the perception of a large segment of public opinion is that Europe is the region mostly affected by refugee mobility globally, refugee figures internationally highlight that the majority of refugees are hosted in the Global South. In addition, critical scholars like Andersson (2016) have demonstrated how an emergency frame, "in repeatedly presenting the migratory situation as an 'unprecedented crisis', enables a two-faced reactive response of 'humanitarian' action and more policing" and is complicit in the "tragedy" it tries to fight (ibid, p. 1060).

Source: The authors

Chapter 4.2 – Migrants' integration and barriers in accessing housing

As discussed in Chapter 1, we consider housing a basic right for all individuals. For migrants, housing is, if possible, even more important since it is among the primary assets in their process of socio-spatial inclusion and rooting in their host country (Ager & Strang, 2008). Housing is a fundamental resource for other social activities as it constitutes an important anchor for developing a sense of belonging to a place and a society, especially for those arriving from outside. As Muñoz (2018) suggests, accessible and adequate housing is essential not only to ensure people's well-being, safety and health, but also to provide them with a stable base from which to interact with others, feel at home and start or consolidate a process of integration. Without access to stable affordable housing, that allows long-term engagement in homemaking practices and access to urban services and resources, the right to the city cannot be enjoyed (ibid).

Housing is thus not only a mere physical space, but a place affecting relationships (with the neighbourhood and with the wider socio-spatial urban fabric),

positive as well as negative perceptions and forms of stigmatisation and actual chances of inclusion. For migrants, it is also the private space from which coming into contact with the "host" society, negotiating over time, through successive "thresholds of domesticity" (Boccagni & Brighenti, 2017), spaces of survival, autonomy, recognition and sometimes well-being. For these reasons, we can affirm that access to housing is a fundamental right.

Box 4.2: International framework protecting migrants' rights

The right to fair treatment, equal opportunities and not to be subject to discriminatory acts, practices and behaviour irrespective of citizenship is safeguarded by several legal instruments, starting from the Constitutions of most European States [e.g. the Italian Constitution which not only upholds the principle of 'equal social dignity' (without distinction of sex, race, language, religion, political opinions, personal and social conditions) in Article 3, but also provides that one of the 'tasks of the Republic' is 'to remove economic and social obstacles that effectively limit the freedom and equality of citizens'. The legal status of foreigners in each Member State is then governed by a set of laws which must comply with the international conventions and treaties to which they have adhered.

We recall here below some of the most relevant International/European norms affirming the universal right to adequate housing:

- The *International Covenant on Economic, Social and Cultural Rights (ICESCR)* is a multilateral treaty adopted by the United Nations General Assembly in 1966, that came into force in 1976. In article 11, it recognizes "the right of everyone to an adequate standard of living for himself and his family" explicitly including in this the right to adequate housing
- *The 1949 ILO Convention No. 97 on Migrant Workers* which in Article 6(a) requires states who ratified it "to apply, without discrimination in respect of nationality, race, religion or sex, to immigrants lawfully within its territory, treatment no less favourable than that which applies to its own nationals". Among various matters, "accommodation" is explicitly included.

- *The Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin* applies to all persons, as regards both the public and private sectors, including public bodies, in relation to: "access to and supply of goods and services which are available to the public, including housing" (Art. 3.1.h). EU member states differ in how they have transposed the EU anti-discrimination directive into national law. In the German context, with little prior anti-discrimination legislation, the housing lobby introduced a clause to the national law. It allows for exceptions that serve to maintain "the stable social relations of inhabitants and balanced patterns of settlement and economic, social and cultural relations" (Münch, 2009).

Specific reference to rights to housing of children, considered as a particularly vulnerable group, is made by the *UN Convention on the Rights of the Child (1989). According to Art. 27:* 1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. 2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development. 3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

Source: The authors

Having introduced the difference between documented and undocumented migrants, we will now outline the different housing options that are available to these groups. These include both formal and informal forms of housing. With **formal housing** we refer to both social/public housing and the private real estate market either for renting or purchasing. Due to the numerous barriers and obstacles that migrants face in accessing formal housing – as we will explain below – they are often pushed into more precarious accommodation, that is sometimes illegal or at the edge of legality (examples include squatting, occupations, self-construction, subleasing, informal guest-host relations, etc.). This is what we mean by **informal housing**, a category that encompasses all those housing options that fall outside governments' regulations and laws governing real estate

transactions. It needs to be said that the structures of European housing markets — and therefore the availability of affordable housing — vary widely across the continent, as noted in Chapter 1, and that we consider the wider context of informal settlements in more detail in Chapter 5.

In the matrix below, we summarise the main housing options for documented and undocumented migrants. Precariousness occurs in different forms in each one of the quadrants.

Table 4.2: Matrix on housing options for documented and undocumented migrants

Housing typology	**Documented migrants**	**Undocumented migrants**
FORMAL	Chances to access: ▪ *public/social housing* ▪ *private real estate market* ▪ *reception centres/shelters* Possible problems: • *overcrowding* • *poor quality/ old/unhealthy facilities* • *insolvency eviction*	Few possible solutions: ▪ *public/private dormitories* ▪ *civil society practices (house sharing, hosting in private accommodation)*
INFORMAL	Risk to end up in: ▪ *self-built shelters (slums)* ▪ *squatting (in public/private buildings)* ▪ *illegal subletting* ▪ *homelessness*	No other options than: ▪ *self-built shelters (slum)* ▪ *squatting* ▪ *illegal subletting* ▪ *homelessness*

Source: The authors

At least in theory, documented migrants can access the formal housing market (both private and public), since having a regular residence permit is the main

prerequisite for signing a legal contract for renting or buying a housing unit. Undocumented migrants on the other hand hardly have any other choice than seeking informal options. However, there are barriers that contribute to excluding even documented migrants from the formal housing market: from insufficient income and purchasing power to overt discrimination in spite of the EU anti-discrimination directive (see also Chapter 1 on housing marking discrimination).

Migrants' vulnerability to housing precariousness is connected not only to their legal status but also to other crosscutting variables, such as their country of origin, economic status, age, gender, race, and religion. The interrelationship of these varied factors in vulnerability is known as "*intersectionality*" and, more recently, migration scholars have further developed this account of multiple and overlapping forms of vulnerability, diversity, and difference, specifically with reference to urban contexts, under the framework of "*superdiversity*'' (Vertovec, 2007). Structural factors can further exacerbate (or alleviate) the barriers that migrants face in accessing adequate housing, including the characteristics of the welfare state, of the real estate and labour market, the absence (or presence) of social networks to rely on or of key institutions and stakeholders that hinder (or promote) migrants' inclusion and equal opportunities.

Regarding formal housing, while the real estate market might be exclusionary, discriminatory and even exploitative (i.e. asking higher rents to foreigners than to nationals), in the public sector challenges are caused by the lack of policies paying specific attention to the housing needs of non-citizens. Public policies can also be discriminatory. This is the case when public housing authorities intentionally introduce criteria excluding migrants from social housing, such as the number of years of residence in the concerned country (or even region, or city). While such "locals first" waiting lists are officially colour-blind, they nevertheless structurally discriminate against many immigrants for whom it may be impossible to fulfil this minimum requirement (see also 2.1.2). Regarding informal housing, besides representing the only option for many migrants in difficult socio-economic conditions, it also exacerbates their socio-spatial exclusion fuelling a vicious circle of marginalization.

Chapter 4.2.1 – Public housing policies and social housing

In this section, we look in closer detail at public policies supporting (or discriminating against) migrants, considering both social housing and other forms of public support instruments, such as rental vouchers and rent subsidies. Before delving into the topic, it should be recalled that people's entitlement to welfare

services normally depends on welfare regimes: the social-democratic regimes (typical of northern European countries, such as Scandinavian countries) are considered more generous, and tend to perform better in terms of migrants' social protection, as compared to the liberal regimes with lower state intervention, conservative corporatist regimes based on insurance contributions or traditional family or community orientated regimes of Southern Europe (Morissens & Sainsbury 2005; Sainsbury, 2012). Other variables that are relevant to determine welfare entitlements relate to immigration policy and incorporation regimes (Morris, 2002; Sainsbury, 2012). The former refers to norms regulating immigrants' access to residence permits, work permits, and citizenship, and their participation in economic, cultural and political life. The latter comprise specific rules for migrants with specific legal status: asylum seekers, refugees, family members, unaccompanied minors, and victims of trafficking. In other words, there is a stratification of rights across migrants' groups, based on their legal status: refugees' rights are often similar to those of citizens, yet asylum seekers' rights are much more limited (Sainsbury, 2012).

Despite the great differences across Europe in public housing policies, traditions and housing stocks, migrants – and TCN in particular - are often affected by higher levels of vulnerability to precariousness compared to the native-born population. Eurostat data on the integration of migrants in the EU-27 (Migrant integration statistics – housing)[36] provide a picture of the disadvantages in housing conditions affecting documented migrants. In 2019:

- the **home ownership rate** among TCNs was much lower than that registered for nationals, i.e. nearly half for citizens of other EU Member States and one third for TCNs[37].
- TCNs were more than twice as likely to live in an overcrowded household as national citizens. The **overcrowding rate**[38] was 16.6 % for national citizens, somewhat higher for migrants from other EU Member States and noticeably higher for TCNs.

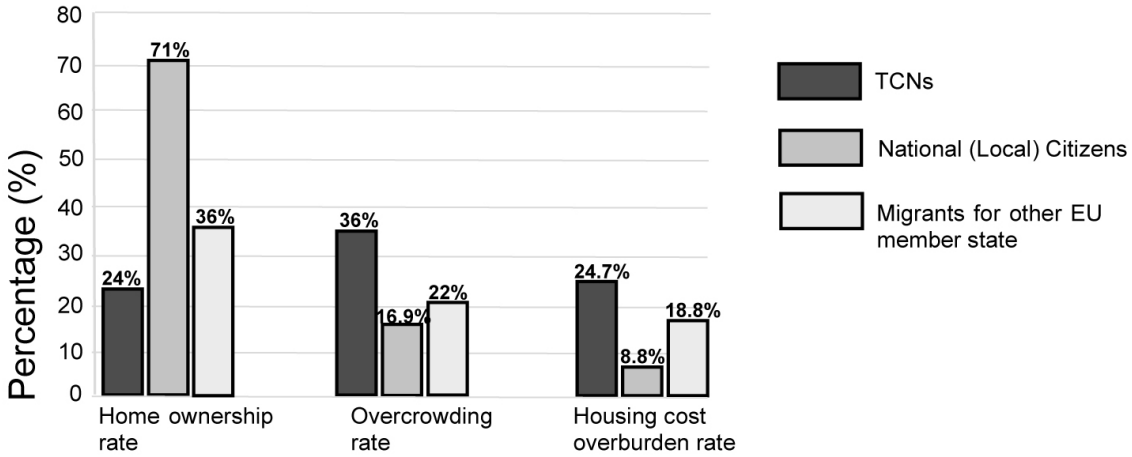
36 https://bit.ly/3AKRRIG

37 All Eurostat data referred to in this paragraph refers to the population aged 20-64 years.

38The overcrowding rate is the ratio between the number of rooms and number of household members. It is often closely connected to other social exclusion and deprivation indicators, in particular those related to income.

- The **housing cost overburden rate**[39] for national citizens was almost half that of migrants from other EU member States, and one third when compared to TCNs.

Figure 4.2: The EU-27 migrant integration statistics-housing condition in 2019



Source: Elaboration by Solomon Elala Seyoum on Eurostat data

More generally, for several years Eurostat data has revealed that TCNs living in the EU are at a higher "risk of poverty or social exclusion"[40]. In 2019, 45% of TCNs were in this group, compared with 26% of migrants from other EU Member States and 20% of national citizens.[41]

Although migrants – and TCNs in particular – clearly appear to be highly vulnerable, the figures noted above show how precarious housing also affects a significant proportion of national citizens too as outlined in more detail in Chapter 2. Not surprisingly, positive discrimination, i.e. policies targeting migrant populations (or ethnic minorities), normally fuel conflicts, intolerance and discontent among citizens, who feel that – due to their status as citizens – they should have a priority over 'outsiders' in receiving public support and services. In this regard,

39i.e. the percentage of the population living in households where the total housing costs ('net' of housing allowances) represent more than 40% of disposable income ('net' of housing allowances).

40Eurostat includes in this group those who are at least in one of the following three conditions:(i) at risk of poverty after social transfers (income poverty), (ii) severely materially deprived, or (iii) living in households with very low work intensity, and provides indicators to measure each one of these conditions

41

it should be noted that any (redistributive) public housing policy is financed through taxation and that, although they are not citizens, migrants also contribute to the economies of the countries in which they settle, through their work activities, and through the taxes they pay like all other workers. In some European countries, particularly those where immigration is a more recent phenomenon, migrants are on average much younger than other groups in the population, meaning that they contribute more to taxes and social contributions than they receive in benefits (e.g. for health services or pensions).

Based on the principle of non-discrimination, at the core of all European democracies, public policies have a crucial role in facilitating access to adequate housing for all disadvantaged groups (migrants included) as well as in reducing housing precariousness and the risk of eviction. They do so through measures, such as social housing and targeted subsidies alleviating housing costs.

The 2016 European Commission's analysis of statistics on housing and migrant integration[42] showed that in a few countries, housing subsidies alleviated the housing cost overburden. The gap between immigrant and native-born households has been greatly reduced after adjustment for subsidies in Finland; it diminished significantly in France, the Netherlands and the UK. However, available subsidies had no real effect for immigrants in countries such as Belgium, the Czech Republic, Italy, Portugal and Spain.

Nevertheless,

1) public housing policies (in general) do not appear to be a priority for European public authorities, as indicated in the 2020 FEANTSA Report on housing exclusion[43]. Europe's government expenditures on housing are split between support for housing construction and housing-related social benefits (in the social protection budget). In both cases the percentage on total expenditure is minimal: the European expenditure for funding the construction of housing and public utilities accounted for 1.3% of the total governmental expenditure in 2019, and the public expenditure on

42https://bit.ly/3oiz1l3

43 Fifth Overview of Housing Exclusion in Europe, Foundation Abbé Pierre – FEANTSA (2020)

housing in 2017 accounted for 1.97% of the total spent on social protection benefits, going up to 2.10% in 2018 and 2.15% in 2019[44].

2) Forms of "institutional discrimination"[45] against non-nationals are not uncommon in Member States' policies, often fuelled by populist pressures that use migrants as a scapegoat for social, security and economic problems and for the (perceived) decline of the welfare state.

European countries are very different both in terms of the situation of the housing sector and in terms of their migration history. Next, we will present an overview of how public housing policies can be more or less inclusive towards migrants. We provide examples drawing from Italy, the Netherlands and the UK because these countries exemplify some of the main models of housing policy in northern and southern Europe.

The marginality of the public housing sector in Italy

In general, the Italian housing market fits into the Mediterranean model (similarly to that of Greece, Spain and Portugal), which is characterised by high levels of home ownership (for which Italy, with 70% of homes owned, is second only to Spain) and by the structural weakness of the social housing sector (Tosi, 2017; Alietti & Agustoni, 2018). However, contrary to other Mediterranean countries, the public housing sector in Italy does at least exist. It was promoted through dedicated national plans after World War II, aimed at providing housing but also at pushing the national economy through the development of the building sector. Since the mid 1960s, investments have been greatly reduced. A large number of public housing units have been sold in the past few decades and part of the remaining housing stock is not assignable because it is obsolescent or fails to meet contemporary building standards and regulations (74% of it was built before 1981). These are among the main reasons why the amount of available public housing is today far below the overall demand. The arrival and growth of the migrant population took place within this chronic crisis in the housing welfare within which competition among the poorest segments of the population for access to this scarce good has always been high. According to Federcasa (the Italian federation for public and social housing), in 2016, there were only 2.2 million

44Eurostat (2019) ESSPROS social protection data, https://bit.ly/3IxutAt

45 Institutional discrimination means "discriminatory policies and practices favourable to a dominant group and unfavourable to another group that are systematically embedded in the existing structure of society in the form of norms." (Open Education Society Dictionary, available at www.t.ly/KUzW)

people (out of a total of 60 million) living in public houses in Italy – 3 to 4% of the whole housing market – of which nearly 12% were non-Italians. A figure that, although higher than the incidence on the total population (8.3% in the same year), one would expect to be much higher given the chronic wage gap between Italians and migrants (on average 24%, but up to 35,5% if only non-EU citizens are taken into consideration), the concentration of migrants in less qualified and less well paid jobs (in which 37% of foreigners versus 8% of Italians are employed) and the relatively higher number of children in migrant families compared to Italian ones (Idos, 2019).

In terms of laws and regulations establishing eligibility criteria for access, since the late 1990s competence over public housing has been devolved to regional authorities. Some Regions – particularly those led by the "Lega", a centre-right xenophobic party– that has been focusing its electoral campaigns and political discourses on the slogan 'locals first' and 'let's stop the invasion' – have introduced ad hoc criteria, formally neutral but with the implicit (publicly touted) aim of excluding migrants from the waiting lists for public housing. Among the most common criteria introduced by regional administrations are the obligation for applicants: i) to prove that they have been residing in the country – or in the region itself – continuously for at least 5 or even 10 years[46]; ii) to present certificates issued by a public authority in their country of origin stating that they do not own property there. While the former excludes not only "newcomers" but also all those who cannot prove that they have lived in the country or region for so long (because they may have spent some periods as undocumented, as is often the case, or spent some periods commuting between Italy and their country of origin; or moved among Italian regions), the latter is very hard to be obtained because in most cases such certification simply does not exist in countries of origin, while in others migrants (particularly those who left their countries due to persecution) are not in the position to return and gain such a document.

Although some recent judgments of the Constitutional Court have declared similar criteria unconstitutional, on the grounds that they are discriminatory, the approach of 'discriminating by law' is widespread in housing and in other

46 Sometimes, the regional legislative framework on public housing also leaves a certain margin of freedom to municipal authorities (who are the ones in charge of periodically issuing the call for applications for social housing located in their territory) to further tighten this criterion, e.g. by increasing the number of years of residence required.

welfare fields. In addition to these barriers, patently designed to exclude them, migrants have to deal – like Italians – with the general scarcity of adequate and affordable housing itself, for which there is always a long list of eligible households.

Social housing in The Netherlands[47] (Ilse van Liempt)

The Netherlands is known for its high proportion of affordable social housing. As early as the mid-1800s the first 'charitable' housing was built, mostly by owners of factories for their workers. Later housing associations were started divided by the 'pillars' that were socially dividing Dutch society at the time (Liberals, Socialists, Catholics and Protestants). Each pillar built housing for its own members in the first instance. At the end of the 1800s, this model was resisted and the state was pressured to do something about poverty and to become responsible for providing access to housing. The idea of 'public housing' emerged in response. The Housing Act, in 1901, marked the transition to government supported housing in the Netherlands.

In practice, however, public housing turned out to be not so much a national government task but rather a municipal task. No national regulations were introduced on public housing, contrary to the United Kingdom, for example. After the First and Second World Wars, municipalities started to build their own houses as the need for housing became very urgent, considering that many houses had been destroyed. Soon funding became a problem and when governments started to invest less and less in the construction of housing, the private sector stepped in more prominently.

Since the 1970s, housing policies increasingly focused on home ownership. Mortgage interest deduction and public housing became less of a priority. Still today, however, almost one in three houses in the Netherlands is a social housing unit and you can find social housing anywhere, including in the centre of many large Dutch cities.

The Dutch social rental sector is one of the largest in Europe and considerably bigger than those in France (19% of the total), the UK (15%) and Germany (only 5%) (BPD, 2016; Whitehead et al., 2016). Municipalities in the Netherlands also actively promote social rental housing. This ensures that low-income households can remain in the city and it "keeps urban segregation within bounds". But there

47 More historical details on the Dutch context are available in Box 4.3.

are allocation issues, with some social rental housing being occupied by households earning too much relative to their rent. Policy measures have helped reduce this mismatch in recent years, but the percentage of high-income tenants with low rents was still 18%, in 2015 (Ministry of Economic Affairs, 2016).

At the same time, social housing is being demolished or sold, especially in the centre of towns, locations where profit can be made. Since the 1990s, housing corporations have become independent and privatized and there are no municipal housing companies any longer.

There is a large body of studies which has investigated the housing positions and careers of non-Western migrants who have entered the country some decades ago, particularly from the Mediterranean countries such as Turkey and Morocco and/or post-colonial countries like Surinam and the Antilles (Bolt et al. 2008; Groot et al., 2013; Kullberg & Kulu-Glasgow, 2009; Özüekren & Van Kempen, 2002; Zorlu et al., 2014). Most of these studies show a large and persistent gap in rent and homeownership. Other Dutch studies point out the higher level of homeownership among high skilled labour migrants (Bontje et al., 2016; Sleutjes & Musterd, 2016). There are no specific obstacles for migrants to get access to social housing, in theory, but waiting times can be long. The average waiting time in the Netherlands for a house from the social housing sector differs across regions but in the largest cities it can amount to up to nine years. In practice, this means that newcomers to the Netherlands have a hard time getting access to social housing because they have not built up sufficient waiting time. This, combined with an already shrinking social housing market, means that those who have already established themselves in the housing market are better off than those who are new to the system.

The UK housing context and migration[48] (Jonathan Darling)

In response to concerns over how immigration would impact welfare services, the 1971 Immigration Act limited access to homeless services and welfare on the basis of immigration status and access to housing was restricted for migrant groups, both in the private rental sector and in social housing. A combination of overt discrimination by housing officers and associations, and a stock of social

48 More historical details on the UK context are available in Box 4.3.

housing not able to meet the needs of new migrants, served to push migrants into the private sector throughout the 1970s and 80s. Here discrimination also impacted migrants' ability to access mortgages and to find properties outside lower value inner city neighbourhoods (McKee et al., 2021). The decision to sell off social housing through the 'Right to Buy' policy throughout the 1980s served to both diminish social housing stock further and to increase waiting lists for accommodation, whilst also benefiting primarily white working-class households who had gained social housing places decades earlier due, in part, to the racialised discrimination of social housing allocations (Ginsburg, 1992). The 'Right to Buy' policies were intended to encourage upward social mobility through enabling social housing tenants who had lived in a property for a significant period of time to purchase the property at a reduced cost, thereby providing added security to tenants, and enabling investment in often marginal housing markets. One effect was to produce a new group of homeowners and to meet a desire for homeownership among lower income residents, with those qualifying often being longstanding tenants from white working-class backgrounds. For those unable to access the 'Right to Buy, the effect was to sustain a system in which social housing became increasingly limited in supply and very often out of reach for new migrant communities.

In the UK, social housing is provided by a combination of local authorities and non-profit housing associations. In 2018, social housing made up 17% of dwellings in the UK, a significant reduction from the post-war development of social housing and a factor further increasing pressure on housing allocations. As a result, since 2013, local authorities have been advised to prioritise applicants for social housing who can demonstrate 'a close association with their local area', often meaning a residency requirement of at least two years in an area (Guentner et al., 2016, p.398). In practice, many councils in London now have five-year residency qualification requirements, thus further limiting access not only for migrants but also British-born citizens who may seek to move for employment or training purposes. Whilst strict residency requirements are relatively recent in legislative terms, they have been informally practiced since the late 1980s as demand on social housing was argued to lead housing officers to make discretionary choices on housing allocations, often at the expense of new migrant communities (Lukes et al., 2018; Guentner et al., 2016).

Unlike a number of other European countries, the UK has had no formal settlement policies for migrants, with the exception of recent moves to disperse asylum seekers (a system we discuss further in section 0). Instead, patterns of

migrant distribution in the UK are associated with labour market opportunities, social networks, and community connections. Historically, migration has been to larger towns and cities, initially to work in industry and more recently in the service economy. With access to social housing severely limited, migrants continue to be disproportionately concentrated at the lower end of the private rental sector in the UK, often in weak positions to negotiate the housing market and enduring overcrowded and unjustly expensive housing (Powell & Robinson, 2019). Indeed, the most recent UK census highlights that ethnic minority households in the UK are more likely to live in overcrowded housing, damp housing conditions, and to rent from a social or private landlord (McKee et al., 2021).

Most recently, the structural inequalities of housing in the UK have been made starker as a result of government policies to create a 'hostile environment' for migrants in an effort to encourage voluntary returns for visa over-stayers and those in the country without a legal right to remain (Webber, 2019). Such 'hostile environment' measures have been shown to have highly discriminatory impacts for all migrants, not only those without regular legal status. A clear example is the role that the 'Right to Rent' plays in the UK Immigration Act 2016. This act requires landlords to check the immigration status of their tenants, and prohibits landlords from offering tenancies to those not living legally in the UK. Failing to check immigration status, or offering tenancy to unqualified tenants, entails significant fines for landlords and even the threat of up to five years in jail. Right to Rent provisions also allow for the immediate eviction of tenants found not to have legal documentation, thus undermining housing security (McKee et al., 2021, p.94).

The Right to Rent highlights two factors shaping the precariousness of housing opportunities for migrants in the UK. First, research has highlighted that those on low incomes, without British passports, and those from ethnic minority backgrounds feel the discriminatory effects of the UK Immigration Act 2016 most acutely. For example, the Residential Landlord Association found that in a survey of 3,000 of their members, 44% were less likely to rent to someone without a British passport as a result of Right to Rent. 53% were less likely to rent to someone with limited time to remain in the UK, and 20% were less likely to rent to an EU national (Mykkanen & Simcock, 2018). It is in these wider impacts that the Right to Rent makes housing increasingly precarious for all migrant groups, not simply those named as the targets of a 'hostile environment'.

Second, the Right to Rent illustrates the complexities of housing policy and migration in the UK, as it is a legal provision that applies only to England, and not in the devolved nations of Scotland, Wales, and Northern Ireland (McKee et al., 2017). For whilst immigration policy is a matter reserved under the control of the UK government in Westminster, control over housing policy is devolved to administrations in Scotland, Wales, and Northern Ireland, thus creating a tension between housing rights and migration policy in these nations (Crawford et al., 2016). The effect is to create a situation in which the tenants' rights of migrants in the devolved nations can be more forcefully protected than those in England, thereby exacerbating the unevenness of precarious housing conditions in different parts of the country.

Chapter 4.2.2 – Access to the private housing market

In the previous section we discussed the challenges migrants' face in accessing public housing; for the UK, we also introduced public policies preventing migrants' access to the housing market. It is easy to understand that the weaker (or the more discriminatory) public housing policies are, the more migrants have to turn to the private housing market to find a dwelling. In this sense, migrant groups often follow similar patterns, and challenges, of housing market access that exist for other low-income groups, including national citizens. Yet, the private housing market varies across countries and it is a sector that provides various opportunities, from luxurious rental apartments at high costs to run-down overcrowded flats. In some countries, like Germany, the sector includes actors such as large institutional landlords, with a social mandate, that provide for their employees, as well as the church and arms-length municipal housing associations. Their stock is considered "private" because it is not social housing and limited to certain target groups, but nevertheless affordable (Münch, 2010).

Obstacles and conditions

Of course, the economic situation is the first factor that determines people's ability to access adequate housing in the private market. While migrants share the same difficulties as other groups in terms of affordability, we must bear in mind that many migrants are confined to low-income jobs, so their risk of ending up in precarious housing is greater. Another basic issue for accessing housing, as mentioned, is the legal status, since it constitutes a prerequisite for signing any formal rental or purchase contract.

Migrants' level of knowledge/experience of how the housing market works in destination countries is also a key competence that favour access to housing and the permanence in a given dwelling, either with a rental contract or after purchase. A clear understanding of which formal/informal channels should be used to search for affordable housing and sufficient knowledge of how housing costs should be calculated, are essential for migrants to make sustainable choices. For example, in most European countries, in addition to the cost of renting a flat, there are also other costs which can be very high (e.g. flat rates for the maintenance of shared condominium spaces; electricity, water and gas bills; various taxes and fees i.e. for waste collection, property taxes etc.) and these should be considered to prevent the risk of insolvency and eviction. Securing accommodation may require a deposit to be paid in advance. Overall, local housing market rules and customs may differ markedly from the rules that apply in migrants' countries of origin, hence knowledge of them or assistance from social networks or institutions to obtain this information is particularly important for newcomers. Familiarity with the banking system and with the procedures and requirements for loans and mortgages is also relevant, particularly in countries with large shares of home-ownership housing.

Even when they are endowed with sufficient economic and cultural capital, migrants frequently encounter additional obstacles in accessing the private housing market, mainly stemming from their being perceived as outsiders and aliens. As anticipated, not all migrants are perceived in the same way: based on ethnicity, religion, country of origin, etc., some groups are considered (by landlords and real estate agencies) as more 'culturally distant', problematic, less reliable and thus fewer desirable tenants than others. Therefore, different attitudes (discriminatory or even xenophobic) can be adopted with migrants depending on different factors, ranging from their economic situation to the composition of their household, their country of origin, their level of language fluency, their (alleged) religion, the colour of their skin or ethnicity. Prejudices and stereotypes about the capacity of people from 'certain countries' or cultural backgrounds to adequately take care of the housing unit are also quite common and can contribute to landlords' reluctance to rent to migrants.

It must be stressed that migrants' difficulties in finding housing has often fuelled exploitative practices. Some unscrupulous landlords rent their dwellings to migrants at far higher prices than the market value. This is why migrants can

end up in overcrowded flats in order to share the costs and make them affordable. Examples of inter-community exploitation are also evident, i.e. migrants informally subletting part of their house to fellow immigrants (regular or irregular) for out-of-market prices, including unhealthy and/or improper spaces. Cases are also reported in which the same bed is rented twice, during the night-time and during day-time, to different migrant workers, so as to maximise rental profits. This phenomenon was common during 19th century industrialisation but was long considered to be a legacy of the past. Although it is illegal today, even on the highly regulated German housing market there are instances where mobile workers from other EU Member States like Romania and Bulgaria end up renting mattresses at high costs in overcrowded flats or sleep in shifts.

Figure 4.3: Residential neighbourhood in Padua (Italy) known as "Via Anelli's Ghetto"

Source: Picture courtesy of Paolo Robazza (2005)

Spatial concentration

Limited access to decent affordable housing is sometimes connected to the spatial concentration of migrants in (often, but not always) deprived neighbourhoods of many European cities, where the incidence of the foreign population can be significantly higher than in the rest of the city. The situation in these neighbourhoods, and how they are perceived by the overall population vary greatly from place to place, and this depends as much on the urban structure of the cities as on the characteristics of migration flows. The way in which these areas are named already tells us the connotation (negative, neutral or positive) that people attach to them: ethnic neighbourhood, ethnic enclave, multicultural neighbourhood, periphery, banlieue, ghetto, etc.

Similar neighbourhoods might suffer from socio-spatial stigmatization or benefit from their attractiveness as 'exotic' places, where ethnicity and diversity are commodified to attract tourism, leisure, and consumption. It is the case for places such as Kreuzberg ('Klein Istanbul') in Berlin, Brick Lane ('Banglatown') in London, la rue du Faubourg Saint Denis ('Quartier Indien') in Paris, or the Zeedijk ('Chinatown') in Amsterdam (Aytar & Rath, 2011). Socio-spatial stigmatisation is however more frequent – particularly in northern Europe – and problematic, as it can contribute to further marginalisation (Galster, 2013). In Southern Europe, ethnic concentration is less frequent.

The main reasons leading to the spatial concentration of migrants comprise a mix of pull and push factors, including for example:

- *more affordable costs* which, however, also corresponds to lower quality of the dwellings;
- *migration chains and/or social networks* that make it easier to find housing where other migrants already live and make these places more attractive in terms of familiarity and mutual aid;
- *house owners may be more open to rent to foreigners* if the neighbourhood is already mixed; the growth of migrant residents make properties less appealing for natives; dwellings are old, deteriorated, with low standard and migrants are nevertheless keen to rent them; they can make high profits in renting at much higher prices than market ones, turning a blind eye to the fact that migrants are pushed to informally sublet and live in overcrowded conditions;

- *proximity with "ethnic" shops and cultural facilities,* where products and services of migrants' countries of origin can be found.

Studies of ethnic neighbourhoods point to both negative and positive aspects of the "social mix".

The *negatives* include:

- higher affordability due to lower housing quality and often lower urban quality too, besides a scarcity of services. Such neighbourhoods are often stigmatised and labelled as dangerous. Although these labels are constructed, for example by media, when conditions of deprivation emerge, social risks and marginalisation are likely to derive or grow.
- The risks of self-segregation that prevents social inclusion.
- The vicious circle of deprivation (including declining property values) and what in the US is known as the "white flight". In the case of Europe, it is often observable with natives moving out from neighbourhoods where the number of foreign residents is growing.

For migrants, concentration can also be an advantage in that:

- migrants can rely on networks (family, friends, national, religious, etc.) for support and mutual help;
- the commodification of ethnicity (e.g. China-towns, Bangla-towns etc.) may contribute to the creation of job opportunities and foster migrants' entrepreneurship;
- migrants might benefit from greater opportunities for socialization, stemming from the multicultural composition of the population.

Box 4.3: Historical trajectories of labour migrants' and "guest-workers"' housing in Germany, Netherlands and the UK (Sybille Münch)

Germany and the Netherlands: from dormitories to private historic buildings

The development of migrants' housing careers in West-Germany is closely linked to the history of the recruitment of so-called guest workers. Until the mid-1970s, accommodation was mainly provided collectively by employers, testifying that foreign workers' presence was understood as provisional (Schildmeier, 1975, p. 29). In the Netherlands, the housing situation of migrants from the colonies must be distinguished from that of the recruited labour migrants. Before 1973, "guest workers" were mainly accommodated in hostels provided by their employers (Kesteloot & Cortie, 1998, p. 1848). Family

reunification, after the recruitment stop, led to people moving out – mostly into private housing (Blauw, 1991, p. 51). The hostels were closed in the mid-1980s (Blok Commission, 2004). Migrants from the colonies started their housing careers under different conditions, as the state supported them from the beginning. Indonesians, for example, were considered easy to integrate and well educated, but given the particularly acute housing shortage at the time of their arrival, they were provided for in guesthouses (Blauw, 1991, p. 45). Moluccans considered their stay as temporary. Since the Dutch government also assumed a short-term situation, they were accommodated in segregated hut villages on the outskirts of the cities, which were not dissolved until the 1980s (op. cit., p. 47).

The UK in the 1960s: discrimination and the slow opening of social housing

Unlike the situations in Germany and the Netherlands, there was no state-organised recruitment of guest workers in the UK, but the demand for labour was met by citizens of former colonies. Hence boarding houses for immigrants played a minor role. Nevertheless, according to Rex (1981, p. 27), they did exist, especially from 1963 to 1965, before entry regulations were tightened. In the post-war years, newcomers, without information about the workings of the housing market and discriminated against by society, moved into the poorest areas of the inner cities. Housing shortage was an issue. Landlords charged inflated rents or refused potential flats. At that time, signs saying "No Coloured, No Irish, No Dogs" were commonplace (Phillips & Karn, 1991, p. 67). The social housing sector remained closed to many ethnic minorities until the late 1960s (see below).

The Netherlands and the United Kingdom: acquiring property as a fall-back solution

In the UK and in the Netherlands, restrictions on access to the social housing sector pushed ethnic minorities into substandard owner-occupied housing. Due to discrimination and disastrous housing conditions in the private sector, some migrants in Britain preferred to buy cheap, run-down housing in the inner cities. It was sometimes insinuated that the decision for home-ownership reflected a certain culturally conditioned preference, for instance among immigrants from Pakistan (Dahya, 1974, p. 97). However, it is more likely that the acquisition of residential property reflected a reaction to structural conditions. As Asians settled mainly outside London, particularly in the north of England,

they could access the greater supply of cheap housing here (Flett, 1984, p. 53). Overall, however, for many, home-ownership was against their interests in the long run, as it denied them access to the higher-quality social housing stock, which could have been bought at much more favourable conditions in the 1980s, as a result of tenant privatisation (the already mentioned "right to buy") (Ward, 1984, p. 4).

"Emergency purchases" of cheap housing can also be observed in the Netherlands, in the 1970s (Schutjens et al., 2002, p. 646). Many guest workers began their housing careers in the run-down homes of the inner cities. Turks and Moroccans, in particular, felt compelled to buy a house in the old stock in order to meet requirements for family reunification. In doing so, some households paid up to three times as much in loans as the autochthonous Dutch paid for their rent (Blauw, 1991, p. 54). In contrast to Britain, where this decision still shapes the housing situation of many migrant households today, the housing situation of migrants in the Netherlands improved with the opening up of the Dutch social housing stock, in the late 1970s (Schutjens et al., 2002, p. 653). Many moved from their own house to the social sector in the 1980s/90s, because they could no longer pay the loans due to the economic crisis, or generally preferred the better-equipped social housing conditions (Bolt & van Kempen, 2002, p. 406).

Germany: The 1980s under the sign of urban renewal and housing shortage

The housing situation of migrants in Germany in the 1980s was characterised by the shortage of housing for low-income households (Kreibich, 1990, p. 184). In the mid-1980s, a majority of housing associations and especially cooperatives with very few migrants among their tenants faced a minority of municipal companies and regional subdivisions of the non-profit Neue Heimat, which housed what was perceived at the time as a very high proportion of over 15% foreigners. According to Laumann (1984, p. 64), municipal companies turned out to be the most accessible to foreign tenants. As a result of the first waves of urban renewal and associated gentrification, the residential locations of migrants had meanwhile shifted from the old redevelopment areas to the unmodernised low-rise flats of the 1950s and stigmatised high-rise areas of the late 1960s/early 1970s, which were inhabited by poor German families in precarious conditions from homeless settlements.

The influx of East German emigrants and Ethnic Germans ("Aussiedler") from Eastern Europe (200,000 Aussiedler came to Germany in 1988 alone) and the

founding of families by the baby boomers further increased the tension in the housing market at the end of the 1980s (Kreibich, 1990, p. 189). "Der Spiegel" (13.2.1989) reports that "anger and resentment" among natives were intensified because, in 1988, the federal government decided to launch a billion-euro housing programme, especially for Aussiedler.

The housing situation in Germany remained problematic for migrants because it could affect their residence permits. Sufficient living space had to be proven in order to obtain or extend a residence permit. This became a source of insecurity and further exploitation, as migrants signed false rental contracts in exchange for bribes or were forced to pay overpriced rents (Gude, 1990, p. 242). The possibility of improving their housing situation by claiming housing benefit was hardly used by foreigners, as drawing social welfare benefits could lead to deportation, and many households wrongly assumed that receiving housing benefits had similar consequences under residence law (Gude, 1990, p. 253). This also applied to the Netherlands: while migrants from the former overseas colonies quickly improved their housing situation by receiving housing benefits and were, therefore, able to afford the comparatively high rents in new housing estates, the former guest workers only took advantage of the subsidies from the 1980s onwards (Blok Commission, 2004).

The Netherlands in the 1980s: gradual access to social housing

A turning point in the housing situation of minorities in the Netherlands was the opening of the social housing sector in 1981. This step was of particular importance because the social housing sector provides the majority of housing, especially in the large cities with a high proportion of migrants (Bruquetas-Callejo et al., 2007, p. 16). At the same time, as Blauw (1991, p. 54) concedes, housing conditions had not improved. Turkish and Moroccan households, in particular, moved into public housing built in the 1950s and 1960s, when the housing shortage led to the construction of many but particularly poorly equipped flats without central heating or private bathrooms. Housing associations allocated poorly equipped flats to minorities, although it is not clear whether this was due to the preferences of former guest workers, the greater availability of these flats or a hidden strategy of the municipalities or housing associations (loc. cit., p. 55). The development of the housing situation in the 1980s is also ambivalent because, on the one hand, the economic crisis and the

resulting high unemployment undermined the social mobility of migrants and prevented them from entering better-equipped housing (Kesteloot & Cortie, 1998, p. 1849). On the other hand, urban renewal ensured the upgrading of the older neighbourhoods in which many immigrants lived (Blok Commission, 2004).

Continuity of poorer housing conditions in 1980s Britain

While housing conditions improved in the Netherlands and Germany as a result of welfare state interventions, no significant progress was made in the liberal British welfare state. Even in the 1980s and in the early 1990s, the housing situation of migrants changed little, with South Asian migrants experiencing the worst housing conditions, many as involuntary owners of pre-1919 houses. In addition, many migrants lived in bed-and-breakfast accommodation, which was totally unsuitable, especially for families (Huttman, 1991, p. 217). In the mid-1980s, however, West Indians, in particular, benefited from the redevelopment of many slums they inhabited, from which they emerged with the right to transfer to new social housing (Ward, 1984, p. 7). Yet, according to the 1991 English Housing Condition Survey, over one-fifth of Pakistanis and Bangladeshis still lived in what was characterised as the worst housing conditions in the inner cities. Black Africans were five times more likely than whites to live in accommodation where they did not have access to a bathroom or indoor toilet or had to share facilities. This was a consequence of their over-representation in the private rented sector (Phillips, 1998, p. 1692).

In the UK, as in Germany, it was argued that the poorer housing situation of ethnic minorities could be explained by their motives for migration, which was to save as much money as possible during their stay in the UK to then return to their country of origin. It was assumed that the comparatively poor housing conditions did not pose a problem for those concerned since they appreciated the modern equipment of their dwellings with electricity and their connection to the sewage system, and privacy was unknown to them anyway (Dahya, 1974, p. 82). Flett (1984, p. 55f.) objected that Dahya's account referred only to a specific group of Pakistani peasants who had been in the UK for a short time only. Moreover, since return has become more and more of a myth among migrants in the UK, their housing needs have become similar to those of the majority society. In Germany, the assertion that the poorer housing supply of migrant households was due to a lower willingness to pay rent or even an intention to return to their country of origin can be buried as a myth: despite the generally poorer housing provision, foreign families pay significantly higher

rents than German families. This difference in rent payments cannot be explained by the size of the dwellings, as foreigners on average rent smaller dwellings than German tenants, and therefore the difference in rent payments for the rent per square metre increases (Die Beauftragte, 2005, p. 104).

Source: Sybille Münch

Chapter 4.3 – Housing of asylum seekers, refugees and highly vulnerable migrants: lack of housing and precarious reception and accommodation options

It should have become clear that immigrants or ethnic minorities have been facing precarious housing conditions in Europe for decades. More recently, asylum seekers and refugees' arrival, reception and accommodation have become salient in many European states. At a broad level, national governments are responsible for immigration law and set the rules for entrance and residence. However, the provision of services in many European states is mostly delegated to the local level and local government systems in Europe vary widely, based on the distribution of competencies in service provision, the political power of the local level in relation to upper-level government and the importance dedicated to local democracy (Heinelt et al., 2018). When it comes to the accommodation of asylum seekers and vulnerable migrant groups in need for protection - such as victims of trafficking or unaccompanied minors - it is local entities that are faced with concrete needs (Glick-Schiller & Caglar, 2011; Caponio & Borkert, 2010; Glorius et al., 2019). Some have made efforts to offer welfare services to migrants, even when undocumented (Ambrosini, 2018; Ataç et al., 2020), others have protested against asylum seeker arrival to the point they have refused to provide accommodation (Campomori & Ambrosini, 2020). There is considerable divergence in the levels of support offered to asylum seekers across European countries and even between cities and local authorities in those countries.

Reception includes the right to be accommodated in a reception centre for a limited time (normally between 6 months and a year). It cannot be associated with the right to housing. We will explain in more detail how reception works in the section on asylum seeker reception systems in European countries. Following this

period of reception, the trajectories of asylum seekers vary depending on the outcome of their asylum application, but all asylum seekers are exposed to a high risk of housing precariousness and many experience housing precariousness throughout their lives. If they succeed in entering reception, asylum seekers and refugees often face inadequate accommodation conditions. At the same time, they can get stranded, after the reception period is finished, or earlier, and become homeless.

Chapter 4.3.1 – The main perspectives of analysis

The precarious accommodation conditions of asylum seekers and refugees can be analysed from different theoretical perspectives, by looking at spatial, temporal, material and mobility dimensions. From a spatial perspective, scholars have focused on the arrival of asylum seekers. Various countries have operated a system of dispersal, that is to say the allocation of a quota of asylum seekers for reception in local territories. We will come back to this and the challenges associated with this system later. Some studies have also focused on the characteristics of the locations in which asylum seekers are hosted. There are many examples of reception organised in disadvantaged neighbourhoods and refugee camps located in remote centres (Phillimore & Goodson, 2006; Spicer, 2008; Doomernik & Glorius, 2016; Campesi, 2018) with little or no access to public transport which makes it more difficult to reach welfare offices, relevant urban services, job opportunities, and support networks. The presence of large collective centres in peripheral and poor neighbourhoods may further add to critical issues already affecting these areas, such as pre-existing elements of urban disadvantage and social distress, thus exacerbating residents' perceptions of insecurity and discontent. Not to be underestimated is also the fact that asylum seekers can become the scapegoat of residents' complaints, particularly when poor media narratives fuel prejudices and local authorities do not proactively seek to communicate with residents and manage expectations.

The poor location of reception facilities can spring from logistical issues, such as the prompt availability of large buildings only (i.e. former military barracks in Italy under public ownership). It has, however, been also connected to a political move to "hide away" reception problems, while blaming them on migrants, or explicit attempts by policy-makers to "diminish pull-factors" for migration (cf. Münch, 2010). In these cases, poor quality accommodation and precarious conditions have been argued to act as tools of deterrence for states that are keen to avoid responsibility for supporting refugees (Darling 2011).

The precariousness of asylum seeker reception conditions is manifest, in material terms, if we look at the quality and type of accommodation provided to them. Although the Reception Directive states that minimum standards must be granted, no details are given on what minimum standards should include and there is no homogeneity of standards across Europe, particularly following the multiplication of actors involved in reception and the lack of standardisation between these actors (Darling, 2016; Semprebon, 2021).

Scholars have talked of the "campization" of reception (Kreichauf, 2018) to argue that the growing tendency to open large remote spatially isolated camps with low standards of accommodation and exclusionary infrastructures, represents a specific "camp-border" form within urban development (Diken & Laustsen, 2005). These camps can be considered as "spaces of exception", characterized by the lack of respect for human rights (Diken and Laustsen, 2005; Edkins, 2000; Hyndman, 2000). From a political point of view, they have been repeatedly justified with the rhetoric of "emergency", associated with the unexpected rise of asylum seekers arrivals since 2015. However, this rhetoric has been continuously adopted over many years, in spite of decreasing arrivals and an increasing level of experience and expertise in reception among European Member States. Asylum seekers tend to be considered as a temporary population, and accommodation for them, similarly to housing for migrants, often takes the shape of temporary, residual, confined infrastructures (Kibreab, 2007). The precariousness of asylum seeker reception is further embedded through the lengthy nature of many asylum procedures, meaning that asylum seekers face extended periods of time in precarious and uncertainty conditions. As such, asylum seekers find themselves living in a state of "permanent temporariness" (Vosko et al., 2014).

Besides the low standards of reception, asylum seeker accommodation in some countries, such as Italy and Portugal, is characterised by forms of containment (see Esposito et al., 2020) and reception workers' approach can fluctuate between assistance and control (Szczepanikova, 2013; Pinelli, 2017), and the infantilisation of asylum seekers (Malkki, 1995).

As already mentioned, research has long recognised that housing is a central element in migrants' path towards inclusion, as much as employment and access to services (see Ager & Strand, 2008). Yet, housing as opposed to collective accommodation is not granted to asylum seekers, nor is accommodation always provided, even less for refugees upon completion of the reception period,

suggesting that asylum policies can be understood as policies of "disintegration" rather than "integration" (Hinger & Schweitzer, 2020). Ideally, refugees would find housing in the rental market, but the post-reception period is fraught with obstacles both for those who are granted the status of refugee or another form of protection and even more for those who have their application rejected, as they are stripped of legal entitlements resulting in restricted (if any) access to the job market, basic services and health care too. Migrants whose asylum application is rejected may still wish to stay in the country or to move to another country. However, without a regular residence permit, migrants cannot move freely across Europe, for example, nor can they have a regular employment contract, nor can they have access to the private or public rental market.

Whilst all asylum seekers and refugees are classified as vulnerable individuals due to their experiences of persecution, conflict, and often highly traumatic journeys to reach safety, specific groups of refugees may present distinct needs in terms of reception and support. For example, women victims of trafficking with children present specific needs and yet anti-trafficking projects are not always equipped to host mothers with their children and local entities may be resistant in hosting them as it is particularly expensive (Semprebon et al., 2021 - Box 4.5). This is also the case for unaccompanied minors, who present vulnerabilities not only when arriving as children, but also when they reach maturity and their legal status becomes that of an adult, bringing with it fresh challenges in terms of the right to remain in Europe (Oxfam, 2021; Humphris & Sigona, 2017; Semprebon et al., 2021).

Analysis of the housing precariousness of asylum seekers and refugees can be made through another, more symbolic perspective: that of "deservingness". Frontline social workers take discretionary decisions in regulating access to reception, based on their own perception of whether a person is an "authentic" or "bogus" refugee (see for example Hardy & Philipps, 1999). This can be explained not only by the high level of autonomy they are de facto granted in their decisions but also by the fact that local authorities are prone to prevent migrants from taking advantage of the reception system if they are not entitled to benefit from the available services (Norman, 2006, p. 46).

Finally, the housing precariousness of asylum seekers must be closely related to their restricted mobility. Upon arrival in Europe, they have been subjected to rules concerning the right of movement, both to enter and circulate in Europe, hence access to accommodation is affected by this. Regulations include in particular the *Schengen Agreement* and the *Dublin Regulatio*n. The former, signed in June

1985, is a treaty that abolished European internal borders and granted free circulation within the so-called Schengen area. The latter is a European law defining member states' responsibility for asylum claims. According to the main principle of the Regulation, it is the first State in which asylum seekers enter (and have their fingerprints taken) that should process asylum applications. The European Reception Directive also states that European countries should ensure access to protection, including food and clothing, health, education, and support for employment seeking. There is no reference to housing, but to reception that involves accommodation.

The Dublin Regulation has been fiercely contested by EU Member States. Southern European countries (i.e. Italy, Greece and Spain) are *countries of first arrival*, because of their geographical position (bordering with the Mediterranean Sea, one of the main migration routes to Europe) and have thus lamented their heavier responsibility. They have also been *transit* territories for migrants who wished to reach different *final destinations*, often in Northern Europe (France, Austria, Germany, the UK, the Netherlands and Scandinavian countries). In face of these movements, Italy, Greece and Spain have often adopted a "*laissez-passer*" attitude (Ciabarri, 2015; Finotelli, 2013): controls at borders with other EU countries have been "loosened" to let migrants transit and ease migratory pressures on their own territory. Southern European countries have also experienced the return of some migrants, following the activation of the Dublin procedure involving the return to the country of first arrival. Some returns have been blocked because the reception conditions in some countries were considered inadequate to grant protection to migrants (for example, Italy and Greece). Further movements are connected to *resettlement*, that, in the EU context, refers to the transfer, normally based on a request by UNHCR and on the need for international protection, of a refugee, from a third country to an EU Member State.

Many scholars have criticised the European approach to forced migration. In particular, the Dublin Regulation, has been argued to severely restrict the mobility of asylum seekers and has failed to protect them (Kasparek, 2016; Morano-Foadi, 2017; Lavenex, 2018). Similarly, the *hotspot* approach (Tazzioli, 2017; Vradis et al., 2018; Tunaboylu M. S. & van Liempt, 2020), introduced in 2015 to cope with increasing migratory pressure being faced by some frontline countries in Europe, has been widely critiqued. This approach consisted in the setting up of operational support to these countries to speed up the procedures of migrants'

identification and fingerprinting and thus asylum claims. While it failed in supporting countries, it has severely curtailed migrants' right to asylum, due to inadequate assistance. Migrants who performed autonomous journeys towards northern Europe experienced further violations of their rights as some border locations transformed into "*internal hotspots*", with the introduction of systematic border enforcement practices internally, often highly repressive and restrictive in nature (Denaro, 2016 on Milan; Semprebon & Pelacani, 2020 on Bolzano and the Brenner; Collins, 2021 on Serbia).

In the following section we will look in more detail at some of these key asylum policies, in particular the right to reception, dispersal systems, and resettlement schemes. We will interrogate the literature on the possible positive and negative impact on the trajectories of forced migrants, before providing insights on how reception and accommodation systems work in Europe by underlining some material aspects of the dedicated facilities.

Chapter 4.3.2 – Policies for asylum seekers and refugees

In 2015, in coincidence with the "migration reception crisis", the European asylum system was close to collapse in several EU Member States. National systems, hidden behind the shield of unpreparedness to deal with increasing migration flows, demonstrated a chronic lack of investment in reception, which in some countries has resulted in permanent gaps in reception capacity, regardless of fluctuations in arrivals (for more information see AIDA, 2020). The failure of asylum and reception policies has often been the consequence of Member States' disengagement with forced migrant reception and of the lack of solidarity and coordination among them (Crawley, 2016). The impact has been felt most acutely by asylum seekers and their right to housing and reception.

Accommodation and the right to reception

Accommodation is a crucial element of asylum seeker and refugee reception. It is a right embedded in the Common European Asylum System. Guaranteeing access to dignified living conditions for these groups of migrants is certainly a demanding policy issue, considering the transitory and temporary character of reception, but it is a duty of Member States.

The Common European Asylum System (CEAS)[49], introduced in 1999, contains specific provisions on the reception conditions to be granted to asylum seekers and refugees, drawing also from the Geneva Convention. Specific standards are prescribed in the Reception Conditions Directive 2013/33 /EU (art. 17). The main objective of the Directive is to ensure minimum standards are granted in all Member States, not only in terms of access to accommodation, but also to food, clothing, healthcare, education and employment. Yet, the Directive does not specify what "adequate standards of living" means, nor does it indicate any parameter to adjudicate these standards. As a result of this, the material conditions of reception vary significantly across EU countries.

Significant differences are evident in terms of implementation, regarding both reception system organisation and standards. These divergences are associated with the following factors: different experiences in migration management; asylum and migration governance systems and the specific roles assigned to actors, at different territorial levels (from national to regional to local); the specific socio-political characteristics of each country, including the respective welfare systems; the different migratory pressure experienced by each state, depending on their geographical position along migration routes, and pressure in terms of asylum applications.

In various countries reception is organised on the basis of a dispersal system or resettlement scheme, as we will explain next.

Systems of dispersal

A logic similar to that of European relocation, has been also adopted within national territories for the dispersal of asylum seekers. This approach has been adopted by several countries, including Austria, Germany, Italy, Sweden, and France.

While the European Union has been promoting the broadening of social rights, including the social protection of immigrants, at national level political debates have been often focused on a logic of "burden sharing" (Robinson et al. 2003), that is to say avoiding concentrations and "dispersing" asylum seekers throughout national territories. The aim here is to share the social and economic costs

49 https://ec.europa.eu/home-affairs/what-we-do/policies/asylum_en

associated with reception across a range of regions and local authorities. Dispersal is also argued to support opportunities for integration and enhance peaceful cohabitation with established residents and citizens, especially where work is undertaken to address the fears, echoed by media and popular narratives, of cultural, ethnic and religious differences that can shift the "boundaries" between citizens and non-citizens (Holmes & Castaneda, 2016). Dispersal often represents the first step in the reception process.

Because of mandatory restrictions, in Germany asylum seekers are required to stay in the Federal State in which they apply for asylum and are provided accommodation, for the entire duration of the procedure, unless authorised to do otherwise (Aida, 2020a). Similarly, in Italy, asylum seekers are assigned to a specific facility in a given locality. They cannot choose where to stay, nor can they express any preference about it, nor are they allowed to leave the facility, if not temporarily and upon authorisation (Aida, 2021). Ultimately this limits their freedom and it can also have negative impacts on their employment opportunities, whereby they are accommodated, as it often happens, in remote localities.

In these territories, welfare systems are often reported to be non-performing or in distress and thus ill-prepared to face the specific needs of asylum seekers. Dispersal policies rather than effectively redistributing and sharing the costs of and efforts for inclusion, tend to paradoxically reconfirm the rhetoric that considers asylum seekers as a burden, while also making their living conditions more precarious.

Dispersal policies are usually set on the basis of available accommodation places rather than on matching needs with available services and opportunities. The specific needs of asylum seekers, or the presence of existing refugee community groups, are not considered. Exceptions are made, sometimes, for unaccompanied minors, vulnerable individuals, and families who are normally accommodated in dedicated facilities. Places are often more readily available in areas suffering from economic and demographic decline, but dispersal policies do not include the provision of resources to address any lack of service and/or quality standards of facilities and their external environments, in a myopic vision that does not consider that additional services could also be beneficial to the wider community (Phillimore and Goodson, 2006; Phillips, 2006; Darling, 2016).

How do the systems of dispersal work? In Italy it is based on a system of quotas. Depending on the number of inhabitants in each regional territory, asylum seekers are distributed throughout the country, by means of a centralised organisational mechanism. This was established with the main intention to ease the

pressure of arrivals experienced by southern Italian regions. This approach can be understood in a logic to "suburbanise" reception policies and encourage mayors to "take up the burden of reception". In Germany, asylum seekers are distributed throughout federal states through the EASY (Initial Distribution of Asylum Seekers) quota system, based on tax receipts and the size of the population of each state (Königstein key). According to the Asylum Act, asylum seekers can only stay in the district where the reception centre to which they have been allocated is situated. By contrast, In the UK, there is no formal distribution mechanism or quota to establish the number of asylum seekers dispersed to different towns, cities, and regions. Instead, dispersal is driven predominantly by the availability of low-cost housing, leading to concerns over the concentration of asylum seekers in areas of longstanding socioeconomic disadvantage and a reliance on poor quality private sector housing (Darling 2016). As a result, dispersal in the UK is a source of considerable political tension, as some regions argue they are subject to unfair distributions of asylum seekers by comparison to others.

Dispersal has been criticised on several grounds. First, it does not grant the freedom of choice to asylum seekers on where to live. It is a form of "forced arrival" (Kreichauf, 2018). Second, it can cause disconnection from social networks (Larsen 2011), precisely because people cannot choose where to go. Third, dispersal is associated with decentralisation processes, whereby central governments devolve responsibility to local authorities, but economic resources are not always adequate, nor do central governments always ask for accountability (Boswell, 2001; Robinson et al., 2003; Wren, 2003; Darling, 2017). Fourth, dispersal has been narrowly managed in terms of the physical allocation of asylum seekers within states, with an approach based overwhelmingly on control rather than participation (Boswell, 2001; Griffiths et al., 2005; Darling, 2016). This has led to forms of marginalization, disjointed from any vision of longer-term inclusion, as the interests of nation-states are placed above those of asylum seekers (van Liempt & Miellet, 2020).

Dispersal has been also associated with tensions over asylum and asylum seekers. A case in point is that of Glasgow. During the early 2000s, when the dispersal of asylum seekers was still relatively new in the UK, the city of Glasgow in Scotland became a focal point for community tensions over asylum (Coole, 2002). Glasgow was a key dispersal location during this period and limited information was provided to existing residents about asylum seekers, the support they

received, and the challenges they faced. This information vacuum quickly prompted rumours that asylum seekers were being unfairly prioritised for services and fuelled resentments towards new arrivals. A rising number of incidents of hate crime and harassment followed, including the racist murder of one asylum seeker in the city (Coole, 2002). In response, the local government established a series of integration networks across the city, designed to address rumours, encourage communication across difference, and enable communities to meet and learn from one another (Wren, 2007). Whilst by no means eradicating these tensions around asylum, over time these networks and forms of dialogue were effective in lessening these tensions and enabling Glasgow to be a more supportive environment for asylum seekers.

The case of Glasgow illustrates well that the lack of knowledge of migratory movements, migrants' experiences and the difficulties migrants face, can contribute to the growth of prejudices towards asylum seekers and refugees. Such tensions and concerns are exacerbated in contexts where reception facilities are isolated or hidden from view, fuelling suspicion and anxiety among communities. On the contrary, when accommodation is organised in smaller apartments in inhabited building blocks in small to large urban centres, processes of social inclusion have been facilitated as well as the more general well-being of asylum seekers. Similar reflections have been made about the dispersal system in Italy (Semprebon, 2021).

The resettlement scheme

Resettlement is one of the durable solutions that the UNHCR identified for the protection of refugees. The other two solutions include repatriation and local integration. While the latter are based on international law, resettlement is not and does not represent a 'legal obligation' (Hashimoto 2018).

Resettlement can be understood as a policy instrument for managing migration through the promotion of active collaboration between states and non-state actors (Geiger & Pecoud, 2010; Hashimoto, 2018). Its main goal is associated with the sharing of reception responsibility among Member States.

As Böhm et al. (2021) explain, since 2000, EU Member States also started considering resettlement as a feasible form of intervention for refugee protection and encouraged member states to implement resettlement schemes. Such schemes gained momentum in 2015, alongside the hotspot approach, in the attempt to alleviate the migratory pressure experienced particularly by Greece and Italy. The

plan was to relocate 160,000 seekers of international protection within two years. Yet, according to the 11th report on relocation and resettlement, released by the European Commission in 2017 (COM(2017)212), the total number of asylum seekers relocated, as of April of the same year, corresponded to only 16,340.

While in 2000 five European countries had a resettlement program in place and pledged about 3000 cases, in 2014, following the introduction of the non-binding Joint European Refugee resettlement program (JEURP), seven more countries introduced relevant programmes. A total of 7,500 individuals were resettled in the EU in the same year (Krasniqi & Suter, 2015). In the period 2017-18, other countries engaged in resettlement, including Bulgaria, Lithuania, Estonia, and Slovenia) thus resettling a total of at least 34,000 individuals (SHARE Network, 2019).

According to the system, people who are recognised as having a "clear" need for international protection should be resettled in European countries on the basis of defined quotas per country. The resettlement process consists of a selection procedure, predeparture orientation and continues with reception in the destination country and integration in the community. The reception phase related to the first week of arrival, with variations across contexts (Böhm et al., 2021). Contrary to asylum seekers, resettled refugees already have a defined legal status and do not undertake an asylum process but they may similarly experience lengthy periods of reception (Kaya & Nagel, 2020).

The resettlement procedures and the associated rights and entitlements differ between the countries and so do the forms of reception. In France, resettled refugees are entitled to housing for a minimum of one year. Resettlement in the UK is still rare in absolute numbers and it often privileges certain groups - most notably Syrians. Here two resettlement schemes operate, one focused on resettling Syrian refugees and one concerned with a wider range of refugees classified as particularly 'vulnerable' by UNHCR (Karyotis et al., 2021). In both cases, refugees are provided with an initial period of five years leave to remain in the UK, with support for language training and support to gain employment. Housing these refugees is the responsibility of local authorities, who receive funding to support accommodation for up to five years, meaning that most refugees are initially housed in social housing. This resettlement system stands in contrast to the asylum system, in which asylum seekers do not receive similar levels of support, training, or accommodation. A stark contrast in treatment, housing opportunities,

and standards, thus exists between asylum seekers and resettled refugees in the UK.

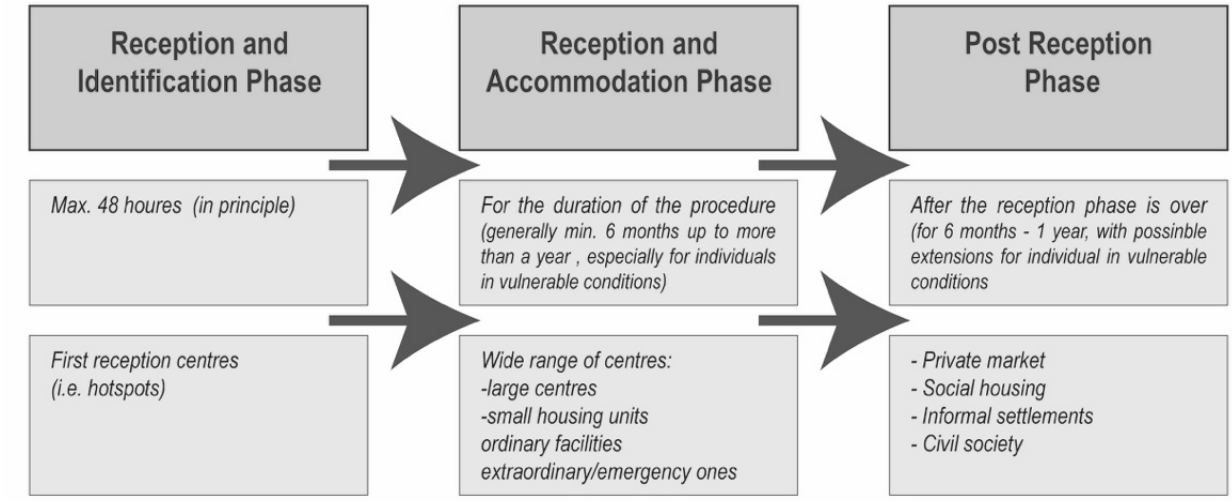
The Netherlands - as in Sweden, Finland and Denmark - has had a regular resettlement program for some time (Krasniqi & Suter, 2015). In this country, resettled refugees receive immediate permanent social housing. However, it is often the case that if insufficient places in social housing are available, refugees are accommodated in reception centres. Fostering care and respect for difference when refugees encounter the local community are valuable components of reception, facilitated by volunteers and civil society (Karakayali, 2017; Frazer, 2020). At the same time, Van Liempt and Miellet (2020) observe that responsibility for integration is shifting away from the state towards resettled refugees themselves.

Chapter 4.3.3 – The various phases of reception

We will now describe how reception systems work in Europe, with a focus on the various phases of reception, and by comparing similarities and differences in some selected countries. We will also point out the critical issues emerging from empirical research, alongside the impacts and potential impacts on the beneficiaries of these systems.

Asylum seeker and refugee reception is articulated in different phases connected with asylum procedure. In principle, specific and different accommodation facilities are provided for each phase. Yet precariousness is widespread across the entire reception process. Even without considering the worst cases of overcrowded, inhuman and inadequate centres, many other facilities only offer basic shelter and basic hygienic services.

Figure 4.4: The timeline of reception (based on the Italian system)



Source: The authors

The first reception and identification phase

The first phase is the *first reception and identification phase*. Various types of reception facilities have been used, including also "hotspots centres" at southern European shores, in Italy and Greece. As set by law, the period of permanence in these centres should be brief, no longer than 48 hours (which is rarely the case) since accommodation is provided in a detention-like condition.

Many reports have explained that the hotspots are overcrowded and characterised by very poor hygienic conditions. The UN Human Rights Committee (Amnesty International, 2018) has criticised the *de facto* prolonged permanence of migrants in some hotspots. Concerns have been generally raised particularly for vulnerable asylum-seekers (EPRS, 2018). Visits to Italian hotspots by NGOs testified to the insufficient bed capacity of some centres, for example on the island of Lampedusa, and conditions similar to detention, although migrants in hotspots should not be detained. Migrants who were held in hotspots centres have also testified to these conditions by sharing pictures of bathrooms without doors, mattresses without sheets, very dirty facilities, and other insanitary conditions (ASGI, 2019). Concerns over conditions within hotspot centres have also been raised in Greece, particularly in the Aegean Island camps, that international human rights organisations have referred to as "hell on earth" (Migreurop, 2017). The

overcrowding of the centres is an evident example of the many violations of human rights, as are the lack of food and basic hygienic services, lack of safety arrangements, of access to medical and local services orientation, not to mention psychological aspects such as isolation and frustration that can lead to extreme consequences, including suicide attempts (FEANTSA, 2020). Adding to this, during the pandemic, lack of hygienic conditions and overcrowding have contributed to the transmission of the COVID-19 virus and, in some cases, the unlawful, arbitrary and discriminatory adoption of a quarantine period (HRW, 2020).

The "second" reception phase

In the *reception and accommodation phase*, migrants who express the intention to apply for asylum are normally transferred to dedicated reception facilities, where they will be accommodated while they wait for a decision to be taken on their application. While in the first phase only countries of first arrivals are heavily involved, this second phase regards a wider range of EU countries.

In this phase, facilities include a wide range of centres, from large centres to smaller housing units. The majority of EU Member States (Cyprus, Czech Republic, Estonia, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Poland, Slovenia, Slovak Republic) make use of collective centres. At the same time, many (Austria, Belgium, Czech Republic, Finland, France, Hungary, Italy, Luxembourg, Portugal, Spain, Sweden, United Kingdom, Norway) also make use of private houses and flats, as standard accommodation or alternative forms of accommodation (see for example Zill et al., 2020) (EMN, 2014). In these instances, asylum seekers are generally accommodated closer to the local community and in less segregated conditions.

Yet, the Reception Directive states that Member States may, exceptionally and for a short period, set alternative modalities of reception, when the capacities that are normally available are exhausted. The Directive was written before 2015, thus not at a time of "crisis" and yet it has become one means for countries to justify an approach based on a constant state of emergency and exception. This is how extraordinary centres have been institutionalised, often with a lowering of the standards of accommodation. This has been notable in the cases of Greece, Italy, Spain and France.

Italy provides an emblematic example of how emergency and extraordinary approach have become the customary mode of reception. From a quantitative point of view, places in extraordinary centres still prevail over those in ordinary

reception system. An extraordinary system, parallel to the ordinary one, has thus been created and consolidated over time.

Extraordinary and ordinary facilities are often managed by the same social co-operative and standards may be similar in practice. In France, for example, the main difference between them (that are called HUDA and CADA, respectively) lies in the level of support that asylum seekers receive. Emergency reception only involves accommodation, hence legal assistance, food, medical assistance, French classes are not always provided in HUDA. However, differently from extraordinary centres in Italy and Greece, living conditions are adequate. The French system does not have the capacity to provide accommodation to all asylum seekers entitled to reception, thus placing an emphasis on other forms of accommodation. With the number of available places within the national reception system largely insufficient to meet demand, many applicants have been left out of the system: in 2018, only 44% of registered asylum seekers were given access to a reception place. This means that many asylum seekers are left stranded, in a state of "institutional abandonment" (see Box 4.7) and have no other solutions but to rely on night shelters or become homeless (AIDA, 2020b). In the UK, an emergency approach has been particularly evident since the beginning of the current pandemic. As people could not be evicted from properties, institutional buildings, such as military barracks, have been used to contain people, with much criticism on their unsafe conditions and the risks of COVID-19 infections that these facilities pose.

Having said this, some critical issues have been identified with specific reference to extraordinary centres, including a lack of transparency and a centralised system of monitoring. The lack of an adequate monitoring system, adding to the repeated call of readily available places for reception, favoured the entrance into the system of third sector associations often short of adequate professional skills[50] and the opening of reception centres in disused buildings and isolated locations, not integrated in the urban fabric and often unfit for residential use. Darling (2016), highlighted, with reference to the UK, how the privatization of facilities, following the devolution of implementation on the side of public authorities, has resulted in fragmented, often low, standards of accommodation quality in the UK. Details have been reported regarding other elements that point to housing

50 Some cases were also reported of associations that only searched for profit, sometimes with criminal intentions.

precariousness: overcrowded dorm rooms without windows, poor quality infrastructure, lack of toilets, and bad sanitary conditions.

While material conditions of reception are often the main critical aspects reported with reference to large collective centres, not all of these facilities are necessarily overcrowded. Yet despite this, large centres can hardly grant conditions of dignity, decency, safety and respect for privacy, because of forced cohabitation in shared spaces (see Box 4.4 and 4.5). The forced cohabitation of people with different religious and national backgrounds can also be challenging.

Box 4.4: The refugee centre at the former Berlin Tempelhof airport

The refugee housing facilities at Berlin's former Tempelhof airport presents an example of how collective centres, barely ensure dignified housing conditions. This large refugee shelter, built inside several hangars of a massive aviation hub, was organised as an emergency solution to accommodate forced migrants, at the height of the reception crisis, in late 2015. In October 2015, this centre hosted more than 2,500 migrants (Knight, 2016; Sanderson, 2017). While at the beginning the hangars comprised bare rows of tents, later thin partitions were built to organise the centre into smaller rooms, hosting 10 to 12 people each. Still, these rooms were characterised by no privacy and no space to socialise; "overhead lights were turned off and on at set times and the noise of thousands of people echoed off the metal roof" (Besner, 2018). Privacy was thus not guaranteed and only basic needs were provided for, far from ensuring adequate dignified housing conditions.

Source: The authors

Box 4.5: The refugee centre "la Bulle" and the makeshift camp in Porte de la Chappelle (Paris)

In November 2016 the tented humanitarian centre for migrants and asylum seekers, known as "la Bulle" (the bubble), was opened in the north of Paris, near Porte de la Chappelle neighbourhood. The centre was meant to take in 50-80 people a day (the estimated number of migrants who arrived in Paris daily, most of whom from the dismantled 'Jungle' of Calais) and to offer short-term accommodation before people could be transferred to more permanent shelters. However, the capacity of this centre (about 450 people) was not enough to cover the significantly higher number of people who needed accommodation, owing to the lack of places in other institutional facilities (Meltzer, 2017).

In general, if there was no place available in reception centres, asylum seekers were placed on a waiting list. While waiting, they ended up sleeping rough. This is why many people who were hoping to access the Bulle centre, camped out around the centre itself and on the boulevards of Porte de la Chappelle. On average 300-400 people a day (and up to 1,000 on crowded days) stayed in this makeshift camp, made of tents, mattresses, and cardboard boxes. The camp was violently dismantled many times by police (Camilli, 2017).

Source: The authors

The post-reception phase and the open policy issues for integration

What happens when the period of reception finishes either for asylum seekers or resettled refugees? They still face various challenges, both in terms of housing and in a range of other areas. Resettled refugees, asylum seekers who are granted asylum and rejected asylum seekers are face several challenges. Rejected asylum seekers are de facto no longer assisted by institutional actors and can be deported. Resettled refugees and asylum seekers who are granted asylum often encounter similar problems to migrant residents who have been in the country for several years and have a long-term residence permit. Thus, they must either search for accommodation in the private market or apply for social housing. With considerable variations across localities, housing opportunities in the private market are rarely affordable, particularly where refugees or rejected asylum seekers have not found employment and are restricted from accessing large parts of the labour market. The transition from the reception system to the post-reception period can be difficult because of language barriers, limited knowledge of the housing market, as well as forms of discrimination (Nimführ & Sesay, 2019; Borevi & Bengtsson, 2015; Bolzoni et al., 2015; Fox O'Mahony & Sweeny, 2010). These are all reasons why many forced migrants may end up sharing a flat with co-nationals, sometimes in situations of exploitation and exorbitant rents. Some become homeless or resort, more or less temporarily to informal settlements. It must be stressed that in some countries, such as Germany, refugees are also constrained in their search for accommodation (and work) as they are required to remain in the same federal state that hosted them during the asylum procedure unless they can demonstrate they have regular employment or are starting a traineeship or education in another state (BAMF, 2021).

In countries such as Italy, specific projects have been funded, to offer affordable housing solutions to refugees, but this is based on a project-logic, whose sustainability is reliant on securing continuous precarious funding. It is in this context, but also beyond it, that some initiatives have been built by civil society to address forced migrants' housing needs. These cannot be considered as alternative housing solutions, although they can provide positive experiences for migrants and fill some aspects of the void left by national policies that hardly take the needs of refugees into account – let alone rejected asylum seekers. Examples include the network "Refugee Welcome" and that of Sanctuary cities. The next section is devoted to some of these experiences.

Chapter 4.3.4 – The role of civil society organisations (Jonathan Darling)

Civil society organisations have had a crucial role in supporting refugee integration. Their relevance is underlined in all phases of the policymaking process. Third sector actors deliver various forms of services and support to migrants, ranging from language courses, health care, clothing, food, shelter/reception, legal advice, political advocacy and moral support. Studies focused on civil society in the local governance of migration, have often stressed its role in terms of outsourcing, but also complementarity with the public sector (Mayblin & James, 2018). While some third sector actors can openly fight exclusionary policies, others choose to avoid attacks on policymakers and rather contest them through their practices, such as by providing services that are lacking (Ambrosini & Van der Leun, 2015). In terms of complementarity, civil society organisations have provided additional key resources and services to 'local welfare', complementing those channelled by public welfare systems. A clear example is provided by religious organisations (e.g., Caritas) that have been crucial partners for local authorities in several countries concerning not only structural poverty but also the reception of asylum seekers (Itçaina, 2015). Another example is exemplified by the experience of Sanctuary cities and the Refugees Welcome projects in different European countries. A growing focus on political activism and advocacy under the banner of sanctuary can be seen to varying degrees across Europe in the last twenty years. Next, we will focus on how these developments have sought to impact upon, and improve, housing conditions.

A proliferation of cities across Europe have declared themselves, in varying ways, places of sanctuary. Whilst distinct in their practices and approaches, each of these movements advocate for the rights of asylum seekers and refugees, often through a language of hospitality (Bauder, 2017; Darling, 2017). For example, the UK City of Sanctuary movement explicitly seeks to inculcate a 'culture of

hospitality' whereby refugees and asylum seekers are welcomed in towns and cities (Darling, 2010; Squire, 2011). This grassroots movement focuses on intercultural events, awareness raising and providing volunteering and training opportunities for refugee and asylum groups. In doing so, they practice a model of hospitality based on opportunities for refugees and asylum seekers to interact with the cities in which they are accommodated. Elsewhere in Europe, networks of cities have begun to work together as 'cities of refuge' or 'solidarity cities' in order to support the rights of asylum seekers and refugees, often in tension with national governments and policies that restrict the rights of refugees (Bauder & Gonzalez, 2018; Kuge, 2019; Kreichauf & Mayer, 2021).

Sanctuary work of this kind can be valuable in addressing housing precariousness in three principle ways. First, through pushing local governments and municipalities to support asylum seekers and refugees in their housing needs, irrespective of government policies at national levels. As noted throughout this chapter, asylum seekers and refugees face risks of homelessness at various stages of the asylum process. In particular, European countries have increasingly used the enforced eviction of asylum seekers who have exhausted their appeal rights in an effort to deter asylum seekers, removing all support and using destitution to encourage voluntary returns (Ataç et al., 2020; Könönen, 2018). Such policies have led to the growth of destitute populations reliant on charities for survival. Yet, in some instances, municipal actors have used the label of 'sanctuary city' to extend support and accommodation services 'in spite of, and to a degree mitigating, restrictive national legal and policy frameworks' (Spencer & Delvino, 2019, p. 27). In the Netherlands, for example, Kos et al. (2016, p. 356) suggest that local governments are increasingly finding ways of 'cushioning, bypassing, resisting and counteracting various aspects of exclusionary asylum policies', through extending services and support in part prompted by supportive refugee movements such as Refugees Welcome (Baumgärtel & Oomen, 2019). Similarly, in Vienna, Ataç et al. (2020) argue that the city government's focus on solidarity with refugees has been translated into forms of temporary accommodation for otherwise homeless migrants. Whilst Barcelona's designation as a 'city of refuge' has been mobilised to develop a coalition of European cities working together to improve refugee reception conditions (Garcés-Mascareñas Gebhardt, 2020).

Second, this European strand of sanctuary has tended to emphasise the role of asylum seekers and refugees as contributing to the social and cultural life of their

'host' communities. In this way, sanctuary movements might be seen to represent part of a wider 'refugees welcome' movement of grassroots support for refugee rights across Europe, a movement that gathered momentum in response to the 'refugee crisis' of 2015. Focusing on how welcoming actions may shift public opinion towards refugees, sanctuary movements have tried to change attitudes towards refugees with the aim of improving integration opportunities and encouraging refugees' access to housing and labour markets (Gill, 2018). For example, in Sweden, Lundberg and Strange (2017) illustrate how a range of initiatives to promote welcoming are taken by different cities. In Stockholm, groups wanting to align themselves with Refuge Stockholm, were given a list of requirements to meet before being able to be part of the movement. These included providing free or discounted services to undocumented migrants and not demanding social security numbers for services. To be part of Refuge Stockholm organisations were required to offer opportunities for refugees to be involved in their activities, mirroring some of the practices of the UK's City of Sanctuary where volunteering was seen as a valuable resource to feel part of city life (Darling & Squire, 2013). Similarly, in Malmo, city officials worked with sanctuary groups to gain access to the library and ensure that undocumented individuals could borrow books despite lacking formal residency status (Lundberg & Strange, 2017, p. 357).

Third, the growth of sanctuary cities and the wider refugees welcome movement in Europe has helped to support and develop grassroots responses and organisations that assist asylum seekers and refugees in their housing needs. Thus, alongside the forms of squatting and occupation discussed earlier, a range of housing community projects, charities, and hosting schemes exist within Europe to support asylum seekers and refugees into longer-term and more secure accommodation. For example, Refugees Welcome International is a European-wide network that matches refugees with flat share and housing opportunities and uses donations and fundraising to support the costs of accommodation. At the same time, community hosting schemes, in which homeless asylum seekers and refugees are offered accommodation in a spare room or unused property, offer similarly grassroots forms of accommodation provision and support (see box 4.6). Even though they are often temporary in nature, these initiatives indicate the diversity of approaches to supporting asylum seekers and refugees in their housing needs across Europe, with developments at the community and the urban level often more supportive of providing shelter, security, and accommodation than policies at national or European levels.

Box 4.6: The No Accommodation Network

The No Accommodation Network (NACCOM) is a network across the UK aiming to prevent homelessness among asylum seekers and refugees (NACCOM, 2017). NACCOM brings together a range of small voluntary organisations who run night-shelters for destitute asylum seekers, host refugees and asylum seekers in spare bedrooms, and in some cases have even been able to purchase property to enable asylum seekers and refugees to have a more secure future. At the same time, NACCOM target policy change through campaigns to end destitution and raise issues of migrant homelessness with local authorities, MPs, and government ministers. Whilst less radical than the forms of migrant squatting seen elsewhere in Europe, the work of activists to house asylum seekers and refugees through NACCOM displays similar critiques with respect to the exclusionary drives of accommodation policies. Grassroots networks that host people who would otherwise be homeless, show how efforts to welcome and support asylum seekers and refugees have extended far beyond state-centred models of resettlement and dispersal, to form networks that stand in solidarity with those seeking refuge (Darling, 2020).

Source: Jonathan Darling

Chapter 4.4 – Informal forms of housing

In this section, we aim to provide an overview of practices and strategies of informal housing for and by migrants in Europe (we consider the wider context of housing informality in Chapter 5 too). As described in the previous section, people in search of international protection can be confined in camps upon arrival or resort to informal housing when in transit to other destinations. However, as shown in the matrix at the beginning of this chapter, migrants who are living in European countries for longer periods are also often forced into informal housing situations. As mentioned, this is the result of multiple and overlapping factors, including: lack of inclusive urban policies and housing provision; legal barriers (precarious legal status and limited rights of non-citizens); economic barriers (poverty/lack of economic resources and access to housing subsidies or income support); cultural barriers (lack of support networks or of access to formal support structures); spatial barriers (forms of segregation leading to stigmatisation

and the mismatch of housing demand and supply); and discrimination, either overt or implicit.

The phenomenon of housing informality is particularly complex when it regards migrants, as not only their legal status but also a wide set of other crosscutting variables determine their inclusion in - or exclusion from - the formal housing system. For example, the informal (sub)letting of (often sub-standard) apartments, rooms or even of a mattress for day or night use, is a recurring form of informal housing. This precarious and overcrowded arrangement is the result of migrants being pushed to marginalisation by the barriers they face in accessing the formal housing market. However, these practices are often "invisible" to institutions. As we will see, other forms of informal housing are more visible. What is important to keep in mind when exploring this issue is that all of these informal housing severely undermine European democracies as they demonstrate their incapacity to guarantee the universal right to adequate affordable housing for all.

Next, we explore various spatial configurations of housing informality among migrants in Europe. Several terms are used to describe these informal spaces, including camp, settlement and settling. Adjectives include: informal, irregular, illegal or makeshift. In general, these informal spaces can be classified into four main categories: 1) squatting, in unassigned public housing or abandoned buildings; 2) ghettos, in rural areas; 3) camps; 4) (forms of) homelessness.

Chapter 4.4.1 – Migrants and squatting

Migrant squatting is not a new social practice in Europe and it involves the occupation of buildings for residential purposes. It emerged after World War II as a consequence of the shortage of housing caused by destructions; internal migration towards industrial cities from rural or poorer areas; mass international migration flows of migrant workers from European countries and third countries. Little accurate quantitative data is available on the phenomenon, as the majority of studies are qualitative in nature. However, what should be stressed first and foremost is that squatting is a strategy enacted by people with a migrant background (and not only) as a survival mechanism, where neither housing nor accommodation are available to them. Furthermore, squatting has been carried out by political movements who claim the right to housing for all, thus intersecting with the housing needs and the precarious housing conditions of migrants (these interconnections across housing movements are discussed further in Chapter 7).

The historical relationship between migration and squatting is often overlooked, despite a long history of squatting for housing related to migration

(Cattaneo & Martinez, 2014). A notable exception is the work by Mudu & Chattopadhyay (2018) whose book "Migration, Squatting and Radical Autonomy" offers a collective effort to reflect on how the intersection of migrants' needs, radical struggles and squatting call into question the manufactured consensus of "who belongs where". They highlight how squatting has been thought of as an alternative to dominant anti-immigrant policies. Similarly, recent work by Dadusc et al. (2019), has focused on migrants' self-organised strategies in the collective squatting of vacant buildings, describing it as an "essential part of the 'corridors of solidarity' created throughout Europe by grassroots social movements that, together with migrants, have devised non-institutional responses to oppose the violence of border regimes".

Squatting is primarily understood as an illegal practice involving the re-appropriation of vacant spaces that results in the creation of venues for social and political struggles (Hodkinson & Chatterton, 2006; Cattaneo & Martínez, 2014). Politically, squatting has been argued to lead to the constitution of 'hybrid political subjectivity between migrants and non-migrants' (Raimondi, 2019: 568) and brings the voices and needs of migrants to the fore (Dadusc et al., 2019). Some high profile examples of squatting by migrants include the Metropoliz in Rome (Grazioli & Caciagli, 2018) and the City Plaza in Athens (Raimondi, 2019). These have shown that strong and horizontal forms of self-management are possible and foster forms of mobilisation where diverse social and political struggles converge.

Deanna Dadusc' (2019) suggests that autonomous forms of homemaking, such as those enacted by the "We are here" grassroots movement in the Netherlands, marked an important shift in migrants' struggles against reception shelters. They have comprised acts of protest as well as the performance of resistance.

It must be explained that squatting very rarely involves migrants alone: in most cases, the occupied buildings are also inhabited by young citizens, who share with migrants similar precarious housing conditions and often join their struggle to claim their right to housing. This is how, by living in occupied buildings, migrants can grow aware of their right to housing and become engaged in forms of mutual aid and solidarity that extend beyond the boundaries of immigration status and citizenship.

Figure 4.5: Squatting in Brussels: urban movement occupy a building to house migrants

Source: Squat!net (https://bit.ly/3nYujsa)

Chapter 4.4.2 – Migrant "ghettos" in rural areas

In recent decades, in many countries of Europe, migrants have represented a significant share of the workforce employed in low- paid and 'dirty' jobs in the agricultural sector, especially in areas characterised by intensive production and low levels of mechanisation (see, among others, Corrado et al., 2016, Gertel & Sippel, 2014).

According to Brovia & Piro (2020), the majority of the scholarship dealing with migrant living arrangements focuses on urban contexts. Less attention has been devoted to studying migrants' presence in rural areas, although there are some exceptions (Kordel et al., 2018). Nevertheless, the literature dealing with migrant workers in agriculture is contributing to filling this gap by coupling the interests in farm workers' labour conditions with an attention toward their living arrangements (Torres Pérez 2011, Gadea et al., 2014, Gertel & Sippel 2014, Corrado et al., 2016).

According to a recent policy report, migrants in Europe represent 14.5% of the total population living in cities, in contrast to 10.2% living in towns and 5.5% in

rural areas (Natale et al., 2019). These aggregated figures indicate that migrants tend to be overrepresented in cities, with respect to towns and rural areas. Yet, when unpacking the data by single Member States, significant differences can be observed, as well as a tendency for settlement in some rural areas. Such a tendency is particularly pronounced in Italy and Spain. The temporary and often irregular nature of migrants' employment in agriculture, often associated with exploitation, has made it particularly challenging to quantify needs (ibid). On their side, local authorities may not be equipped to deal with migrants' inclusion. As Semprebon et al. (2017) observe, it is often emergency situations that push institutions (and other actors) to intervene. Local and national policy-makers often fail to improve the workforce's living conditions, since they do not consider the farm workers' presence as structural.

The report by Natale et al. (2019) contributed to raising awareness on the poorly studied phenomenon of migration in rural areas. Seasonal migrant workers are available to work in poor conditions for long hours and low wages and this is crucial to the neoliberal agro-food industry. In southern Europe migrant labour is employed for harvesting tomatoes, strawberries, oranges and other seasonal fruits and vegetables, whose cost has to be kept as low as possible (although it increases in each step of the supply chain). As a result, migrants are exposed to inhumane working conditions and are charged for transport, meals and undignified accommodation by the intermediaries (or gang-masters) or unscrupulous employers.

The temporality of the employment coupled with low and uneven salaries, and the shortage of renting opportunities has forced many migrant farm workers to look for cheap and informal living arrangements near to the areas of agricultural production. This fosters the mushrooming of numerous informal settlements in the countryside made of self-constructed shacks or tents, with poor access to water and other services. These settlements, usually known as 'ghettos,' are spread out lodging from a few dozen to several thousand migrants (Brovia & Piro, 2020).

Several labour market analyses indicate that the estimated proportion of rural employment, which is largely filled by migrant workers, has been increasing over time. Between 2011 and 2017, an estimated increase of 4.3% to 6.5% was recorded, in Europe - with respect to the total population employed in the agricultural sector (Natale et al., 2019). This tendency is driven by Spain, Italy and Denmark. In

these countries, the percentage of migrants employed in agriculture is higher than that of migrants employed in other sectors.

In face of this scenario, rural migrants fare worse for most indicators of integration, not only compared to citizens but also compared to migrants living in cities and towns. Several studies (for a review see Rye & Scott, 2018) provide ample evidence indicating how poor working conditions and the dependency on the role of intermediaries for recruitment are defining characteristics of employment of migrants in agriculture that point not only to precariousness in employment but in housing too. According to Perrotta and Sacchetto (2014, p. 77), many workers address housing needs in one of three ways: "a) they live in reception centres set up by the local institutions, which are usually open only for a limited number of documented migrants; b) Eastern Europeans in particular find shelter in uninhabited houses in the countryside, which are often without electricity, water and heating, c) many African migrants with and without documents live in large "ghettos" - as the migrants themselves call their living area (i.e. concentrations of several hundred workers living in self-built shacks, abandoned houses, factories and other derelict buildings)".

More generally, migrants' settlement in rural areas is associated with relevant residential and territorial aspects. Migrants may settle in these areas or peripheral areas (rather than in large cities) as they may be more affordable, regardless of whether employment is available in agriculture. By doing so they may impact on demographic trends of depopulation. At the same time, Natale et al. (2019) recall the phenomenon of "temporary, seasonal and circular forms of migration" to highlight that while there can be pull factors associated with employment opportunities in agriculture, migrants may stay in rural localities for temporary periods only. Examples are given by the authors of the situations of migrants from Ukraine to Poland, but this phenomenon also includes a wider range of migrant workers from Bulgaria and Romania too. Considering the temporary and circular nature of these movements is relevant as they are embedded in the housing as well as employment precarity of migrants and are strictly connected to the legal precarity generated by seasonal visa requirements.

Figure 4.6: Pista di Borgo Mezzanone (Puglia, Italy) rural ghetto

Source: mediciperidirittiumani.org (pict. by Rocco Rorandelli, August 2019)

Chapter 4.4.3 – Camps: formal and informal entanglement

What makes the failure of national housing, reception and integration policies in Europe evident is the presence and growth of camps that have developed at border or junction areas along many of the main migratory routes into and across Europe. Despite being similar in their structure of makeshift settlements, the main difference between rural ghettos and camps are the reasons pushing migrants to live there. The former are built by migrants who need to settle near (or inside) the place of work, usually for the harvest season(s); the latter are camps built along migration routes either by (local, national or international) authorities or by migrants themselves. Such camps are often located close to major natural or artificial borders, sites that are heavily patrolled to keep migrants out. As a result, migrants often end up stranded in these locations for long periods.

Migration movements and the institutional incapacity to deal with them have resulted in the establishment of campsites all over the world. Some have existed for decades, like Zaatari, a large-scale camp in Jordan; others, like the UNRWA camps and the settlements of the Palestinian and Syrian refugees in Lebanon, or

the makeshift camps around Calais, date back to the 1980s (Dembour & Martin, 2011). There are some critical differences between these varied forms of official and unofficial camps.

Official camps are (in theory) temporary settlements built to host refugees and asylum seekers. They often comprise container housing units and/or tents. Refugee camps usually accommodate displaced people who have fled from their home country, but some camps also host internally displaced people who flee from a given locality but remain within the same country. Camps are normally built and run by a government agency, or the United Nations, or international organizations (such as the International Committee of the Red Cross), or non-governmental organizations. In the EU, these camps are de facto places of detention where migrants are confined until their request to enter the EU territory is examined (see Box 4.7).

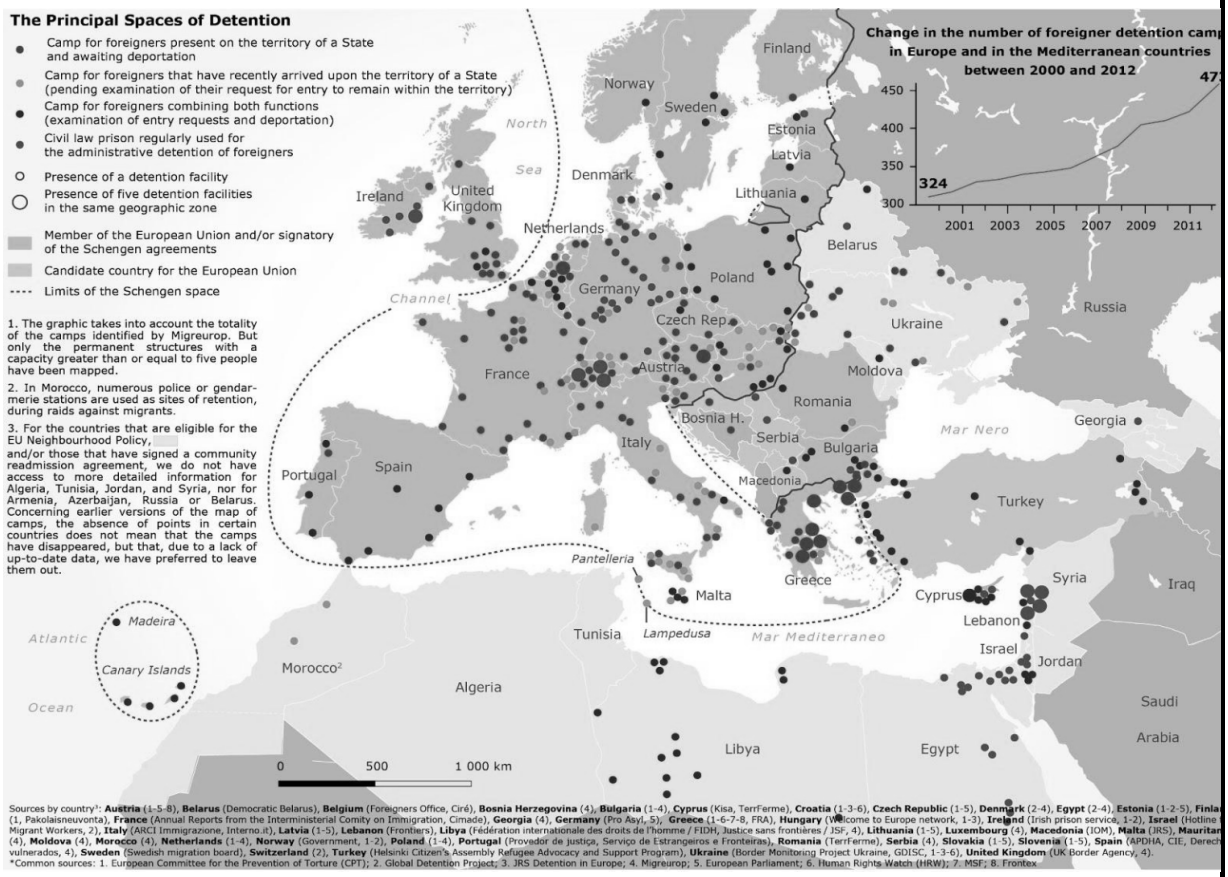
Unofficial camps, such as Idomeni in Greece or the Calais Jungle in France, emerged spontaneously and the migrants who settled there were largely left without any support by governments and international organisations - while civil society actors and activists have often acted to provide basic aid. Living conditions in such camps are extremely precarious as evident in the cases of Greek camps (Moria, Oreokastro, Katsikas, Idomeni, and other camps on the islands of Lesbos, Samos, and Chios). They include inadequate shelter, hardly any running water, overcrowding, waiting times spanning several hours to get food and access toilets, a lack of access to healthcare services and education (for children), and limited or no access to legal support. The spread of camps across Europe gained more political and public attention during the 'migration reception crisis'. Since 2015 and 2016, camps have been an integral part of the European political and geographic landscape: they have proliferated along the Balkan route and at the internal and external borders of some EU Member States. When migration flows started decreasing, after a peak in 2015, some commentators expected that such informal camps would dissipate as quickly as they had appeared. On the contrary, the number of makeshift camps is still significant throughout Europe. Yet, it is difficult to determine precisely how many exist to date in the European Union (Mediterranean Institute for Investigative Reporting, 2021).

Box 4.7: Spaces of detention in Europe

Migreurop is a network of activists and researchers defending migrants' rights. Launched in 2002, during the European Social Forum in Florence, this network has been denouncing the multiplication of administrative detention centres for

foreigners, including camps, civil law prisons, and detention facilities. It has also raised awareness among civil society actors on the detention of undocumented migrants as a key tool of the European migration policies. Cartography has been repeatedly used by Migreurop to represent this and other phenomena.

Figure 4.7: Map of the encampment in Europe and its consequences on refugees' itineraries



Source: Migreurop

Take a closer look at the map here: http://migreurop.org/IMG/jpg/map_18-1_L_Europe_des_camps_2011_v11_EN.jpg

Source: The authors

It is important to examine the factors underpinning the emergence of informal camps set up by migrants, which are similar to those that the United Nations Economic Commission for Europe (UNECE) identifies, as causes of the establishment of informal settlements worldwide: i) a flow of people into a certain area; ii) bad planning and administration or dysfunctional regulatory frameworks; iii) large forced migrants flows; iv) poverty and lack of housing (partly as a product of the other factors) (Tsenkova et al., 2009).

Informal camps are therefore the result of the absence of adequate reception and housing policies and facilities. They represent a self-made response to the basic need for shelter. Migrants or displaced groups tend to gather and open encampments also for social reasons: self-constructed shelters increase the feeling of safety and increase visibility, hence they open possibilities to receive external relief (Corsellis & Vitale, 2005, p. 115). Camps that are built in situations of emergency usually last longer than the (prolonged) emergencies around which they are created, thus resulting in novel socio-spatial forms like 'city-camps', squatter camps or urban slums (Agier, 2002; Tsenkova et al., 2009).

In addressing these cases, Huq and Miraftab (2020) reflected on the intersection between two specific bodies of the academic literature: one on informal settlements (informal and insurgent grassroots practices) and one on reception camps (the governance of refugees) and contributed to the theorization of these expanding and overlapping spaces of global displacement. As they explained, "although camps and informal settlements are not the same, they can resemble to and blur into each other as they evolve in context-specific ways".

In their view, both informal settlements and camps may indeed host displaced refugees and asylum seekers, as well as impoverished citizens with migratory background, producing complex social ecologies in which citizenship status (or lack thereof) is only one factor shaping the experiences, and precarity, of those present.

If we look at informal settlements through the camp literature, we can better understand the spatial forms that recent crises of reception across Europe have assumed (Archer & Dodman, 2017). Huq and Miraftab argue that "in spaces where urban humanitarian crises are concretely manifest, the lines between citizen and refugee - and between informal settlement and camps - become blurred. Within informal settlements, impoverished and stigmatized dwellers are held in a limbo of citizenship-in-wait and in-situ displacement" (2020, p. 353).

Camps and informal settlements' temporalities are thus key to understanding the claim-making practices among citizens and refugees in relation to state and humanitarian governance. Camp dwellers wait for local integration, third-country settlement, or return and repatriation to their country of origin. Picker & Pasquetti (2015) observe that waiting, in cases of protracted displacement, is a temporal dimension that is "detached at once from the future, and from linearity, instead solely reduced to an indefinitely permanent temporary dimension" (p. 684).

Box 4.8: The Jungle of Calais

The Calais Jungle (known officially as Camp de la Lande) was a refugee and migrant encampment close to Calais, in France, at the border with the UK. It was open from January 2015 to October 2016. Other camps had been named "jungles" in the previous years, but this particular settlement drew global media attention in 2015, when its population grew rapidly. Migrants stayed at the camp while they attempted to enter the United Kingdom, or while they waited for the French authorities to process their asylum claims.

Source: The authors

Chapter 4.4.4 – Homelessness

Due to different policy frameworks and approaches, there are many challenges in establishing a common definition of homelessness in Europe (these varied definitions and challenges are examined in more depth in Chapter 6). FEANTSA (The European Federation of National Organisations working with the Homeless) and the European Observatory on Homelessness developed a European Typology of Homelessness and Social Exclusion (ETHOS) that is used widely across Europe (Busch-Geertsema, 2010). It is a broad definition with four categories that span from more to less acute homelessness situations, including: rooflessness, houselessness, insecure housing and inadequate housing. Whilst more detailed analysis of homelessness at a general level will be provided in Chapter 6, here we want to stress three broad concerns in relation to migrant homelessness at EU level: i) a growing share of migrants among the homeless population, in particular people living rough and houseless people using emergency and low-threshold services; ii) evidence of the presence of refugees, asylum seekers and undocumented migrants among homeless people, in the most acute

homelessness situations; iii) migrants who be exposed to a disproportionate risk of homelessness, compared to other individuals, although they are not recent migrants.

In 2004, ETHOS published the book "Immigration and Homelessness". This was the first comprehensive analysis of the impact of integration policies on the homelessness sector in EU Member States. From then onwards, the issue remained central as far as migrants are involved. A substantial share of the homeless population includes in fact migrants and in particular undocumented migrants, but also EU migrants, unemployed migrants with a long-term residence permit, asylum seekers and holders of international protection that can fall into a state of institutional abandonment. In some countries, such as France and Italy, approximately half of the users of homeless shelters are of migrant background (FEANTSA, 2016).

Despite the size of the problem, the homeless sector still struggles to define its role and responsibility vis-à-vis homeless migrants, particularly undocumented migrants. Views and experience of migrant homelessness differ between EU Member States but there is growing evidence that it is a Europe-wide social issue, particularly in larger urban areas (Daly, 1996; FEANTSA, 2002; Edgar et al., 2004; Harrison et al., 2005). Edgar et al. (2004) suggested that a combination of relative disadvantage in labour markets and in housing markets, coupled with prejudices, racism and discrimination, have contributed to creating the conditions for housing exclusion and homelessness. Furthermore, although entitled to protection and reception, asylum seekers as well as refugees often end up in precarious housing conditions with a high risk of experiencing situations similar to those of homeless people. Both groups can get trapped in the vicious circle of long-term homelessness.

The sixth FEANTSA report highlighted that extreme poverty and homelessness have gained further ground and are affecting new segments of the population, since the spread of the COVID-19 pandemic. Previous editions of the report had already highlighted the dramatic increase in homelessness and the diversification of homeless people profiles, suggesting that the pandemic has de facto worsened existing poor conditions. In 2019, FEANTSA and the Abbé Pierre Foundation had estimated at 700,000 the minimum number of homeless people in the European Union, sleeping rough or in temporary/emergency accommodation on any given night (FEANTSA, 2020).

At a glance

Key points

- Defining who can be considered "a migrant" is not an easy task and categories are often overlapping. Key differences concern the legal status (regular vs irregular), the reasons underpinning migration (economic versus forced migrants) and – in the EU context – the country of origin (mobile EU citizens versus third country nationals).
- Accessibility to adequate housing for migrants largely depends on their legal status: in principle and by law, regular migrants can access the formal housing market (public and private), while irregular migrants have few options and often rely on informal housing options.
- Migrants are often more vulnerable to discrimination in accessing housing (and other basic assets) than nationals.
- Migrants' housing precariousness is determined by a mix of factors, including their country of origin, their economic status, age, gender, race and ethnicity, religion, language proficiency, etc. The relations between these factors are considered in "intersectional" approaches.
- Asylum seekers and refugees should be granted accommodation through reception systems, as required by law. However, reception systems and post-reception policies are not harmonized across European Member States, leading to the jeopardization of opportunities for accommodation. Asylum seekers are in the best of cases offered accommodation only, not housing in the strict sense.
- Informal spaces inhabited by migrants in Europe can be classified into four main categories: 1) squatting in unassigned public housing and abandoned buildings; 2) makeshift ghettos in rural areas; 3) camps; 4) (forms of) homelessness.

Start thinking

- What are the main obstacles that prevent migrants from accessing safe, secure, and suitable affordable housing?
- How are different legal statuses of migrants relevant in accessing housing.
- Do migrants with a different legal status face different housing trajectories?
- Do regular migrants face the same obstacles as irregular migrants? Do they face the same opportunities and the same housing careers?
- Are asylum seekers and refugees provided housing? What type of housing is it? How does this differ in different European countries?

Learn more

Have a look at our corresponding e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=94&forceview=1

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Chapter 5 – Informal Settlements

Boyan Zahariev & Ilko Yordanov

This chapter introduces key concepts and definitions related to informality and informal settlements from legal, economic, social and political perspectives. The following sections, constituting the core of the chapter, explain how informal settlements are connected to insecurity, precarity and other forms of vulnerability. Due to our focus on precariousness, examples of informal settlements that are not necessarily related to social marginality are presented but not given similar weight.

According to UN-Habitat towards the end of the second decade of the 21st century, 1.6 billion people or 20 per cent of the world's population lives in inadequate housing, of which one billion reside in 'slums' and informal settlements (UN-Habitat, 2020, p. 25). While the vast majority of those living in inadequate housing are in developing countries, the same report concludes that unsheltered or homeless populations are also a significant feature of the urban landscape in developed countries (UN-Habitat, 2020). Globally, rapid urbanization and population growth continue to outpace measures to improve access to adequate housing. By 2030 an estimated 3 billion people will be in need of adequate and affordable housing[51] and by 2035 the number of people living in informal settlements is set to double (Collier et al., 2019). According to the UN's Special Rapporteur on the right to adequate housing, about one quarter of the world's urban population live in informal settlements (Farha, 2020).

In the 21st century, it would appear that informal settlements have emerged as a significant global problem and the situation is projected to get worse in decades to come. In the next section we will explain what informal settlements are. Global estimates give the impression that there is a commonly accepted definition of informal settlements, but this is actually not the case. As we will see, there are a variety of different informal settlements across the globe, some of which are probably not included in the above statistics. While the informal settlement is

51 https://unstats.un.org/sdgs/report/2019/goal-11

often mentioned together with slum and inadequate housing, we will present it as more diverse and complex phenomena.

The chapter starts by discussing different definitions of informality and informal housing (5.1). We then introduce the readers to cases of informal housing that are common all over Europe – squatting (5.2.1) and the use of allotment gardens for permanent dwelling (5.2.2). Chapter 5.3 examines informal settlements in Europe that are inhabited by Roma, before we conclude with a discussion of policy solutions to informal housing.

Chapter 5.1 – Informality and informal settlement

In this section we describe conceptual approaches to informality and examine different definitions and classifications of informal housing and settlements. However, before we turn to discussing definitions of informal settlements, we need to deal with the concept of 'informality', to which there is more than might first appear.

Chapter 5.1.1 – Conceptualising informality

First of all, informality is not just a feature of housing and settlement. It is a phenomenon that exists and persists across different markets, societies, institutional settings, countries and historical contexts. Informal settlement often goes hand in hand with other forms of informality, i.e., informal employment, informal commodity markets, informal credit etc. Practices of informality which, historically, occurred on a large scale in advanced industrial countries are often replicated across developing countries today. Informality in some developing countries, which draws parallels with cases from Europe during the industrial revolution, represents an attractive opportunity structure[52] for those migrating to urban slums. For those who choose to engage with the shadow economy of the city, informal occupations are not necessarily an inferior option compared to formal employment (Hart, 1973).

One research perspective on informality comes from the analysis of the informal economy – a concept which is also not strictly defined. Informal labour markets are at the core of informal economies and provide one of the earliest, best-

52 An opportunity structure is a set of external factors that determine the choices an individual has and the rewards s/he can expect from making those choices.

known and well-documented examples of precarity. In the broadest sense, the informal economy includes all economic transactions in commodities or services that do not observe the formal rules established within a market or an economy. In the words of Portes and Castells "the informal economy is a common-sense notion whose moving social boundaries cannot be captured by strict definition…" not least because it embraces a host of apparently very different situations. It is easier, therefore, to move directly to historic and contemporary examples instead of providing a definition (Portes et al., 1989, p. 11). Even though the authors acknowledge how difficult it is to say what informal economy is, it is important to say what it is not, in order to put aside some popular misconceptions: it is not just a set of survival activities performed by destitute people, but rather a pattern of income-generating activities, which can be observed both in developed and less-developed countries and which is practiced by both poor and wealthy people.

Probably, much more has been written on informality in commodity and labour markets than in housing. A broad perspective on informality derives from observations about the way society and economy were functioning within countries of the former communist bloc. In Russia, which is an emblematic example, the functioning of the so-called sistema – a system of informal networks and power relations – persists even today. Many believe that this informality was, and has remained, deeply rooted, influencing the development trajectories of many post-socialist countries even following fundamental changes in the political and economic order (Ledeneva, 2013). This analytical framework has proven fruitful for the analysis of informality in a variety of social and economic contexts, both geographically and historically. However, economic informality cannot be regarded as simply a remainder from previous relationships in the production and distribution of goods and assets (Portes et al., 1989). Informality has been growing in many modern capitalist societies and it appears to play an important role, whether as a sign of market dysfunction or as necessary supplement to more formally regulated markets.

There are at least three different ways of looking at informality, which shape the way informal settlements are defined, understood and conceptualized in economic, social and political terms: 1) Informality as a deviation from established rules and norms; 2) Informality as a natural state; 3) Informality as a form of critique of the existing (capitalist) system and anti-systemic protest.

1) Informality as a deviation from rules and norms

The first reading of informality is that it is a deviation from what is considered 'formal', i.e. legal, licit, regularized, supported by existing rules and norms etc. (the list of closer or more distant synonyms can be extended further). The fact that the word 'informal' is a derivative and that informality is typically defined by negating its opposite creates the impression that we are dealing with a social and economic phenomenon, which is an outcome or a consequence of some 'unnatural', undesired or unacceptable development. Informal settlements understood as a specific social problem related to urban development and housing markets fall into this category of informality. The main challenge in this case is how to prevent deviation from the rules and regulations that are in place, how to restore compliance to planning and building regulations, and how to facilitate the 'normal' functioning of already existing informal settlements so these become regularised.

Informality often but not always entails precarity because it represents a state of insecurity: there is always a threat that rules and norms may be enforced through methods such as eviction or demolition. The threat of being removed from one's home and displaced is always present in a situation of informality even if some compromise with existing formal legal order seems to have been negotiated. Banki introduces the useful term "precarity of place" mainly in relation to migrants, to refer to the threat of being removed from a country, although the concept can easily be generalized to the threat of removal from one's current place (Banki, 2013). Informal settlements are thus by definition precarious places.

Informality offers a host of paradoxical situations, which is a challenge for any theoretical interpretation. On the surface informality looks like a breach of existing licit[53] rules but it can be regarded as an internal normative order operating within informal settlements, which is distinct from the state legal system and operating outside of it (van Gelder, 2013). This means that informal settlement far from being devoid of rules, may have their own instead. While this situation represents a deviation from the existing normative order, it is not just a random breach of rules, but is rather an adherence to a different system. This tension can sometimes be resolved in different ways: i) by tolerating the alternative rules; ii) by aligning the alternative system of rules with the mainstream i.e. by procedures of regularisation or legalisation. Squatters – whether individuals or members of a protest movement – usually demand recognition from the mainstream legal

53 Conforming to law, legal.

system. The same system that denies legal access to housing for poor sectors simultaneously attempts to incorporate informal settlements in an ad hoc manner through legalization schemes (van Gelder, 2013).

2) Informality as a natural state

Some argue that urban informality has now become part of the norm rather than an exception and is no longer associated with poor squatter settlements, but is seen as a generalized mode of metropolitan urbanization; urban informality under this interpretation indicates an organizing logic; a system of norms that governs the process of urban transformation itself (Roy, 2005). This argument is supported by the idea that Third World[54] urban growth which is forming (big but not powerful) megacities is essentially unplannable. Dealing with informality therefore means confronting how the apparatus of planning produces the unplanned and unplannable (ibid). Most informal settlements in Latin America exhibit violations of the prevailing formal legal order of land use, planning, registration, building and taxation and thus have fundamental problems of illegality (Fernandes, 2011). Informal property rights are still the norm rather than an exception in some East European countries. For example, in Romania only 15 percent of rural and 51 percent of urban real estate was registered as of 2015 (Inchauste et al., 2018).

In reality it is justified to claim that formality and rules-based transactions are a relatively recent development, especially if we look beyond contemporary Europe. The informal in social and economic terms, including informal housing, is sometimes equated with the traditional and indigenous as opposed to the modern and its overlay of rules and formal requirements, especially in developing countries (Lowder & Bromely, 1981). From this perspective, informality appears less bureaucratic and less technocratic, providing easier access to resources and markets and is even more competitive and just. Further arguments within this

54 The term "Third World" is used in the quoted work. When quoting we adhere to the concepts and terms that were originally used concepts as they are important for the understanding and contextualization of arguments. 'Third World', 'Global South', 'developing countries' are expressions that refer to largely overlapping but still different sets of countries. They carry different connotations but problematizing and can be evaluated, among other possible perspectives, from the point of view of justice or political correctness. Problematizing their content and relevance is beyond the scope of this text. Thus, so we use these expressions interchangeably depending on the source of information. In many texts the said terms are used without providing an explicit definition or specifying their coverage.

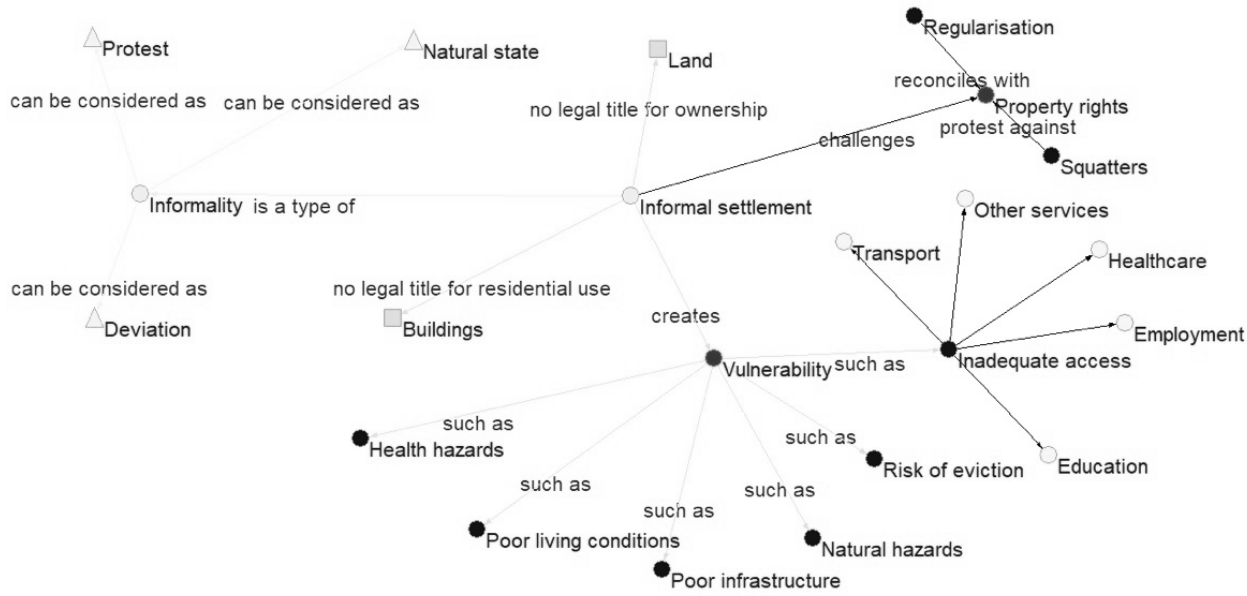
conceptual framework suggest that informality precedes formality, and continues to encroach on formality even after rules and regulations have been put in place. This perspective on informality can have both positive and negative connotations. On the one hand informality is a natural – and therefore effective and justifiable - coping strategy. On the other hand, its pervasiveness is a manifestation of injustice and inherent inequity so it has to be addressed as a social problem.

3) Informality as a form of critique of the system or protest

Informality can be a way to challenge existing norms either by trying to game the system in order to survive or by openly challenging the system's tenets and offering alternatives. Non-compliance because of the lack of opportunities or a struggle for survival is distinctly different from a principled objection to the existing rules when these are perceived as unjust. However, these two types of opposition can coexist, cooperate and reinforce each other, as can be illustrated by some examples of informal settlements that will appear later in the chapter. Non-compliance and protest can be interpreted as signs of a fundamental systemic failure as is the case, for example, in neo-Marxian urban theories.

Despite their difference these three approaches to defining informality can interact, producing ever more nuanced definitions and sub-categories. Figure 1 summarizes the conceptual framework underlying the presentation of informality and informal settlements in this chapter.

Figure 5.1. The concepts of 'informality' and 'informal settlement'



Source: Boyan Zahariev & Ilko Yordanov; Open Society Institute - Sofia

The upper bounds describe what constitutes an 'informal settlement', the main challenges and consequences of informality and the key approaches to its conceptualisation.

Triangles describe three fundamentally different concepts of informal settlements, which we have already presented above.

Circles represent the main threads of the net and the cascade of major risks and challenges associated with informal settlements. Often these challenges and hazards are closely interconnected and accumulated, thus outlining the phenomenon of multiple vulnerabilities, which will be addressed later in this chapter.

The squares represent the essence of informal settlements, which we will deliberate in detail in the next section.

Chapter 5.1.2 – Discussion of definitions of informal settlement

The definition of settlement poses relatively less challenges than informality. A settlement in the broadest sense is any group of dwellings ranging from a single home to larger communities and neighbourhoods.

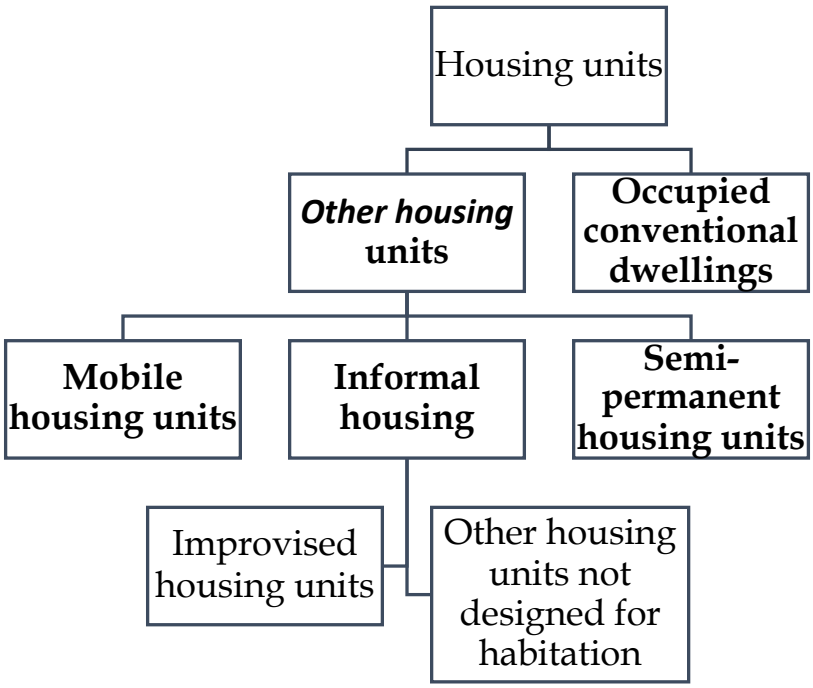
One definition by the Economic Commission for Europe, which is designed for policy purposes, defines an informal settlement as "any human settlement where housing has been constructed without the requisite legal title for ownership and/or use of the land for residential purposes. References to illegality refer mainly to conformity with planning, zoning and construction norms and, more importantly, to tenure situations, e.g., squatting on public or private land. Residents of informal settlements often lack legal rights to the land and the house and are vulnerable to eviction. This vulnerability is sometimes amplified by a general inadequacy of housing, access to services, transportation, education and healthcare that result from the physical and legal marginalization of these settlements from their broader urban community" (Economic Commission for Europe, 2008). This widely accepted definition appears explicitly or implicitly throughout research literature and policy documents produced by international organizations and governments. We should note that a purely legalistic definition forms its core. Other features of informal settlements are considered consequences, typical co-occurrences or amplifications but are neither a sufficient nor a necessary part of the definition (see Figure 5.1). This concept of informal settlements excludes places where other forms of social and economic informality and precarity abound and flourish, but where there are no issues with land ownership, tenure or compliance with planning and building regulations. Social exclusion, social disconnectedness and spatial segregation are therefore phenomena that cannot be put aside when discussing informality.

Another possible way of defining informal settlement is by looking at social and economic characteristics other than legality. In a classification developed by World Bank researchers for key common types of disadvantaged and marginalized communities, most aspects of deprivation were identified in rural and peri-urban informal settlements, with the most common needs faced by residents listed as: a. Access to basic community services; b. Accessible and well-connected communities; c. Access to adequate housing; d. Spatial integration; d. Tenure security (Gatti et al., 2016).

Some definitions have been developed with a view to collecting statistical data. To be of any practical use statistical definitions need to be broadly applicable, unambiguous and based on easily identifiable features. One of the widely used classifications of informal housing in Europe was developed by the Conference of European Statisticians for the purposes of the census methodology and processes. In this classification, informal housing appears among the category 'other housing units', and informal housing is defined as consisting of

'Improvised housing units', which can be designated, or not designed, for habitation (Conference of European Statisticians, 2015). From a legal perspective this is understandably a very broad definition as it is meant to cover a variety of situations in different countries and jurisdictions. From a constructive perspective, however, the term 'improvised' is too narrow. It suggests buildings that were built hastily or with some compromise, which is not necessarily the case with a lot of settlements that are considered informal.

Figure 5.2. CES classification of housing units



Definitions: 'Improvised housing units' and 'other housing units not designed for habitation' may also be summarized under the concept of 'informal housing'. 'Other housing units designed for habitation' (sometimes referred to as 'improvised housing units') comprise independent, makeshift shelters or structures such as shacks and shanties, which have been built from unconventional or waste materials, which, though they may be regarded as being unfit for human habitation, are used as the usual residence of at least one person at the census reference time. 'Other housing units not designed for habitation' comprise premises in permanent or semi-permanent buildings such as stables, barns, mills, garages, warehouses, offices, etc. which have not been built, rebuilt, converted or arranged for human habitation but are, nevertheless, used by one or more private households as their usual residence at the census reference time. This category also includes natural shelters such as caves, which are used by one or more private households as their usual residence at the census reference time.Source: Conference of European Statisticians,2015, pp. 187-189.

Various definitions of informality may refer to widely divergent and even non-overlapping sets of cases. For example, a typology of informal cities was developed to specifically address the situation in Southeast Europe covering settlements for vulnerable, often marginalized social groups in substandard housing as well as other forms of housing informality (Tsenkova, 2009b; 2012). This typology is based on the idea that there are different levels of informality and includes: (1) squatter settlements, (2) settlements for refugees and vulnerable people, (3) upgraded squatter settlements, and (4) illegal suburban subdivisions. The first three categories have mostly vulnerable inhabitants. Squatter settlements are typically built by residents of illegally occupied land. These settlements are primarily the result of rapid movement into cities due to migration and changes in urban economies. Settlements of refugees and internally displaced persons, i.e. in countries of ex-Yugoslavia, are similar to the informal squatted settlements but generally appeared faster, more recently and were sometimes approved by authorities as a temporary solution. Upgraded squatter settlements, which typically appeared in periurban areas in the 1970s, have evolved into more established neighbourhoods. Over time, de facto legality is implied in some cases by the fact that the settlements have not been demolished, and that some infrastructure, such as piped water, electricity and sewage systems, have been provided. There are examples where these settlements have been included in city plans. Illegal subdivisions of agricultural land are widespread in the periurban areas but also occur on agricultural land and environmental reserves. Building often occurs without planning permissions in violation of standards for road accessibility, public space and infrastructure (Tsenkova, 2012). Others like Roy (2005) looking from a global perspective also considered a 'continuum of legality and illegality' including squatter settlements which exist 'alongside upscale informal subdivisions formed through legal ownership and market transaction but in violation of land use regulations'. Based on examples and experiences from the Global South Tostensen (2005) coined the term 'informal city' formed by extra-legal housing and unregistered economic activities. The informal city as the term itself indicates is something big, fully functional, covering many areas of economic and social life and not exceptional or irregular by far. To understand it we have to recognize that the illegal is not necessarily illegitimate (Ibid.). We can imagine the informal city as a kind of parallel reality to the formal city, overlaying it and filling all the gaps and empty spaces.

In all cases of informality self-help methods of construction are widespread but professional developers may also get involved when informal housing becomes commodified. For example, commodification can happen when local or

central governments tolerate the status quo or take steps towards the legalisation of informal settlements (Farha, 2019).

Segregation (the uneven distribution of social groups) and informality are concepts that have much in common; the phenomena they refer to tend to co-occur spatially but remain distinct. There is a wide agreement that informality generates its own spatial patterns, but there is less consensus on what these patterns are and how they are displayed in different types of cities. A detailed classification of the different parts of cities that have been developed and enriched over time has been proposed by Marcuse (1997). For example, according to Marcuse, a residential city contains the following parts: 'luxury housing spots', 'gentrified city', 'suburban city', 'tenement city' and 'abandoned city'. The 'luxury city' is the city of the wealthiest part of society – a place where affluence and power are concentrated. The 'suburban city' is inhabited by both blue and white collar workers belonging to the lower middle class or what is called in French petit bourgeoisie. Suburban does not necessarily refer to a specific spatial position within the urban structure. The 'tenement city' is home to low-paid workers holding insecure jobs without any prospect for advancement. The 'abandoned city' is the economic or racial 'ghetto' – a place for the most excluded, such as the homeless or those with little access to the labour market (Marcuse, 1989). The last two places in this hierarchy of places (the tenement city and the abandoned city) are characterized by overwhelming precarity and informality. Concentration of precarity in specific places is made possible by the process of social segregation. The term "tenement city" is associated with late 19th and early 20th century private rental investment in Europe and the US (Huchzermeyer, 2007) accommodating the inflow of workers into cities, which was not generally informal. But nowadays in the Global South cities like Nairobi see the same model replicated on a large scale involving the mostly unauthorised construction of tenements (Huchzermeyer, 2007). This line of reasoning shows how informality can be linked to phenomena such as spatial segregation, which is either social, ethnic or based on some other community or individual characteristics.

With the slums, a closer look shows huge internal differences inside the slums, too. In Eastern and Central Europe, many people who belong to the Roma minority live in poor conditions in informal settlements that differ significantly from those across the rest of the country. The poorest of the poor have the worst living conditions. For example, in Bulgaria, "with space already very limited in urban

Roma settlements, newcomers often have no other choice than to settle on the most dangerous or undesirable plots, e.g. near garbage dumps or on flood plains" (World Bank, 2017).

Large informal settlements represent a special case due to their explosive growth around the globe. Already at the start of the new millennium in the developing regions around the world slums were accounting for 43% of the urban population. By the early 2030s, slum dwellers are projected to reach 2 billion globally (United Nations Human Settlements Programme, 2003). In developing countries, the sheer size gives them huge economic and social significance: some informal settlements are more populated and cover a larger area than many cities. Such settlements have many names, which often bear the traces of stigma. The list includes more general terms such as slums, ghettos and geographically and culturally specific designations such as favelas (Brazil), casas tomadas (Argentine), mahallas (Middle Eastern and Balkan countries), kampungs (Indonesia), bidonvilles (French-speaking North Africa), tugurios (Latin America), all the way to the names of specific settlements which have become emblematic. Some of the terms used to refer to informal settlements have deep historic roots, burdened with memories of the past and older and newer stigmatising associations. In Bulgaria, Romania, and North Macedonia the term "mahala", of Arabic origin, often refers to neighbourhoods or Roma settlements and bears a sense of informality and marginality. Such settlements may contain a mix of formal and informal housing in a variety of spatial patterns and non-trivial legal and extra-legal arrangements. The use of generic terms such as 'ghetto' or 'slum' has been criticized for operating as mere metaphors invoking "emotive imagery that hides fundamental structural and functional differences" (Wacquant, 2008). Despite criticisms, these terms remain in use even by those who criticize them, and in response critics have sought to mitigate the negative impact of these terms by using refined typologies that differentiate between different forms of informal settlement. Both 'slum' and 'ghetto' potentially relate to the informal, although 'ghetto' has a much wider range of possible meaning, especially in different parts of the world and whilst almost universally linked to stigma may not be linked to informality in all cases.

Post-socialist countries in Southeast Europe have also experienced an explosive growth of informal settlements (Tsenkova, 2009a), which was accompanied by many trial-and-error policy experiments. In some countries like those from ex-Yugoslavia and Albania, illegality combines with self-help and self-building to create a form of 'anti-state housing.' It may be regularised later, as occurs in

Albania where there were some 270,000 claims for legalisation in 2006 alone (Stephens et al., 2015).

In the western part of Europe, there are also examples where inhabitants of squatter districts in the central part of a metropolis have moved to newly built cities in the same metropolitan area on a significant scale, as in the case of Fuenlabrada, which is situated in the southern outskirts of Madrid, Spain. In these cases, urban infrastructure struggles to catch up with rapid population growth (Heitkamp, 2000).

Deprivation-driven informality is considered a "persistent feature of urbanization" unequivocally resulting from or indirectly influenced by a combination of various and complex socio-cultural factors, including growing levels of unemployment, poverty and social and geographical inequalities, weaknesses in land administration, lack of security of land tenure, urbanization and migration (Tsenkova, 2009b).

Informal settlements arise in direct or indirect connection with the formal ones. In squatting, the existing formal facilities directly become the direct subject of informal use. Another powerful driver in creating informal settlements is the need for vulnerable communities to access some resources from the surrounding formal communities (e.g. access to water, electricity, for example through grid extensions for example). Some Roma neighbourhoods that emerged (most often) in peripheral areas of settlements in Central and Eastern Europe are also typical examples of housing informality. Even though there were legal houses to begin with, illegal outbuildings are gradually appearing in some of these areas. First, these outbuildings might even be used not for living, but for household purposes other than living (e. g. warehouses, workshops, barns etc.). If there is no timely intervention by the authorities, these outbuildings can grow inside the settlement (e.g. at the expense of road or other public infrastructure, or park space) or begin to occupy new outdoor spaces on the periphery, without this process meeting legal standards.

Another major factor in the emergence of informal settlements may be related to the demand from the communities in formal settlements for the goods and services offered by residents in informal settlements. Such resources can be: labour force for cleaning and other unattractive and often low-paid jobs for which affordable, formal housing cannot be found. In addition, the informal

communities often address the need for certain services that are missing or difficult to access for residents of the formal settlement (e. g. tinsmithing, blacksmithing, divination, informal trade, sometimes drug trafficking, etc.). The vitality of informal settlements in these cases stems from their compliance with the rules of the informal economy – their resilience and flexibility cover deficits in services or provides cheaper goods and services. For example, informal communities have their own informal (street or open air) retail markets with more affordable goods, for which for many reasons vulnerable groups would have higher costs outside of informal settlements for many reasons (Yordanov & Zahariev, 2023).

In fact, the described factors that explain the emergence of informal settlements show the strength of and the inseparability of their connection and interdependence with other parts of the settlements. In fact, the creation of informal communities is often a mixture of two types of factors – the demand for resources that are necessary for informal communities and the use of resources that they are able to provide to formal communities.

As the above list of services shows they are often on the border between informality and formality – and do not meet at least some of the legal requirements and regulations that are related to their provision (production and environmental standards, registrations, payment of fees and taxes etc.). In fact, even long after they have been legalized (for example as a result of urban planning or legalization measures), informal economic activities may remain practice in these areas. This fact proves that the concepts for upgrading of informal settlements must include a holistic approach to support the transition from informality to formality. Support measures should include not only legalization and improved housing, but also education, acquiring new qualifications, access to the labour market and many others, including the need for policies to combat discrimination and reject stigma as important prerequisites for the development of communities in the transition from informality to formality. For example, when upholding the right to upgrade of informal settlements, the UN Special Rapporteur on adequate housing underlines the need to address the economic, health, educational and other needs of informal communities (Farha, 2019).

The nature of informal settlements is dynamic and often in their geographical and "temporal" territory there may be no clear line between legal and illegal not only in terms of housing but also in terms of economic and other activities (e.g. compliance with the law – for example some Roma communities establish their own courts – e. g. Romani Kris – as an informal alternative to the official justice system). This dynamic nature of informal settlement practices is difficult to define

and identify, as it is very difficult to determine, for example, the ratio of formalities and non-formalities in any given area, both in terms of living environment and in terms of other socio-economic characteristics.

Chapter 5.2 – Squatting and allotment gardens

In the next sections we cover several examples of informal housing that are encountered in Europe. The examples are not meant to be exhaustive either in geographical, typological or any other sense. Rather, they are useful illustrations that serve to introduce the reader to basic patterns of informality in human settlements with a focus on Europe. The focus is mainly on countries of the European Union and the Western Balkans with occasional examples from other post-communist countries and developing countries beyond the European continent. We start by presenting the rather diverse phenomenon of squatting as a coping strategy and a social movement. Squatting is one of the key processes that creates informal settlements through the occupation of land or buildings. Following this, we present the case of allotment gardens, which represents another instance of informality that is well-represented in Western Europe and ex-communist countries alike. Allotment gardens are a case of using legally-owned land and buildings for permanent residence that, according to plans and design, are not meant or fit for that purpose. Allotment gardens have served different social groups including the lower and upper middle classes particularly in times of economic distress. Finally, we present the extremely diverse case of Roma settlements in Europe, which provide suitable illustrations for a diversity of patterns of informality.

Chapter 5.2.1 – Squatting

Squatting can be broadly defined as 'informally settling on vacant land or occupying abandoned buildings' (Ledeneva, 2018, p. 533). Squatting as a practice has existed since ancient times but it took the form of organized political and social movements in the second half of the 20th century (Dikovic, 2018). We therefore draw a distinction between people who squat and 'squatters', using the later term to refer to people who squat as a political action and see themselves as activists.

Table 5.1: Typology of squatting practices with examples

What	Squatting out of necessity	Squatting with a political agenda	Squatting to avoid bureaucracy, costs – second homes
Who	Migrants, Roma	Activists	Affluent people
Where	Central & Eastern Europe	Central & Western Europe	Central & Eastern Europe

Source: Tania Berger, University for Continuing Education Krems, Austria

In developing countries, the term squatting refers to the occupation of plots of land to erect makeshift houses, this is also referred to as land squatting. Self-built squatter settlements occur predominantly in suburban areas, sometimes giving birth to new boroughs. However, in some Eastern European countries squatting in rural areas may involve the occupation of abandoned houses. It is similar to the phenomenon of 'homesteading' in the US, i.e. taking over an abandoned building with the intention of turning it into a home. Some forms of squatting do not relate to dwelling but may pursue other goals such as preventing construction that is opposed by a community or gaining space for cultural and sports activities (Pruijt, 2003).

In developed countries, squatting generally happens within cities; so an empty house in a street of houses is occupied. This is also referred to as urban squatting, which takes place in existing buildings. Metropoliz in the outskirts of Rome (Italy) is among the best-known examples of squatted buildings. It was squatted in 2009 by members of different marginalized ethnic groups including Roma (Metropoliz, 2022). The squatting movement in Western Europe started in the 1970s and 1980s as an urban phenomenon. Squatters were primarily young citizens who would occupy apartments, houses or large dwellings in central-city boroughs, but not form settlements or camps.

We also have to distinguish between squatting undertaken by deprived groups from opportunistic squatting. Deprivation-based squatting is a survival or coping strategy. It is sometimes also called 'subaltern' squatting; a lot of the Roma squats that have been studied around Europe fall into this category (Manjikian, 2013). The squatters involved typically have no agenda and no demands, which differentiates them from protest movements, but at the same time they

often don't have any other opportunities to cope, which distinguishes them from opportunistic squatting.

Protest movements and initiatives by squatters have emerged in countries with housing sectors characterized by high ownership rates, low rental rates and poor provision of social housing such as Italy, Spain and Israel (Di Feliciantonio, 2017). Notably similar protest movements have not emerged in ex-socialist countries from Central and Eastern Europe despite the fact that their housing sectors display very high ownership rates while public housing is very small. A useful map of squatting in some major European cities was produced by the Squatting Europe Kollective[55] MOVOKEUR research project (Martínez López, 2018)[56].

In some post-socialist countries illegal construction and squatting took new forms, although the problem of informality itself was inherited. For example, illegal construction in Belgrade, which was previously relegated to the outskirts started appearing in the inner city. After the privatisation of social housing illegal occupancy of common spaces in multi-family buildings also took place as a way of maximizing the utility of existing residential buildings (Vujović & Petrović, 2007). However, these new post-socialist forms of squatting never turned into social movements with specific political demands. Rather, they remained examples of tacitly tolerated informality that escaped the limited control of official authorities.

Settlements resulting from illegal land occupation, rather than being mere acts of defiance against the legal system, actually espouse a system of private property rights and generate alternative systems of such rights in the absence of official recognition (van Gelder, 2013). Thus, informality has to be negotiated within formality.

As pointed out, squatting is by no means restricted to poor and marginalized groups. Squatting can also be an alternative housing strategy adopted by persons who choose to squat not from economic necessity, but because they value the lifestyle and politics associated with squatting as an act of resistance to property relations. By contrast, the forms of Illegal subdivision mentioned previously

55 https://sqek.squat.net/ and https://maps.squat.net/en/cities

56 It is not always clear how the data for different cities was collected; it was also done in different ways for different cities which makes them hard to compare. But still these maps provide a good first glimpse of contemporary squatting across Europe.

(Tsenkova, 2012) are an example of entrepreneurial or opportunistic squatting. Such squatters can be motivated by various ideological, political and economic reasons.

In Bulgaria even in the poorest segregated minority neighbourhoods, illegal 3-4-storey houses can be seen – apparently owned by wealthy people belonging to the local community. Sometimes whole settlements with many illegal buildings are built – for example, the so called "customers" or "riches" villages near dams like "Ivaylovgrad", "Vacha", "Iskar" (https://www.168chasa.bg/article/846625, www.168chasa.bg). Unlike the poor people, for whom there is no alternative dwelling – for wealthy families the informal houses are not their only home, but rather a second/third home or villa.

In the second half of the 20th century in some Western European countries squatting took the form of social movements. An early emblematic example is the "Instandbesetzung" ("Instandbesetzung", 2021). This usually takes place in urban settings (Berlin, Hamburg) and far less frequently in settlements (support for migrants in Calais). In Chapter 4 you can read more about migrant squatting and solidarity work.

Many EU member states have developed a specific anti-squatting legislation, which depending on the circumstances treats this practice as an administrative violation subject to penalties or a criminal offence, which may lead to imprisonment. There are also varying events that may trigger a response by authorities: 1) in some countries and situations owners should have lodged a complaint before the authorities could intervene; 2) in others the police could act on their own initiative, in cases of extortion or involvement of criminal gangs (European Parliament, 2020). For a long-time legal response to squatting has been deemed repressive pointing to the structural causes of the problem.

Chapter 5.2.2 – Allotment gardens

Over the last few decades, many countries across Europe witnessed the informal use of various plots for permanence habitation, which were not originally designated for such purpose. In some ex-socialist countries this process had started before the abrupt shift to market economy but took new forms during the 1990s and after as a response to housing shortage, lack of affordable housing and economic uncertainty. These processes have occurred in different European countries, probably driven by similar market forces as described in the cases from Hungary and Germany presented in more detail below.

The process of transforming allotment gardens into permanently inhabited neighbourhoods took various forms and benefited various social groups including the middle class but also more affluent groups as was the case in some post-socialist societies. During the last two decades of socialism, during the 1970s and 1980s, the urban expansion of Sofia led to the incorporation of villages in the Southern outskirts of the city, with mostly private land, where so-called villas (small cottages with recreational purpose) were built. In the 21st century these places became the closest analogue to garden cities in Western Europe, housing part of the urban elite in lower density periurban quarters (Stanilov et al., 2014). By contrast, the Northern outskirts of the city of Sofia - where the city's rail yards, factories and industrial warehouses are located – continued to house the poorer segments of the population, including the Roma population (Ibid.). The Russian dachas present a similar example, which were also originally designed either as a second home or as light structures for seasonal and recreational use but later became a relatively cheap option to live informally within the economic area of large cities.

Later during the time of the Global Financial Crisis (GFC) of 2008 such practices became a lifeline for some households struggling to keep their heads above water in times of economic hardship as is illustrated by the following example from Hungary.

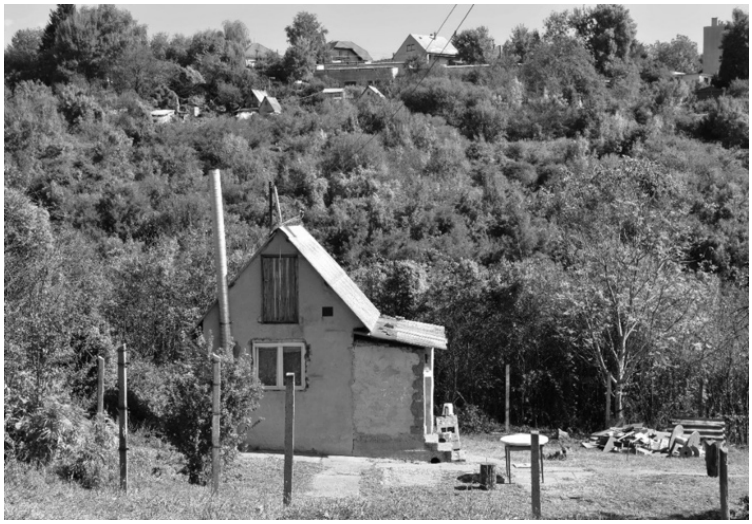
Box 5.1: Example: Dwelling in Hungarian allotment gardens ("zártkert")

Since about the 1990s, but particularly since the GFC in 2009, a new phenomenon of spatial exclusion and housing crisis in Hungary has resulted in the transformation of former (socialist) allotment gardens ("zártkert") at the edge of Hungarian cities into permanent residential neighbourhoods. According to the Habitat for Humanity Hungary's Annual Report on Housing Poverty, the number of inhabitants living in allotment gardens outside of official residential areas doubled in the country between 2001 and 2011: while the estimated number of those residents stood at 42,2K in 2001, their number rose to 89,5K by 2011 (Habitat for Humanity Hungary, 2018). Despite the fact that no representative survey has been made to detect social changes in those areas, localized research has focused on the influx of people into the allotment gardens; this research has demonstrated, too, that the numbers were rising for some time (Vasárus, 2016; Vigvári & Gagyi, 2018; Bajmócy et al., 2018). Most of the researchers tend

to agree that the general explanations for this increase must be associated with the escalating housing crisis in urban centres with which secure and affordable housing opportunities in nearby allotment gardens are usually contrasted.

Although there had been some historical precedents, it was during the state socialist period that allotment gardens became widespread and very popular in Hungary. Establishing allotments provided small plots for workers that they could use for recreation, leisure activities and small-scale gardening. This development was a widespread phenomenon in the country: according to some estimates, about 7–10% of the population owned a second home in the allotment gardens (zártkert) by the end of the socialist period, which equals approximately 115,000 such estates (Hegedüs & Manchin, 1987). A major expansion of allotment gardens between 1965 and 1975 involved authorities dividing agricultural land into small gardening plots with the aim of stimulating private farming activities as a source of informal income for households. Owners typically held plots of approximately 300–800 square meters and built a small bungalow to be able to stay in the allotment during the weekend and holidays from spring to autumn. The bungalows were officially registered as small fruit stores or wine cellars and official urban zoning regulations did not allow their permanent residential use.

Figure 5.3: Dwelling in allotment gardens. Southern Transdanubia, Hungary

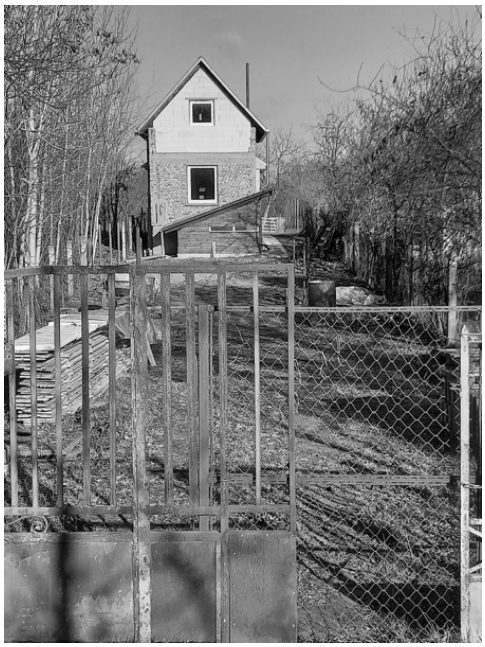


Source: András Vigvári, 2019

However, after the post-socialist transition, due to the decline of small farming activity, as a result of changing free time activities and the increased pauperization of former allotment owners, these recreational activities declined

and many of the garden plots became abandoned. After the 1990s transformation, these "empty" spaces were given new functions because of their proximity to the city and the cheap dwellings that were available. The outcome was the formation of new informal settlements in the periurban area of Hungarian towns. In the 1990s – as in other post-socialist countries – these functionless spaces took on new permanent residential functions after dwellers were pushed out from the inner city by housing privatization and rising living costs (Leetmaa et al., 2012; Spilková & Vágner, 2016; Makhrova & Kirilov, 2018; Moskalonek et al., 2020). After 2008, a new influx of lower-middle class dwellers was observed, many of them seeking housing solutions after a mortgage failure or to avoid indebtedness. Since 2015, a new hike in real estate prices in inner city locations has resulted in another wave of households moving into the allotment gardens.

Figure 5.4: Dwelling in allotment gardens in Budapest functional urban area, Hungary



Source: András Vigvári, 2021

The reason for allotment gardens being informally organized is that these areas are usually subject to inconsistent local regulations regarding their legal status. As the Hungarian allotment gardens are situated outside of the

administrative border of cities, they are not registered as residential areas. According to local regulations, allotments are still an agricultural area where regular housing activities are unrecognized hence prohibited by municipal governments. Moreover, dwellings, in which people live, are officially listed as farm building such as fruit stores or wine cellars, not buildings for housing. This contradictory situation defines new settlements as informal from the administrative point of view. However, national regulations declare that everybody can register any kind of building, that should be freely used for any kind of activities irrespective of the legal status or the function of the building itself. The uncertainty of legal status and the lack of infrastructure contributes to low real estate prices, providing cheap housing solutions in periurban areas.

Source: András Vigvári

Box 5.2: Example: Dwelling in Berlin's allotment gardens

When it comes to questions of housing precarity, dwelling in allotment gardens – in Berlin and other European cities – has largely remained hidden from public and scholarly views. Allotment gardens emerged across European cities at the turn of the 20th century in different cultures and organizational forms (Nilsen, 2014): as welfare projects that offered subsistence to the poor; through reform movements that aimed to foster health and education; as citizen initiatives that promoted a culture of gardening and as profit driven endeavours to urbanize land at the urban fringe. Yet from its start, the history of Berlin's allotments was also a history of dwelling. Like in many European cities, in Berlin the growth of allotment gardens was enmeshed in the rapid expansion of the industrial city. Between 1871 and 1900 the city grew by more than a million inhabitants, mostly rural migrants who experienced staggering rents (Huchzermeyer, 2011). Allotments not only became part of a new urbanism that Luis Wirth later described as a "way of life" (Wirth, 1938), presumably not considering attachments to urban forms of working with the soil, they also housed incoming migrants. Throughout the 20th century, allotments provided refuge in times of economic depression and housing shortage, particularly before during and after the Second World War. Even after the German division, dwelling practices continued on both sides of the Berlin Wall.

Throughout these different periods of German history, legislation mostly prohibited the use of one's allotment hut to dwell. Yet, many exceptions and

contradictions accompanied these bans – frequently in response to the city's failure to provide other possibilities to dwell – and created uncertainties for the dwellers. While, for instance, the city supported the possibility to find refuge in allotment gardens during periods of WW2 and while it was permitted to temporarily live there in the aftermath of the war, in 1954 administrative tolerance to such informal living lessened while the housing shortage remained. Given they remained without alternative, Berlin's allotment dwellers continued to depend on their homes in allotment huts. In 1983, the adoption of the Federal Allotment Law [Bundeskleingartengesetz] in what was then West Germany, officially prohibited the use of allotment huts for the purpose of dwelling. Taken up in the East after the fall of the Berlin Wall, the law clashed with material standards, local regulatory routines and social norms that had developed throughout the years in which people had to live in the huts to survive. This added to the legal ambiguities that characterized living in the gardens. Thus, while dwelling was increasingly illegalised, the material infrastructures in the gardens continued to cater for dwelling, as allotment holders had built a landscape of pipelines, telephones and oversized huts over the years.

For the allotment dwellers, these new rules implied different degrees of vulnerability, as the people who had come to settle in the gardens over the years were of varying socio-economic status with different forms of legal recognition. Of Berlin's 876 compounds with 71,071 gardening plots (Senatsverwaltung für Umwelt, 2019, 32) 1,131 allotment gardeners hold an official dwelling permit (Hilbrandt, 2021, 3). These are dwellers that were formally recognized by the local administration – frequently in the decades after the Second World War. Held by older residents, these numbers are in gradual decline. Allotment holders with a dwelling permit may be neighbouring others who moved into the gardens in the late 1990's in the wake of high levels of unemployment, cuts in rent subsidies (Holm, 2005) and the general legal chaos that marked Berlin in the post-reunification era. Moreover, one can find dwellers, who live more comfortable lifestyles as they own oversized huts and, at times in the Eastern part of the city, bought their plot. Further complicating things legally, some gardens still appear to be allotments, but were legally converted into building land, as huts were too big to continue to count as allotment sheds. In addition to these more permanent dwellers, others hold an apartment in the city and

only move out from April to October in what is frequently called "summer dwelling".

Figure 5.5: Allotment gardens in Berlin

Source: Michael Berger

More recently, housing in allotment gardens has become enmeshed in the crisis of European housing markets that manifests across this publication. In Berlin, the privatization of the city's municipally owned social housing stock since the 1990s, became increasingly apparent in the closure of the lower segment of the market since mid-2000s. Following the financial crisis of 2008/2009 even for the middle classes processes of financialisation and the staggering rise of rents, as well as the demographic growth of the city meant that displacement became the order of the day. Still, it is difficult to establish a direct causal relation between this recent housing crisis and allotment dwelling, because of social regulations and the multiple preconditions necessary to dwell on an allotment plot. After all, even more precarious forms of dwelling are governed by processes of exclusion. While in some colonies waiting lists hinder people to obtain a plot and initial expenses for purchasing a hut have to be met, it is also difficult to find a plot for construction of dwelling because of increasing regulations through fellow gardeners who seek to shield the gardens from further dwelling practices. The housing crisis still reverberates in the gardens, for instance when people reduce their living space in their city apartments due to heightened rents, sublet their apartment and move out into the gardens over the summer. All in all, while being a small phenomenon, the experiences and living conditions of dwellers are diverse, whereby small-scale privilege and experiences of exclusion, material precarity and more comfortable lifestyles face one another over the fence.

Across the diversity of these dwelling experiences, the possibilities for dwelling to be tolerated at all depend largely on the everyday governance of

the city's gardens, which works across state and civil society organizations. On the one hand, allotments are self-governed by a multi-level administration of allotment gardeners, who manage the daily operation of the allotments. On the other hand, these gardening associations are overseen by the so-called "administration for streets and greenery" at the district level, thus an institution not primarily interested in questions of dwelling. This implies not only that allotment gardeners regulate their peers. Considering the discrepancy of legal regulations and the existing material infrastructures of dwelling, it also means that if and how gardeners can stay put or whether oversized huts are dismantled is determined on a very local level in everyday negotiations. As noted elsewhere, these housing conditions thus emerge "through the 'ordinary stuff' of policy implementation in which subjectivity, positionality and individual agency are key" (Hilbrandt, 2021, 8). Moreover, as legal geographers have long noted, the boundary between legality and illegality is not a clear-cut division (Blomley, 2014, Kusiak, 2019). Much rather, dwelling in allotments is governed by a process, in which misfitting regulations need to be translated to the local circumstances of the allotments by local regulators as well as the allotment holders, whereby dwellers often employ material and discursive strategies to stay put. To protect their extended huts, dwellers for instance hide material extension and build alliances to keep out state and non-state regulators (Hilbrandt, 2019).

Source: Hanna Hilbrandt

Chapter 5.3 – Informal settlements in Europe inhabited by Roma

In this section we will look at informal settlements in Europe inhabited by Roma. We chose Roma settlements because they offer a diversity of examples in terms of their size, location, social mix and prevalence of informality. Roma settlements are present in large parts of Europe, particularly in Central and Eastern Europe and Southern Europe, but also – though on a smaller scale – in other parts of Europe. Housing for refugees, asylum seekers and migrants – including informal camps and squats – has been covered in detail in Chapter 4.

Chapter 5.3.1 – The Roma in Europe

According to the Council of Europe average estimates on the number of Roma population in Europe totals around 11 million and constitutes the Europe's largest ethnic minority with about 6 million Roma living in the EU Member States[57].

Table 5.2: Number of Roma in Europe

Region	Total population	Roma (CoE estimations)	Share of Roma (CoE estimation)
Europe	828,510,000	11,260,300	1.36%
CoE(47)	821,785,654	11,210,300	1.36%
EU(28)	491,515,014	5,846,800	1.19%

Source: Mirrors manual on combatting antigypsism, 2015, Council of Europe data

It is spread throughout the European continent but is highly concentrated in Central and Eastern Europe. The Roma population has historically experienced widespread and extreme poverty, unemployment, sub-standard education, inadequate housing, poor health and wellbeing, socioeconomic exclusion, negative prejudices, discrimination and antigypsism (a form of racism against Roma)[58], poor housing and living conditions, and occasionally, violence, incl. genocide on the European continent.

The Roma in Europe are a heterogeneous group. Therefore, the 'Roma' is considered an umbrella term referring to different groups such as Roma, Sinti, Kale, Travellers ('Gens du voyage'), Gypsies, Tsiganes, Romanichels, Boyash/Rudari, Ashkali, Egyptians, Yenish etc. Roma groups vary significantly according to identity-constructing factors such as language, tradition, subsistence strategies, and level of social inclusion in mainstream society. For Roma in CEE countries, there is little to no opportunity to voluntarily choose their group belonging or to rise to

57 Document prepared by the Support Team of the Special Representative of the Secretary General of the Council of Europe for Roma Issues, Updated on 2 July 2012. Most estimates include both local Roma + Roma-related groups (Sinti, Travellers, etc.) & Roma migrants.

58 Analytical document accompanying the COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL A Union of Equality: EU Roma strategic framework for equality, inclusion and participation and its accompanying proposal for a revised Council recommendation on national Roma strategic frameworks for equality, inclusion and participation {SWD(2020) 530 final}, p. 14-15.

a position of recognition and empowerment (Neményi & Vajda, 2014). Thus, in most cases, representations of ethnicity are based on external categorization processes imposed on them by the majority society, distinguished by the presence of unequal social and power relations. Further to this, the concept of Roma is at present a construct of the majority society, reflecting their perceptions, rather than an actual ethnic community/group (McGarry, 2014). However, given the lack of data based on self-identification, proxy information could be used. For example, in order to measure inequality, a proxy such as poverty/income data (especially when combined with geographic location and given the highly segregated living conditions of the Roma across the CEE), identifying the perceived racial and ethnic origin could be as important source of information as the self-identification (Farkas, 2017).

Larger concentrated territorial units of housing deprivation have arisen in some CEE countries, forming a pattern of segregation that some researchers called 'regional ghettos' (Virág, 2006). For example, in Hungary and Bulgaria during the socialist period and afterwards many informal settlements of Roma were demolished and their inhabitants were relocated to the edge of the settlements – often remote areas with poor infrastructure and connections to services. Although many of them received legal ownership, they utilize the advantages of the settlement periphery and apply some informal housing solutions (e.g. different patterns of "semi-informality", "squatting informality", "hybrid-informality" (for different informal typologies on land use see Aramburu, 2014). Whereas formerly only 'dead-end' small settlements became ghettos, by now ghettos are formed irrespective of settlement size, and by now the majority of the ghetto settlements form a contiguous area. Therefore, residents are not only segregated from their own community, but the whole community of the settlements and the whole micro-region of ghetto villages is isolated from the rest of the country. Similar examples of formation of larger territorial patterns of segregation are discernible in Bulgaria, in particular in the North-West region.

Chapter 5.3.2 – Roma living conditions and informal settlements

Poor housing conditions, segregation and housing exclusion (Berescu et al., 2013) are considered among the major areas of social exclusion and vulnerability faced by Roma. A report published by the World Bank highlights several

indicators illustrating the disadvantaged position of Roma in terms of housing across Central and Eastern Europe: a. over 80% of rural Roma households in Bulgaria lack access to improved sanitation; b. about a quarter of Roma in the Czech Republic live more than one kilometre from the nearest bus stop; c. over 50% of Roma who live in rural, predominantly Roma neighbourhoods in Hungary lack access to improved sanitation; d. between 72% and 85% of Roma households in Romania do not have access to improved water sources and sanitation; e. in the Slovak Republic, 30% of Roma live in low/poor quality housing (Gatti et al., 2016, p. 143).

A recent EUROCITIES's mapping of the situation of Roma in 23 large cities in Europe (with over 250,000 inhabitants) identified difficult access to decent housing as one of the top three challenges that Roma people face in cities and revealed that Roma people are generally at greater disadvantage than the overall population in cities and have a worse housing situation since they live in overcrowded, precarious housing and face more limited access to basic services (electricity, energy, sanitation and running water) (EUROCITIES, 2017).

Roma settlement represent one of the most extreme examples of ethnic segregation existing in today's Europe. The living conditions of many Roma around Europe do not comply with the human rights standards of the Council of Europe (Fiebich-Dinkel, 2013). In addition, their settlements are often dismantled and their inhabitants evicted because of widespread informality. There are poor among the poor – inhabitants of peripheral areas with the most extreme housing conditions existing within the Roma ghettos. Often the fringes of the ghettos accommodate newcomers from other settlements who typically arrive seeking shelter and livelihood. The living conditions in these places are often characterized by lack of water, sewage and electricity and the building of temporary structures. For example, in Bulgaria, Roma (many of whom live in informal housing), inhabit dwellings with poor housing conditions, including lack of access to basic infrastructure such as sewage. About 2/3 of the Roma in the country live in dwellings with a leaking roof, damp walls, floors or foundation, having neither a bath, nor a shower in their dwelling, while this share for the majority population is just under 12% (FRA & NSI, 2021).

In the Roma neighbourhoods, typical patterns of informality include the building of dwellings skipping a number of procedures required by building regulations. The reasons for that include the lack of knowledge about the requirements and the complexity and costliness of the procedures. The problem is compounded

by the unpreparedness of many administrations to work with the Roma community.

In the second decade of the 21st century around 40% of housing in Roma neighbourhoods in Bulgaria was illegal (SEGA, 2017) and similar estimations are available for Serbia where 35% of Roma settlements are reportedly illegal (Berescu et al., 2013). In 2013 in North Macedonia about 320,000 people (almost 15% of the country's population) live in illegally constructed buildings and about 80,000 households lack long-term housing solutions while the so called "temporary accommodation" especially affects the Roma population (CAHROM, 2013).

Surveys tend to underreport informal housing in Roma neighbourhoods as many households are very cautious to answer questions about land property and the legality of their house. This is especially typical in areas where houses appear to be illegally built (Grekova, 2016). Even many of the Roma who report in surveys that they are homeowners may actually not have legal title and the relevant documentation (Robayo-Abril & Millan, 2019).

It is often assumed that immigrants and ethnic minorities are preferring to live in communities where they are surrounded by their kin. For example, in Bulgaria the term "self-segregation" or "auto-segregation" is in use in the media, research publications and texts prepared by NGOs and the government (Dimitrov, 2017), which may contain an implicit blame implying that Roma tend to separate themselves from the majority and from the "big" society into isolated and closed communities. For example, the "rejection-identification model" is referring to the social identity theory and proves that if a powerful majority is prejudiced and discriminates against one's group this will lead to increased identification with the group and group cohesion and will increase the distance from the majority (Branscombe et al., 1999). The preference to live in ethnically closed places is rooted in the existential need of belonging, since they provide "shelter" against prejudices and help people coping with (perceived) experiences of discrimination, offer bonding social ties (kinship), which help to survive the everyday. Bonding relationships are based on reciprocity, trust, and solidarity. They provide support and protection, but they also can constrain the mobility of the members and are considered socially homogenous and closed (Putnam, 2000). Nevertheless, in 2011 a survey found that three quarters of Roma respondents in 10 SEE countries would prefer to live under better living conditions, but surrounded by a majority population rather than residing under worse living conditions but

surrounded by fellow Roma communities (Perić, 2012). However, the prejudices and social distances towards the Roma make moving away a hardly fulfilling dream.

In some cases, the implementation or even the designing of desegregation policies met with strong opposition and civic protests from the ethnic majority. In Bulgaria municipalities of the two largest cities on the Black Sea, Varna and Burgas, were pressured by ultranationalists to cancel their plans for building dispersed housing units for the Roma in order to decrease spatial segregation and tackle housing informality. These municipalities just lost the funding for social housing which was coming from the EU and did not impose any additional burden on local tax payers. Due to the predefined character of the funding the money could not be used to address other priorities (Bliznakov, 2018). This case illustrates that antigypsist sentiment can sometimes be stronger than economic rationality.

In fact, segregation of Roma is very high in many Central and Eastern European Countries – for example in Serbia 70% of Roma population lives in mainly smaller highly segregated neighbourhoods and in Romania 57% of Roma are residents of monoethnic spatially segregated settlements (Berescu et al., 2013). In some countries in Southern Europe, where the overall share of the Roma population is much smaller, many Roma come from the Western Balkans and from Bulgaria and Romania, which are EU member states.

The forms of Roma segregation in Italy and the response of the Italian government are presented in the following case study by Giovanni Picker and Elisabetta Vivaldi.

Box 5.3: The Racial Segregation of Roma in Italy: Policies and Experiences

This contribution discusses the conditions of racial segregation of Roma in Italian camps by describing the policies that generated camps only for Roma, and some of Roma's experiences of living in those camps.

Policies

In its 2017 annual report, the NGO *Associazione 21 Luglio* (Associazione 21 Luglio, 2018) estimated that about 26,000 of the roughly 150,000 Roma and Sinti living in Italy reside in camps and slums across the country; of them, 16,400 live in formal or "authorised" camps, while the rest live in informal and improvised slums. Slums are usually abandoned areas equipped with shacks, at times with caravans, and generally without running water, heating and

sewerage systems. Formal camps can be made illegal and consequently abandoned by local authorities and civil society groups, resulting in the worsening of living conditions.

Formal camps, variously called "Roma camps", "nomad camps", "shanty towns", "solidarity villages", and with other appellatives, have been imposed by 12 regional councils in as many regions from the mid-1980s to the mid-2000s. Twelve regional policies exclusively addressing Romani people and centred on the idea that Roma are "nomads", ambiguously combined conventional social inclusion measures with the purpose of allowing vagrancy or nomadism (Picker, 2013). As a result, camps have typically been built in peripheral urban areas that are badly connected to the city centre, and they have been equipped with poor-quality housing infrastructures (Brunello, 1996). In line with such a socially marginalizing decision-making process, camps have been governed by both local social services and the local police through a combination of approaches ranging from care to repression and re-education (Bravi & Sigona, 2007; Clough Marinaro, 2009; Saitta, 2010). Since the mid-2000s, both formal camps and slums where Roma found abode have been regularly making national headlines, portrayed as quintessential symbols of physical decay, moral indecency and social deviance (Bravi, 2009). In this context, mainstream media and political discourse have been focusing on them since the late 2000s in the context of emerging zero-tolerance policies vis-à-vis petty criminality (Hanretty & Hermanin, 2010).

About 43% of formal camp residents hold Italian citizenship, while almost all Roma living in slums are either Romanian (about 86%) or Bulgarian citizens; in both types of camps, families live in utmost unhygienic conditions, with significantly lower levels of education than the majority population, and their life expectancy is on average ten years less than the Italian population living outside the camps (Associazione 21 Luglio, 2018).

Importantly, the typical social representations of Roma on which all regional policy makers drew, stemmed from racial knowledge which emerged in the second half of the 19th century and differentially drove colonial expansion as well as Nazi and Fascist persecutions (Picker, 2017). In all of Europe between 500,000 and 1,500,000 European Roma and Sinti were exterminated under Nazi rule (Hancock, 2002). As a growing body of scholarship shows, after WWII,

this kind of racial knowledge, that revolved around "nomadism" as a hereditary impulse, which was seen as likely to lead to criminal actions, became less concerned with Roma's alleged biological heritage and more with their allegedly psycho-moral characteristic (Colacicchi, 2008; Daniele, 2010; Picker & Roccheggiani, 2014). The stereotypical perception of the Roma as a threat, in the process, remained a central component (Loy, 2009: 32; Bravi, 2009). The camp as a governing device for a population which is considered prone to social deviance, for example, bears clear similarities with Nazi and Fascist racial politics.

A 2009 EU Fundamental Agency Report shows the centrality of "nomadism" for 21st-century policy makers: "There is a widespread conviction in Italy that Roma, Sinti and Travellers are nomadic populations whose cultures revolve around a nomadic lifestyle. This perception of the Roma as 'nomads' permeates all aspects of public policy towards these groups and in particular, housing policies." (FRA, 2009: 4).

Experiences

In the early 2010s, Vivaldi (2017) collected several life stories and experiences of families and individuals living in the camps near Napoli. Overall, living in camps has a negative impact on individuals' well-being, arising from having to get used to a lifestyle based on "coping" with different degrees of "deprivation", but also having to adjust in order to tackle unpleasant situations, risks and instances of direct and indirect discrimination that they had to learn to deal with, to get used to "camp life". Some of the camp residents' stories are particularly relevant.

Most of the research participants, born in former Yugoslavia (particularly but not exclusively Serbia), affirmed that their daily reality and former lives had no direct connection to "nomadism". Both older generations (born in former Yugoslavia) and younger individuals (born in Italy or other EU Member States) stated that their families travelled mostly for leisure or seasonal work but they had no direct memory of "being itinerant".

Their stories often started with the reasons for attempting a relocation abroad, accompanied by vivid descriptions, not only of war related memories, but also of the traumatic "arrival" in the Italian "nomad camps". Romani "asylum seekers", who escaped from conflict zones in former Yugoslavia, described their first memories with words of profound disappointment and frustration.

A mother, who fled with her children to join her husband and avoid the 1999 bombings in Serbia, explained her sense of disenchantment when she realised that her relocation place was an illegal settlement, where there was no humanitarian aid (see also Vivaldi, 2014: 55):

When I arrived, I came directly here; I did not even have a bedsheet. I asked what is this? Not even electricity, I was without electricity there [in war-zone] for three years and here too! What is this?! Here, not only did I not have electricity, but also nothing to cover myself. Nothing at all!

Inhabitants shared their feeling of instability and anxiousness linked to the impossibility to plan their future, while waiting for pending documents and surviving only with an intermittent income, often insufficient to fulfil the daily needs of an entire family.

One example of having to change their lifestyle to "adapt" is provided by Gloria's story. Gloria comes from a Bulgarian village where her parents lived in a cottage. At home, she "had everything" but she "had to leave everything behind" and learn "to adapt". In Bulgaria she had running water, electricity, a stove and an oven to cook food, and a proper bathroom. In the nomad camp everything is "intermittent": the water is not clean and drinkable, the bathroom is arranged as a "hole" in the ground, she has to heat the water on a handmade stove-burner before having a bath but before that she had to collect and cut wood (Albert, 2012: 56). All these activities are physically exhausting: "I can't say that I feel well here but I got used to it". She was aware of being a European Union citizen, with the rights and duties of EU nationals: "I am only waiting to be given a chance to achieve a better life for me and my family" but she underlined that "it is more difficult if you live in a nomad camp, because potential employers are biased and discouraged to hire someone from such an environment".

Source: Giovanni Picker & Elisabetta Vivaldi

Chapter 5.3.3 – Conflict in informal settlements

Precariousness of informal housing carries a risk of two types of conflict – internal within the community and external – occurring during interactions with external actors. Examples from Latin America show an interplay between local power relations and the legal and governance frameworks put in place by the

state. Conflicts are sometimes confined to administrative and legal action such as disputes and contestations but in extreme case violent clashes erupt (Lombard, 2016).

The main conflicts with external actors are related to eviction attempts, as well as the access and quality of services provided by utility companies. The negative perception of Roma, stigma, social distances and discriminatory attitudes towards the inhabitants of informal settlements exacerbate social and physical exclusion. These attitudes are a precondition for conflicts and lead to acts of disrespect for their dignity and humiliation and discrimination exercised by representatives of institutions and other residents external to informal settlements.

Often internal conflicts arise from the lack of equal access to services or infrastructure. For example, tension may appear when the unserved households resort to tapping into their neighbours' connections, not always with their permission (World Bank, 2017). In Patna (India) "perception of insufficient infrastructure' by slum dwellers was found to be a main source of conflict rather than any other aspect of informality (Li & Alakshendra, 2019, p. 3). There is also risk in informal settlements of organized crime moving in and enforcing its rule, leading to oppression and exploitation of others living in the informal settlements

The absence of public institutions and limited policy interventions in informal settlements often represent a risk of enforcement of mob law and the prevalence of traditional norms over the rule of law. For example, the lack of control by public institutions over the construction of illegal buildings can lead to conflicts between neighbours, as well as confrontation between long-settled residents of illegal settlements and newcomers (Ibid.). The lack of presence or the withdrawal of the institutions from the informal settlements, including missing or poor control over the expanding illegal construction, is one of the most important factors for deepening social isolation and deteriorating quality of life of their residents (Tomova et al., 2007).

Chapter 5.3.4 – Informal settlements and exclusion

Educational and service segregation in informal settlements

In the countries of Eastern Europe in the post-communist period there is an increase in the spatial segregation of the Roma community. While in 1980 the majority of Roma in Bulgaria lived outside segregated neighbourhoods, by the end of the first decade of the 21st century more than three quarters of the Roma in the country lived segregated, and the geographical segregation of marginalized

minority population usually leads to social isolation of the inhabitants of these neighbourhoods, growing difficulties in finding work, deteriorating housing conditions, problems with the construction and maintenance of infrastructure and hygiene, difficult access to transport and other vital services (Tomova et al., 2007).

In many cases the inhabitants of illegal houses are de facto owners of their homes, however the absence of legal titles to the land and homes prevents the legal connection of these dwellings to electricity, water, and other infrastructure systems (UNDP, 2013).

A significant number of Roma neighbourhoods in the countries of Central and eastern Europe with large Roma population are segregated and remote from the central parts of the cities, where a large part of the administrative, health and social service providers and the services they administered are concentrated. Access to quality education is also restricted for children from marginalized communities in informal settlements. Residential segregation is often concomitant with educational segregation (Farkas, 2007). Levels of educational segregation among Roma in Slovakia, Hungary and Bulgaria are extremely high. The vast majority of Roma children in these countries (approximately 60%) attend schools in which all or most of their schoolmates are Roma, and in Greece and Croatia the levels are also very high – between 40% and 50% (FRA, 2018). Some European countries have been criticized for a specific form of segregation – the enrolment of too many children from Roma communities without disabilities in schools for children with special educational needs. According to the European Union's Agency for Fundamental Rights this practice is particularly widespread in the Czech Republic and Slovakia, where about one out of six Roma school children aged 6-15 are enrolled in special schools in 2016 (FRA, 2018).

In Bulgaria, poor housing conditions in marginalized Roma neighbourhoods (especially overcrowdedness) have been considered by some local authorities as reason for imposing full lockdown of Roma neighbourhoods during the declared state of emergency for Covid-19 (Grekova et al., 2021). During the pandemic, the equal access to education for children in rural areas and poor communities (many of which were living in informal housing without stable connection to Internet) was impeded as a result of a lack of computers and online access (UNICEF, 2021).

Access to infrastructure

The illegal construction not only of residential buildings, but of facilities attached to dwellings (warehouses, wood sheds, garages, workshops) is at the expense of the general infrastructure, if such exists at all in the informal settlements. For example, narrow streets become impassable. Thus, missing or poor-quality roads limit access for fire trucks, ambulances (Radicová et al., 2002), police, school buses, snowploughs in winter (World Bank, 2017). Often, degraded infrastructure serves as an excuse for institutions to refuse to provide services in informal settlements. In turn, this reflects on security, hygiene and makes residents of informal houses much more vulnerable to widespread communicable diseases, while limiting access to health care for treatment. A vicious cycle of inadequate and poor-quality provision is thus established, which helps to sustain conditions of precarious housing for those living informally.

Residents of informal settlements often connect illegally to the electricity grid or use electricity meters of neighbours, which carries a high risk of life-threatening incidents, can damage the electrical grid, and in some cases can lead to internal conflicts (Yordanov & Zahariev, 2009). For their part, the companies supplying electricity in Bulgaria, for example, accuse the Roma of stealing electricity and perch up the meters on electric poles. Thus, part of the residents in segregated neighbourhoods do not have access to verify readings and suspect that their electricity bills are excessively increased by companies (World Bank, 2017), thus reversing the vicious circle of mutual mistrust, which leads to a connection cut for individual houses or even interruption of electricity supply for larger parts of neighbourhoods.

In urban areas, there are also illegal connections to the water supply and sewerage system, which damages facilities, causes economic losses to utility companies resulting from theft and damage to the pipeline network, and thus indirectly leads to higher electricity prices due to the costs for repairs which are transferred to final consumers, while deteriorating their quality.

A comparative study of four European countries with large Roma population revealed that there are significant differences in the quality of housing of Roma. Despite the general expectation that living in an apartment within permanent dwellings with solid construction can ensure better housing quality, this does not seem to be true in all countries. For example, the quality of houses and apartments (permanent dwellings) inhabited by Roma in Romania and Bulgaria are considered comparable to those of the most precarious temporary housing solutions

(mobile homes or barracks) available for the Roma in Spain and Italy (Preoteasa et al., 2012).

Chapter 5.4 – Policy response to informal settlements

In this section we look at some of the most influential and impactful policy responses to informality and informal settlements. To some extent their arrangement in the chapter represents the order in which they emerged historically and became prominent. The responses we review include: i) Evacuation, demolition and displacement; ii) Resettlement and rehousing; iii) Regularisation/legalisation; iv) Implementation of international instruments related to human rights in general and the right to housing. Those policy responses are distinct having their own ethical fundaments, political agendas and methods of implementation: but they still occur together either as a concerted effort or in contest with each other.

Chapter 5.4.1 – Evacuation, demolition and displacement

Evacuation and demolition of informal settlements has always been part of the policy agenda for urban regeneration. Demolitions on a massive scale have occurred (and still occur) in developing countries but evacuations and demolition of Roma encampments and even of neighbourhoods that have existed for a long time have also occurred in many EU member states.

Informal settlement is a type of tenure which along with other forms also enjoys protection in the framework of international standards for human rights. According to a definition espoused by the Committee on Economic, Social and Cultural Rights (UN CESCR, 1991, p. 2) "Adequate shelter means (…) adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities - all at a reasonable cost". Many of the features of adequate housing thus defined are missing in informal settlements. In the European context, persons living in informal settlements are protected by Article 8 of the European Convention on Human Rights (ECHR), which guarantees to everyone the right to family and private life and protection of the home, using a very broad definition of 'home', which is not rooted in the legality vs illegality dichotomy. The classification of a specific place as a person's home only requires a continuous link with the place and is "independent" of the question of the lawfulness of the occupation under domestic law". Article 8 does not preclude evictions but requires that during

evictions it is important to protect at least some of the conditions necessary for 'the individual's identity, self-determination, physical and moral integrity, maintenance of relationships with others and a settled and secure place in the community' (Remiche, 2012). The European Social Charter envisaged that the legal protection for persons, threatened by eviction, must include: an obligation to consult the parties affected in order to find alternative solutions to eviction; an obligation to fix a reasonable notice period before eviction; accessibility to legal remedies; accessibility to legal aid; compensation in case of illegal eviction (Giteva et al., 2014).

The policy for "slum eradication" during socialism did not take into account the specific Roma housing traditions and preferences, the structure of Roma households and the required specific organization of their homes. Extended Roma families needed much larger homes due to the preference to live together under one roof. Living in homes without a yard, workshops and facilities for animal breeding makes it impossible to maintain many of the traditional livelihoods. The new inhabitants usually tried to adjust the dwellings to their preferences and very often destroyed some of the finishing works. Thus, problems related to the maintenance of the buildings became especially acute in the prefabricated buildings, which were much more vulnerable due to the poor quality of construction (Tomova, 1995). In the 2000s, the displacement of Roma people in Bulgaria from derelict legal and semi-legal settlements drastically increased as Roma settlements that had existed for decades were destroyed and replaced with new real estate development projects. Roma families were often displaced to remote destinations with poor living conditions. The new flats given to people were always too small, never enough to accommodate a large and growing family: the usual case for Roma who tend to live in extended families (Ivancheva, 2015). In the process of evictions and demolitions law was often not applied uniformly across social groups and territorial units. The issuing and enforcement of demolition orders concerning illegal housing often affected adversely and disproportionately Roma families. A significant percentage of Roma who were affected by demolition orders, had their sole residence at the demolished site, which should in principle provide a safeguard against any eviction. Since the beginning of the 21st century, Bulgaria had a Framework Programme (FP) for the Equal Integration of Roma in Bulgarian Society. The FP emphasized the need to legalize existing housing in Roma neighbourhoods by adopting the principle of minimum intervention in the existing situation, instead of investment in new social housing. Secondly the FP relied on improving the housing stock, but not so much by building expensive new housing, rather than through various forms of support

(financial, credit, with materials, plots, etc.) to people who themselves wish to improve their housing conditions (Grekova, 2016). These ideas were not implemented in practice. At the end of the 2nd decade of the 21st century Bulgaria offered little support for housing improvements to poor households, while at the same time the social housing stock continued to deplete and run down.

The issue of violations of the right to housing in relation to Roma was raised by the second Council of Europe Commissioner for Human Rights in Strasbourg Thomas Hammarberg during his mandate (2006-2012). During the second decade of the 21st century many episodes of forced evictions, particularly of Roma, have occurred across Europe, sometimes posing questions as to the effectiveness of existing mechanisms for protection of human rights.

Box 5.4: Prevention of forced and illegal evictions of Roma families in France

"In its 4th report, ECRI also recommended that the French authorities take steps to prevent all forced and illegal evictions of Roma families from their homes that would place them in an extremely difficult situation. Among the various measures taken by the French authorities, ECRI notes the adoption in August 2012 of an interministerial circular on illegal improvised camps with the main aim of having any camp clearance preceded by an assessment of individual situations and putting in place all appropriate assistance measures with regard to schooling, access to health care and housing. In September 2012, the Prime Minister assigned the head of the Interministerial Department for Accommodation and Access to Housing (DIHAL) the task of preparing for and supervising operations to clear illegal camps. Finally, ECRI notes that a National Consultative Commission for Travellers (CNCGDV) was set up in response to a report by the Court of Auditors in 2012 that drew attention to inadequacies in the reception of and assistance provided to Travellers and to a report produced at the Prime Minister's request by the Préfet Hubert Derache in 2013. Decree No. 2015-563 of 20 May 2015 sets out the new composition and operation of this Commission and confirms its involvement in the framing of public policies, in particular by assigning it a consultative role in draft legislation and regulations relating to Travellers. According to a report published by the FRA in 2012 following a survey carried out in 11 EU states in 2011, 6% of Roma in France received government assistance in their search for housing compared with 25% in the rest of Europe. Since 2013, a budget of €4 million

has been earmarked for funding the assessment and housing assistance measures provided for by the above-mentioned circular. This budget enabled 44 projects to be carried out in 13 regions in 2013 and 61 projects in 16 regions in 2014. An evaluation of these projects shows that in 2013 these measures enabled 395 individuals to access housing, 639 people to access accommodation, 908 children to go to school, 303 job-seekers to obtain employment and 1,910 individuals to benefit from health mediation. In March 2014, the government also assigned responsibility for carrying out a national shanty town clearance scheme to the social housing builder ADOMA. A January 2015 report taking stock of the operations carried out by ADOMA shows that 693 people were assessed, of whom 273 were given accommodation and 93% of their children were enrolled in schools… These arrangements were put in place in the form of local pilot projects… {They should be} applied in practice nationwide. These measures should be implemented before any illegal camps are cleared and the resources available should accordingly be increased".

Source: European Commission against Racism and Intolerance (ECRI), Council of Europe, ECRI REPORT ON FRANCE (fifth monitoring cycle), 2016, p. 29

Studies show that the effects of evictions are complex and particularly affect families immediately after experiencing them, and especially if they are related to demolition. A recent survey found significantly lower quality of housing among persons who had experienced demolitions compared to those of similar background who did not. Those who experienced demolition did not use permanent material in their houses (Gupte et al., 2019). The same survey identifies that the impact goes beyond the material wellbeing and concludes that marginalised or less-resourced people carry forward vulnerabilities acquired as a result of demolition – for example the educational achievements of those who have experienced demolition are proven to be significantly lower than the educational performance of those who have not experienced demolition (Ibid.). In Chapter 3 you can find further information on the impact of displacement on people's mental health.

Figure 5.6: View of Lozenets Roma neighbourhood in Stara Zagora, Bulgaria - On the left side of the street there are informal houses with orders to be removed

Source: Courtesy of Elitsa Markova, Open Society Institute - Sofia

At the beginning of the millennium, a survey among Roma in Central and Eastern European countries (BG, CZ, HUN, RO, SK) showed that this group ranked unclear housing regulation among the highest problems seriously affecting Roma households (UNDP, 2013). We have to bear in mind that this is a subjective indicator which may not always correspond directly to the rates of informality reflected in other indicators.

In Romania in 2015, the Sibiu City Council suggested relocating the Roma community to the countryside, instead of improving their living conditions, particularly by providing access to safe water (ECRI, 2019). The same report reveals that in Romania demolitions of informal settlements are not treated as evictions under the legislation (and therefore preclude prior judicial review and deny the

legal safeguards applicable to other evictions) and there is still no legal remedy in place with automatic suspensive effect in case of potential eviction, nor are there any provisions for sufficient notice to and consultation with the affected communities. Another iconic example where the local authorities prefer relocation in rural settlements instead of improving living conditions in situ or relocating the inhabitants into adequate homes in other parts of the city.

As in Romania, formal (legal) pretexts for evictions are often used in other European countries. For example, in the Czech Republic, this is the case with the implications of the so-called "benefit-free zones" implemented by some local authorities in recent years, following legal provisions adopted in 2017 enabling municipalities to designate areas as ineligible for certain forms of housing support ("benefit-free zones"). In May 2020, the Supreme Administrative Court of the Czech Republic held that the measure "benefit-free zone" resulted in eviction of a Roma family from a residential hotel and harmed the right to housing of the local inhabitants who would no longer be able to receive housing benefits to pay the rent (ECRI, 2020).

The lack of provision of adequate alternative housing, in case of an eviction, is a typical risk for affected families not only in Romania but also in many other European countries.

In Bulgaria between December 2012 to late March 2016, 162 municipalities issued a total of 2,000 orders to remove illegal constructions, of which 444 related to residential buildings and 399 of the orders (or 90%) were related to Roma owned buildings, all of which were residential and the only home of the families concerned. The same survey showed that between 1999-2012, the National Agency on Construction Control issued 514 demolition orders against residential buildings, with Roma owned buildings constituting 500 (97%) of these (Equal Opportunities Initiative Association, 2017).

The reported consequences of implemented demolition include: homelessness for the evicted Roma families, since municipal authorities did not offer alternative accommodation even for children and vulnerable adults and loss of furniture and other personal belongings, including personal documentation since the affected Roma families did not receive prior notification of the exact date of the execution of the orders.

In many cases, the provided alternative housing in case of eviction does not meet minimum quality standards. In the Czech Republic, the government's Agency for Social Inclusion recommended the gradual "evacuation" of the

Chánov housing estate in the town of Most while taking care of the needs of its inhabitants, who should be provided with a long-term lease in standard-quality flats in non-segregated localities. The local authorities contemplated building container housing for the inhabitants to move them out of the decrepit tenement houses in Chánov. The Public Defender and NGOs were alarmed by this solution as it would further reduce the living standards of the inhabitants as containers are not suitable for long-term habitation, especially because they are difficult to heat properly and susceptible to dampness (ECRI, 2020).

Similar situations are observed in Italy and Bulgaria. In Italy in 2015, the expulsions of Roma, particularly in Rome, have increased compared with 2013 and 2014. The municipal authorities offered the evicted families temporary solutions at best and often the evicted Roma preferred to move to another unauthorised settlement. The European Commission against Racism and Intolerance concluded that these forced evictions did not improve housing or sanitary conditions and even had unwanted effects of simply reproducing, elsewhere, the same precarious and insalubrious situation that led to the evictions in the first place (ECRI, 2016).

In Bulgaria in 2001, 30 families were evicted from a municipal plot in the capital's Lyulin district, known as Asanova Mahala. A hypermarket was built there, and the Roma families were housed "temporarily" in vans on Europa Blvd. They lived in these terrible conditions for 12 years before gaining access to social housing.

Usually, evictions from informal settlements affect large numbers of families (Batalova Vodenitza in Sofia, Bulgaria; ECHR, 2012). In cases of mass evictions of large communities, the authorities face difficulties in providing adequate rehousing and alternative accommodation.

Box 5.5: How eviction and displacement lead to informal housing

In July 2014, the local municipality of Miskolc, a former industrial town in Northern Hungary summoned tenants with fixed-term contracts in the poorest segregated neighbourhood to vacate their homes after the expiry of their contracts due to plans to demolish or otherwise eliminate the neighbourhood. The local government decree stated as reason for the elimination that the apartments are old and inadequate for housing and according to the city

development plan this area will be part of the reconstruction of a modern football stadium. In this case study I present how the elimination of the segregated neighbourhood leads not only to a more precarious housing situation of the former tenants but in many cases pushed them into informal housing situations.

The former workers' colony called Numbered Streets, was strongly connected to the steel factory founded at the end of the 19th century together with its own institutions (an elementary school, community house, etc.) within the neighbourhood. During the socialist time the colony was provided social housing to both Roma and non-Roma factory workers. The factory was closed down in the early 1990s, triggering mass out-migration from the neighbourhood as well as from the town. In parallel, the mass privatisation after 1990s led to the residualisation[59] of social housing (Hegedüs, 2013). By the turn of the millennium, Numbered Streets was home to around 900 persons, possibly equivalent to over 200 families, living in low-comfort social housing flats in one- or two storey buildings that are over a hundred years old. As the local authorities did not invest in the renovation and modernization of these apartments for decades, the physical conditions of this neighbourhood continued to decline, as a result of which by the end of 1990s the colony was characterized by the worst housing condition in the city. Moreover, the decades long strategy of the municipality is to eliminate from time to time the neighbourhood in the worst physical condition, and residents are relocated to municipal housing in different areas of the town. The municipality has hundreds of social housing units in this colony, therefore most of the marginalized Roma families were relocated. Though the local municipality had no interest and human capacity to control the users of the apartments, therefore more and more families had used and paid for the municipality owned apartments informally without proper contract. Some families were just squatting in the vacant, unused apartments without any housing contract, but paid for the utility costs. From the perspective of the majority society, the local authorities and stakeholders, and the local media, this neighbourhood became a socially and ethnically homogenous,

59 'Residualisation' of social housing refers to the process whereby those who have the means and opportunities leave the social housing units: those who stay are the most disadvantaged and the poorest. (Understanding the 'Residualisation' of Social Housing | AHURI). Residualisation has an impact on the mix of dwellers in social housing decreasing their capability to maintain the dwellings and the environment. Residualisation is often associated in a stigmatizing way with increasing disorder, crime, neighbourhood conflicts, substance abuse and other forms of social disorganisation.

dangerous criminal place, a stigmatized Roma neighbourhood (Lengyel, 2009, Havasi, 2018).

After the local election in 2010 the local government introduced the new housing policy based on the principle of controlling and disciplining the tenants of social housing. The main tool to achieve this was to change more and more open-ended long term housing contracts to fixed term contracts which provide flexibility to the municipality but create insecurity for the tenants. In parallel, families with more secure, indefinite-term contracts are often faced with rent hikes and harassment by local authorities, for example, regular checking of the condition of the apartment, etc. According to the new regulations, in the event of late payment of rent or utility cost, the local government has the right to change the social housing contract to fixed term without any explanation. According to the local regulations, families with fixed-term social housing contracts are not offered any kind of long-term housing solutions when their contract expires, the local government extends their contract year-by-year, and they must leave the apartment without any compensation if the local government does not extend their contract. If the tenants do not leave their homes, they can be forcefully evicted. Changing indefinite long-term contracts and terminating fixed term contracts are tools for the local government to get rid of families deemed "undeserving" or "undesirable", and to relegate these families to living informally or outside of the city in allotment gardens.

In the process of elimination of the neighbourhood in Miskolc, the local government offered compensation amounting to two million Hungarian forints (approximately 6,700 EUR) to tenants willing to terminate their fixed-term rental contract for low-comfort social housing, yet several controversial conditions for compensation were set: tenants who terminate the contract and receive compensation must use the compensation to purchase property, the purchased property must be located strictly outside the territory of the city, and it could not be sold or mortgaged for at least five years. In response a number of municipalities in the vicinity introduced decrees specifying that persons from other municipalities wishing to buy property in their municipalities would not be able to access social assistance, social housing or public employment (OSCE, 2016).

On April 2015, the Supreme Court of Hungary struck down the municipal decree on amendments to social housing regulations as discriminatory on the grounds of financial situation and other characteristics of the tenants affected by the amendment. Shortly afterwards, In June 2015, the Commissioner for Fundamental Rights and, later, the Equal Treatment Authority also found that the local government was directly discriminating against the residents of the neighbourhood and in its report stated that the practice of evictions in the city was not adequate to the task of dealing with the problems in segregated areas (AJBH).

Despite these declarations condemning its policies, the local government ultimately succeeded in achieving its goal, which was to eliminate the neighbourhood. At the beginning of this process, the families who were squatting in the vacant apartments left, due to police harassment. Many tenants with fixed-term social housing contracts were afraid of possible forceful eviction (the costs of which they would have to bear) and were suffering from harassment by local authorities, so they left 'voluntarily' and moved to cheaper housing, often situated in other segregated neighbourhoods or to the allotment gardens. In the spring of 2017, the last tenants left and the local government demolished the last houses of this century-old neighbourhood to clear the space for renewal.

Moving to garden-plot areas today is one of the most significant, statistically detectable form of displacement in Hungary not only in Miskolc but in many other settlements in the country (Czirfusz et al., 2018, Vigvári & Gagyi, 2018). During the socialist period, in a long valley, between the residential neighbourhoods in Miskolc and the workplaces in coal mines a big garden plot area was founded. As it was never meant to be a residential area, it had only limited infrastructure (only electricity) and, because of the vicinity of the mine and its tunnels, building residential houses was not allowed. Currently, according to different estimations of social workers, this area has about three to five thousand inhabitants. Estimates vary greatly, as part of the families live here only temporarily, finding other solutions in the city; furthermore, parts of the long valley are invisible to the social workers or other services and nobody knows who and how many families live at the end of the valley from where the accessibility of educational and social services for the children as well as of jobs for the adults is a huge problem. The increasing population of allotment gardens can be explained on the one hand by the voluntary movement of the lower-class families who escaped from indebtedness after the economic crisis or by

the arrival of those who move to the city from the neighbouring villages searching for better employment conditions and affordable housing. On the other hand, it is a relegation of the poorest, who live there mainly informally or illegally.

Source: Tünde Virág

Chapter 5.4.2 – Resettlement and rehousing

Resettlement of the inhabitants of informal settlements has always been one of the main policy tools for addressing informality (cf. Chapter 7 for further policy instruments). Resettlement unlike evacuation includes offering a place to live elsewhere. Resettlement can be part of policies for desegregation or ethnic mixing. A more positive term 'rehousing' is also being used underscoring the provision of new and allegedly better dwellings in the process of resettlement.

Resettlement involves many ethical issues and most often than not is a painful experience for those resettled. Residents of any area are likely to feel some level of personal attachment to the place they live in and its surroundings (Málovics et al., 2019). Attachment can be shaped both by the network of social relations providing support and the features of the place. However, the most marginalized cannot benefit from the bonding capital and reciprocity as they are excluded in their own neighbourhoods (Ibid.). Even if Roma are provided with adequate housing after evacuations and demolition, this is typically not done in a holistic, sustainable manner. For example, access to schools and jobs is not taken into account when Roma are resettled. Moreover, Roma are often moved to social housing projects without their expressed agreement or to places where they no longer have ties to the community (Robayo-Abril & Millan, 2019).

It has been argued by some researchers that many public housing projects in the past, often involving resettlement, have failed because they did not correspond to the 'traditional way of life' of Roma, who presumably lived close to nature and breeding livestock. Roma families were described as having very close ties with their relatives and living often in extended families. Therefore, low-rise flexible forms of housing that would make extensions easier and affordable would correspond much more closely to Roma needs (Slaev, 2007). Although this

picture of the Roma is obviously too generalizing and stereotypical, movement to unsuitable social housing may have played a role in the failure of certain ill-conceived projects. In Bulgaria municipal social housing often consists of panel buildings from the boom of prefabricated panel construction in the 1970s and 1980s. These building are not adapted to the way of life of Roma. They were not intended to be sensitive to anybody's way of life back at the time they were built (Parusheva & Marcheva, 2010).

One of the emblematic failed projects in Bulgaria implemented during the 1990s led to the construction of 284 dwellings and the corresponding adjacent infrastructure in the city of Plovdiv which was funded with resources from the national budget, the municipality and the European Bank for Reconstruction and Development. As part of the project 80 two-storey houses were built before the project was discontinued. Accommodated families did not have the means to pay the bills and maintain the property which was far too large and above the standards and the means of the beneficiaries (Petkova, 2010). In this project, patterns of cultural life were taken into consideration but this led to the construction of units that created problems of affordability indicating that moving out of precarity involves a set of hard considerations and balances.

Some definitions of housing exclusion indeed entail taking into account the suitability of homes, part of which is the cultural adequacy or cultural suitability (UN CESCR, 1991). Only few examples of such considerations seem to be incorporated into actual policies and programmes. In particular, large housing estates built during socialism as well as many large-scale social housing projects had a level of standardization, which in principle excludes any sensitivity to lifestyles and cultural traits. It is arguable to what extent requirements of space and affordability in terms of maintenance and utility costs could also be met. In ex-socialist countries the existing public housing stock and large part of the private housing stock built during socialism especially in municipal ownership consisted of many prefabricated blocks, which followed a common concept of organizing the living space (Parusheva & Marcheva, 2010), which may not fit well with the living patterns of different social and cultural groups.

Along with policies for urban regeneration, resettlement might also pursue ethnic or social mixing. Stable social relations and balanced patterns of settlement are still believed to be conductive to more equal chances for employment and participation in society (for detailed analyses on the concepts of equality and equity see Minow, 2021; on mix see Münch, 2009). Such policies can be motivated by the belief that mixing improves economic and social outcomes. Others call

these policies 'dispersal' and see their aim in scattering the poor in space and recapturing the territories that they traditionally occupy (Wacquant, 2008). Whenever these are the true aims of dispersal, depiction of ghettos as areas that cannot be salvaged becomes a strategy for their stigmatization and ultimate evacuation (Wacquant, 2008). In the European context in most cases, it seems rather that a complex network of relations between stakeholders with different interests is at play and no specific agent, even a powerful one, is able to incontestably impose her agenda.

Resettlement remains a controversial and hotly debated policy. It has been rightly criticised for stigmatising the inhabitants of slum areas in various ways by uprooting lives, cutting social ties and destroying communities. But there are also examples of resettlement programmes that seem to have improved the lives of the resettled who lived in unacceptable conditions. Resettlement and the related practices such as demolition of slums and urban renovation will likely continue to coexist with competing policy agendas such as regularization, legalization and improvement of dwellings and infrastructure in urban slums.

Chapter 5.4.3 – Regularization or legalization of informal housing

One possible response to informality driven by extreme poverty is the process of so-called called ''regularization" – recognizing the fact of existence of informal settlements and looking for ways to incorporate them into the existing system of zoning, housing and building regulations. This approach is pioneered and supported by international organizations such as the UN and the World Bank. At the beginning of 2020s legalization of informal property rights, which has long been a very influential policy continues to be promoted in publications of the World Bank. Most of the legalization efforts follow the liberal paradigm that land property is the key to reducing poverty.

Another type of analysis leads naturally to recommendations for legalization of informal housing and starts from the observation that resettlement is an expensive solution to informal settlements, which also entails high social costs. The underlying theoretical framework relates informality primarily to poor land management systems and sees informal settlements as a feasible 'solution' in terms of a social response to an inefficient housing and land provision system. Poor land management includes unnecessarily cumbersome procedures, red tape in the process of registration of property and overt or covert discriminating practices

based on racial or social profiling. This line of argumentation leads the World Bank who calls for simple and inexpensive process of legalization to guarantee that residents receive all the necessary technical and financial assistance (Tsenkova, 2009b, World Bank, 2017). Land administration reforms in the Global South have proved to benefit some very poor communities (World Bank, 2018).

Illegality is typically related to the lack of access to basic infrastructure The inhabitants of illegal houses are de facto owners of their homes, however the absence of legal titles to these properties often prevents the legal connection of these dwellings to electricity, water, and other infrastructure systems (UNDP, 2013).

Legalization has been inspired by the work of the Peruvian economist Hernando de Soto. De Soto's ideas have been criticized for failing to recognize that informality is very contextual.

Hernando de Soto and his way to address informality

Rarely have ideas had such an impact on international organizations and development aid as those developed in Hernando de Soto's 2003 book The Mystery of Capital (De Soto, 2003). Due to the advocacy efforts of de Soto the UNDP established the Commission on Legal Empowerment of the Poor, co-chaired by former US Secretary of State Madeleine Albright. De Soto's ideas were widely acclaimed in the US including by the then president George W. Bush (Otto, 2009). This commission has since promoted the channelling of development aid into efforts of installing rule of law and promoting legalization of informally owned assets including land and housing across the developing world and in countries making a transition from communism to a market economy.

The basic idea of de Soto is quite simple –– to put an end to poverty globally by legalizing informal businesses and land assets owned informally by the poor. De Soto put a strong emphasis on the role of institutions especially on the establishing, protecting and trading in property rights (Ricketts, 2005). In his book de Soto uses the term 'extralegality', which roughly corresponds to what others refer to as 'informality' and claims that the extralegal dealings have nowadays become the norm, rather than the exception (De Soto, 2003); informality and the related extralegal institutions in this view appear older and more fundamental but this situation is not welcome and not beneficial. It has to be resolved by removing barriers to legalization and the regularization of all assets including housing, which is among the most common and valuable assets of the poor in the developing world.

In a brief polemical article, de Soto invites the reader to imagine a place where rules that govern property vary from neighbourhood to neighbourhood and even from street to street and argues that this is the case for 80% of the population of developing and former communist countries (De Soto, 2008). But these persons who represent a significant part of the world's population according to de Soto still possess significant assets which are just not 'paperized' – nowadays we may rather say 'digitized' – in a way that turns them into usable capital. De Soto estimated that in the 1990s the total amount of this "dead" capital as he deemed it was more than 9 trillion dollars: savings of the poor across Asia, Africa, the Middle East and Latin America exceeded 40 times all foreign aid provided since 1945 (De Soto, 2003).

Neoliberal policies advocated by de Soto have been accused of being among the causes of informality in the first place: some believe that his policy programme discredited other legal innovations, which can actually address the problems of informality much better, including innovations developed in South America from where de Soto draws his inspiration and main examples. In some cases, inhabitants of informal settlements through collective efforts have been able to organize the provision of various services and pressure the municipality to provide basic infrastructure (Gonzalez, 2009). The example of Bogota shows that informal settlements have appeared also on land which was legally purchased but then used in violation of zoning regulations and the municipal building code. Settlements emerged in places that face hazards such as flooding and had no access to infrastructure (Gonzalez, 2009). Similar development though at a smaller scale can also be observed in Europe, particularly in ex-socialist countries from the Western Balkans (Albania, North Macedonia) including in EU member states such as Romania and Bulgaria.

De Soto-style observations on the workings of the informal economy have generated a lot of further arguments for the complexity of informality, including claims that it contributes to generating viable (and in a way – desirable) opportunities for the urban poor and those who try to move to the city in search for better incomes and better lives. One of De Soto's main points was that legal tenure may serve as collateral for credits which in turn would allow poor households to start/expand businesses and thus enable them to earn more due to new/ increased income generating activities. This assumption in particular has been proven overoptimistic time and again.

Regularization can paradoxically be regarded as a form of deregulation, which regards the formation of informal settlements as a natural or inevitable process accompanying urban development. According to Larson (2005) regularization is not across-the-board deregulation, nor a negotiated or discretionary enforcement of rules but an alternative regulatory strategy created in the developing world and designed for conditions of extreme economic constraint. Regularization loosens some regulatory standards, thus ''legalizing'' some previously illegal housing conditions, and gradually imposes other retooled less strict standards, accompanied by assistance in reaching those standards.

Regularization of informal settlements falls into an even broader framework of normalization, which entails bringing informal settlements into the framework of the housing market by putting in place strategies that try to remove the stigma from a place, make it more attractive to visitors and more marketable. Recognizing failure of existing government programmes due to stereotypes and dehumanizing attitudes towards dwellers of informal settlements, some researchers from the global South have suggested extravagant ideas such as place branding and economic empowerment with the aim of increasing economic attractiveness (Elmi & Mohammadi, 2017) with the same underlying idea of giving value to the assets owned by the poor and leveraging those assets to gain access to other economic resources.

Some legalisation efforts have indeed been driven by and widely approved by the affected communities. An example from Bulgaria illustrates the implementation of this idea within a poor Roma community which lived within the servitude area[60] of an industrial factory (see next Box).

Box 5.6: UN awards the Trust for Social Achievement for its outstanding efforts on improving human settlements for Bulgaria's Roma

The Trust for Social Achievement (TSA) received the "Global Human Settlements Award on Outstanding Contribution" at the 12th Global Forum on Human Settlements (GFHS-XII) that took place on 30-31 October 2017 at UN headquarters in New York City. The award is in recognition of TSA's program on "Building a better future for all" implemented in three cities in Bulgaria – Peshtera, Dupnitsa and Kyustendil. The program applies an innovative

60 A servitude area is a strip of land around some property, e.g. railway, electricity line, production facility, which has to be used for access, maintenance or hazard prevention.

approach to improving the living conditions of vulnerable communities aiming to increase their economic self-sufficiency.

The innovative approach for the regulation of Roma neighbourhoods in Bulgaria is pioneered in cooperation with local authorities. Within this program, municipalities may develop and/or amend zoning plans to allow residents of informal settlements to buy the plots of land that their homes are built on. Then, residents may apply for forbearance certificates to be issued by the municipality. Under current law, this is the only way to preserve houses and settle ownership. Forbearance certificates allow the homes to be legally bought, sold, or rented. The tender (sale of land) provides funds to the municipality that offset the costs of administrative procedures. This process provides income for the municipality and gives residents in their new capacity of legal owners an incentive to pay taxes and contribute to the growth of the local economy. An overall improvement in quality of life is the result, as municipalities are able to regulate previously illegal neighbourhoods and to provide infrastructure such as water supply and sewage systems. In time, this will lead to improved health and social outcomes and greater community cohesion.

Development of new zoning plans for an area with already existing Roma houses was initiated by the local municipality in the Oreshaka settlement in the city of Peshtera. The houses were built on agricultural land owned at that time by the Biovet company. In 2016, TSA signed a preliminary agreement to purchase the 19,200 sq.m. from Biovet. The plot includes 43 total buildings, 41 of which are used as houses with 246 residents. The goal was to provide a zoning plan which preserves the existing houses and allows for the conversion of agricultural land to urban use so that legal housing can be built. In order to proceed with the project, it was necessary for 16 families to be relocated. With the common efforts of Peshtera municipality, Biovet, and TSA, the families were provided financial assistance to secure alternative housing. For this project TSA received the Sustainable Cities And Human Settlements Awards (SCAHSA). SCAHSA is a worldwide prize annually awarded by Global Forum on Human Settlements (GFHS) and supported by UN agencies including UN Environment, through its SBCI and GI-REC initiatives, and it is focused on promoting the implementation of 2030 Sustainable Development Goals.

For more information: The 12th Global Forum on Human Settlements & Sustainable Cities and Human Settlements Awards Ceremony http://www.gfhsforum.org/Events?_l=en

Source: Trust for Social Achievement, http://socialachievement.org/en/what-we-do/program-areas/family-economic-success-program/housing-and-zoning/

A similar project was implemented in Albania, where by Decree nr. 343 of 29 April 2011 the government passed the ownership of 8,150 square meters of land in Shkozet to the National Housing Agency to construct approximately 70 rental units, social services, kindergartens, etc. to provide Roma families and families with low income with housing (CAHROM, 2013).

Regulatory windows of opportunity

In some countries of Eastern Europe, the practice of providing opportunities for legalization with a time limit has been used. Bulgaria and North Macedonia provide notable examples with very different outcomes.

In Bulgaria for a certain period of time a legal window of opportunity was granted to informal settlers for legalizing informal housing, but very few tried to use this procedure. One of the main conclusions is that negative media accounts boost existing stereotypes and hostility towards the Roma. Responding to popular pressure municipalities are often pressed to undertake evictions and demolitions.

Box 5.7: Building Amnesty Awareness Campaign, Bulgaria

Researches quoted in the National Program for Improving the Living Conditions of Roma in Bulgaria 2005-2015 (NPILCRB, 2005 - 2015), show that in Bulgaria approximately one quarter of Roma dwellings have been constructed illegally (UNDP, 2005). Several generations among some of the Roma communities do not own legal papers for properties to which they were assigned during a process of „forced settlement“: during the communist era in Bulgaria. Like in many other communist countries many Roma families were forcibly settled on state-owned land. After the collapse of the communist system in 1989 and due to the process of privatization and restitution many Roma were forced to abandon even the land that they were living on during the communist period since they have no land ownership documents (Dženo Association,

2005). There are no current cadastral maps for Roma neighbourhoods with accurate property registration and in many settlements there are no detailed zoning plans for Roma settlements (NPILCRB 2005 - 2015). The vast majority of Roma households have no property deeds on the land or buildings they rightfully possess (World Bank, 2017). Their inhabitants are constantly exposed to the threat of forced eviction. Procedures for forcible removal of Roma families from their homes are initiated both by the respective municipalities and by the national directorate responsible for control of illegal construction. The problem is complicated by the fact that according to the law a possible appeal procedure does not suspend its implementation of an order to remove or demolish a house.

In the spring of 2013, the Bulgarian NGO "Equal Opportunities Initiative Association" launched a one-year program "*Legalization of Roma Homes*" in order to solve a long-standing problem in Roma neighbourhoods – the presence of a large number of illegally built houses. In Bulgaria in January 2004 the last opportunity for remediation of illegal construction was given through special and time-limited provisions enacted by the Parliament. This possibility for legalization was not realized in the Roma neighbourhoods mainly due to lack of information among the owners of illegal houses. Only a few Roma took advantage of the legal opportunity for legalization due to the fact that no legal aid was used, which is necessary given the complexity of the procedures. In this situation, in October 2012, the Bulgarian Parliament adopted a new amendment to the Spatial Development Act. The newly adopted law provides for two opportunities, which could be widely used by the owners of illegal constructions in Roma neighbourhoods.

First option: Building Legalization Document – only for buildings constructed before 26 July 2003. This document was intended to act as a substitute for missing building permits and construction papers. The "window of opportunity" for legalization was limited in the period from 26 November 2012 until 26 November 2013. However, if the document was refused on the grounds of ineligibility, the construction was issued an order for removal, which appears to have deterred many from trying.

Second option: Tolerance Certificates. This document is issued if the construction has been built before 31 March 2001 and if it complies with the provisions

applicable at the time of its completion or with the present applicable provisions of the Spatial Development Act. One important advantage of this procedure is that it was not time precluded.

The „*Equal Opportunities Initiative Association*" carried out the following activities: Information campaign to inform beneficiaries about the opportunities for legalization of houses – through brochures, local meetings, expert consultations on the website of the organization **www.equalopportunities.eu**, mobile telephone line for legal advice, video materials produced in language understood by the beneficiaries. The information campaign was conducted in most of the regional centres of Bulgaria, where there is a greater concentration of Roma population.

Despite the awareness campaign and the relatively light procedure for obtaining a Tolerance Certificate, very few Roma households have been able to use this opportunity. According to the World Bank this may be attributed to the following requirements of the procedure: 1. Clear ownership status, and 2. Compliance with the building requirements. If any of these two requirements is not met, the applicant is ineligible. The Tolerance Certificate does not create titles of ownership (World Bank, 2017) but it does remove the threat of eviction and demolition. The World Bank experts warn that the retroactive legalization of unlawful constructions will most probably meet massive public outcry because the measure shall be perceived as favouring unlawful constructions belonging to wealthy owners (e.g. owners of hotels and other large, commercial institutions) and recommend a more nuanced approach that can include, at a minimum: Ex-officio identification of land ownership and possibilities for legalization; drafting detailed masterplans; creating financial incentives for the local authorities to pursue legalization; exemption of administrative fees for low income families; etc. (World Bank, 2017). The government does not seem to plan a launch of any new initiatives for legalization and it seems very unlikely that the scope of informal settlement will decrease in the foreseeable future.

Source: Boyan Zahariev & Ilko Yordanov

In North Macedonia opportunity to legalize informal housing was provided as part of a massive campaign, which appears to have been successful in terms of sheer numbers but it is not clear to what extent households living in precarious conditions could benefit, i.e. inhabitants of Roma settlements. The number of legalized units at the end of August 2018 exceeded 200,000 including more than

66,000 in Skopje, which is approximately 47% of all illegal buildings in Macedonia. Legalization has facilitated the operation of the real-estate market (Dimova, 2020).

The example of North Macedonia seems to confirm that simple, transparent and inexpensive procedures in combination with the involvement of local governments and good cadastral maps are key to an effective legalization process. However, lessons from similar efforts that put real estate in the hands of marginalized communities show that the evaluation of such a programme needs a longer perspective. It remains to be seen what effect the operation of the housing market will have on the assets and living conditions of the affected communities. Will they be able to maintain their property and pay utility bills and taxes? Will they be able to stay or will they be forced to move by market-driven gentrification and unemployment or by inadequate public services?

Chapter 5.4.4 – Implementation of international human rights instruments

Article 31 of the European Social Charter (Revised, 1996) establishes the Right to housing. By binding themselves to the provisions of this Charter, the countries that have ratified or acceded to the international treaty,the so-called States parties, should take legal and practical measures to promote access to housing of an adequate standard, to prevent and reduce homelessness with a view to its gradual elimination, and to make the price of housing accessible to those without adequate resources.

Adding Article 31 in 1996 as part of eight new rights (including the right to protection against poverty and social exclusion in Article 30) "clearly place the Revised European Social Charter at the forefront of instruments protecting economic and social rights in international law" (de Schutter, 2016). However, with regard to the right to adequate housing it is up to the national level to define and decide what the meaning of appropriate standards is (Council of Europe, 1996).

The ratification system of the European Social Charter enables states, under certain circumstances, to choose the provisions they are unwilling to accept as binding international legal obligations. According to the Table of Acceptance of provisions of the Revised European Social Charter (1996) the number of countries ratifying Article 31 on the right to housing is the lowest (almost half of the States

Parties are not bound with at least one paragraph of this article (https://rm.coe.int/country-by-country-table-of-accepted-provisions/1680630742). Even for the States Parties bound with the Article 31 it cannot be interpreted as imposing an obligation of "results" but rather undertaking actions such as: adopting the necessary legal, financial and operational means of ensuring steady progress; maintaining meaningful statistics on needs, resources and results; undertaking regular reviews of the impact of the strategies adopted; establishing a timetable and striving to keep the deadline for achieving the objectives of each stage; paying close attention to the impact of the policies adopted on each of the categories of persons concerned, particularly the most vulnerable (Council of Europe, 2018).

The compliance with Article 31 (§1) of the Charter implicate opportunities for implementation of positive measures with regard to vulnerable groups with special attention to the situation of Roma and Travellers as a specific disadvantaged group and vulnerable minority. Therefore, special consideration should be given to their needs and their different lifestyle both in the relevant regulatory framework and in reaching decisions in particular cases such as providing a sufficient number of halting sites with adequate living conditions for Travellers and dealing with spatial and social segregation of Roma (poorly built housing, on the outskirts of settlements; Ibid.).

The European Committee of Social Rights recommends adoption of a number of legal protection measures for *persons threatened by eviction*:

- an obligation to consult the parties affected in order to find alternative solutions to eviction;
- an obligation to adopt measures to re-house or financially assist the persons evicted in case of eviction justified by the public interest;
- an obligation to fix a reasonable notice period before eviction;
- prohibition to carry out evictions at night or during winter;
- access to legal remedies;
- access to legal aid;
- compensation in the event of illegal eviction;
- respect the dignity of the persons concerned by evictions;
- establishing rules of procedure sufficiently protective of the rights of the persons (Council of Europe, 2020).

The European Social Charter provisions on the right to housing are designed and applied in conjunction with other international human rights instruments

like the European Convention for the Protection of Human Rights and Fundamental Freedoms and the United Nations Covenant on Economic, Social and Cultural Rights.

The former contains civil and political rights provisions related to housing rights in Europe – for example: right to respect for private and family life (Article 8), prohibition of discrimination in relation to property status (Article 14) and protection of property (Additional protocol 1952, Article 1).

In the Article 11 of the United Nations International Covenant on Economic Social and Cultural Rights the States parties recognize the "right of everyone to an adequate standard of living for himself and his family, including housing, and to the continuous improvement of living conditions". In the General Comments no 4 and 7 of the UN Committee on Economic, Social and Cultural the rights to adequate housing, *tenure security* and *protection against evictions* are discussed in detail (for evictions see chapter 3).

Box 5.8: Upgrading the informal settlements vs. destruction of habitat

The human rights approach is operationalised in the New Urban Agenda, which stipulates a new philosophy of the urban policy – enabling all inhabitants "to lead decent, dignified and rewarding lives and to achieve their full human potential", whether they live in formal or informal settlements. The agenda is upholding the ideas of renewal, regeneration, rehabilitation and upgrading of slums and informal settlements and strengthening and retrofitting all risky housing stock there and engaging in the 'social habitat production' (UNHSP, 2017).

With regards to informality, the agenda prioritizes policy measures aimed at: promoting security of tenure and its regularization; devising financing models and mechanisms for low-income households; urban safety, and the prevention of conflicts, crime and violence; access to social services, and green and quality public spaces, energy and transport needs of the residents of informal settlements. It also points out the need for effective measures to prevent and manage the risks of natural disasters in informal settlements and to define and reinforce inclusive and transparent monitoring systems for informality reduction (*Ibid.*).

Recommendations for effective policy measures to reduce the number of slums and informal housing and settlements and to improve the housing access for residents have been developed by the then UN Special Rapporteur on adequate housing. The rapporteur recalls to the states commitment to take action on Goal 11 of the 2030 Agenda for Sustainable Development to upgrade slums (informal housing) by 2030 and underlines that the inclusionary planning and zoning is conducive to their revitalization. She underlines the need to provide legal aid and equal access to justice and to improve awareness of residents of informal settlements about the right to housing as one of the prerequisites of holding governments and other actors accountable for adequately financed policy (Farha, 2018).

Among the key principles of rights-based upgrading of informal settlements, the rapporteur highlights an integrated approach based on understanding the links between housing and other social rights (incl. rights related to economic, health, educational and other needs of residents). She denies the widespread discrimination and harassment against informal settlement residents, defends the right to remain in situ and links it to opportunities for upgrading and legalization and calls for prevention of corruption, speculations and financialisation related with upgraded properties and prohibition of forced evictions and meaningful engagement with affected communities in cases of resettlements. The rapporteur believes that equal access for informal settlement residents to credit and microfinance will facilitate their active participation in the process of upgrading. The engagement of community in this process shall be based on community democracy, promoting the strength of local social capital and full equal inclusion of women in all aspects of upgrading programs. Furthermore, measures to prevent and deal with violence against women and girls are recommendable. The UN rapporteur concludes that in case of natural disasters faced by informal settlements shall be assessed based on active consultations with local inhabitants.

Finally, one year after its first report the UN rapporteur pleads for community-led, inclusive, enabling and participatory upgrading of housing in informal settlements resting on their perception as "significant accomplishments by residents who have created vibrant, self-sufficient communities in the most adverse circumstances" (Farha, 2019).

Source: Boyan Zahariev & Ilko Yordanov

At a glance

Key points

- According to one influential definition informal settlements are *any human settlement where housing has been constructed without the requisite legal title for ownership and/or use of the land for residential purposes.*
- The existing informal settlements are a complex phenomenon which cannot be explained simply by treating them as a breach of existing rules and regulations concerning real estate, urban planning and housing construction.
- Informal settlements are part of a range of informal social and economic practices.
- Informal settlements have become very widespread globally due to the growing population of the planet, migration and the ensuing fast urbanisation.
- In some cities in the Global South informal settlements have become the norm rather than an exception.
- The European Union despite being one of the most affluent regions in the world has its own informal settlements such as migrant camps, slum areas inhabited by Roma and urban squats.
- Informal settlements have diverse manifestations and serve a variety of purposes: they can be a form of social protest, a survival strategy or an opportunistic move.
- Informal settlements reveal some of the deepest challenges to housing markets and the supply of affordable housing for the global population including the population of the countries in the European Union.
- Informal settlements pose a challenge to the ways in which we understand policymaking, including urban planning and human rights

Start thinking

- In what way do you think informality in Europe differs from informality in the Global South? Think for example of the Roma slums in Nyíregyháza in Hungary and Stara Zagora in Bulgaria as compared to Makoto in Lagos.
- Do you think that squatting as a protest movement against capitalist property rights is related to survival squatting as practiced by people who have been evicted from an informal settlement?
- Think about a concrete practice of informality which is practiced in your home country or in a country that you know very well. What type of practice is it? Is there any special term used in the local language to refer to this practice? Can the practice be related to the typology suggested in the chapter on informality?

Learn more

Have a look at our corresponding e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=100

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Chapter 6 – Homelessness

Boyan Zahariev & Ilko Yordanov

In this chapter we introduce the concept of homelessness providing some historical background but focusing mainly on recent developments. The main emphasis is put on homelessness in EU countries though some examples from other regions are briefly discussed to give the reader a more general perspective. The chapter starts by introducing some of the most important definitions of homelessness used nowadays in Europe for the collection of statistical data and concepts of homelessness stemming from a human-rights perspective. In the second section we discuss the often ideologically laden arguments and debates about the causes and dynamics of homelessness. We then move on to present the most important programmes and policies addressing homelessness, which rely on different and sometimes incompatible approaches. In this section you will find also a case from Hungary related to the introduction of one of the most recent and innovative models for addressing homelessness called Housing First. The last section contains some important conclusions, a brief look into the possible future of homelessness, and a few takeaways and tasks.

Chapter 6.1. – What is homelessness?

In Paris of the early 2020s, Ahmed and his friend were very worried about plans to close the remaining public toilets with the argument that they are no longer necessary, leaving such facilities available only in places like McDonald's restaurants. Ahmed is one of at least 3,500 persons in Paris who at that time did not have their own place to use a toilet[61]. They are what is known in French under the acronym SDF (sans domicile fixe), i.e., persons without permanent residence, which is a kind of euphemism for being homeless. Being denied access to various

61 https://www.youtube.com/watch?v=LKOXmlSamb8.

amenities, some of which are today considered so basic that their presence is taken for granted, is among the most extreme manifestations of homelessness.

What Zakija, Said, Selam, Emanuel, Majda i Ali, Emilia, Khawlah i Yasim, Zalina and many others have in common is that they looked for a new home in Poland escaping from different parts of the world such as Iraq, Dagestan, Chechnya, Tajikistan, Russia, Syria, Eritrea, Ukraine. They have *left their homes and fled because their life was in danger or because they were under threat of violence*. Even before leaving their homes, they were already homeless according to one of the definitions of homelessness because they were living under constant threat of violence and intimidation. Their names and personal stories appear on the web page of the Polish project *Witaj w domu (Welcome Home)*[62], which is featured as a good practice example on the web page of the European Commission[63]. Visitors to the project web page are invited to donate for a family of their choice so that a new home can be secured for them. The target amounts that *Welcome Home* strives to collect for each family are equivalent to 5-6 thousand euros in Polish zloty but for most only part of the sums have been collected. All the persons appearing on the web site can be described as refugees or asylum seekers. Poland, like many other European countries, has been criticised for not being particularly welcoming to this category of displaced persons, particularly to refugees coming from the Middle East and Africa, despite the fact that relatively few such refugees and asylum seekers reach Poland. By far the most challenging and expensive part of their reception is the provision of accommodation. Migrants form a large and growing group of the homeless in many European countries.

Homelessness represents one of the most precarious conditions in a person's life. There are many definitions of homelessness, ranging from those which refer solely to being roofless and sleeping rough, through to broader definitions that consider homelessness as a facet of wider housing insecurity.

There is no standardised definition of homelessness in the EU either, but the work done by the European Federation of National Organisations Working with the Homeless (FEANTSA[64]) comes close to producing such a definition in the typology of homelessness called ETHOS. The conceptual structure of ETHOS was founded on a thematisation of homelessness involving exclusion from at least one

62 https://witajwdomu.org.pl/wspieraj.

63 https://ec.europa.eu/migrant-integration/integration-practice/welcome-home-housing-support-refugee-families-poland_en.

64 https://www.feantsa.org/en.

of three different domains – the physical, the legal, and the social (Edgar et al., 2004). ETHOS is not conceived as a hierarchy of living situations, instead all of these forms of housing exclusion should be thought of as interlinked (FEANTSA, 2006).

The European Typology of Homelessness and Housing Exclusion (**ETHOS**) includes four primary categories: a. ***roofless***; b. ***houseless***; c. living in ***insecure*** **accommodation**; d. living in ***inadequate*** **accommodation**.

The ETHOS typology looks at the adequacy of the accommodation independently of whether the tenure is secure. Yet, as discussed further in this chapter, the understanding of what constitutes 'adequate housing' in ETHOS is limited by comparison to definitions of 'adequate housing' contained in some international documents, which present a broader understanding of the right to 'decent' housing.

Despite this, the ETHOS typology offers the broadest definition of homelessness of any practical policy relevance, which is to a large extent reflected in the data collection, policies, and programmes implemented by different, mostly developed, countries.

The four conceptual categories of homelessness within ETHOS are subdivided into a total of 13 operational categories.

Table 6.1.: ETHOS typology - PEOPLE

Roofless	1. living rough
	2. staying in a night shelter
House-less	3. in accommodation for the homeless
	4. in Women's Shelter
	5. in accommodation for immigrants
	6. due to be released from institutions (e.g. for youngsters without parents, correctional institutions)
Insecure	7. receiving longer-term support (due to homelessness)
	8. living in insecure accommodation
	9. living under threat of eviction
	10. living under threat of violence

Inade-quate	11. living in temporary/non-conventional structures
	12. living in unfit housing
	13. living in extreme over-crowding

Source: FEANTSA, ETHOS typology

Operational categories 11 and 12 of the ETHOS typology overlap with situations of informal settlement, as they include living in structures that are not intended as places of usual residence or that are unfit for habitation according to national legislation or building regulations. Some of the examples given to illustrate insecure accommodation in the ETHOS typology also correspond to forms of informal settlement, i.e., occupation of dwelling with no legal tenancy, illegal occupation of a dwelling and occupation of land with no legal rights. The FEANTSA typology does not contain the category of unsuitability of housing which is much broader than inadequacy. Suitability can include aspects such as location or lifestyles. ETHOS also does not contain any explicit reference to unaffordability as such, which is a basic characteristic of precarious housing. The lack of affordability can result in a person becoming homeless due to having one's rental contract terminated or losing one's home due to re-possession. On the other hand, the concept of precariousness does not explicitly cover many life situations which are considered forms of homelessness such as living in some types of institutions (e.g. orphanages, mental health institutions, penal or other correctional institutions) or being due to be released from any of these.

Figure 6.1: Sleeping rough nearby the Central Railway Station of Sofia, Bulgaria

Source: Boyan Zahariev & Ilko Yordanov; Open Society Institute - Sofia

There are a variety of definitions of homelessness in the context of goals pursued by a specific housing policy that can be significantly different from statistical definitions, which may not always be easy to operationalize. Particularly understandings and perceptions of housing adequacy can vary substantially across countries in ways that are difficult to capture in definitions. For example, a Swedish report on homelessness remarks that interviewees from Bulgaria and Romania state that most citizens in their countries live in what in Sweden are considered to be poor conditions. Roma interviewees specifically point out that they have come to Sweden to escape poverty and discrimination (*Hemlöshet, 2017 – omfattning och karaktär*, 2017).

Despite its relatively wide-ranging scope, the ETHOS typology is far from being exhaustive. Other aspects of homelessness have been suggested that are not covered by ETHOS. Some notable elements broadly related to adequacy, which are missing in the definition developed by FEANTSA but are present in international documents on human rights include *location* and *cultural adequacy*.

Location as an element of adequate housing should allow access to employment, healthcare, education, childcare, and other social services. The access should be guaranteed in large cities and in rural areas alike. In addition, housing should not be in close proximity to sources of pollution such as industrial sites. ***Cultural adequacy*** refers to the way housing is constructed in relation to the cultural identity, livelihoods, and daily routines of the inhabitants (UN CESCR, 1991). These requirements put many potential constraints on the way housing can be supplied. In particular, it could make mass-scale standardised construction of public housing look inadequate, while there is no reason to treat them so under the ETHOS typology.

The other domains including legal security of tenure, availability of services, materials, facilities and infrastructure, accessibility, affordability, and habitability are covered in one way or another in the ETHOS definition of homelessness.

In national censuses of EU member states, common guidelines are used, which provide a definition of homelessness: This includes persons who do not usually live in either private or institutional households, distinguishing further between 'primary homeless' (roofless) and 'secondary homeless' (houseless) persons. This definition is both narrower and less detailed than that of ETHOS. The guidelines aim to ensure the comparability of census data among the Member States. However, they allow for a significant degree of flexibility for individual countries, noting that "'homelessness' is essentially a cultural definition based on concepts such as 'adequate housing', 'minimum community housing standard' or 'security of tenure', which can be operationalised in different ways by different communities" (Conference of European Statisticians, Recommendations for the 2020 Censuses of Population and Housing, 2015, pp. 164-165). These guidelines are not binding and there is no agreement that Member States will use fully comparable tools, terminologies, and classification of homelessness. At the same time, it is equally hard to guarantee that researchers will receive, and follow, appropriate definitions in identifying homelessness during fieldwork (Drilling et al., 2020).

In 2018, the European Survey of Income and Living Conditions (EU-SILC) included an ad-hoc section on well-being, material deprivation, and housing difficulties (Eurostat, 2020). The sub-module on 'housing difficulties' include questions that refer to what would be considered situations of homelessness according to the ETHOS typology: i) staying with friends and relatives temporarily; ii) staying in emergency or other temporary accommodation; iii) staying in a location not intended as a permanent home; iv) 'sleeping rough' or sleeping in public space (ibid.). In addition, the questionnaire asked about the duration of each

situation that has occurred, the reason for the housing difficulties encountered by the respondents, and the way out from each occurrence of housing difficulties. On average, 4% of the respondents reported some form of housing difficulties in the past, the most frequent being a temporary stay with friends and relatives. Tracing periods of homelessness is in line with the common understanding within state-of-art research of homelessness as episodes in an individual's life rather than a defining characteristic of an individual (Niemi & Ahola, 2017). The most frequent causes for housing difficulties were relationship or family problems (33.5%), followed by financial problems (20.2%). On average, 75% of respondents who experienced housing difficulties reported that these were over within the first 12 months. The exceptions to this were respondents in Bulgaria, Spain, and Slovakia, where housing difficulties persisted longer than a year for the majority of affected persons.

A review of the categories of the ETHOS-Light[65] typology is available from the European Social Policy Network, indicating which of the situations listed in this typology are included in the definition of homelessness used in each EU country.

From this review, it is easy to see that most definitions used in the European Union and some other European countries for statistical purposes or for the administration of homelessness policies are significantly different from the ETHOS-Light typology. Let's illustrate it with just a few examples. The most detailed definition (closest to the typology of ETHOS-Light) seems to be those applied in Luxembourg (almost the entire typology), Greece, Spain, and Finland (Baptista & Marlier, 2019).

According to the Finnish definition, homeless people are individuals who: 1) are sleeping rough (mainly in emergency overnight shelters); 2) live in dormitories or in hostels, etc.); 3) live in various institutions for homeless people; 4) temporarily live with their relatives or friends due to a lack of own housing. They also include: 5) prisoners who have no proper accommodation when released from a penal institution; and 6) a catch-all category ("all other homeless people"). Finland therefore has a residual category, including all those who are considered homeless but remain outside the top five categories. The United Kingdom also

65 European Typology of Homelessness Ethos and Housing Exclusion, https://www.feantsa.org/download/fea-002-18-update-ethos-light-0032417441788687419154.pdf.

has a relatively detailed definition containing two categories of homelessness: a) street homelessness and rough sleeping (Ethos category 1); and b) statutory homelessness. The latter includes most but not all ETHOS-Light categories (1, 2, 4, 5, 6, 11). The definition of statutory homelessness in Scotland is wider than in England, and there are also wider definitions of local authority duties to statutory and non-statutory homeless people in Wales than in England (Baptista & Marlier, 2019).

In many other countries, the definitions are limited to people who sleep outdoors (Italy, Malta), adding those housed in temporary shelters (France), or at most those who are immediately at risk of being left homeless in the very foreseeable future (Netherlands). There are also countries (Slovakia, Latvia) that do not use any official definition of homelessness at all, either for statistical or for policy purposes (e.g. social aid, social services, designing and implementing housing programmes, etc.) (Baptista & Marlier, 2019).

There are on-going attempts to develop a global homelessness framework, which ideally means the elaboration of globally relevant definitions and the collection of comparative data based on those definitions (Busch-Geertsema et al., 2016). Any global definitions necessarily have to be a small subset of the total sum and variety of definitions applied nationally and regionally, including only the most obvious and indisputable instances of homelessness, such as rooflessness and rough sleeping. One such proposal includes three categories: (1) People without accommodation; (2) People living in temporary or crisis accommodation; (3) People living in severely inadequate and/or insecure accommodation. The suggested global framework is essentially a subset of the ETHOS typology, which summarizes frameworks relevant to the countries of the European Union.

Chapter 6.2 – The right to housing

When we talk about rights in the strict sense, we usually mean rights enshrined in international and national law. Rights which acquire such a high level of recognition usually enjoy more attention from governments. Is a right to housing defined and recognised in international documents? The EU is perhaps rightly considered as one of the places in the world with the most developed social policy and system of social rights guaranteed in legal binding international documents and acts of national legislators. Some of the international instruments addressing social rights to which EU countries are party actually involve a wider set of countries participating by their own will and merit in value-driven international organizations such as the Council of Europe.

The European Social Charter (ESC) is therefore seen as the *Social Constitution of Europe* and represents an essential component of the continent's human rights architecture. The Charter is a Council of Europe treaty that guarantees fundamental social and economic rights, which are also referred to as 'everyday human rights' related to employment, housing, health, education, social protection, and welfare.

The **right to housing** is covered in a quite succinct way in the Charter, apparently reflecting the challenges faced in producing a consensus around what constitutes acceptable housing, particularly in a context where such a right should be universally guaranteed to the citizens of those states that are the signatories of this international treaty.

The right to housing is the subject of Article 31 in the ESC. This right is not directly defined but instead the Parties to the ESC undertake to take certain measures designed to guarantee this right:

(1) to promote access to housing of an adequate standard;

(2) to prevent and reduce homelessness with a view to its gradual elimination;

(3) to make the price of housing accessible to those without adequate re sources.

The ESC has multiple other documents interpreting its content such as amending protocols and explanatory reports. These interpretative texts define 'adequate standard' as housing which is of an acceptable standard with regard to health requirements. It is of course far from clear what 'health requirements' are envisaged in this context, as there is not any recognised list of such requirement related to housing, although it is well-known that poor housing contributes to poor health in many ways. The concept of 'adequate resources' and lack thereof also poses some challenges. It is defined in the ESC in the context of access to health care. The definition says that a person lacking adequate resources is one who is unable to secure such resources either by his/her own efforts or from other sources.

The Charter of Fundamental Rights of the European Union (CFREU), which is a legally binding document enshrined in EU law, does not include the concept of

right to housing. The CFREU only stipulates that the EU 'recognizes and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources' referring to 'rules laid down by Union law and national laws and practices'. The definition of 'sufficient resources', similarly to the 'adequate resources' mentioned in the European Social Charter, remains unclear. In summary, we should take from this the challenges of defining these contested terms and their effects on policy, as national legislations differ substantially in how they address and define the 'adequacy' of housing and the means necessary to access 'decent' housing.

Further concepts related to adequacy such as *suitability* (*Recommendation of the Commissioner for Human Rights on the Implementation of the Right to Housing*, 2009) appear in documents produced by the Council of Europe in the context of monitoring the implementation of the European Convention on Human Rights and the European Social Charter. Suitability appears to cover a domain that overlaps with adequacy, explicitly taking into account the suitability of surroundings, accessibility to and from places of work, as well as cultural suitability. The widely used and more practical concept of adequacy ignores the surroundings, either because the related aspects are not deemed essential or because asking governments to comply with them is considered too demanding.

There are also quite a few contested 'rights' that are claimed by philosophers, social scientists, activists, or social movements but have never been recognised by any state or in the framework of any international treaty. Claimed but contested rights include many extended rights to housing or akin rights such as 'the right to the city' as well as some environmental and green rights, which require that housing above and beyond its immediate functionality should provide equitable access to various amenities and resources. In a notable attempt to promote social justice a 'right to the city' was recognised in federal law in Brazil in 2001 (Friendly, 2013). This Brazilian experience seems to remain a unique experiment – a 'universal utopia' (Maricato, 2010) that deserves further study.

Chapter 6.3 – The challenges of measuring homelessness

When it comes to collecting data on homelessness, we must clearly distinguish between different types of data with radically different uses. First of all, we must indicate the data collected through point-in-time studies – for example used by FEANTSA and Foundation Abbé Pierre in their overviews of housing exclusion in Europe. In the latest overview following a year of the COVID-19 pandemic, the minimum number of homeless people sleeping rough or in

temporary/emergency accommodation *on any given night* in the European Union was estimated at 700,000 persons (Serme-Morin & Coupechoux, 2021). These data are very valuable for assessing the situation related to homelessness but until this effort is integrated into official national statistics, data will not be systematically available at constant intervals. The special study carried out by Eurostat in 2018 was a step in this direction but remained 'partial and ad-hoc' (Serme-Morin & Coupechoux, 2021).

Statistical data on homelessness can be obtained from various sources, but quite often data collection is not systemic and comparability across time is questionable. There are no comprehensible, internationally comparable data on homelessness for at least two reasons: a) different countries even within the EU use a variety of definitions to identify and count their homeless; b) collecting data about the homeless is not easy. The homeless are one of the most difficult-to-reach social groups. Most surveys do not include collective households such as shelters and other institutions, and therefore, this methodology excludes most categories of homeless from survey data, particularly the roofless and those placed in temporary accommodation.

Various approaches have been used to collect information about people living in homelessness. One of the traditional approaches is to use available administrative data related to services used by homeless persons. For example, Dutch local authorities initiated cross-sectional reviews to obtain accurate health and needs information on Homeless Service users. The latest UN-Habitat report also calls not to abandon the use of traditional forms of public outreach in order to include segments of the population in surveys, such as the homeless who do not have easy access to smartphones or internet connection (*World Cities Report 2020. Abridged Version*, 2020).

In the following section Nóra Teller (Metropolitan Research Institute, Hungary) gives an overview of the methodologies and practical approaches used in some EU countries to collect information on various categories of homelessness.

Box 6.1: Methodological issues in homelessness research

With the growing evidence about the linkages of several institutional and structural problems exacerbated by individual pathologies co-resulting in pathways into homelessness, the interest in understanding the phenomena and

processes has resulted in a variety of research methods about homelessness (O'Sullivan et al., 2020). The effort to explain homelessness and right to housing requires as a minimum data about various social, economic, and demographic indicators, the availability of affordable housing, the social housing stock, housing subsidies and rent allowance, and benefit schemes. The phenomenon that has to be explained, however, seems to be less straightforward. Basic recurring questions are 'Who is seen as a homeless person?', 'What does home, and thus, homelessness mean?' These questions have a multiplicity of answers depending on the context.

Several attempts have been undertaken in order to overcome the heterogeneity of approaches to understanding the phenomenon of homelessness, and to develop a framework that is suitable for comparative research. In the European context, a cooperation of researchers and housing providers more than a decade ago[66] resulted in the so-far most influential reference framework which can serve as a methodological tool to empirically investigate homelessness. The European Typology of Homelessness (ETHOS) is based on the core idea that homelessness is a situation in which two out of three core domains related to housing and home are missing. The three domains are the 'physical domain' (physical quality of housing is not safe), the 'social domain' (there is lack of control by the individual over privacy and room for socializing), and the 'legal domain' (there is lack of tenure security, or housing is provided within an institutional framework). In order to simplify this rather complicated typology, the so-called ETHOS-Light was developed to match homeless living situations with so-called operational categories that may be counted with quantitative measurement methods.

While general research practice shows that the simplified framework covers more or less most homelessness situations in a variety of European countries, there are some divergences (Busch-Geertsema & Teller, 2021). For example, in some countries, young people who face rather different pathways into homelessness may be included as a specific group, whereas generally, counts focus on adults only; migrants or refugees may be regarded as homeless, while in other countries they are considered to be clients of migration services rather than social services. Furthermore, often women in refugees' or temporary shelters suffering domestic abuse are excluded from being counted as homeless, and so are children who are accounted for under child protection services.

66 See https://www.dundee.ac.uk/geddesinstitute/projects/mphasis/.

Once the definition of 'who is homeless' is agreed on in a given research framework, the quantitative measurement of homelessness also has to be adjusted to what sort of figure the research is striving to produce. Shall it measure stock, flow, or prevalence, or shall it cover transitionally homeless people (those who rapidly exit and do not return to homelessness), episodically homeless people who have episodic bouts of homelessness, or chronically homeless people, who are generally long-term users of emergency services and/or rough sleepers (Kuhn & Culhane, 1998)? Given these analytical dimensions, the choice of the right data source and method is not easy. Importantly, it should be very clear to both the research community and the audience of any research which limitations the given method has, and what level of reliability it has when discussing issues of homelessness in a given city, region, or country.

It is thus no surprise that existing practice is very rich in terms of what it aims to grasp, how it does so and for whom. A number of countries work primarily with registers of service providers, in others, single point in time, recurring, or even panel counts are organised, whereas in others one-off surveys aim to develop insight into what homelessness is, how it comes about, and what responses are provided for people living in this form of housing exclusion. For example, in the European context, register based data form the backbone of evidence about homelessness in Ireland, in Denmark, and also in France. Point-in-time surveys including focus on profiles are the primary focus of the recurring Hungarian data collection system and in the recently established Bratislava (Slovakia) survey. Head counts are key tools for the Brussels data collection. We have seen attempts of extrapolations from other quality of life and housing surveys and census data, like in Romania, to estimate the number of homeless persons (Fehér & Teller, 2016). In general, however, in most countries we can find a combination of all the above methods, supplemented by qualitative data on characteristics, as illustrated by the recent development in Switzerland. Some countries have up-scaled local counts to regional or national levels, like Germany.

A recent publication on homeless counts in Europe describes a few important features of these data collection exercises that are normally organised at city level. The table below, originally published in Drilling et al. (2020), here

with some updates, depicts the variety of methods and data collection tools, the frequency, and the coverage of counts across Europe.

Table 6.2: Homeless counts in Europe

City / Country	Year of first/ most recent count	Periodicity / No. of counts until 2019	Methods used in the latest count	Data collection tools
Basel (CH)	2018 / 2018	none	- Point-in-time Interviews in the day-care centres - Spotlight street count: observation	- Questionnaire: users of services - Observation protocol: street count
Bratislava (SK)	2016 / 2016	none	- Point-in-time Street count: interviews - Service users count: interviews	- Questionnaire: people sleeping rough or at the night-shelters - Questionnaire: people in homeless shelters
Budapest (HU)	1999 / 2021	Annually (February)	- Survey, part of a nation-wide data collection - Partly rough sleeper count	- Self-filled questionnaire for service users and people sleeping rough in contact with outreach teams
Brussels (BE)	2008 / 2021	Biannually	- Point-in-time Street count: observation - Registration data and point-in-time data: people in the accommodation for the homeless	- Observation protocol: street count - Interviews with visitors of the day centres 2 weeks before and on the day after the count
Dublin (IRL)	2007 / 2019 2011	Bi-annual Street Count Quarterly	- Point-in-time Street count - Monitoring engagement: Housing First Intake Team (HFIT) gather demographic and support need data over time	- Ongoing engagement with individual rough sleepers - Monitoring: multiple interactions with an individual and store information in a Support System

Source: Drilling et al., 2020, p. 101

For example, the evidence gained in the Hungarian context through the "February 3" point in time survey (which in 2021 was organised – in line with COVID related restrictions and the available conditions – as an online data collection), found that over the past few years there are close to 10,000 respondents covered in the survey, 60% of whom are aged over 50. In towns beyond Budapest, rough sleeping has risen – it is normally around 20-40% of all homeless people covered in the survey, and the figures show a large turnover of

homeless people. This means that many people keep falling back into destitution, also due to the lack of social services and prevention. Over the past decade, the number of women and the share of Roma among homeless people increased too (Albert et al., 2019).

It is important to note that the "February 3" count is not a census – meaning that service providers and street social workers are encouraged to engage as many clients as possible, but participation is voluntary on both the providers' and the clients' side; hence, it provides information only about the actually responding persons as a sample of homeless people, not the full homeless population of Hungary. Neither does it engage with several ETHOS-Light categories like homeless people living temporarily in conventional housing with family and friends (due to lack of housing), and people living in institutions. For the remaining groups included in ETHOS-Light, given the long history and the close contact with people in shelters and also in shacks or living in squats, the outreach teams can achieve a response rate that is high enough to make the data reliable. The two uncounted groups are typical examples of difficult-to-measure groups, and they are also hard to be reached by homeless service providers.

In summary, often the lack of enumeration techniques is the reason behind the 'exclusion' of particular groups, that is, behind not including selected groups in the national, regional, or local homelessness figures. Moreover, in larger countries with multi-layered administrative systems and parallel research activities, definitions may also diverge according to selected studies and whether research findings should serve policy formation or legal development. Definitions may also change over time as the face and scope of homelessness may change in a given (welfare) state as well.

Source: Nóra Teller, Metropolitan Research Institute

Chapter 6.4 – Why and how do people become homeless?

For a long time, homelessness research and policy discussions have been focusing on debating the role of individual versus structural factors (Pleace & Quilgars, 2003). The debate has been motivated by a variety of arguments coming

from various fields of research, along with having clear ideological and ethical underpinnings.

Homelessness has historically been correlated with many personal characteristics and individual circumstances such as mental illness or substance abuse (Johnson & Chamberlain, 2011). These arguments form the basis for a 'person-centred approach' to homelessness that tends to focus on the individual and their choices, circumstances, and behaviours. Homelessness is also strongly correlated with conditions such as alcohol dependence and other health problems. In many such cases, the causal relationship is difficult to establish and can be two-way. It is very likely for example that mental illness especially in environments with inadequate support increases greatly the risk of homelessness; conversely homelessness and the feeling of insecurity that it brings can seriously aggravate the course of mental illness. The co-occurrence of homelessness with other social challenges has given the rise to a lot of research focusing on these subgroups of the homeless, which is also reflected in an increased tendency to target sub-populations of the homeless (Pleace & Quilgars, 2003). The development of some of the most widespread approaches to homelessness such as the ***Staircase*** and ***Housing First*** models (both discussed in detail later) was initially motivated by the need to address the housing needs of persons who were difficult to accommodate and keep in existing homelessness programmes. In order to avoid stigmatization, it is worth remembering that person-centred approaches often miss or minimize the roles of structural and systemic issues such as unemployment, housing deficits, or lack of welfare support (Tompsett et al., 2003).

Historically, there had been a tendency – more or less overt – in these approaches to homelessness to equate personal traits and circumstances with the direct causes of homelessness and, in doing so, to blame the homeless for their own situation. This finds its clearest expression in the linking of personal characteristics with the perceived moral failings of the homeless: a situation described as a 'climate where homeless services revolved around the individual's admission of their personal pathologies' (Wasserman & Clair, 2010, p. 21). It is important to bear in mind that such theories, far from being obsolete, have found their way into influential policies and approaches towards poverty and homelessness, despite the stigma they attach to homeless people. The requirements that beneficiaries of any programme should meet certain conditions fall into the domain of a broader theory of social welfare which expects beneficiaries to 'deserve' support in one sense or another. *Deservingness* is not necessarily specified in terms that blame the subjects of such services. It can incorporate a variety of other criteria

such as 'need' but also arguments related to social justice such as reciprocity, equality, and universalism. Programme selection criteria are rarely formulated directly in these normative terms. Rather, they tend to specify a group of beneficiaries (e.g. a subset of homeless people) for whom the programme will have an effect, while leaving others aside. In the case of homelessness, putting too much weight on personal factors may turn out to be ineffective in practical terms along with being unjust. Trying to change people who have been subject to systematic and long-term disadvantages and injustices may be unlikely to produce the desired result and risks leaving untouched these systematic injustices (Pleace & Quilgars, 2003).

The most extreme approach which is often explicitly based on the assumption that the needy and the homeless in particular do not deserve support is the criminalization of homelessness. There is a long tradition of criminalizing homelessness, i.e. under categories such as begging or vagrancy. This is still the case in many countries around the world, outside Europe: Kalpana Goel and Richa Chowdhary discuss the example of India (Goel & Chowdhary, 2018). However, nowadays criminalization of homelessness is returning in different shapes to Europe as well. In part, through the drive to manage and police public space in ways that excludes homeless and displaced persons. The development of 'bum-proof' benches for example (forms of street architecture that allow an individual to sit down but do not allow one to lie flat and sleep), demonstrates how public spaces are remodelled to be hostile to the homeless.

In Hungary, homelessness, or more precisely rough sleeping in public areas (e.g. in parks or underground areas), was criminalised in 2018, with the intention to get people into shelters. If people are still found by the police as rough sleepers, a fine can be imposed. In cases where individuals are unable to pay the fine, they can be taken into custody. However, the legislation and the penalisation of rough sleeping and homelessness only led to homeless people moving towards the outskirts of cities, resulting in losing their contact with social workers and support services (Albert et al., 2019).

Alongside criminalization homeless groups are often at very high risk of victimization, sometimes motivated by hate. Homeless people on the street are particularly at risk of becoming victims of (right-wing) violence (BAG Wohnungslosenhilfe, 2013).

There is another class of policy schemes focused on the individual beneficiaries' behaviour that put focuses not so much on personal characteristics but on commitments for future action. A typical example in the field of housing support for the homeless is the *Staircase* model. The *Staircase* model requires people to demonstrate an ability to move from one level of accommodation to another by addressing lifestyle issues, particularly problematic alcohol use.

Structural explanations of homelessness include a large variety of factors related to the way society is structured and governed, the functioning of markets and specifically the workings of the housing and labour markets. In this sense, homelessness is intimately tied to the forms of precarity and precarious housing we have outlined in earlier chapters. In particular, homelessness can be influenced by deinstitutionalization policies, deregulation of the labour market, declining affordable housing options, changing family structures, wage levels, distribution of income and economic inequalities, patriarchal systems, gender relations, and discrimination among many other factors.

Poverty is indisputably among the main correlates of homelessness that forms a vicious loop of causality. It has been demonstrated that providing various types of cash benefits to poor households significantly reduces the risk of homelessness, as well as the duration of periods of homelessness (Haskett et al., 2014). One should bear in mind that affordability could mean different things in the context of different housing models and different policies. From a market perspective, affordability means affordable prices, affordable rents, and the availability of financial instruments to finance housing, as well as the ability to maintain housing and pay utility bills without overburdening the household budget. Outside market models, however, affordability is associated with offering a diverse range of subsidised housing, most often public housing.

All of these institutions and arrangements can lead to exclusion from housing of some groups defined by race, gender, or social standing. For example, if the heterosexual, nuclear family home is held up as the 'emblematic model of comfort, care and belonging' (Fortier, 2003, p. 115), this can lead to the exclusion of persons whose identity and way of life does not conform with this model, including situations referred to as gendered citizenship, contributing to women's homelessness (Zufferey, 2017) and the homelessness of LGBTIQ people. In Europe one in 5 LGBTIQ people experience homelessness (Serme-Morin & Lamas, 2020). 'Gendered citizenship' is a term referring to the masculine bias at citizenship proving that citizenship is not a gender-neutral concept and is related to the gendered nature of housing disadvantage.

Homelessness has also been addressed from the point of view of governance, drawing inspiration from ideas of the school of New Public Management. Boesveldt analyses three key elements of a local governance arrangement: a). policy, consisting of policy-model, policy-goals, and chosen policy-instrumentation; b). structural aspects such as the level of allocation of responsibilities and means, and the composition of the policy network; c). the management style (Boesveldt, 2015). The governance perspective can incorporate policy-models into the aspects that can be changed but within the existing general social order. This stands in contrast to requests for an overall reversal and change of the very fundamentals such as the balance between private and public property in the housing sector or indeed the way in which housing is produced and provided. Institutional mechanisms put in place explain the expansion of services for roofless persons that has contributed to reducing their numbers but as a consequence of which many homeless persons ended up living permanently in shelters. This trend towards institutionalization of homelessness is observed in several European cities including Amsterdam, London, Copenhagen, and Glasgow (Boesveldt, 2015).

This long list of explanations naturally leads to the idea of *intersectionality* as a promising route towards the explanation of homelessness. Intersectionality in this context refers to the complex interaction between many personal characteristics and circumstances, and the socio-economic and institutional environment. The whole debate about homeless people having or not having control over their situation and being overwhelmed by structural factors has led to the establishment of the so-called "new orthodoxy", i.e., the analysis of homelessness that recognizes both individual and structural elements (Pleace, 2016).

Chapter 6.5 – Dynamics of homelessness

Recent research from OECD revealed that not being able to maintain adequate housing is mentioned as a concern by more than half of the respondents in OECD countries, which are mostly among the most developed countries of the world, although the topmost worries are falling ill, financial security in old age and long-term care (OECD, 2021). Households in the EU are most affected by pollution (14.9% corresponding to 33.2 million households), 15.5% of households lived in overcrowded conditions, 13.9% lived in damp housing, 10.4% experienced housing costs overburden (FEANTSA, 2021a).

In the European Union, FEANTSA and the Foundation Abbé Pierre estimate that in 2018-2019 the number of homeless people sleeping rough or living in emergency or temporary accommodation was 700,000, which represents a 70% increase in a decade (ibid.). However, much of the available data were collected in a way that requires some disclaimers related to the reliability of the conclusions. For example, some data were collected during a specific week or even a specific date which casts doubt on their overall validity, whilst the lack of a common definition of homelessness and a standardised statistical European framework also affects how comparable this material is across different national contexts (Serme-Morin & Lamas, 2020).

Data on the situation in the EU also point to an increase in homelessness over the second decade of the 21st century following the Global Recession, which was triggered precisely by a collapse of heavily financialised housing markets. The debt and financial crisis which started in 2007-2008 has contributed both to increasing informality and homelessness, thereby creating feedback loops of precariousness as outlined in earlier chapters.

According to the 2020 European Index of Housing Exclusion, worsening of housing exclusion overall has been observed over the last ten years in the countries most severely affected by the economic crisis, including Greece. One in ten households spent over 40% of their income on excessive housing costs in the EU in 2018, 4% experienced severe housing deprivation, with unfit housing conditions remaining a harsh reality for those exposed to them, particularly in Eastern European countries (FEANTSA, 2021b). Children were found to be particularly vulnerable to housing exclusion, while young people with activity limitation were more likely to be overburdened with housing costs.

There could be many reasons for the increasing rates of homelessness in any dimension of the ETHOS typology. A diminishing public housing stock due to privatization (turning public housing into cooperatives) is one of the possible drivers for homelessness. This leads to *gentrification* of areas with public housing – a process that took place even in countries such as Sweden that used to serve as a role model with large public housing sector and housing programmes.

Gentrification is a term first used by Ruth Glass in 1964 in reference to the process of taking over and revitalizing the degraded housing resources in the London Borough of Islington by its middle-class owners. Ruth Glass discerned the impact of the improved living conditions in the gentrified area on ownership conditions, the appreciation of prices of land and houses, and changes in the social class structure (Foryś, 2013). When it comes to gentrification, displacement of

low-income groups is the other side of the coin which can have many adverse social consequences. Gentrification can influence homelessness indirectly through higher property prices and rents increasing the risks of evictions and displacement for economic reasons (Foryś, 2013). Some critical theorists have construed gentrification as involving processes of "un-homing", which transcend the mere coming (immigration) and going (outmigration) of residents (Edelman, 2020, p. 426, 432).

Starting from the late 1970s and during the 1980s and beyond, extensive neoliberal reforms were carried out, first in the US and the UK, and later across developed countries in Europe and elsewhere. Rolling back many public services and the commitments of the welfare state were part of the policy agenda including the privatisation of the housing stock in public ownership primarily by selling it off to tenants (Harvey, 2005). Expenditure on housing and community amenities on average represents only 0.5-0.6% of the GDP in the EU over the 2010s, which means that housing does not rank among the topmost priorities in developed countries despite the fact that it appears to be a primary concern for many of their citizens.

The austerity policies imposed during the global economic crisis of 2008 also have a direct effect on the ability of central governments and regional authorities and municipalities to provide housing services. Austerity in combination with the economic crisis has a particularly strong impact on cities, which some describe as austerity urbanism (Peck, 2012; Tonkiss, 2013). Austerity policies have reinforced trends that have been observed in previous decades, such as the transfer of responsibilities to lower levels of government and the suspension of national programs to save public funds and reduce taxes (Peck, 2012; Mayer, 2013).

Austerity urbanism, combined with the loss of housing due to the inability of many urban dwellers in different parts of the world to service their mortgages, has sparked a wave of protests, especially in some Southern European countries. Some see this as a crisis from which neoliberalism will not be able to escape, but protest movements have gradually subsided in the second decade of the 21st century, and neoliberalism in urban and housing policies in particular continues to generate new ideas despite losing part of its ideological appeal. In these terms, neoliberalism persists as a highly adaptive form of governance, with some arguing that neoliberal ideas 'mutate' as they shift into new markets, cities, and states (Callison & Manfredi, 2021).

The restructuring of the economy accompanied by labour market reforms and the increasing "flexibility" of employment have contributed to gentrification and the concentration of households who have ended up on the losing side of massive socio-economic change in Western Europe. In the German case, these driving forces came in the shape of structural crises in coal and steel industries and the so-called Hartz reform on the labour market of the early 2000s, the 4th stage of which included a significant reduction of unemployment benefits. These processes have led to rising housing precariousness due to inability to meet housing costs including maintenance costs and deteriorating living conditions (Müller, 2012).

Recently, short-term rental practices promoted by platforms such as Airbnb, HomeAway, Flip Key and Booking.com also have the potential to affect availability and affordability of housing across Europe, including Southern and Eastern Europe (Balampanidis et al., 2021). As demonstrated by the example of Athens, processes of displacement are also gradually unfolding, following the impact of these processes on long-term rental rates (ibid).

Some have argued that informal, second-hand contracts depending on contacts rather than meeting strict eligibility criteria were common in public housing – especially the well-located and with good quality – and that the tenants in inner city public housing anyhow were middle-class people (Andersson & Turner, 2014). However, more recent studies in Sweden have confirmed that conversion of public rental housing into privately-owned housing cooperatives has indeed contributed to gentrification by changing the composition of inhabitants to more educated and younger persons (Andersson & Turner, 2014). The most attractive public property in terms of its tax value is usually the first to be converted. Conversion is only part of ideologically-driven changes in a broad set of policies including social transfers and taxation which have shifted housing away from national programmes to decisions made by local governments. Elsewhere across the EU similar processes have taken place to a varying degree. Despite recent decrease in the public housing stock, Sweden remains one of the countries in the EU with the smallest registered increase in homelessness of +8% from 2011 to 2017 (FEANTSA, 2021).

Sweden with its large and accessible public housing sector has been long considered a success story for all those who saw many social risks in the commodification and financialisation of the housing markets. In Sweden from the late 2000s, housing legislation has been gradually moving towards increased marketisation, i.e., by municipal housing companies' price-leadership function in overall rent-

setting (Christophers, 2013). Starting from the early 1990s with the conversion of public rental housing into market-based cooperative housing, inner city Stockholm has further gentrified. Some researchers hypothesise that at the same time suburban parts of the city experienced residualisation (the inhabitants becoming poorer in relative terms) in the non-converted public housing properties (Andersson & Turner, 2014).

In the early 2010s, massive profit-driven renovations took place in public housing built in the late 1960s and early 1970s as part of the so-called Million Programme (Miljonprogrammet). Renovations were deemed a "technical necessity" and led to the forced displacement of many public housing residents due to significant rent increases (Baeten et al., 2017). Rent hikes in public housing were justified in this case on the basis that they were required to cover the costs for renovation and to reflect the higher value of the property. Both explanations resort to market principles ignoring the social functions performed by public housing. Even for the residents who ultimately managed to cope with the rising housing costs and avoid displacement, the whole process is a source of uncertainty-driven anxiety and precariousness. Whilst at the same time, the displacement of some former residents disrupts and fragments communities and social networks built up over decades of living together. Despite that, Sweden still remains the country with one of the largest share of public housing in the world.

In the Eastern part of Europe, many residents of neighbourhoods built to house workers in declining industries faced the choice between long-term unemployment or migration. Their privatised apartments were not very attractive either for renting or purchase, and many remained vacant in buildings that were difficult to maintain by a decreasing number of inhabitants.

In parallel with industrial decline in the capital cities of some former socialist countries (Poland, Czech Republic, Bulgaria) municipal housing was also steadily declining since the first years of transition to market economy. It is interesting to note that sometimes the selling off of older municipal housing, which is typically of lower quality but better located, went in parallel with the construction of new municipal housing. Prices at which privatization occurred were typically many times lower than the market price and decided arbitrarily by municipal councils. Anecdotal evidence shows that in many cases tenants may have cashed in substantial capital gains due to the purchase while at the same time, the

municipalities were left with fewer means to address the needs of other homeless persons (Tsenkova, 2014).

In some of the ex-socialist countries, the homeless face a situation which is close to being a denizen without citizenship and civil rights. This situation is sometimes rooted in the history of homelessness but sometimes is a completely new phenomenon induced by policies implemented by countries of Central and Eastern Europe at the time they were already members of the EU. Different mechanisms have been at play in the post-socialist era in Central and Eastern Europe which may have contributed to an increase in housing inequality. In particular, privatization and restitution have fuelled problems of affordability as tenants of former municipal housing were driven away from their homes by new private owners (Górczyńska, 2018). Privatization and restitution dramatically decreased the social housing stock and have revived the phenomena of homelessness and squatting. While squatting and homelessness did already exist in the former communist countries, they usually remained unrecorded and unpublished. As the social housing stock was large and available, even when these problems occurred, in the majority of cases they were only temporary (Giteva et al., 2014). However, even in the post-communist period in Romania, Hungary and other Central and Eastern European countries, squatting reportedly remained limited, despite the difficulties to assessing its scope (Hegedüs & Horváth, 2014).

Among former socialist countries after the collapse of the communist regime, Poland stands out with the most rapidly implemented and radical pro-market reforms, including deregulation and privatization. Like in other former socialist countries, state and municipal housing have been privatised at market prices. This led to a sharp reduction in the number of homes for rent. Housing ownership promotion policies face new challenges to affordability related to housing shortages, and hence rising prices that make buying homes very difficult for most households. This puts municipalities under enormous pressure in connection with the constitutional commitment to providing social housing. In Warsaw, in the segment of social housing offering the lowest rent and aimed at the poorest sections of the population, there is a huge shortage, and a long waiting list.

Similar waiting lists exist in other former socialist countries under the influence of almost the same processes of privatization and reduction of the social housing stock. In Bulgaria, this is combined with a lack of housing benefits, except for a very limited number of people accommodated in social housing. After joining the European Union, Bulgaria had the opportunity to build some new municipal housing from European funds. These were typically pilot projects that

were not part of a systemic effort to address insufficient supply of affordable housing. Part of the newly built units were offered at rents not much below market price. The shortage of municipal housing significantly limits the ability of municipalities to accommodate people in emergency situations, as well as households that live in unregulated housing or very poor conditions.

In Russia, the very term used to designate the homeless (*bomzh*) is an acronym used by the state apparatus and the police (Russian militia) meaning a person without permanent address (*propiska*), which is required to exercise most citizen rights, including access to health, social services, and benefits (Höjdestrand, 2009). In today's Russia, obtaining a passport remains as difficult as in Soviet times, and many homeless persons are without personal IDs (Kuzmenko, 2009). In Bulgaria, legislation introduced in the early 2010s requires a person to either have a habitable property or permission from a landlord to obtain a permanent address. Persons without a permanent address cannot apply for an ID card and cannot access social services, including services which are meant to address homelessness. By 2020, this has led to an increase in the number of persons without personal IDs – especially among the homeless and in informal settlements. Persons with no permanent address have no option to register at an administrative address, e.g. of a municipal service or an NGO. Technically, persons without IDs should automatically be considered homeless under the ETHOS typology as they cannot legally conclude contracts for renting or purchasing property and cannot have any legal deeds registered to their name. Permission to obtain documents without having a permanent address can only be granted by a municipal committee working on a case-by-case basis under untransparent rules. A coalition of NGOs has launched a campaign to change the existing legislation.

Chapter 6.6 – Policies addressing homelessness

Article 25 of the Universal Declaration of Human Rights adopted by the UN in 1948 states that everyone has the right to a standard of living that is adequate for their health and wellbeing, including access to food, clothing, housing, and medical care. From this perspective, the homeless are denied a fundamental right.

For a long time, homelessness was assumed to be identical with houselessness and housing was therefore perceived as the only solution (Zufferey, 2017). Obviously, such a narrow definition fails to grasp multiple perspectives on what a home means. A home means much more than a house or a roof. As it was

discussed in the previous sections, definitions of homelessness are far from standardised, even when it comes to collecting statistical data. They are even more divergent in the context of actual policies implemented around Europe and the world by diverse agents including governments, regional authorities, and non-for-profit organizations to name just the most important ones. It is not possible to provide an overview of housing policies and programmes even within a schematic typological framework. In this section, we will cover two policies in the field of housing – the **Staircase Model** and the **Housing First** (HF) approach. This overview allows a comparative perspective, as HF tends to challenge a lot of assumptions underpinning previous approaches to housing support. This makes HF a debated topic with a lot of arguments and abundant empirical evidence and research on its impact.

Chapter 6.6.1 – The Staircase Model

In most of the EU countries where a systemic policy addressing homelessness exists, the social welfare system for responding to homelessness is structured around a housing model in which homeless service users demonstrate their ability to move from one level of accommodation to another, either as part of the rehabilitation process or by acting in accordance with the targets that have been jointly laid down. This model is known as the **Staircase Model,** based on a **gradual approach**. The end goal of the staircase model is independent living – no different than rival models using a substantially different approach such as the Housing First model.

In the Staircase Model, service users must participate in a rehabilitation process and cooperate with the service staff in reaching certain jointly agreed targets. A key idea in the staircase model is to avoid dependency and try to bring the service user to a stage where s/he can start living independently without needing further support. The model requires the users to demonstrate discipline and a firm determination to resists substance dependence. Other needs are not catered for before a person commits to observing the rules of the programme s/he is involved in.

This gradual approach has been universally applied throughout the Nordic countries, especially in Sweden. Some studies suggest that a high proportion of long-term homeless people have problems with alcohol and/or other drugs (Tainio & Fredriksson, 2009). Not behaving in accordance with defined standards and expectations means almost certainly that a person would be excluded from a service (Tainio & Fredriksson, 2009).

Chapter 6.6.2 – Housing First approach

HF concept and overview

There are various ways in which a change in programme philosophy can be justified. This can be done on ideological or ethical grounds, e.g., by insisting that it is fair to provide housing to someone in need without imposing any requirements. But most often evaluation of a programme is focusing on questions of effectiveness framed in behavioural terms, i.e., whether the programme actually leads to better individual and social outcomes. The innovative Housing First model, which first appeared in the US, challenged all aspects of conventional wisdom about homelessness embedded in previous approaches: it challenged their basic assumptions and founding principles, as well as their implementation logic and claims for efficiency.

Housing First was developed in the early 1990s in New York by Sam Tsemberis and was first implemented by not-for-profit organization founded Pathways to Housing founded in 1994 (Wikipedia, 2022). Currently across the US there are many organizations bearing this name, which promote, research and develop the HF model. The first users involved in HF were persons with mental health problems living on the streets, staying in shelters or discharged from psychiatric hospitals. The HF model was gradually expanded to include other categories of users and was adopted widely across the US.

Prior to HF it was believed that beneficiaries of housing-support programmes should not be offered much choice but must adapt to whatever is offered to them in terms of accommodation and care. The grounding principle of HF is that the first support measure for the homeless should be the *unconditional* provision of housing. This immediately puts HF in sharp contrast to any program that applies selection criteria based on personal characteristics or circumstances or makes support conditional on commitments and discipline. In particular, the HF approach ignores considerations of social acceptability of behaviour such as alcoholism and substance abuse, as the very idea of social acceptability is deeply related to theories of moral deservingness.

The idea behind HF is that in order to put an end to homelessness, we need to provide homes. Housing is not the goal or end point here rather, it is the first step

on the way back to society. Beyond this simple principle lies a host of additional programme elements that can vary widely across contexts. It is not easy to outline all elements that are truly essential to the Housing First model as there are a variety of approaches appearing under the heading "Housing First" implemented in different countries. Comparing all different variants, the only element in common is indeed the immediate catering for the housing needs of the beneficiaries without imposing any preliminary requirements.

Already at the end of the 2010s, HF was one of the most thoroughly researched approaches to tackle homelessness with some state-of-art experimental studies that are hardly available for many other housing programmes. The Housing First appears to be a promising model for extending housing support to homeless people facing multiple deprivation. Despite that, some have argued that there is a need for an even more detailed analysis of the elements required in successful 'housing first' solutions (Tainio & Fredriksson, 2009).

The HF model supports housing for some groups of homeless that have been considered very difficult to serve and have actually been excluded from many existing housing programmes. The HF model has both theoretical underpinnings and consequences that contradict a lot of the mainstream wisdom concerning housing (Dunn et al., 2013). The HF model was initially known as the Consumer Preference Supported Housing Model (CPSH) (Dunn et al., 2013). The main principles of the HF programme included placement in housing units scattered within communities, rather than concentrated in dedicated social-housing buildings where beneficiaries of supported housing have the chance to live independently. Sobriety and participation in treatment for alcohol abuse or mental illness is voluntary (Dunn et al., 2013). By contrast, under the previous philosophy on which housing support was based both in Europe and the US, participation in treatment programmes and abstaining from alcohol and substance abuse were included as strict conditions. This new approach to mental illness is key to addressing the housing problems of psychiatric patients, as under other approaches they were left with no support or relegated to specialised institutions. Beds in psychiatric hospitals and clinics are not a place that persons with mental illness can recognize as home (Wireman, 2007). This also applies for temporary shelters where sleeping can be difficult especially for people with mental illness. Living as a tenant in mainstream housing is the only option that provides a firm ground for independence and recovery (Wireman, 2007).

Housing First is not underpinned by the assumption that changing beneficiaries' behaviour first will then change outcomes such an assumption present in

other programmes is implicit recognition that the homeless have done something wrong and could be blamed for their situation. Removing this assumption has many implications for the way the beneficiaries are treated: providers were found to treat differently their beneficiaries depending on the programme they implemented. Service providers within HF models display more client-orientedness, i.e., greater endorsement of consumer values and less endorsement of systems values. They also tend to be more tolerant to abnormal behaviour provided it did not result in harm to others (Henwood et al., 2014). In addition, the right to privacy is given much more priority in the Housing Programme, which can be described as essentially non-interventionistic and unintrusive. In many contexts, privacy could be an important aspect of feeling at home. Many types of shelters offered to the homeless have settings that exclude privacy. One of the explanations for the apparent success of many HF programmes is that individuals who use substances or engage in disruptive behaviour may be more easily housed in private apartments. In collective settings, disruptive behaviour directly affects others, precisely due to the lack of any possibility of privacy (Gulcur et al., 2003). Despite not focusing on behavioural change the Housing First model does actually bring about positive change in consumer behaviour, as documented by case studies (Watson et al., 2013).

The HF model has often been criticised for not putting enough pressure on recipients addicted to alcohol or drugs to participate in various programmes for treatment of substance abuse, thus reducing the chance of better outcomes for them. Studies have found that the motivation to change is the best predictor of positive outcomes of a HF programme for beneficiaries with addictions (Collins, 2012). Motivation to change is a multidimensional psychological construct which represents one's openness to change one’s own behaviour, and can change over time. While motivation to change cannot be influenced by imposing formal requirements, it can be elicited and supported by personal contact with the beneficiaries, which indicates that the HF model works best when combined with suitable forms of personalised support available on demand.

In the US, the Housing First approach has been demonstrated to outperform other approaches, in particular The Continuum of Care programme, which similarly to the Staircase approach in Europe, made treatment and sobriety prerequisites for housing. Participants who were randomly assigned to the “Pathways to Housing” program were housed earlier and spent more time stably housed than

those in Continuum of Care programs, which made treatment and sobriety prerequisites for housing (Gulcur et al., 2003).

It has been shown that project-based HF intervention in Seattle in the US has led to a significant decrease in the rate of criminal behaviour of recipients who used to have a criminal record. Project-based HF included the provision of immediate, permanent, low-barrier, supportive housing without any requirements for abstinence from substance abuse. A study found that HF exposure was the most important predictor of decreased subsequent jail time in a population of formerly chronically homeless individuals with alcohol problems and extensive criminal records (Clifasefi et al., 2013). In some HF pilot projects around Europe, beneficiaries who had contacts with the criminal justice system in the past were also involved (Glasgow, Amsterdam). In some places (Amsterdam) positive results were reported, though not subject to rigorous proof, assuming that a calmer life and financial stability were conductive to getting over a difficult past (Busch-Geertsema, 2013). More about the specifics of the **Housing First model in European countries** will be discussed in the next section.

Housing First in the European Union

In the 1960s many countries in Europe that had any structured policy for addressing homelessness used to adhere to a system in which homelessness was associated mainly with alcoholism and/or unemployment understood primarily as personal problems. Nowadays it is well understood that trajectories into and out of homelessness are much more complex, involving a lot of structural issues on the labour and housing markets, the availability of a variety of public services and personal characteristics that interact with the context. The solution was typically found in institutions and temporary shelter homes. In many cases, the homeless were placed in relative isolation from the rest of society – an approach which has led to the institutionalization of the homeless.

Housing First came to Europe after it had already undergone significant testing in the US. A significant body of research had accumulated indicating encouraging results across US and in a variety of contexts (Busch-Geertsema, 2013). While it is still early to say that the overall balance has tipped in favour of Housing First compared to other models such as the Staircase Model, not to speak about countries where no systemic policies to address homelessness exist. The systems addressing homelessness in some Central and Eastern European countries have been defined retrospectively as being based on the staircase paradigm.

In Europe, the Housing First model (as developed by Pathways to Housing) has been tested in environments with various welfare regimes, i.e., in Amsterdam, Copenhagen, Glasgow, and Lisbon, among others (Busch-Geertsema, 2013). Although many pilots in the EU broadly followed the principles set by the original programme of Pathways to Housing, fidelity has never been the main focus, it was neither pursued nor were fidelity tests conducted. In some cities such as Budapest, the programme implemented under the brand Housing First actually deviated significantly from the original one (Busch-Geertsema, 2013). In many respects, European models bearing the name Housing First can be considered innovations in addressing homelessness on their own right. The many adjustments of the programme are sometimes called a 'programme drift' in response to contextual specifics (Busch-Geertsema, 2013). Implementation can differ in many important aspects: the availability and use of social housing or private rental housing, the duration of support and whether it has time limits at all, the availability of cash support and other services.

Implementation of Housing First in Europe has also appeared to contribute to the reduction of severe destitution among the homeless. A Spanish study using a control group found very high housing retention rates 18 months from the start of the programme among participants in Housing First, high satisfaction rates, and a significant decrease in the number of persons who could not meet their basic needs, such as skipping meals or being unable to bathe. The arrival of the HF model in Spain has been quite late, starting with pilots in 2014 (Herrero et al., 2021).

One term sometimes encountered in the assessment of programmes such as HF is '**fidelity**', which refers to the way a model is reproduced in different settings. *Fidelity* refers to whether a replicated model is true to the original or has significantly deviated. If the original model has been subject to testing and collection of evidence for a long period of time, the careful replication of all programme features increases the chance of achieving similar results elsewhere. The fear is that 'fundamental philosophy and principles may become 'diluted', thereby reducing programme effectiveness (Housing First England, 2019, p. 5).

If some components of the original model are not present or are significantly modified, this may imply that we are dealing with a different programme and a different approach. When HF is combined with other types of support, questions of congruence also arise, meaning that the different components must be

compatible with each other and reinforce their effects. The spread of the Housing First paradigm in Europe, as with any other sophisticated social programmes, also raised some concerns about *fidelity b*ut in general European versions of the HF paradigm have had their own distinctive features.

European Housing First models tend to involve a broad set of stakeholders at grassroots level. For example, one of the features of the Finnish Housing First paradigm has been the co-creation at grass-roots level of homelessness services. Finnish-style co-creation takes place by inviting former beneficiaries as 'experts-by-experience' into social welfare organisations. Experience-based input is quite empowering and valuable for policy design (Meriluoto, 2018). Similarly, in the Hungarian case of implementing Housing First, giving voice and publicity to homeless persons living in poverty works as a way of empowerment and supports advocacy for wider policy change. Intensive social work is a core component of this Hungarian programmes run by an NGO; unfortunately, due to systemic deficiencies in public services, often this is the only service available, which greatly diminishes the capacity of the program to make a real and sustainable difference.

The next section presents a pilot experience of introducing the Housing First model in Hungary.

Box 6.2: Piloting the HF principles in Hungary in the context of an inadequate homeless care system

Figure 6.2: One-night shelter in Hungary

Source: Vera Kovács, From Streets to Homes Association

In Hungary, there are probably several thousand people spending most of their nights outside, all year round. Yet in many cases, the official state-funded homeless care system provides shelter of such bad quality or with restrictions on households to move in together that many people are not able to use its services.

Figure 6.3: Shack-buildings in the vicinity of Budapest

Source: Vera Kovács, From Streets to Homes Association

The system is based on three-levels of service provision: street social work and crisis-intervention, one-night shelters, and temporary shelters where people can stay for 1+1 years. One-night shelters (Fig 1) are divided by gender and there are only a very limited number of places where couples or entire families are able to move in together, or even bring in their belongings with them.

This problem also affects temporary shelters: there are very few places that offer more than a small cupboard or locker to store personal items, so people

are not able to have their own furniture and devices which leaves them in a hard situation if they were wishing to move out into independent housing.

Shack-building

Shack-building actually provides better living conditions for dozens if not hundreds of people than the homeless care system (Fig 1, Fig 3). Shacks are built in and around Budapest, and other bigger cities, and arguably are not much different to housing forms of segregated Roma settlements in North-eastern Hungary, which are considered examples of housing poverty, rather than homelessness.

Shack-dwellers in many cases are able to work, and also to deliver basic household maintenance tasks. In Budapest, there are various street social services which do outreach to shack dwellers. Yet as the homeless care system lacks sustainable solutions for homeless couples and households, the street social service is mostly limited to crisis intervention.

"From Streets to Homes Association" (FSHA) uses an alternative approach to tackle street homelessness. *The Association* published a book on the life of shack-dwellers living around the Eastern and Northern parts of Budapest, mostly in reforested post-industrial surroundings.

The book was based on interviews with shack dwellers. Their life stories show that it sometimes takes a lot to move out from society. It can be dangerous, it can be dehumanizing, and it can cut people off from ways back into society, too.

In many cases, people who later become shack-dwellers have suffered previous traumas, especially abandonment in childhood. The ever stricter criminalization of homelessness left shack-dwellers at a risk of not being able to reach out for help.

Figure 6.4: Shack-dweller around Budapest

Figure 6.5: Hungarian shack dweller

Source: Vera Kovács

The Housing First response

Since 2012, FSHA have been helping homeless persons to move into affordable rental housing, especially renovated municipal flats. FSHA combines housing for rough sleepers with advocacy for making affordable housing provision a national policy. FSHA was part of the introduction and promotion of new, cooperation-based social work methods, and the Housing First approach for Hungary.

FHSA renovates vacant, run-down municipal apartments with the help of volunteers, as well as the participation of the homeless families who are then able to move into the apartments as tenants. Besides that, FHSA is also in the process of setting up a social housing management agency to utilize privately owned vacant housing for affordable housing provision.

FSHA both handles municipality owned, and privately owned apartments. Ownership of the apartments is not affected by the renovations, in both cases FHSA cooperates with owners based on a long-term agreement on the usage of apartments, which includes subletting, or choosing tenants. Renovations are funded mostly from private sources but FSHA is also working with municipalities on local housing policies, where municipal resources are involved as well.

Rents are based on the financial capabilities of tenants' households and are normally between 20 and 50 percent of market prices. If a tenant fails to pay, FSHA first offers social work and debt management but terminating the contract is also a final option. Yet 90+ percent of tenants in the programs are still living in their homes.

Figure 6.6: FSHA clients

Source: Vera Kovács, From Streets to Homes Association

Intensive social work is a fundamental part of the process, in which stable housing is considered the first step in social reintegration. The goal is to help clients who hardly would have got any other chance to exit homelessness, retain their housing in the long run, and be able to cover their bills on time. Identifying employment opportunities is also essential, as some of the beneficiaries have no regular income upon moving into their new housing.

The story of Molnár Péterné

FSHA believes that participation is a key to their work. Their first tenant Molnár Péterné grew to be an activist at one point of her life. She is also funding

member of FSHA, her story was broadcasted on nationally broadcasted media. Giving voice to the people affected by social problems is an important part of FSHA's theory of change.

She had spent way more than a decade in her self-built shack in the Terebes Forest in Eastern Budapest. This is one of the most abandoned and dangerous areas of the city, yet there are more than a hundred homeless people living there.

Figure 6.7: Molnár Péterné in front of her renovated house

Source: Vera Kovács, From Streets to Homes Association

In 2012, the local municipality was willing to "clear the area" and that would have included demolishing the huts of the homeless people living there. It would have affected about 20 people. Molnár Péterné was one of them. She was by then close to drawing her pension, with impaired vision. Yet, she decided to fight. "The City is for All" homeless advocacy group put her in contact with social workers. Social workers and activists including fellow homeless persons helped her to go on nationally broadcast media and the activists assisted her in advocating for fair treatment. The shacks were demolished without proper legal processes even before informal building was established as a criminal offence. Advocates argued that this was obviously discriminative, and that no municipalities would have dared to try to implement this process in any other case of illegal buildings, asserting that because these were low-income residents the municipality has no hesitation in demolishing their properties.

Molnár Péterné, with the help of The City is for All and FSHA proved herself right: finally, she received tenancy of an old, abandoned municipality owned house that was actually ruined at the time. Activists and volunteers helped the Molnár's family to renovate it and they live there ever since. They are still living in a level of poverty that is hard to imagine for most of Budapest inhabitants.

FSHA believes that this story validates the use of a Housing First method in Eastern Europe.

Source: Vera Kovács, From Streets to Homes Association[67] – Hungary

Chapter 6.7 – The future of homelessness

Over time, the very notions of what homelessness are changing. The change is mainly in the direction of including more and more life situations in the definition of homelessness. The 20th and 21st centuries have witnessed changing perceptions of homelessness and creating new indicators to measure the various new manifestations of homelessness. International actors who have made homelessness part of their agenda have become increasingly active. It could even be argued that in the 21st century, international organizations and supranational associations have emerged as the main drivers for creating definitions and collecting statistics on poverty.

Attitudes towards the homeless and understanding the causes of homelessness are also changing. The most common understanding today is that homelessness is due to complex interactions between individual characteristics and structural features of the environment. Such an understanding is at odds with a long tradition of moral condemnation or even criminalization of homelessness. Changing attitudes towards the homeless and shifting theories about the causes

67 Additional Information about From Streets to Homes Association is accessible at: www.facebook.com/utcarollakasba and www.utcarollakasba.hu.

of homelessness lead to the establishment of new practices and services for the homeless. At the end of the 20th century, innovative models were born, such as Housing First, which provided housing to the homeless without any preconditions, that is, without requiring them to behave in certain socially acceptable ways in order to earn their right to housing. This new approach is no doubt rooted in empirically validated understandings of human motivation and behaviour. But at the same time, it is based on the belief that housing is an inalienable right.

Despite progress, innovative models such as Housing First still occupy a small niche among homelessness policies, even in the Global North, where they are most prevalent. In the Global South, powerful economic and demographic processes have left many governments and other actors struggling to provide even basic services such as shelter for the homeless. In times of economic crisis or political transformation, homelessness at least in some periods is increasing even in some of the most developed countries in the world.

A recent collection of essays by lead researchers in the field of homelessness focused on the possible transformations of this acute social phenomenon in the near future. The essayistic visions cover a large spectrum of possible worlds including the eradication of homelessness in the very near future through the upscaling of innovations such as Housing First, the creation of brand-new service models and complete cessation of evictions (Lassy & Turunen, 2019). The very idea that within a decade something decisively different will happen with a social phenomenon that has existed for millennia is very audacious.

Homelessness will very likely remain a social and economic reality and a hot political topic for quite some time. It will enjoy the unwavering attention of pragmatic technocrats while providing fresh inspiration for utopian and dystopian visions of the future.

At a glance

Key points

- Being homeless has changed over time by including new situations and circumstances. Previously homelessness used to be equated to rooflessness.
- New definitions of homelessness have been developed in the EU covering an increasing number of countries.
- In Europe attitudes towards the homeless are also changing gradually over the last several decades. Moral blaming and criminalization gave way to more tolerant attitudes.
- Understanding about the causes of homelessness is also changing to include many circumstances related to the social environment and policies. Previously homelessness was explained primarily by personal traits of the homeless.
- Data on homelessness remain difficult to collect in a systemic way. In the EU the bulk of data is still collected through occasional surveys rather than by official statistics.
- Rates of homelessness have been decreasing historically. However even in the most developed countries there are still periods when homelessness is rising.
- From a global perspective there is little indication that homelessness may disappear any time soon.

Start thinking

- Use some of the sources listed in the 'Learn more' section below or other relevant ones of your choice to present different perspectives on what causes homelessness. Try to think in what way these perspectives differ.
- Look for some words or terms describing homelessness or forms thereof in English or another language you know. What do these words reveal about views on homelessness? What kind of feelings, attitudes, values, do they display? What understandings of homelessness do they omit?
- Which do you think are the strengths and weaknesses of various existing explanations/theories concerning the observable trends in homelessness?
- Think about a concrete case of a homeless person or family that you know about from your personal experience or that you have heard or read about. Reflect about the circumstances that have made this person or a family homeless. Is there a way out of homelessness for them?

Learn more

Have a look at our corresponding e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=101

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Chapter 7 – Beyond Precarious Housing: Solutions and Responses

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So far, this book has explored varying facets of precarity in housing in Europe today. In so doing, it has depicted dire living conditions of various social groups across the continent, highlighting Precariousness and Financialization in chapters 1 and 2, Eviction and Displacement in chapter 3, Precarious housing of Migrants in chapter 4 and Informal Settlements and Homelessness in chapters 5 and 6. In each case, we discussed the multi-layered root causes and impacts. Across these varied forms of precariousness, a central cornerstone to tackling these challenges is a focus on the creation of affordable and suitable housing in substantial quantity. At the same time, we have seen how some solutions, like privatization for instance, can produce unexpected, and often negative, side-effects. This chapter draws up an entire catalogue of "tools" that could help ameliorate housing related precarity in general. Some of these approaches have been around for quite a while and already been tested in different regions and countries (some of which are portrayed in subchapters), others are rather novel to the debate and most of them have their limitations and critiques. Nonetheless, they may well play important roles in solving housing problems on the continent.

Rather than presenting a collection of tried and tested best practice or recommendations, this final chapter, therefore, is an invitation to the readers to browse this catalogue of possible options and critically assess their applicability under specific local and regional circumstances as well as their potential advantages and drawbacks, not to forget their political feasibility.

To begin with, however, it needs to be pointed out that – as we discussed in previous chapters – housing is just only one, albeit fundamental, factor in overall welfare and wellbeing. Exclusively tackling this single factor while ignoring broader questions of societal injustice, inequality and intersectional power differentials will invariably fall short of addressing the bigger picture. Nevertheless, this book focuses on housing as a basic cornerstone of physical and psychological security and thus a fundamental for most other activities in life. Therefore, we consider the approaches for the creation of more affordable and equitable housing presented hereafter as but one part of more holistic endeavours for building just and sustainable societies in Europe.

The following sections present an array of potential solutions and approaches for the creation of more affordable housing in catalogue like fashion. Entries are grouped according to who, meaning which actors or levels of government, could and should adopt and implement them. This is difficult to generalize, however, because EU member states differ in whether and to what extent the local, regional or national level is responsible for housing policymaking and how affordable or social housing is institutionalized. Moreover, civil society organisations in various forms and with different resources may likewise act in the realm of housing, both within and across national boundaries. Moreover, the role of vulnerable communities themselves in the people-driven and people-centred process of social production and management of their habitat is increasingly recognized as strategic components of the right to adequate housing[68] and the right to the city (UNHSP, 2016).

Chapter 7.1 – Public policy interventions

Housing related tasks are often cross cutting responsibilities within different national policy frameworks. Thus, which level of governance (local/ municipal, regional/federal state or national) is responsible for which policy approach will differ a great deal between different EU member states.

Moreover, as we have demonstrated in Chapter 2, housing markets and tenure structures can be remarkably distinct, displaying varying proportions of rental or owner-occupied housing, located in either urban high-rise arrangements or

68 See 1.2 The right to housing and the rise of precarious housing

rather rural, low density one-family-units: While rental accommodation covers a substantial proportion of the housing markets in countries like Germany and Austria, individual homeownership, by contrast, is dominant in most South European and CEE countries.

To make matters even more complex, reasons for why housing becomes precarious, or remains so, not only lie in particular decisions or non-decisions in the field of housing, planning or land ownership. Even though the lack of public investment in affordable housing – for lack of resources or ideological reasons on behalf of the government parties – the incapacity or unwillingness to protect the rights of renters and other directly housing related decisions certainly play a role, there are developments in other policy areas that are decisive for the housing situation as well. Think for instance of the economic and financial crisis of the years 2007 – 2009 and its corresponding wage cuts and mounting unemployment. Or consider how the global banking crisis and bursting of the housing bubble led to forced evictions and foreclosures in many countries, particularly in the so-called peripheral countries or 'PIIGS' (Portugal, Italy, Ireland, Greece and Spain; Barbero, 2015). One could also mention how austerity, understood as a mixture of different policy instruments like spending cuts, aimed to reduce government budget deficits, has been implemented in European cities to different degrees (Bua et al., 2018). Last but not least, variegated processes of demographic shrinking and ageing on the one hand or population growth from rising birth rates or immigration clearly have an impact on the supply of affordable and suitable housing yet would not be considered to be related to the governance of housing at first glance.

So, when in this chapter we present and discuss different solutions or policies that have been brought forward to tackle precarious housing, the question arises whether we can even make general assertions about who is in charge of solving housing crises. To give readers a general idea of the multilevel governance of housing, in what follows we will describe who is responsible for housing policy in the EU member states and at which level of government. We will ignore the horizontal distribution of tasks between different ministries for instance and rather focus on the relevance of different levels of governance. In what follows, we draw from a study that was produced for the German presidency of the Council of the European Union in 2020 (Krapp et al., 2020).

The EU has no direct responsibility for housing policy, yet its impact in other policy areas can have spill over effects on housing. Think for instance of the EU anti-discrimination directive or funding for the European Structural Funds that

could be invested in housing (Krapp et al., 2020, p. 144), but also of the Urban Agenda for the EU established in 2016, which seeks to improve quality of life for all in urban areas and reduce socio-spatial injustice.

In their comprehensive study of how tasks are distributed across levels of governmental units, Krapp et al. (2020, p. 22) distinguish eight broad subfields of housing policy, namely taxation, environmental and energy policy, tenancy law and rent regulation, spatial affairs, housing construction subsidies, subsidies for owners and/or buyers, welfare and the allocation of social housing.

They identify six different types of countries in Europe:

- "Only one country has exclusive responsibility for housing policy at the national level: Malta, which seems to be appropriate in view of its size.
- Countries where the national level is clearly dominant, while the regional and local levels are each of less importance in terms of their competencies. This group has two members (Croatia and Greece). Both countries seem to be members of the group due to their general style of centralised organisation.
- Countries which display a combination of national leadership with a strong local level that is clearly more important than the regional level. Twelve countries fall within this group (Bulgaria, Denmark, Finland, France, Ireland, Latvia, Netherlands, Poland, Slovakia, Slovenia, Spain and Sweden).
- Countries where all levels are heavily involved (tasks are balanced across all three levels) at the same time. This group also has five members (Austria, Germany, Italy, Portugal and the UK).
- Countries where the focus is on the regional level (countries are regionalised) and the national/local levels are less important. The only member state within this group is Belgium.
- Countries without any involvement of the regional level with varying relationships between the national and local levels. This group has seven members (Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Luxembourg and Romania). "(Krapp et al., 2020, p. 24-25)

These are the levels responsible for making the collectively binding decisions or rules of the game. These are the actors who could decide on the formal solutions that we will present later on. In policy analysis we distinguish, however,

between different phases of policymaking, from publicly defining a problem, setting it on the political agenda, formulating and deciding on a law or program and finally implementing it, traditionally through public administration (Jann & Wegrich, 2009). The capacities of public administrations to make sure legislation is enacted on the ground differ widely, so the protection of renters might exist on paper, yet be implemented with loopholes. We will examine this in section 7.1.4.

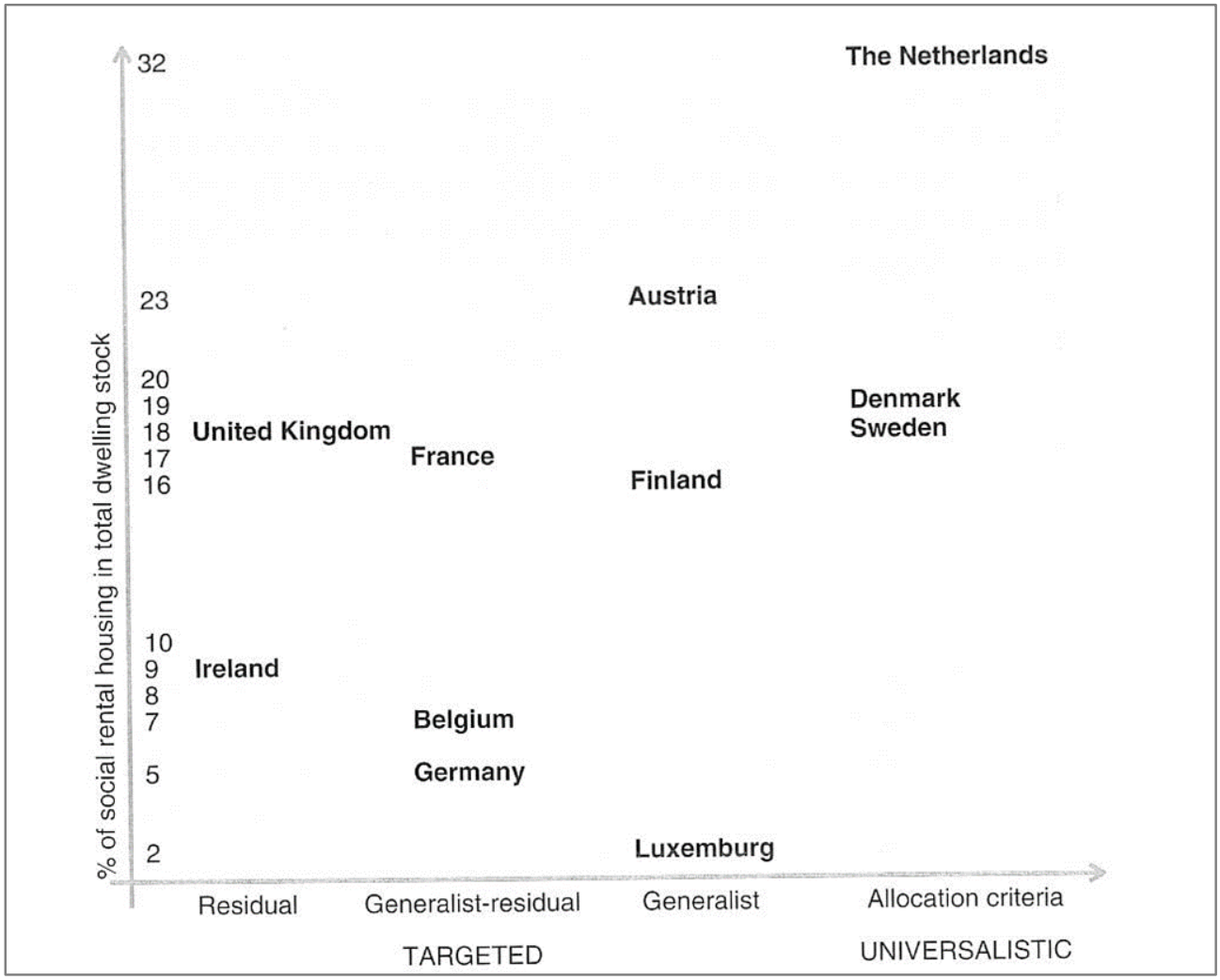
It is against the backdrop of these numerous and complex local, regional and national housing contexts as well as political opportunity structures, that the following catalogue of potential policy tools has to be assessed for applicability within the specific circumstances of each country and each city. In the next sections we focus on two of these different forms of housing support, object and subject oriented policies.

Chapter 7.1.1 – Policies and subsidies for "social" housing

The term "social housing" is extremely broad and consequently, a plethora of housing regimes and policies may be covered by it in varying contexts. Generally speaking, one common denominator of most of these policies is their funding (at least in part) from the public purse. A broad distinction can be drawn between countries following more "universalistic" versus more "targeted" approaches to social housing (see also section 2.4.4 on dual vs. unitary rental markets).

In a universalistic approach housing is seen as a basic necessity and funding is granted to a broad spectrum of society, with the exception of higher income households who can cater for their housing needs fully without support. Despite this approach, universalistic funding schemes often exhibit a tendency to miss out those on the lowest incomes, the very poor, and non-nationals and non-citizens. By contrast, in a targeted approach to social housing, subsidized housing is meant only for the lowest income groups. They therefore often end up living in designated – and segregated – areas and "social/ public housing" often becomes equated with poverty and stigma.

Figure 7.1: **Classification of social rental housing approaches in selected EU member states**



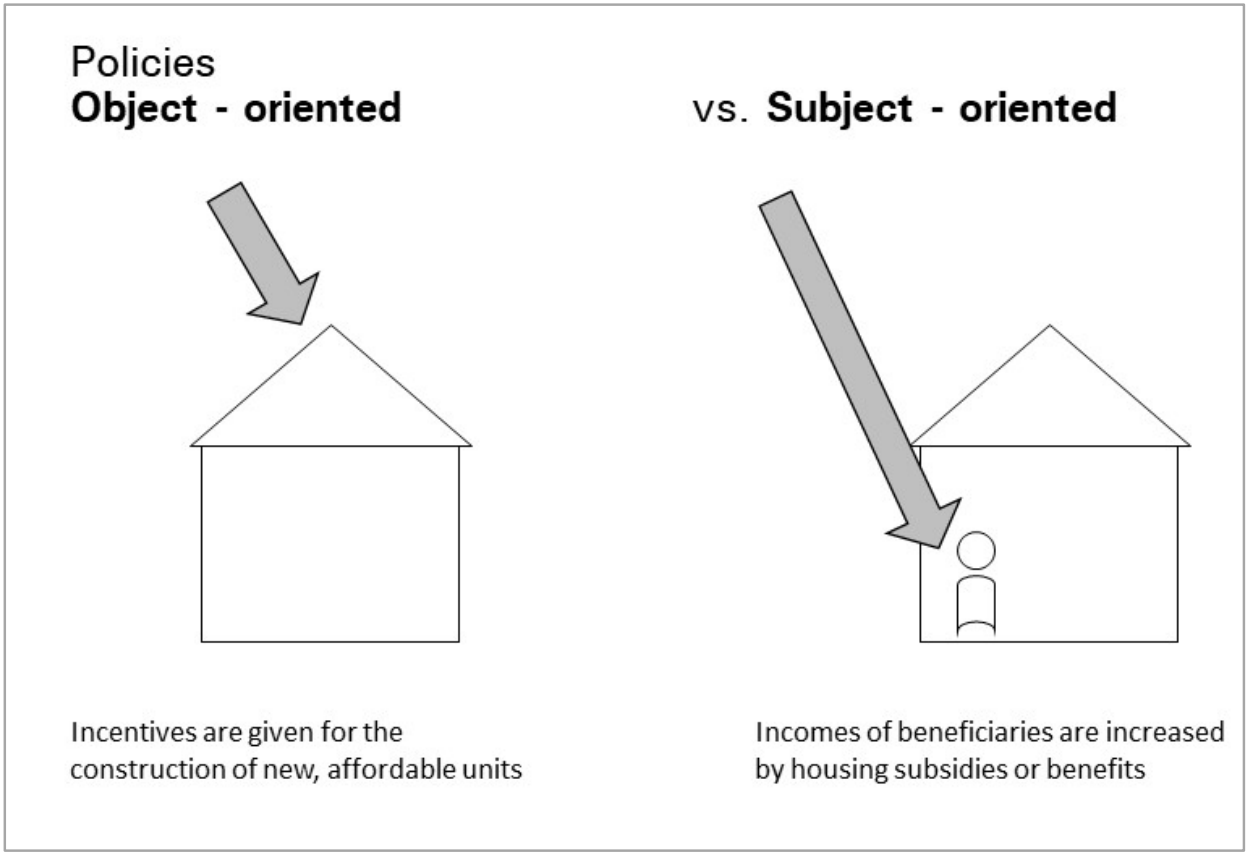
Source: Whitehead & Scanlon, 2014

Responsibility for public, affordable housing in general, can be distributed among different governance levels (national, regional/state and local/ municipal) in different EU member states and be spread amongst a variety of actors. Responsibilities are often subdivided into different areas related to the provision of affordable housing, such as finance, legal frameworks, planning, infrastructure, and construction (for national details see Krapp et al., 2020, p.16 -28).

A further general categorization of housing support policies distinguishes between object and subject oriented housing support. Therein, object-oriented

policies provide funding for the construction of buildings ("objects"), while under subject-oriented policies, subsidies are awarded to individual households ("subjects") with the aim of reducing their housing costs and thus enabling them to cover their housing needs via the free market (see Figure 7.2).

Figure 7.2: Object-oriented vs subject-oriented housing policies



Source: Tania Berger

Chapter 7.1.1.1 – Object-oriented policies ("supply subsidies")

In Object-oriented policies, sometimes also called supply, object or "brick and mortar" subsidies, public loans are provided to housing developers on favourable conditions in order to improve the availability of affordable housing on the market. Thereby, incentives are given by the state for the construction of new dwellings with acceptable quality. What is to be regarded as "acceptable quality" for affordable housing needs to be detailed in the definition of technical norms and by-laws. Object-oriented programmes thereby increase the general availability of housing and this in turn contributes to dampen overall rent levels in a particular region or country (Whitehead & Scanlon, 2014).

Due to public funding and support for the newly constructed buildings, beneficiaries have to cover only part of the incurred costs per units and, hence, rents in social housing estates can be kept below market prices. Therefore, access regulations with regards to beneficiaries' maximum income levels are often put in place to make sure that publicly funded housing is mostly inhabited by those who could not otherwise afford such housing. Access regulations may also include further requirements, for example with regards to the time applicants have already lived in a particular region (which frequently excludes newcomers and migrants from access).

Due to generally high costs in the construction of new buildings, substantial public funds are required for object based programmes if these are supposed to produce significant impacts on the overall housing market. The planning and construction of a significant number of new units usually take several years, and thus object-oriented programmes can only counteract existing housing shortages in a medium-term perspective. In any case, new construction at any given point in time always contributes only a small percentage of the overall housing stock. Object-oriented policies therefore are frequently seconded by additional policies such as rent regulations or subject-oriented housing benefits as outlined below.

An economically important side effect of object-oriented programmes is the fact that they tend to generate employment in the construction sector. This positively influences national economies by increased incomes and tax revenues (Scanlon et al., 2014).

Kapitel 7.1.1.2 – Subject-oriented policies ("demand subsidies")

While object-oriented programmes reduce housing costs, subject-oriented programmes increase the incomes of beneficiaries instead. These housing subsidies, also called allowances or benefits, serve to reduce individual housing expenses thereby enabling residents to rent units which would otherwise be unaffordable. Contrary to the object subsidies targeted at housing developers for the construction of new buildings, subject subsidies are directly linked to the individual households and linked to the individual household's income. A general critique of subject-oriented subsidies sees general housing cost levels pushed up if these subsidies enable low-income households to compete in the housing market. As a consequence, beneficiaries may still be struggling to cover housing costs as prices have been inflated as a result of subsidies.

Chapter 7.1.2 – Planning, zoning and taxation

Besides actively promoting the construction of affordable housing, authorities possess a range of further means for creating favourable legal, fiscal and economic environments which encourage and support construction on a substantial scale. Such tools stem from planning and zoning laws as well as from taxation related to housing, land and property.

Chapter 7.1.2.1 – Housing related taxation

Taxation related to housing, property and land can contribute to creating affordable housing by incentivizing the efficient usage of land with the aim of avoiding land speculation and vacancy (on the relevance of land see Lechner, 2016). There are a range of ways in which this operates.

Chapter 7.1.2.1.1 – Land Value/ Property tax

First, there is land value tax. American land reformer Henry George (1839 – 1897) was one of the best-known proponents of land value tax. This tax is intended to replace all other forms of taxes and to be levied exclusively on the "natural" land value (i.e., the value of the land without taking into account the added value created by the owner).

The implementation of this tax aims to facilitate the best possible use of the land within the framework of the planning requirements, as landowners strive to compensate for the tax burden. With the tax being due for land only – not for buildings erected on it –, constructing buildings on the land represents the key to putting it to use and construction is thus incentivised. Arguably, this desire for profit mobilises unused or insufficiently used land and counteracts the lack of available land for building purposes that drives land speculation. It does not, however, ensure that newly constructed buildings are necessarily used for affordable housing[69].

69 The property issue: Von der Bodenfrage und neuen Gemeingütern (2018). Arch+: Nr. 231 (2018) = 51. Jahrgang. Aachen: ARCH+ Verlag GmbH.

Box 7.1: Land value and property tax – examples and critique

Land value tax is levied in parts of New Zealand and Australia, as well as Denmark and Estonia. The city-states of Hong Kong and Singapore also collect most of their taxes through the land value tax, while labor and capital taxes are kept as low as possible.

Several countries do have property tax regimes in place in principle. Their assessments, however, are based on unit values. Adjusting these unit values to current land values has proven to be a laborious and costly process. In some instances, these necessary adjustments have not been done for decades, and today's unit values, as a consequence, are far from reflecting actual land prices. This leaves taxation edentulous in the face of souring land prices.

Hughes et al. (2020) explain why due to practical and political issues land value taxes are not widely adopted despite economic arguments in their favour.

Chapter 7.1.2.1.2 – Planning value compensation

Public planning measures can be decisive for the value of a property: if it goes, for instance, from being an undeveloped area to building land through planning decisions made by the public sector, and a higher structure can be built upon it, this increases the property's value enormously and the property owner incurs so-called planning profits. However, although high follow-up costs – such as the expansion of the transport infrastructure or provision of schools in the area – are often accrued to the general public, this planning related increment value often entirely falls to the property owner.

Planning value compensation is a levy on the increase in land value as a result of municipal planning activities. Conceptually, this is a one-time levy and can be understood as counterpart to compensation payments for planning damages. Planning value compensation is intended to levy increases in value obtained by landowners as a result of publicly financed measures without performance. Accordingly, it can be interpreted as an effort to achieve a balance between the interests of property owners and those of the general public[70].

Furthermore, the levying of land value increases pursues the goal of curbing speculation, counteracting land hoarding and thereby increasing the functioning

70 The property issue: Von der Bodenfrage und neuen Gemeingütern (2018). Arch+: Nr. 231 (2018) = 51. Jahrgang. Aachen: ARCH+ Verlag GmbH.

of the land market. The underlying argument is that with the help of planning value compensation, expectations about possible land price increases due to public investment are excluded as land price-forming factors.

By balancing planning values, planning value compensation should serve to also balance private versus public interests, as public planning measures inevitably influence land prices and either increase or reduce the usability of land. No owner should be favoured or harmed solely as a result of municipal planning measures. In terms of allocation policy, a balancing of planning values is expected to lead to mobilization of land and thus to optimize the use of land for the economy as a whole.

Box 7.2: Planning value compensation – example and critique

In Berlin, Germany, redevelopment areas are designated, which will be upgraded within 15 years through investments in infrastructure and public facilities. Increased land values after renovation are to be compensated by owners to the city.

The Model of Socially Just Land Use ("Sozialgerechte Bodennutzung" - SoBoN) was developed in Munich in the early 1990s. Since then, the implementation of plans that will increase the value of properties is only possible if the beneficiaries cover the costs and burdens of this planning. Additionally, 30% of the residential area created on the respective property must be made available for social housing (see section on inclusive housing). However, the city of Munich attaches great importance to the fact that the SoBoN is not a uniform planning value compensation. Still, for the financing of infrastructure costs, gains resulting from SoBoN are used (Mayr, 2018).

Opinions on the effectiveness of such taxation are mixed, especially for attractive locations. Representatives of political economy already pointed out in the 1970s, that the predominant function of land and housing as a profitable investment might not be eliminated by tax reforms. They maintain that the study of land value increase tax has shown no effects on overall levels of land prices due to this partial absorption of land value increases. For problem of housing supply, this means that rental prices are not influenced by levies on land value growth. According to the authors of the German "Land Policy Agenda 2020–2030", the following is true: "The land value tax [is] not an instrument [...] with which direct or targeted action could be taken against revaluation and displacement processes." On the contrary, if the tax can be transferred

to tenants, it is expected to have a negative effect in further increasing prices (Bunzel et al., 2017).

Chapter 7.1.2.2 – Social preservation ordinances ("Neighbourhood conservation areas")

Social preservation ordinances ("Milieuschutz" in Germany or "community protection") are intended to prevent the composition of the residential population from changing due to displacement through expensive modernization measures ("luxury renovations"), changes in the structure of a dwelling, the conversion of dwellings to commercial use or the conversion of rented to owner-occupied dwellings.

Social preservation law thus safeguards the existing housing stock in a particular neighbourhood. This is to ensure that residents can stay where the infrastructure they need for everyday life is available (e.g., day-care centres, schools, shopping facilities or green spaces). This is because the infrastructure has developed together with the residents over the years and usually cannot keep up with a rapid exchange of the resident population. The preservation ordinance does not offer protection for individual tenants, however, but is a purely urban planning instrument. Therefore, social preservation law mainly offers effective protection for existing dwellings.

The local authority in Berlin, for instance, checks whether measures to be applied to the housing stock will endanger the composition of the residential population. If these measures are not compatible with the conservation objective of the preservation ordinance, they are refused.

This examination is carried out for the following measures:

- Alteration of structural facilities due to modernization (e.g., sanitary objects, floors, lifts, balconies, changes in floor plans, or the division and merging of flats)
- Deconstruction of buildings (especially the demolition of buildings)
- Change of use of buildings (e.g., the conversion of "classic" flats into holiday flats or offices)
- Conversion of rental flats into owner-occupied flats

- Sale of land

For all these measures, building owners need a permit. If construction is carried out without permission under preservation law (§173 BauGB), the work can be stopped, or deconstruction can be ordered (§§79 & 80 Bauordnung Berlin). Furthermore, building without permission in conservation areas is an administrative offence (§213 BauGB), which can be punished with a fine of up to € 30,000.

These paragraphs have been applied in Berlin and similarly in other German cities since the early 1990s: between 1991 and 2001, 18 areas were placed under milieu protection ordinances, which affected about six per cent of Berlin's total population. However, following the "return of the housing question" over the past years, the social preservation ordinances have been rediscovered among civil society and policy-makers in their search for alternatives to neo-liberalisation (Sarnow, 2019, p. 118).

The social preservation law is not only intended to prevent classic "luxury renovations". The housing market is becoming increasingly tight in many cities. Every increase in attractiveness increases the competition for a flat, every rent increase limits the choice of available flats for the resident housing population. Thus, more and more often, people are not only forced out of their flats, but right out of their neighbourhoods (Bezirksamt Mitte, n.d.).

The policy instrument is not as powerful as necessary, however. One reason in the case of Berlin is, for instance, that the responsible administration is understaffed and often lacks resources and expertise to follow up on cases (Sarnow, 2019, p. 126).

Chapter 7.1.2.3 – Municipal right of preemption (pre-sale/ First refusal)

New construction can only cover a minimal part of the housing sector and only make a very small contribution to the existing stock every year, even in the case of ambitious new residential construction. In addition, most European cities are highly dense in their centres. There is little potential for new construction there. Therefore, new buildings are built primarily on the peripheries. The construction of new municipal, social, or affordable housing takes place to a large extent outside the centres. Yet, after years of suburbanization, nowadays people often want to live close to the city centre as a result of large scale urban regeneration projects and forms of urban gentrification. One effect being that those who have more money are able to outdo others in a demand driven market (Jensen, 2020).

If the public sector focuses exclusively on subsidizing new construction – and this is primarily taking place on the peripheries –, there is a threat of increased segregation. It is therefore important that municipalities are also able to exert housing policy measures targeting inner-city housing stock and countering gentrification processes. The city or municipality may be entitled to a right of preemption when selling a plot of land on the basis of statutory provisions. The German Building Code (Baugesetzbuch) initially provides for a general right of first refusal. However, it does not apply to every plot of land in the municipality, but only in certain cases - for example, for land in redevelopment areas or neighbourhood conservation areas (see above). The municipality can also introduce a special right of first refusal for certain areas by means of bylaws. If the right of preemption is exercised, a purchase agreement with the same content as that concluded by the owner with his purchaser is concluded between the owner and the municipality. The beneficiary, here the municipality, must therefore normally also pay the same purchase price as the owner had agreed with his buyer.

Chapter 7.1.2.4 – Inclusionary housing

De Kam et al. (2014, p. 389) describe inclusionary housing (IH) as a specific way to provide social or affordable housing that meets the following criteria:

- Land is made available for building social housing, by reserving land especially for that use (and thus by protecting it from competition from other possible uses).
- That land is made available at prices below the unconstrained market price for such land in such locations.
- The land is made available in locations next to, or mixed with, land used for other purposes, so that the social housing which is built is not segregated but integrated with other uses, in particular with market-rate housing. Social housing is thus an element of development projects which contain a mix of uses.
- The costs of making that land available, possibly also some of the costs of building the housing, will usually be subsidised out of the development gains arising from the whole development project.

What makes inclusionary housing different from other ways of providing social housing is that not only public or semi-public stakeholders are involved in the provision of social housing and that part of the costs are paid out of commercial profits. Next to that, the planning system is applied in a particular way to facilitate this. One of the most common forms of IH is inclusionary zoning, defined by Calavita & Mallach (2009, p. 15) as "land use regulations that require developers of market-rate residential development to set aside a small portion of their units, usually between 10 and 20 percent, for households unable to afford housing in the open market. Alternatively, they can choose to pay a fee or donate land in lieu of providing units."

The UK is the country in Europe with the longest experience in IH policies (dating back to the early 1990s) and these policies have become the main tool for providing affordable housing there. However, Whitehead (2007) argues that IH should not be the only tool to increase the supply of affordable housing and that direct subsidies are also necessary. The opportunities to develop IH are much more limited in areas where (middle-class) demand for housing is low than in areas where the pressure on the housing market is high (Calavita & Mallach, 2010). Especially during recessions, IH policies fall short of delivering the needed amount of affordable housing (Mulliner & Maliene, 2013).

De Kam et al. (2014) argue that the wish to introduce IH is likely to be related to the housing system of a country. In chapter 2 we explained the difference between dual and unitary rental markets. In dual markets there is a strong division between an unregulated private rental sector and a small state-governed social housing sector. The latter is strongly regulated and is targeted at low-income households. In unitary rental markets (e.g., Sweden, Denmark, Germany, Austria and The Netherlands) private and social housing providers operate in a common rental market. The social housing stock has a higher quality than in dual systems and is also accessible for more income categories. As countries with dual systems perform less well in terms of lacking affordable housing and producing higher levels of segregation, they are more likely to adopt IH policies. Next to this, the possibilities of introducing IH are related to the characteristics of the national planning system (like the division of property rights and development rights between private and public bodies).

Box 7.3: Examples of inclusionary housing from Gothenburg and Stuttgart

Germany and Sweden are examples of countries where experience with IH is limited. Although Munich was relatively early in developing IH policies (in 1994), it took 15 years before other cities (like Hamburg and Stuttgart) followed. In Germany, some cities tend to require that 20-30 percent of the apartments in each newly constructed building should be affordable. In return for the subsidies that are given, in the form low-cost and/or direct investment support, rents are guaranteed for a certain period, that can range from 15-30 years.

IH in Sweden was introduced on a very limited scale in 2013 when Gothenburg started a pilot project. The main objective of the IH policy in Gothenborg is to create a socially mixed area in the centrally located redevelopment area Älvstranden. Rents will be fixed for a period of 15 years.

An important difference between the Gothenburg and the Stuttgart case is that there is a strong resistance to defining target groups on the basis of income in Sweden. Influential stakeholders (e.g., politicians and the Tenants' Union) see it as a violation of the principles of the unitary housing model. Granath Hansson (2019, p. 20) concludes: "Based on predefined target groups and rent levels, German policy makers can prove positive or negative outcome of housing policies. Swedish policy makers, on the other hand, at present will be able to prove whether or not the affordable housing supply has been expanded, but they cannot ascertain whether the affordable housing created is also occupied by households with low- and mid-range incomes."

Another big contrast between the two cases is that in Gothenborg all land in the redevelopment area is in the hands of the municipal development corporation. In the city as a whole around three quarters of all the land planned for housing is owned by the City of Gothenborg, whereas Stuttgart has only limited land ownership. That means that Stuttgart is more dependent on private developers to provide affordable housing. Although IH policy was controversial in its initial stage, it is now seen as a useful tool. In Gothenburg, on the other hand, there are quicker and possibly less costly ways to increase the supply of affordable housing, for instance by stimulating the municipal housing companies to build more houses.

Chapter 7.1.3 – Private law

Private law represents a further area of intervention in which public authorities can engage to either promote the construction of affordable housing and create favourable environments or to provide sound protection for renters who lack the most influence and authority in the overall landscape of power distribution in the realm of housing.

Chapter 7.1.3.1 – Land trusts

A public land fund – held by municipalities or regions – creates long-term resources for these municipalities' or regions' active real estate policy through land stockpiling. Plots of land are continuously acquired by the public sector in order to manage these in a pool. The fund therefore also serves as municipalities' or regions' instrument for exercising their right of pre-emption[71], where this exists and is applicable.

A municipality can thus control sustainable and social urban development by granting the right of use of the trust's lands under heritable building right - thereby this land remains property of the municipality but right is granted to individuals to construct homes on it (see details about heritable building rights in section 0). Income from ground rent payable for these lands in turn finances the development of land as well as the long-term acquisition of further plots (Horlitz, 2017).

Land trusts may also be established as private, non-profit corporations that acquire, manage, and develop land for the production and stewardship of affordable housing, commonly known as Community Land Trusts (CLTs), a subject we will focus further on in section 0.

Chapter 7.1.3.2 – Spatial Planning Contracts

In the case of sale of land by the public sector, besides sale at maximum price (a so-called best bidder procedure), municipalities may opt to sell land to the bidder presenting the most suitable concept for the specific plot and may select this concept on the basis of a catalogue of criteria.

Other than the price offered by the bidders, their concepts' qualities regarding architecture and urban integration, energy and social standards (such as creation

71 right to acquire a property newly coming into existence before it can be offered to any other person/ legal entity or to acquire existing property in preference to any other person/ legal entity

of affordable housing), – according to an evaluation key – determine the award of a contract by the municipality. The concepts become part of the land purchase contracts or are recorded in urban development contracts between the bidders and the municipality (Bundesministerium für Umwelt, Naturschutz, Bau und Reaktorsicherheit, 2016).

Zoning plans alone do not provide municipalities with the means to ensure that, and how, zoned properties are actually developed. Private spatial planning contracts have therefore become an important addition to municipal planning repertoire. Such private law contracts with property owners provide municipalities with the possibility to ensure that construction on zoned land is in conformity with zoning plans. They also ensure that this takes place shortly following contract conclusion, thereby avoiding unused and underused land, and hindering potential property and land speculation). Such contracts can also mandate that landowners have to contribute to infrastructure costs (such as roads and sewers). Through these planning contracts, municipalities can entrust the preparation and implementation of urban development measures to investors and project promoters and define framework conditions.

In connection with urban land use planning or other urban planning statute procedures, urban development contracts can serve to address urgent housing needs. Those willing to buy land and build undertake to cover costs and expenses incurred by the municipality, for example in production of social and technical infrastructure. The zoning of land for construction is made dependent on these investors' willingness to cooperate with the municipality.

Chapter 7.1.3.3 – Heritable building right[72]

Since a building is usually considered an essential part of a property, the ownership of a property normally extends to the building. However, the heritable building right allows for a separation of ownership of the property and the building on it.

The introduction of the heritable building right was intended to promote housing construction by giving less affluent sections of the population the opportunity to build on the one hand, and by creating an instrument to combat land

72 Also known as Ground lease/ Concessions of the right to build/ Right of leasehold

speculation on the other. Through this right, a private contractor receives the right to build or maintain a building on a property against the payment of a ground rent. The building is the property of the private contractor for a certain period of time - usually 99 years -, while the land remains within the ownership of the heritable building righter (Lichtenberg, 2020). This building righter can in principle be both private and public. If municipalities or other public entities function as righters and landowners, heritable building rights can be used as a tool to offer land below market price.

The heritable building right is established by a leasehold contract between the building owner and the property owner and entry in the land register. The heritable building right itself is treated like a piece of land. It can be sold, inherited and encumbered; it remains in place even in the event of a foreclosure of the property.

The owner of the building therefore is the heritable building right owner, not the property owner. If the heritable building right expires, the building becomes an essential part of the property, i.e., the property owner then becomes the owner of the building. The heritable building right expires at the end of the agreed time. Erected buildings do not have to be removed from the property after the agreed time has elapsed.

The ground rent is based on the land's value at the beginning of the term and is stipulated in the leasehold contract. As a rule, a percentage of the current land value at the beginning of the term is set as ground rent. In the case of the return of the granted right to the original rightsholder – as a result of breaches of contract or insolvency –, the rightsholder must replace the building value at least proportionately. With the termination of the heritable building right, land and buildings merge again into an economic unit. The heritable building right holder must also pay property tax in the form of ground rent.

Heritable building rights are mainly granted by municipalities, churches, foundations and companies. With the heritable building right, a plot of land can be excluded from the market for land speculation, since the heritable building owner is contractually obliged to develop the property. Heritable building rights offer property owners the opportunity to impose on the heritable building owner how to exercise his or her ownership.

Against the background of significantly rising land prices and in order to promote and maintain low-priced housing, especially in cities, the instrument of heritable building rights has been experiencing a renaissance in Germany since about

2018/2019: Cities and municipalities, as well as federal and state governments, are increasingly considering the allocation of land inheritable building rights – not least due to corresponding pressure from civil society. On average, in major German cities like Hamburg, Frankfurt, Munich and Stuttgart, land prices have doubled between 2011 and 2017, in Berlin they have risen three-fold. In 2019, only 5% of all residential buildings in Germany are erected on land under heritable building rights. The head association of tenants argues that central and federal states should only be allowed to sell land at reduced costs to municipalities for them to lease the land under heritable building conditions. This would prevent speculation and encourage investors to build affordable housing (FAZ, 25 July 2019).

Chapter 7.1.3.4 – Rent regulation

Rent regulation is a policy aimed at improving housing affordability by controlling the rental market. It is normally implemented at national level, less frequently at regional or local level (depending on constitutional frameworks).

"Rent regulation" denominates a system of laws, which aims at ensuring the affordability of housing on the rental market. Generally, a system of rent regulation involves:

- Rent controls: limits on the rent that a landlord may charge
- Eviction controls: standards by which a landlord may terminate a tenancy (see also section 3.6 on policies to prevent evictions)
- Obligations for both landlord and tenant regarding adequate maintenance of the property
- A system of oversight and enforcement by an independent regulator

As of 2016, at least 14 of the 36 OECD countries had some form of rent control in effect.

Rent controls are intended to protect tenants in private rental properties from excessive rent hikes by mandating gradual rent increases, while at the same time ensuring that landlords receive a return on their investment.

Box 7.4: Types of rent control

1. Rent freeze systems ("absolute" rent control or "first generation" rent control)

Rents are kept at a pre-determined level, typically that of the year when the law was introduced. For newly constructed units, no rent increases are allowed after the units are rented out. Such kinds of laws were mainly implemented in Europe after World War II to avoid rapid increases in rent due to rising demand from refugees or returning soldiers. This type of rent control has mostly been abolished since then. Apart from a failed attempt by Berlin to introduce new rent freeze legislation in 2020 (Sagner & Voigtländer, 2022), first generation rent control is not applied anymore in Europe (Kettunen & Ruonavaara, 2021).

2. Tenancy rent control (or 'second and third generation rent control')

The most common form of rent control is a limit on the amount of rent increase, while initial rents are freely negotiable. The maximum allowable increase is either:

- a fixed percentage
- a fraction of the construction cost index or consumer price index (CPI)
- a combination of the two

Usually, a distinction is made between second and third generation rent control. Second generation rent control is a stricter form of regulation as it addresses both initial rents and rent increases, while third generation rent control is only targeted at rent increases. Second- or third generation rent control is applied in about half the European countries (Kettunen & Ruonavaara, 2021). Tenancy rent control is typically accompanied by vacancy decontrol – i.e., when the unit is vacant, rents can be increased by any amount. Newly constructed buildings are usually exempt from rent control.

Rent control, like any form of regulation, is of course a highly controversial topic, closely related to one's understanding of the necessary role of the state. Neoclassical economists tend to argue that rent controls lead to the following negative side-effects:

- Rent control reduces the incentive of landlords to supply rental units. Rental units tend to be in scarce supply under rent control. Some studies suggest that rent controls in the long run diminish the supply in local, especially urban rental markets. Thus, while rents may be low and a particular urban region therefore may seem attractive for renters to move there, not enough units are available for newcomers. Rent controls are therefore seen by some economists as favouring long time renters at the expense of newcomers and migrants.
- Rent control may discourage landlords from maintaining and repairing units till the end of a tenancy.
- If rent increases are allowed between vacancies, landlords may be more likely to evict tenants.
- For the same reason, there may also be an incentive for landlords to discriminate against tenants likely to stay for longer periods, like retirees or couples with children.
- Tenants in rent-controlled units are less willing to move, which leads to an inefficient allocation of houses (e.g., empty-nest households stay in large apartments, while young families are living in apartments that are too small for them). It may also lead to an increasing labour market mismatch when households living in rent-controlled houses are reluctant to move for work reasons.

The evidence for these negative side-effects is mixed and seems to apply more to first-generation rent control (which are rather uncommon) than to later-generations rent controls (Gibb et al., 2022; see box. 7.4 for an explanation of different generation of rent controls).

Kettunen & Ruonavaara (2021) made an overview of rent regulations in 33 European countries (see table 7.1). All countries have had some type of rent regulation system in the (sometimes distant) past, but due the dominant trend of neoliberalization (as discussed in Chapter 2) the private rental sector operates now in a free market in most of the countries. Nevertheless, in 16 out of the 33 countries studied there is still some form of rent regulation. There is an association between the type of welfare state and rent regulation, but there is also a lot of variation within welfare regimes (see also section 2.2.2 on the different welfare regimes in Europe). In most Southern European welfare regimes, the private

rental sector is a free market, although Spain and Cyprus do have a form of third generation rent control. Ten out of 12 post-socialist welfare countries do not have rent regulations. After the collapse of communism, these countries tended to liberalize their housing markets and to privatize their rental housing stock. This has led to a dominance of homeownership, and a limited policy attention for the relatively small private rental sector, which is often subject to informal practices (Hegedüs et al., 2018; see also Box 2.2). Croatia and Poland are the only post-socialist countries with rent regulation, but the size of the private rental sector in both countries is very modest.

It can be concluded that there are still many countries in Europe that apply some form of rent regulation, despite the dominant trend of neo-liberalization. There are even countries that strengthened their regulation in recent years. Ireland and Scotland have moved away from free market systems by introducing rent stabilisation in areas of high demand, and Germany has introduced similar measures (Gibb et al., 2022). Next to that, in 2022 the Dutch government has announced a re-introduction of rent caps for 'medium expensive' rental dwellings (up to 1250 € monthly rent)[73] and in Spain, the left-wing government passed a "Right to Housing Law", which allows regional governments to impose rent caps for apartments owned by landlords (with 10 properties or more) in high demand areas[74]. Whether these developments indicate a beginning of a widespread trend to reregulate the private rental sector remains to be seen.

Table 7.1: Forms of Rent regulation in 33 European countries

RENT REGULATION	NO RENT REGULATION
Second generation rent control	Bulgaria (P)
Austria (C)	Czech Republic (P)
Denmark (S)	England (L)
France (C)	Estonia (P)
Ireland (L)	Finland (S)
The Netherlands (C)	Greece (SE)
Sweden (S)	Hungary (P)
	Iceland (S)

73 See: https://nos.nl/artikel/2429426-kabinet-wil-ingrijpen-in-vrije-markt-woekerprijzen-middenhuur-aan-banden

74 See: Spain's new right to housing law sets rent control nationwide ; https://qz.com/2112918/spains-new-right-to-housing-law-sets-rent-control-nationwide/#:~:text=The%20Ley%20por%20el%20Derecho,unrented%20for%20long%20periods%2C%20and

Third generation rent control	Italy (SE)
Belgium (C)	Latvia (P)
Croatia (P)	Lithuania (P)
Cyprus (SE)	Malta (SE)
Germany (C)	Portugal (SE)
Luxemburg (C)	Romania (P)
Norway (S)	Serbia (P)
Poland (P)	Slovakia (P)
Scotland (L)	Slovenia (P)
Spain (SE)	
Switzerland (C)	

(S) = Social democratic welfare state; (C) = Corporatist welfare state; (L) = Liberal welfare state; (SE) = South European welfare state; (P) = Post-socialist welfare state

Source: Kettunen & Ruonavaara (2021), adaptation from table 2 and Appendix 1.

Chapter 7.1.3.5 – Reform of the financial system

As we have seen in the previous parts of this textbook, the existence or lack of affordable housing is not only influenced by decisions or non-decisions with regard to housing. Developments in other policy areas can have a strong and often overlooked impact on housing. To curb the financialization of housing that we examined in Chapter 2, the banking system would have to be reformed. Due to the deregulation of the financial sector, leading to waves of mergers and acquisitions, the bank system has become less diverse. In Anglo-Saxon economies, large shareholder banks, combining investment- and retail-banking functions, dominate the financial sector. These banks tend to favour mortgage lending, requiring property as collateral and generating profits through securitization, at the expense of loans to small and medium enterprises, which are seen as unattractive due to the high transaction cost for relatively small loans. The enormous expansion in mortgage credit supply has led to inflation of housing prices and to increasing financial instability.

Ryan-Collins (2021) contrasts this shareholder banking model with "stakeholder banks" which are prevalent in countries such as Germany, Switzerland and Austria. Stakeholder banks focus more on loans to businesses (productive property) than mortgage loans (unproductive property) and the de-risking of their loans is not so much based on requiring property as collateral, but on building up strong and long-lasting relationships. Whereas the average mortgage credit as proportion of the GDP in all advanced economies has risen since the early 1990s from 40% to 70% (as opposed to 50% non-mortgage credit), mortgage lending is only 30% of the GDP in Germany, which is substantially lower than the lending to non-financial businesses, that stands at 40% (Ryan-Collins, 2018). This may be one of the reasons why the housing price: income ratio has fallen in Germany since 1995 (meaning that housing affordability has improved) while this ratio has substantially increased in Anglo-Saxon economies (Ryan-Colllins, 2021).

Ryan-Collins (2021) not only advocates for reforms leading to changes in the ownership of banks (resulting in more priority for business lending at the expense of property lending) but also for the creation – or greater support for – state investment banks (SIB's). These banks can stimulate economic innovation by making long-term investments in growth sectors (like sustainable energy) which private banks may see as too risky or too low yielding. Countries with large SIBs, like Germany and South Korea, are characterised by falling house price: income ratios in the last two decades.

Measures to de-financialize housing should not only focus on the role of banks and mortgage lending, but also on financial market actors, like companies listed on stock exchange that acquired large housing portfolios (Wijburg, 2021). These companies hardly pay taxes and play a large role, pressured by their shareholders, in creating real estate booms through speculative and debt-fuelled investments. Additional regulations and changes in tax codes are necessary to de-financialize housing economies. Recently, the Dutch government made a step in this direction by quadrupling the real estate transfer tax (as of 2021) from 2% to 8% for investors acquiring residential real estate. The lower 2% rate for residential real estate will only apply to individuals who use the property as their main residence. For first-time buyers between 18 and 35, the transfer tax is even reduced to 0%. Another regulatory tool to curb the role of institutional investors in the Netherlands is the introduction of a residence requirement (woonplicht) in 2020. Since, 2022 municipalities can opt for this residence requirement not only for new dwellings, but also for owner-occupied dwellings in the existing housing stock.

This makes it much more difficult to invest in buy-to-lets and second homes[75]. For instance, in Amsterdam, the residence requirement applies to all houses below the value of € 512.000.[76]

One of the main obstacles in regulating real estate investors is their use of offshore channels (Wijburg, 2021). Hendrikse & Fernandez (2019, p. 35) argue: "Citizens worldwide need to reclaim democratic oversight over what constitutionally is – or should be – popular sovereignty (…) It will need a spotlight on global corporations and elites avoiding public responsibility and scrutiny who urgently need to be relieved from the vast political power they enjoy and exert."

Not only national governments, but also **European institutions** may play a role in creating more affordable housing. The European Investment Bank (EIB) has recently increased its loans to social and affordable housing, both for retrofitting existing housing and constructing new housing. The EIB lends to a diversity of institutions, including housing associations, municipal companies and banks (Gabor & Kohl, 2022). For example, the EIB participates in the French "Alliance Européenne pour un logement social durable et inclusive", which brings together the French social housing federation USH, the public Banque des Territoires (former Caisse des Depots et Consignations), the EIB, and the Council of Europe Development Bank to facilitate access to European financing for social housing providers (Housing Europe, 2022). However, Gabor & Kohl (2022, p. 80) point out that the role of the EIB is still limited: "its portfolio of loans to social housing projects across Europe, roughly at EUR 1.2bn, is smaller than Blackstone's BPPE fund investments in residential assets in Germany and Holland (EUR 1.9bn)." Therefore, they plead for the establishment of a European Housing Fund (EHF). This fund should not only boost the construction of new housing, but could also play a role in the decarbonisation of the building stock, for which an additional investment of €10bn per year is required until 2050 (Housing Europe, 2021)

Gabor & Kohl (2022) argue that the funding instruments of the EHF could be inspired by successful national housing finance models, like the ones in Sweden or Germany where the building of affordable houses is financed by national pension and social security funds and where governments have obliged insurance

75 A second home is only occupied during part of the year, because it is used as a holiday home for instance.

76 See: Amsterdam proposes new rules to protect housing from investors (iamexpat.nl)

companies to invest in residential housing construction. Moreover, the EHF could, unlike the EIB, function as a countercyclical force and curb the trend that ownership of houses moves from public/private hands to institutional parties after a collapse of the housing market resulting in the rise of non-performing mortgage loans. When housing asset bubbles collapse in the future, the European Housing Fund should become the public owner of distressed housing collateral and it should ensure that the housing stock it acquires is adequate and affordable.

Chapter 7.1.4 – Street-level bureaucracy & leeway in implementation

For the topic of informality in housing, very often the actual policies and laws on paper are less important than their lack of enforcement. This means that the identified levels of governance may be responsible for policy formulation and decision, but informality and precariousness nevertheless persist because the policy intervention is not strong enough, and does have unexpected side effects (e.g. urban renewal leading to higher rents and displacement) or is simply ignored. This can be caused by a lack of compliance with legislation on behalf of bureaucrats, for instance, because they are understaffed, lack resources or knowledge in case legislation is changing quickly. It can also be caused by ambiguous policy formulations and goals (Matland, 1995). From a top-down perspective, informality is then regarded as a control problem on behalf of the political system. From a bottom-up perspective, however, discretion on behalf of the street-level bureaucracy can help policy implementers tailor a policy to specific circumstances (Thomann et al., 2018). As Hanna Hilbrandt's study on informal living arrangements in Berlin's allotment gardens demonstrates (see also Box 5.2), governance arrangements in which rule-breaking is "mostly accommodated by all concerned" tends to be the norm in some contexts (2021, p. 6). This is often the case when practices of informal dwelling contradict official legislation. For example, in cases where squatting or building without a permit is the only available option for seeking shelter and where no other solutions to housing needs are provided. In these instances, as we outline below, there is often a tacit toleration of informal accommodation.

Chapter 7.1.4.1 – Tacit toleration towards informal housing

In the sphere of administrative law, the lack of implementing measures through inaction, omission, or toleration is as important as the policy measures actually implemented (Szente & Lachmayer, 2017). The tacit or implicit toleration and authorities' inactivity are exercised as a viable, although informal, hidden and often underestimated, policy response to informal housing. Whatever the

grounds for suspending demolitions or evictions, government inaction grants vulnerable groups access to affordable though often inadequate housing, while keeping informal settlement or squatting in abandoned buildings intact and even supporting their proliferation. For example, for several decades, the national and local authorities in Bulgaria did not move to dislodge families in the unlawful Roma settlement in Batalova Vodenitsa in Sofia and, therefore, de facto tolerated it (ECHR, 2012). Similarly, many informal settlements in Turkey ("*gecekondus*") have been on the public and political agenda since the 1940s, however, they have rarely been targeted as a violation of property rights prior to the new millennium (Munk, 2014).

National and local authorities have different reasons for tolerating informal settlements and squatting. The main factors influencing toleration include types and location of informal settlements and occupations, and the profile of their residents, actors involved in the governance of informality and their capacity and motivation to intervene, including timing and political cycles (Smart & Aguilera, 2020).

In many Central and South-Eastern European countries, representatives of central and local governments exercise informal methods of intimidation, coercion and electoral clientelist practices in vulnerable communities living in informal settlements. Thus, informal housing is (ab)used for exercising informal political power (which is difficult to denounce and fight against)[77]. The threat of demolition of informal settlements or false promises for upgrading and/or legalisation of informal settlements are used to influence their residents' electoral choices during elections and also to consolidate support among far-right and nationalists' subgroups (Mack et al., 2017).

Counter to common perceptions, the presence of informal settlements is not a phenomenon concerning only those countries that have more recently joined the EU. As we examined in chapter 4.4.2, in Southern Europe, where migrant workers are often exploited in seasonal agricultural work (for example in tomato, orange or strawberry harvesting), informal settlements proliferate nearby. Often these settlements are self-built by these workers and tolerated by local authorities, at

77 https://revdem.ceu.edu/2021/11/12/informal-power-undermining-democracy-under-the-eus-radar-in-hungary-and-poland/ , last access: July 15, 2022

least until some accident (e.g., fires, flooding, building collapse) occurs and draws the attention of local authorities and media to such sites.

Box 7.5: Examples of informality outside the EU

The huge demand for affordable housing, and the limited opportunities to increase the supply of such affordable housing, have become objective reasons for tolerating informal housing. This is the case globally, with examples extending far beyond the EU. For example, in Vancouver, the authorities tolerate apartments built upon without permits inside detached houses since these subdivided and sublet units comprise about 20 per cent of the local rental housing stock and significantly contribute to the supply of affordable housing (Mendez, 2011). In the USA (Fresno, Ontario, Sacramento, and Ventura) the city officials' tolerance of informal encampments in marginal spaces is viewed as a complementary policy instrument that saves public expenditures on policing and displacing the homeless. Tolerating informal housing here also serves to relieve pressure on the downtown parks and other commercial interests, which have historically been battlegrounds of policing and clearance (Herring, 2014).

The scale and complexity of the problems associated with informal settlements prevent most authorities from addressing them comprehensively and, as a result, interventions are often limited in nature and based on a piece-meal approach.

USAID and UN-Habitat reports underline the lack of capacity of whole regions in the Global South (for example: Afghanistan, Algeria, Lebanon, Libya, Mauritania, Palestine, Soudan, Syria and Yemen) to address the issue of informal housing since many of them were affected by (civil) wars and other conflicts that aggravated housing poverty and moved the topic of informal housing altogether out of the local policy agenda or at least pushed it to the bottom (Gebremedhin, 2005; Diab et al., 2020). Moreover, in the Balkans (Kosovo, Serbia and Bosnia), informal self-built housing constructed by the soldiers who fought in the wars and by refugees was considered a publicly applauded act of appreciation of the heroes or the victims (Pojani, 2019).

International organisations play a central role in monitoring and preserving the human rights enshrined in international covenants, charters and treaties related to adequate and accessible housing for the low-income families residing in informal settlements. The bulk of reports, decisions, judgments and recommendations delivered by national and international human rights NGOs, the EU

Agency for Fundamental Rights, the European Court of Human Rights, the UN Special rapporteur on the Right to adequate Housing, the United Nations Committee on Economic, Social and Cultural Rights, and the Council of Europe's European Committee of Social Rights proved to have a preventive impact on national and local policy measures that could breach the right to housing. In some cases, those instruments incentivise authorities to turn a blind eye (Smart & Aguilera, 2020) in order to avoid political risks related to possible violations of human rights and encourage legislative amendments and policy initiatives aimed at implementing the highest standards of human rights protection of the residents of informal settlements, including a shift from eviction and demolition to redevelopment and improvement.

In accordance with the recommendations of international human rights organizations, more or less half-hearted activities are being undertaken to start the legalization of informal housing. This type of toleration is close to the situation of so-called "Inexorable whitening" and "Good enough toleration" when public authorities consider legalization unavoidable (Ibid.). Such are, for example, the Tolerance Certificate in Bulgaria which does not establish full-fledged ownership rights but prevents the risks of eviction and demolition of informal houses (see Box 5.7). This form of tolerance of informal housing is legal and practically allows informal housing under this regime to be preserved indefinitely and to be inherited or sold. In Romania, the legislative framework for the recognition and improvement of living conditions in informal settlements (L.151/2019) also stipulates a long period (five years) for approving and appealing against the landscaping and urban planning documents adopted in relation to informal settlements. The Greek Law 4014/2011 allowed an even lengthier period of 30 years for the so-called temporary formalization of planning and building informalities (UN, 2015). These long periods, on the one hand, are conceived to allow for better organization of the political and administrative processes that are required to enact the transition from informality to various forms of legalization. At the same time, in many cases, the delay allows local authorities to postpone the problem for the next political cycle and to transfer responsibility to a political opponent.

Ultimately, if toleration does not transfer into legalization, precarity remains a threat to the inhabitants of informal settlements. As a comparative political economy of toleration in Hong Kong and Paris demonstrates, toleration is always

selective and conditional, and can have negative consequences for all of those squatters who remain beyond the option of legalisation (Smart & Aguilera, 2020).

Chapter 7.2 – Civil society interventions

Besides governmental actors and authorities, civil society organisations (CBOs) and Nongovernmental Organisations (NGOs) in various forms and competencies may likewise act in the realm of housing. Structures and forms of civil engagement vary considerably in different European countries and regions, as do the legal framework conditions for such engagement. In many instances, CBOs and NGOs are likely to cooperate with local, regional and national authorities or they might be receiving funding from public sources, while others partly or solely rely on private donors, funders or members. Their work may also originate from self-help attempts of affected groups.

Chapter 7.2.1 – Community Land Trusts (CLTs)

In section 0, we saw how a municipality can grant the right of use of a trust's lands under heritable building right – thereby, this land remains property of the municipality but right is granted to individuals to construct homes on it. Similarly, non-profit organisations can create community land trusts (CLTs).

A CLT is a non-profit corporation that holds land on behalf of a place-based community, while serving as the long-term steward for affordable housing, community gardens, civic buildings, commercial spaces and other community assets on behalf of a community. CLTs balance the needs of individuals who want security of tenure in occupying and using land and housing, with the needs of the surrounding community, striving to secure a variety of social purposes such as maintaining the affordability of local housing, preventing the displacement of vulnerable residents, and promoting economic and racial inclusion.

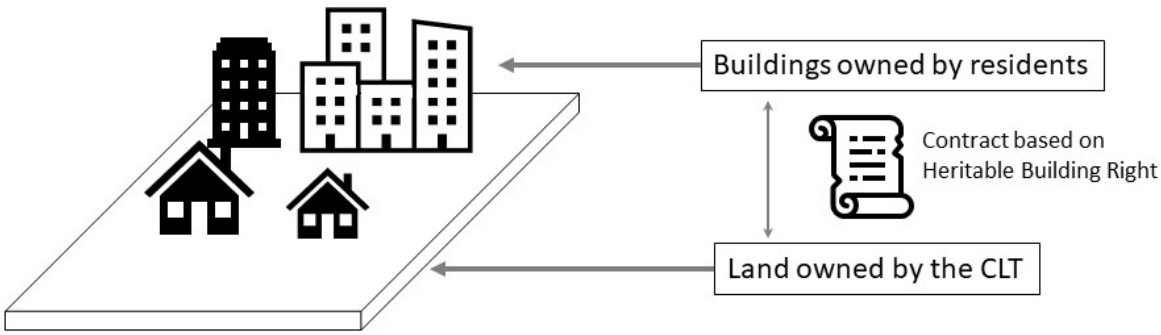
CLTs are not-for-profit, self-governing companies whose primary objective is the fiduciary management of community land ownership in order to provide it for socially organized housing, but also for other purposes – ranging from community gardens to agricultural or commercial uses.

CLTs can be located between residential property and rent, similar to other cooperative models such as housing cooperatives. Their goal is to decouple housing from market development by restricting the purchase price, use and resale (Axel-Lute, 2010; The Federal Reserve Bank of Richmond, 2012).

The CLT model was originally developed in the USA during the 1960s and has received increased attention over the past decade, especially since the financial and housing crisis. There are currently around 250 CLTs in the USA, and similar trusts are now being set up in Canada, England, Belgium and New Zealand.

CLTs have a dual structure comparable to the hereditary lease system, in which the ownership of land and building is separated from each other. In this dual ownership model, the owner of land is a non-profit, jointly organized company that acquires land in a specific geographical area with the intention of retaining this ownership for an unlimited period of time (see **Fehler! Verweisquelle konnte nicht gefunden werden.**).

Figure 7.3: CLT's ownership model 1



Source: Tania Berger

Single-family houses can be built on this land, as well as apartment buildings, cooperative apartments, condominiums, and mixed-use buildings that also include commercial space and offices. CLTs lease land over long terms, usually for 99 years.

The sale of real estate on CLT land is subject to a resale regulation, which is laid down in the lease agreement and usually grants the CLT a right of first refusal. The CLT resells ownership of the building at a below market price value to a buyer adhering to fixed income conditions, while the ownership of land remains with the CLT.

The conditions of resale of the building (or other built structures) in most CLTs are designed in such a way that they guarantee the out moving residents a certain profit on their investments while allowing the new users access to low-cost housing. The exact rules vary from trust to trust.

In general, however, the sellers are reimbursed for their investments made plus 25% of the increase in value determined by an appraisal, while the trust retains the remaining 75% of the increase in value and thus subsidizes the resale. In this way, the CLT can permanently offer housing below market value.

CLTs often also try to address issues at the neighbourhood level that go beyond affordable housing, such as the protection of a specific milieu or environment. A key feature of the CLT model is the way the trusts are managed: CLTs are so-called community-based organizations. Their boards consist of one-third of residents and users, one-third of people from the neighbourhood and another third of local public figures.

CLTs thereby limit the influence of residents and instead emphasize the neighbourly and social components of housing supply – a form of management that reflects the communal understanding of land that is so central to the CLT model. In this way, the legal-organizational structure of the CLTs mediates between the possibly rather short-term interests of the residents and the long-term objectives of the trust and the respective neighbourhood.

Chapter 7.2.2 – Syndicate of cooperative rental housing

The Mietshäuser Syndikat is a cooperative and non-commercially organized investment company in Germany for the joint acquisition of houses. These houses are transferred to collective ownership in order to create affordable housing in the long term. By June 2021, the Syndikat had been involved in 166 house projects in Germany.

The Syndicate participates in residential projects so that they cannot be resold later. It supports and advises these projects on financing and legal issues but does not provide any capital itself. The Syndicate is a grassroots democratic network with nodes throughout Germany.

A jointly managed "solidarity fund" constitutes the Syndikat's most important instrument. The houses in question do not become the property of the Syndikat, but of its own limited liability company, in which the respective house's association and the Syndikat are shareholders. The title of ownership of the property lies with the limited liability company. Voting rights are defined in the contract of the

limited liability company and – unlike how this is usually handled – are not linked to neither the amount nor the value of the shares.

Through the house's association, the users manage their property in their own right. Association and Syndikat have vote parity in the limited liability company. Thereby, sale or conversion of the respective house is only possible by mutual agreement of these two.

The Syndikat has its origins in the cooperative aims and practices of the squatter scene, a loose coalition of left-wing movements and activists exploring alternative ways of living in cities since the 1960s. Part of the ethos underpinning this scene has been a rejection of property relations and a desire to escape the influence of large banks, corporations, and the state over housing rights and residency. Elements of this focus on cooperative community building, consensus, and alternatives to property seen only as an investment, run through the work of schemes like Syndikat.[78]

Chapter 7.2.3 – Housing activism and advocacy

Alongside the civil society initiatives of NGOs and community-focused forms of organising, responses to precarious housing also come from social movements and advocacy groups established to both raise awareness of precarious housing conditions and seek ways to transform those conditions. The challenges of precarious housing that we have outlined throughout this book are significant and often impact a wide range of groups across European societies, as structural tensions between housing provision, property markets, and the needs and desires of residents shape how housing is experienced. These tensions have also been further exacerbated by the fiscal shocks of the 2008 financial crisis and its impacts on unemployment, wages, and living standards, and more recently by the COVID-19 pandemic and its impact on European economies. In this turbulent context, it is not surprising that Europe has seen a growth of housing rights movements, asserting the need to challenge the structures that place people in precarious housing and to improve residential conditions, be that through specific policy change or more widespread structural transformations in society (Lancione, 2020; Polanska et al., 2019; Vilenica et al., 2020).

78 See the Syndikat's website: https://www.syndikat.org/en/

Housing rights movements and advocacy campaigns vary considerably across Europe, with specific demands and issues being raised in different countries, from the anti-eviction movements of Spain (García-Lamarca, 2017; Romanos, 2013), to concerns over how high rents and unaffordability are constraining the life opportunities of 'generation rent' in Ireland (Byrne, 2019; Waldron, 2021). What unites these movements is a concern with identifying and addressing the conditions that produce precarious housing. In these terms, housing rights movements are often framed around three central claims, demanding the right to the city, the right to housing, and the right to stay put. As Polanska et al. (2019, p.1586) highlight, these rights' demands are often translated into specific calls for 'the improvement of particular housing conditions, challenging displacement and evictions, or demanding autonomy in decision making'. Often movements for housing rights will combine all three of these areas of focus and seek to work both in the short-term for immediate improvements in conditions, and in the longer-term, aiming at changing policy or promoting public discussion of housing rights and the inequities of the current market-led approach to housing. In this sense, many housing rights movements draw attention to experiences and conditions of housing precarity in an effort to increase public debate and awareness of the commodification of housing and its damaging effects across European societies (Lima, 2021).

Whilst space precludes a detailed examination of the politics of housing movements in Europe (for an overview and critical discussion see Wills, 2016; Annunziata & Lees, 2016), we want to focus on one example to draw out some key points that illustrate the important role housing movements can play in contesting the rise of precarious housing. We return to the PAH that we already portrayed in chapter 3.7.

The Platform for People Affected by Mortgages (PAH), began in Barcelona in 2009 and has since spread to more than two hundred cities, making it Spain's largest housing movement (Martinez, 2019). Originally, PAH was established to halt the evictions of people unable to pay their mortgages and was thus focused on protecting residents from foreclosures and enacting 'the right to stay put'. The pressure of evictions in Spain was particularly stark in the wake of the 2008 financial crash and the high levels of unemployment across the country at this time, with 325,000 foreclosures being reported between 2007 and 2011, and 500 eviction orders being issued a day in 2019 (García-Lamarca, 2019). In this context, the initial work of PAH focused on stalling and halting evictions through whatever means were available. In practice, this meant a combination of attempted

negotiations with banks, local government, and eviction agencies, and more direct-action measures of blockading residents in their properties and forcibly disrupting eviction practices (Romanos, 2013). Over time, the focus of PAH developed beyond simply those facing mortgage foreclosures and extended to residents affected by spiralling rent rises and facing evictions as a result of the unaffordable nature of housing. In this way, a movement that had begun with a focus on mortgage debt, became concerned with the impacts of austerity, unemployment, and the affordability of the right to housing more widely, a move that was important in gaining wider public support and profile for their work (Martinez, 2019).

In working on trying and bringing issues of precarious housing to the wider public consciousness in Spain, a central aim of PAH was, as Martinez (2019, p.1561) recounts, to 'demand all political parties 'guarantee the right to housing and to stop evictions and poverty due to unaffordable home supplies''. More specifically, PAH sought a legal mandate to make 'nonrecourse debt' mandatory for mortgages, meaning that once a house was foreclosed the debt associated with it would be fully cancelled, thereby addressing a Spanish context in which 'most people unable to pay off a mortgage loan not only lose their homes but also remain in debt to their creditors' (ibid). PAH also sought a moratorium on evictions, made a demand for affordable rental prices, and outlined a series of principles for housing policy, including the need for further affordable housing.

These policy proposals were combined with other forms of direct-action through PAH, as they undertook a series of occupations of buildings owned by banks that had been bailed out by the Spanish government following the financial crash. PAH sought to position these banks as illegitimate owners of these properties and a range of homeless people, migrants, and families who had suffered eviction took places occupying these sites (García-Lamarca, 2016). One effect of this has been to prompt further occupations, as groups of residents beyond the PAH movement find temporary and informal solutions to housing crises through the occupation of unused or empty properties. At the same time, the interventions of PAH have, in some cases, prompted local governments to halt evictions and to provide emergency housing for precariously housed residents (García-Lamarca, 2019).

As a housing movement, PAH combines elements of direct action, resistance, and occupation, with more institutional forms of political pressure, negotiation,

and lobbying. Martinez (2019) argues that the movement has been successful in preventing over 2,000 household evictions, and a sign of that success has been that forms of physical blockading and resistance have become less necessary as activists became more skilled in negotiations over evictions. Similarly, as García-Lamarca (2017) argues, the actions of PAH have served to create new political subjects as the act of protesting for the right to housing repositions precarious subjects as political actors with voice, agency, and influence. In this sense, resisting the precariousness of housing can be an opening to resisting other forms of social precarity and exclusion.

Beyond the Spanish case, it is important to recognise that housing movements and activists do not act in isolation. Rather, there are forms of transnational solidarity and cooperation that bind movements together, often with the aim of effecting change on transnational scales. Thus, housing rights movements have been influential in seeking to change policy at the European level as already discussed, and ideas for successful campaigns on housing rights circulate among groups situated in different towns, cities, and countries (Di Feliciantonio, 2017). Increasingly, rights' movements are coordinating actions to tackle the structural constraints they are faced with when challenging housing policies, recognising that tackling precarious housing is an international, and long-term, political struggle (Rolnik, 2014; Vilenica et al., 2020).

Alongside these international connections, housing rights' movements are increasingly linked to other forms of social movement and other areas of social justice, in recognition of the fact that the politics of housing does not exist in isolation of a range from other issues. In this sense, housing rights' movements must find connections and common cause with other social movements and groups. Discrimination in the housing market, for example, demands links between movements for housing justice and anti-racist organising that have long-standing experience in challenging such discrimination. In the UK, for example, challenging the 'Right to Rent' policy which places landlords under a legal obligation to check the immigration status of all tenants, has involved working with migrant's rights' organisations to both contest the wider range of 'hostile environment policies' that target migrants and to highlight how this policy leads to discrimination as landlords as unwilling to rent to migrants irrespective of their legal status (Crawford et al., 2020). Addressing the exclusions of housing thus requires housing rights' movements and activists to work strategically with a wide range of other issues around poverty, discrimination, migration, and citizenship, in order to find

coherent solutions that address the intersectional nature of precariousness and its effects.

Chapter 7.2.4 – Good practices for migrants' and refugees' housing inclusion in Europe

Access to adequate and affordable housing for migrants and refugees is a key determinant of their successful integration in host societies, a topic we discussed in Chapter 4. Housing conditions – and the simple fact of having a residency - strongly impact employment, health, healthcare and educational opportunities and the interactions between migrants and host communities. In many countries, the possibility of family reunification is also dependent on housing conditions. Segregation and poor housing conditions can aggravate tensions and damage social cohesiveness. Increasing housing prices, a lack of affordable and social housing, and discrimination make it difficult for migrants to find suitable and long-term housing alternatives.

The UN Committee on Economic, Social and Cultural Rights (UNCESCR) recognizes seven positive characteristics of the right to housing such as legal security of tenure, availability of services, materials, facilities and infrastructure, affordability, habitability, accessibility, location and cultural adequacy (see also OSCE/ODIHIR, 2018). All these conditions guarantee the incorporation of a right-based perspective for migrants' access to suitable housing conditions. These characteristics, specifically the need for cultural adequacy, affordability and security of tenure, are particularly relevant to migrants. Challenges in realizing the right to housing will differ for men and women, and women are likely to encounter particular difficulties in accessing adequate housing, including land ownership and security of tenure, equality in access to land and tenure, access to credit and finance, inheritance rights and protection from domestic and other gender-based violence. In this vein, this section identifies a series of examples of housing projects that try to address the needs of migrants and refugees.

Chapter 7.2.4.1 – Facilitating housing and rental accommodation for migrants and refugees

In the **United Kingdom**, the *Leeds Housing Partnership* was selected as Best Practice from the UNESCO UN-HABITAT Barcelona Meeting in February 2010. This

partnership is a public-private partnership of landlords, voluntary housing organizations, and local authorities. This group came together around the recognition that housing and housing providers could directly contribute to community cohesion and economic regeneration by actively engaging and considering the needs of ethnic and minority groups during the consultative and strategic planning processes. As a result, and as part of the overall Leeds Housing Strategy of 2005 - 2010, the Leeds Housing Partnership released the "Black and Minority Ethnic Housing Strategy and Action Plan" which was embedded in the Vision for Leeds II 2004 – 2010. The impact of this plan is that it focuses exclusively on the needs and concerns of local residents specifically from the most disadvantaged communities.

Another example is the Welcome Home Program (*Witaj w domu*[79]) implemented in **Warsaw (Poland).** The Welcome Home program provides housing support for refugee families at risk of homelessness. Currently operating in Warsaw, the program rents flats from landlords and subsequently sublets these flats to refugee families, charging a below-market rent that they can afford. The rent is gradually increased over two to three years until the family gains independence and can pay it in full. Participants in the program also receive other types of support, including assistance from specialists and Polish language lessons. The goal of the program is to help refugee families who are at risk of social marginalisation to become independent, especially families at risk of homelessness. Welcome Home rents flats both on the open rental market and from people who want to support the program by renting their flats at below-market rates. To avoid instability in housing, landlords must agree to rent out their flats for at least two years. Then the program sublets these flats to refugee families at below-market rates or no cost.

In **Amsterdam (Netherlands)**, the *Startblok Riekerhaven*[80] came into existence in July 2016 through a collaboration between the municipality of Amsterdam, the housing corporation De Key, and the organisation Socius Wonen. De Key collaborated with the municipality to develop the project and asked housing provider Socius Wonen to help during the first two years to establish a community and the self-management team, as they had prior experience in this field. The target groups are local youth, and young refugees aged 18-27. *Startblok Riekerhaven* was set up to improve integration and social cohesion for newcomers. Tenants can

79 https://ocalenie.org.pl/nasze-dzialania/pomagamy/witaj-w-domu , last access: July 15, 2022

80 https://startblokriekerhaven.nl/ , last access: July 15, 2022

access relatively cheap housing in the capital and thanks to youth contracts they can still build up their waiting time for social housing, whereas normally the waiting time freezes once you have found a house. Tenants are collectively responsible for their living environment, which creates a stronger sense of community.

In **Antwerp (Belgium)** *Co-housing and Case Management for Unaccompanied Young Adult Refugees in Antwerp*[81] (CURANT; 2017-2019) was funded by the EU's Urban Innovative Actions Initiative. CURANT was developed and implemented by the City of Antwerp together with *Vormingplus Antwerpen*, *Jes VZW*, *Atlas*, and *Solentra*. The project provides accommodation and housing at affordable rental prices. CURANT is a co-housing project for unaccompanied young refugees who live together with Flemish young people, 'buddies,' for at least one year. To help young adult refugees, CURANT proposes different types of support such as co-housing, independence training and psychological help. The target groups are local young people and unaccompanied young adults between 17 and 22 years, who arrived in Belgium without their parents and who have been granted refugee status or subsidiary protection. Different forms of cohabitation schemes are provided in the framework of the project: cohabitation in two-bedroom apartments, cohabitation of several refugee-buddy pairs sharing one community house and cohabitation in 16 to 20 modular (two-bedroom) units on one site. One of the most innovative aspects of CURANT is the buddy system. Buddies are Flemish young people aged between 20 and 30 years who volunteer as flatmates.

In terms of LGBT refugee inclusion, the **Athens** *Housing Collective*[82] (AHC) is a project that was co-founded by Safe Place International and Joseph Baruku, a LGBT refugee and activist from Uganda. AHC was launched to combat a significant housing crisis and influx of homeless LGBT refugees in Athens. Safe Place International emerged as a response to the gap in support for doubly marginalised groups of asylum seekers and refugees. Athens Housing Collective was created to address an underserved population and a housing crisis that none or few organisations were responding to. Currently, Athens Housing Collective is the only organisation in the area that combines housing support with a structured

81 https://uia-initiative.eu/en/uia-cities/antwerp , last access: July 15, 2022

82 www.safeplaceinternational.org/athenshousingcollective , last access: July 15, 2022

programme of compulsory classes and participation hours for LGBT refugees. By doing casework with beneficiaries and networking with partners on the ground in Athens, the AHC team was able to identify the main issues around homelessness in the area for refugees such as racism, the lack of affordable housing and the lack of jobs; and subsequently developed a housing programme to not only get people off the street and into a safe place regarding their sexual orientation and/or gender identity but also to support their future independence and give them tools to integrate within Greek society.

Chapter 7.2.4.2 – Use of existing housing stock and/ or renovation of vacant buildings/dwellings

In **Athens (Greece)** the Project *Curing the Limbo*[83] was implemented by a consortium coordinated by the Municipality of Athens and financed by the Urban Innovative Action program (2018-2021). The project capitalizes on Athens' vibrant civil society to help refugees and the local unemployed to overcome the stage of inertia. The program develops around a circular "gift" system, addressing the twofold issues of housing and inactivity: refugees receive affordable living spaces from the city housing stock and in return, they work for the public benefit, supporting the needs of the local community and participating in citizen-led activities that improve the quality of life in Athenian neighbourhoods. Over 20% of Athens' population is unemployed; over 30% of the houses in the city are vacant. In the city centre alone, there are 1300 vacant properties. The program is destined for refugees and local unemployed people. At the end of the three years, beneficiaries will be given the possibility to have housing, access to a network of active and engaged local people, and some form of employment, related to their newly acquired skills, with the support of professionals. 375 people are expected to be housed in 75 affordable housing units and more than 200 people will attend Greek language courses and ICT courses. The project will develop procedures for employment readiness and integration of refugees following a "strength-based approach", that is, the strengths, skills and preferences of refugees will be assessed and used in the design of their employment plan. Refugees will receive assistance for Greek language learning, and job search, including mock job interviews and meetings with local employers.

An example from **France** is *L'Autre Soie*. It is located on the site of a former university teachers' training institute in Villeurbanne. Built in 1926 by the South

83 https://curingthelimbo.gr/en/home , last access: July 15, 2022

East Artificial Silk Factory (known later as *Usine TASE*), the Jeanne d'Arc home is emblematic of this period. Its primary purpose was to house young women from Eastern Europe. It was then used as a barrack in 1932, as a hospital in 1939, an annexe of the polytechnic school in 1940 and as the École Normale Nationale d'Apprentissage in 1946. From 1990 to 2013, the IUFM trained public education professionals. In November 2016, the site housed 145 migrants through a reception and orientation centre after the dismantling of the so-called "Jungle" in Calais[84]. In July 2018, it was transformed into a Centre d'Hébergement d'Urgence, managed by Alynéa. *L'Autre Soie*, which will cover 23,500m^2 including 311 units of secure social homeownership, and social and emergency housing solutions, is an inclusive housing project that will be built between 2018 and 2025 in the Carré de Soie district, a new centre in eastern Lyon combining economic and residential development. The project goal is to change the housing paradigm by placing vulnerable groups at the heart of the city while demonstrating how they can bring societal and economic value to their district.

Chapter 7.2.4.3 – Models for cooperation of private and public actors

Sharehaus Refugio[85] in **Berlin (Germany)** is a city-owned space that functioned as a co-op-style refugee housing, community centre and café – one building with five floors. The building is a hundred-year-old house in Neukölln, which used to be a residential care centre for senior citizens (Astolfo & Boano, 2018). This shared house concept was created by Sven Lager and Elke Naters from The Share House Association. Refugio café is not their first but their third shared house. They created the Refugio café on behalf of the Berlin City Mission [Berliner Stadtmission], a Christian organisation that has supported people of all social classes since 1877. The target groups are asylum seekers and recognized refugees. *Sharehaus Refugio* is home to around 40 refugees, all of whom applied to live there. Residents live privately in a shared flat for 12-18 months and organise a vibrant community life together. *Sharehaus Refugio* is not only a home but also a holistic living experiment and working community. The Refugio café Berlin is a project for co-working,

84 The so called "Jungle" near to the French city of Calais was an informal refugee camp that existed from January 2015 to October 2016. This shanty town drew global media attention during the peak of the "Long Summer of Migration" in 2015/16, when its population grew rapidly. Migrants stayed in the Jungle while they attempted to get to the United Kingdom.

85 http://www.refugio.berlin , last access: July 15, 2022

training and networking. It is recognized as a social enterprise. Many residents have their rent paid through public funds such as Jobcentre, the social welfare office or the State Office for Health and Social Affairs. However, some refugees already have jobs and finance themselves. The goal of the refugee community is to develop independence and responsibility. The response from the neighbourhood is positive. One of the popular activities of the group is "Kiezkochen", a cooking class held by refugees for elderly residents in the local district. This activity provides opportunities to communicate between the tenants and other members of local communities. The refugees become a part of the community and enrich it with their handicrafts and personal abilities.

In **Lille, Paris, Montpellier and Lyon (France)** the project CALM (*Comme à la Maison* – "Like at home"[86]) offers short-term temporary housing for refugees in privately owned homes. Through its network, SINGA, the organisation behind CALM, connects French citizens and refugees for temporary cohabitation. Host families participating in CALM offer their home/s for periods of 3 to 12 months, allowing the guests to engage in the project while living together. The host can provide the house when it is available, for example, during the weekend. Through the project, the host assists a refugee in practising language skills and shares the life of the host family for a few days. It represents a form of short-term temporary housing for refugees. The goal of CALM is to connect refugees with people with similar interests and similar work experiences. SINGA's approach relies on three key aspects: information, interaction, and innovation. A program evaluation report issued in 2017 compares two newcomer groups: the CALM participants and non-participating refugees, and found that participants in CALM were less likely to be in emergency accommodation or intermediate housing than non-participants the year after joining CALM. The survey also shows that the CALM program helped refugees dedicate more time to finding jobs, which is confirmed by 40% of the participants. Three-quarters of the program budget comes from private donors, the rest is from public sources. SINGA also received a grant for innovations and technology from UNHCR.

In the same vein, the *Social Rental Intermediation*[87] implemented in **Brussels (Belgium)** consists of social rental intermediation between private landlords and people excluded from the housing market as a way of mobilising private market rental stock for social purposes. The idea is to incentivise private owners to make

86 https://co-citoyens.fr/fr/projects/2-calm-comme-a-la-maison , last access: July 15, 2022

87 https://www.fedsvk.be , last access: July 15, 2022

parts of their private rental stock more affordable and accessible to vulnerable people. The target group of the program are migrant families, refugees, vulnerable people and people at risk of poverty, excluded from the private housing market. Social rental intermediation establishes a link between private landlords and these groups. The third party involved in this intermediation might be a public authority or a non-profit organisation, often financed through public funding. It provides incentives (mostly financed by public funds) to landlords who agree to rent their property at a reasonable price and benefit as a counterpart from guarantees regarding rent payment and maintenance of their property.

Chapter 7.2.4.4 – Combination of approaches and mechanisms for access to financial assistance, information services and assistance in finding accommodation

In terms of innovative financial and legal mechanisms, an example is the *No Recourse to Public Funds*[88] (NRPF) in the **United Kingdom**. It refers to a condition imposed on some people due to their immigration status. Despite being allowed to reside in the UK, these people cannot benefit from any kind of support, which makes them especially vulnerable and likely to struggle to access housing. Whilst there is a legal obligation for local authorities to house migrant families in the UK, there is no such obligation for single refugees, meaning that individuals who have fled violence, abuse and exploitation are then forced to sleep rough. In addition, families that are provided with accommodation are often placed in sub-standard housing. This project seeks to meet both of these needs simultaneously by cross-subsidising the funding associated with the obligation to house migrant families to provide free bed spaces for single destitute women. The NRPF pilot project provides accommodation and support for destitute migrants. It is a shared housing project, where families are placed alongside single women in seven properties owned by the charity Commonweal Housing in London. The human rights organisation Praxis takes family referrals from several local authorities across the city and referrals of single women from third-sector organisations working to support migrants. As well as good quality accommodation, the beneficiaries benefit from specialist support and immigration advice to help them resolve their immigration status and move on to more permanent accommodation. Many existing housing projects operating for this group of people across the UK are reliant

88 https://www.commonwealhousing.org.uk/projects/no-recourse-to-public-funds , last access: July 15, 2022

on goodwill offerings from individuals or organisations (for more details on these, see the e-learning materials on the No Accommodation Network and refugee hosting in the UK). This project is innovative because it set out to offer a self-sustained financing model to provide accommodation for a group that is traditionally seen as hard to house. This project shows that a cross-subsidised model can work to support a target group, with funding dedicated to other target groups as one possible revenue stream. Through developing this funding model and recognising the need for not only accommodation but bespoke support as well, Commonweal and Praxis have sought to show that alternative models of housing provision and support are feasible.

Chapter 7.2.5 – Co-housing

Co-housing refers to "initiatives where groups of residents collectively create living arrangements that are not easily available in the (local) housing market" (Tummers, 2015, p.2). The first co-housing projects started in the 1970s in Denmark, Germany and the Netherlands, but they have emerged in many other European countries. Despite the lack of quantitative data, there are indications of a clear upward trend in co-housing projects since the beginning of the century (Tummers, 2016). Although there is a wide variety of co-housing projects as well as a range of different terms (like housing co-ops, intentional communities, self-managed housing and eco-villages), co-housing projects have three things in common: a stress on collectivity in everyday life, a substantial degree of self-organization, and a combination of individual housing units and a collective spatial setting (Hagbert et al., 2019). Co-housing projects may vary in ownership models (rent, owner occupation, cooperative) and architectural forms. Recurring values in definitions and practices of co-housing are related to the different dimensions of sustainability – social (community, self-governance), ecological (energy efficiency, ecological housing and lifestyle), and economic (affordability).

In practice, many co-housing projects are less affordable than initially envisioned. In Denmark, the middle and upper strata of society are overrepresented in co-housing projects. This is especially the case in owner-occupied co-housing. In cooperative and particularly rental co-housing, the upper strata are underrepresented, but the same applies to categories with a low socioeconomic status (Jakobsen & Larsen, 2019). The limited diversity of co-housing projects is not only related to a lack of affordable dwellings, but also to the level of cultural capital that plays a role in the accessibility of these projects (Arbell, 2022). Even affordable rented projects tend to attract White middle-class creatives, as is illustrated in the case of co-housing planning group in Berlin, where "the definition

of 'people in need of affordable housing and working space' sometimes seems to be restricted to low-income members of the academic and creative milieus" (Droste, 2015, 87). In Denmark, co-housing residents are overwhelmingly 'Danish' with a high level of education which leads Jakobsen & Larsen (2019) to conclude that Danish co-housing communities can be seen as clearly segregated enclaves.

Chapter 7.2.6 – The voice of residents

In addition to all of the proposals outlined in this chapter for addressing the challenges of precarious housing in Europe, one further factor is required to effect sustainable change. That is to take seriously the voice and views of those experiencing precarious housing and seeking to improve such housing. Throughout this chapter, we have outlined a range of approaches to addressing housing precarity, from top-down governmental approaches to taxation and financialization, to bottom-up community schemes for mutual and co-housing provision. Addressing the challenges of precarious housing undoubtedly requires such a diverse approach, not least because as we have shown throughout these chapters, the legal, political, and social context varies considerably across Europe. Nevertheless, across such diversity, transforming housing conditions and promoting the development of safe, secure, and affordable housing, must also involve foregrounding and amplifying the voices and experiences of those living in precarious housing. To that end, we conclude with the question of how residents' voices can be brought into the development, and maintenance, of safe, secure, and affordable housing.

The question of engaging residents is a long-standing one within housing policy, as tensions between approaches to ensuring participation and inclusion within decision-making are significant (McKee, 2009). On the one hand, resident participation in decision-making, particularly in contexts of social and communal housing, is a vitally important means of ensuring that the needs of residents are recognized and addressed. If, as we suggested in the Introduction to this book, there is a need to focus on the 'use value' of housing as much as its 'exchange value', then engaging with the views and experiences of residents provides one critical way to understand what that 'use value' means to people. How do people think and feel about the place they live, to what extent do they invest in it, both materially and emotionally, and what do they want to change or improve about

it? Listening to residents is vital to understanding what housing means to people beyond calculations of financial worth.

At the same time, listening to residents is vital in finding ways to address the immediate failings of precarious housing and the risks such housing poses. To return to the example that opened these chapters, that of the Grenfell Tower tragedy in London, this was a case of the failure of democratic institutions and housing management bodies to listen to and respect the concerns of residents. A series of concerns over safety within the building had been raised by tenant's groups in the years before the fire, including through the collection of documentary evidence of poor-quality maintenance work and the presentation of this to both the local government and the property management company involved (Hodkinson, 2019). Systematically ignoring these complaints and concerns has been described by MacLeod (2018, p. 474) as a "grievous vacuum of accountability alongside a scandalously anti-democratic approach to governing public housing". All too often, this lack of accountability is a defining facet of the forms of precarious housing we have documented through this book. Residents living in precarious conditions are often forced into such conditions through either government policies, in the case of asylum seekers and refugees, or through a lack of affordable or accessible choices, in the case of low-income households and socially marginalized groups. What unites these conditions is that the voices of residents, be they citizens or non-citizens, are rarely heard, and rarely taken seriously in shaping decision-making or in addressing complaints. Efforts to respond to precarious housing must thus look to how the voices of residents might be respected more fully and amplified within housing policy and practice. In the words of Madden and Marcuse (2016, p. 211), there is a critical need to 'democratize' housing and to ensure that precarious housing is seen as a collective concern within political discussions.

As already noted in this chapter, civil society organizations give us one point of connection in this regard, as they may present platforms for residents and tenants to articulate their claims to rights and to safe and secure housing. But alongside this, we might consider the role of residents' or tenants' associations, as groups that have historically been important in providing a collective voice for the interests of those living in precarious housing. In the UK, for example, tenant participation in decision-making around housing has a long history, predominantly associated with a desire to escape characterizations of tenants as passive recipients of accommodation and instead to cultivate active senses of commitment to a place and a community. Indeed, under the New Labour government of

the early 2000s, 'tenant participation' was a defining feature of housing policy (Paddison et al., 2008), referring to 'the involvement of tenants in the housing services provided by their landlord' (McKee, 2009, p. 25). Tenants' or residents' associations thus refer to collective organizations that represent the views of residents and communicate and negotiate these with other actors in the housing sector, such as local governments, housing providers, landlords, and social housing associations. Whilst such associations have their limits and failings, most notably in risking the perpetuation of small groups of gatekeepers and community 'representatives' who speak on behalf of others and may not fully represent a diversity of views (McKee, 2009), they nevertheless offer one mechanism for residents to have a stronger voice in housing matters.

However, as many of the examples in this book have highlighted, having a voice within housing policy may not be enough to effect change. Indeed, the forms of 'tenant participation' that have become central to managing social housing in the UK since the 2000s, have been challenged as often hollow means of managing complaints and diverting accountability. Participation in this form can be a means for housing providers to maintain a public image and stifle criticism, as Hodkinson (2019) notes in relation to the role of resident's boards in monitoring the work of private accommodation providers. He argues that whilst well intended, these boards were often co-opted by housing providers as means to manage dissent and shortcut criticism from residents, ensuring that complaints were lost in an 'accountability vacuum' formed between different housing contractors, local government, housing inspectors, and over-stretched regulators (Hodkinson, 2019, p. 174). In this sense, the platform and voice of tenants' associations may be valuable but cannot affect change alone. Instead, residents and tenants need access to their own decision-making authority and autonomy, and access to independent housing regulators who can keep landlords, housing associations, and other housing providers accountable for dealing with complaints and concerns around housing safety, maintenance, and quality. This further reaching role for tenants and residents is more akin to that effort to democratize housing that Madden and Marcuse (2016, p. 212) advocate, arguing that 'resident associations, tenant unions, community organizations, and households should be given actual democratic decision-making authority, as the true experts on their own housing'.

This broader account of tenant participation is perhaps most closely aligned with the forms of communal and co-housing discussed in the previous section. Here, residents commit to forms of collaborative engagement and to collective decision-making over the development, use, and conditions of housing. In this sense, a move towards diverse forms of 'collaborative housing' that shift the emphasis from the self-organization of housing and co-housing to sustained partnerships among residents that have substantial levels of community discussion and coordination, is perhaps closest to forms of democratic organisation that value the voice of residents (Mullins & Moore, 2018). As Czischke (2018) argues, these forms of mutual provision rely not only on bonds of mutual support and affiliation, but also on valuing the voice and views of all residents in collectively building responses to precarious housing from the bottom up.

Chapter 7.3 – Conclusion: returning 'home'

In opening this book, we asked you to consider what 'home' means to you and what forms of housing this concept is attached to. We briefly considered there the varying different ways that we might feel 'at home' in a residence, and the many reasons why we might fail to feel 'at home' somewhere. These questions are important because they allow us to think about housing as more than a site of shelter and accommodation, but as a social space and set of relationships, as a site of attachments, aspirations and hopes, and as a foundation on which the many and varied facets of our lives are built. It is for this reason, as we have argued through the many examples across this book, that housing quality, security, affordability, and safety, matter so fundamentally to us all. Housing matters not just as an asset, but as a potential home, with all the emotional, social, and cultural significance that term carries. It is for this reason that we have foregrounded in this book those struggles that extend beyond simply shelter and towards a right to feel 'at home', and that seek to challenge precarious housing conditions wherever they emerge and whomever they affect.

Addressing precarious housing is not a singular task. This book has drawn attention to the many and varied ways in which European citizens and non-citizens are subject to unsafe and insecure housing conditions, discriminatory renting practices, and exclusionary policies and market forces that shut people out of affordable and secure housing. At the same time, precarious housing is also, very often, an experience of precarious individuals. Exclusions associated with housing build upon, and compound exclusions based on race, gender, ethnicity, and socio-economic status, such that experiences of precarious housing are often a

marker of the intersectional confluence of different forms of discrimination and harm in European societies. Those who are most precarious are very often those who are most stigmatized, those whose voices are ignored and whose anguish is overlooked. In these terms, finding responses to precarious housing in Europe demands not only reform to housing markets, policies, and practices, but also a renewed attention to the experiences of those at the margins of European society.

In concluding, we would ask you to pause and reflect on the landscape of housing in Europe that has shaped these pages. If you are reading this, you are, presumably, interested in effecting change and seeking solutions to the challenges Europe faces. The task of change is a challenging one, but also a collective one. In the spirit of collaboration, shared learning, and seeking better futures that has shaped the PusH project, we hope that you will have found in these pages some starting points for further exploration, and perhaps even experimentation, towards less precarious futures.

At a glance

Key points

- Adequate housing is a basic right and most vulnerable populations (the urban poor, unemployed, migrants, single parents, the elderly) should be supported in accessing adequate housing
- Public policies in the area of housing are extremely relevant in setting the ground for housing accessibility, both by providing housing subsidies (demand and supply side), regulating the rental market, protecting tenants and prevent housing speculation. However, not all EU member states have strong housing policies.
- The responsibility for housing is with different levels of government in different EU states. National, regional and/or local governments might be involved in different ways, depending on the country
- Civil society organizations are often crucial in promoting access to housing for the most vulnerable, particularly when the public sector is weak in this policy area

Start thinking

- With the financialisation of housing (see Chapter 2), housing has become an attractive investment for real estate players. Hence, the government interventions that we present in this chapter, might meet opposition. Search for terms like "municipal right of preemption" and take a look at what global consulting services and real estate sector lawyers criticise about this instrument. Do you find the critique plausible and if so, why (or why not)?
- The "tools" presented in this chapter mostly apply to the rental sector. Policymakers since the 1990s have often advocated for subsidising homeownership rather than investing into the rental sector. Discuss: What could be the pros and cons of these policies?
- Check out the https://www.housing-solutions-platform.org/single-post/shrinking-cities-what-opportunities-for-affordable-housing-and-to-address-homelessness website and take a look at the presentations. Why is affordable housing a challenge even in shrinking cities?

Learn more

Have a look at our corresponding e-module: https://mdl.donau-uni.ac.at/push/mod/page/view.php?id=165

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