



EUROPEAN COMMISSION

Note on the use of EU Funds in tackling educational and spatial segregation

2021-2027 programming period

DISCLAIMER

“This is a working document prepared by the Commission services. On the basis of applicable EU law and policy, it provides assistance for colleagues and bodies involved in programming of EU Funds measures for desegregation at EU level. The aim of this document is to provide Commission services' explanations and interpretations of the said rules in order to facilitate the programming and implementation, to encourage good practice(s). This Note is without prejudice to the interpretation of the Court of Justice and the General Court or decisions of the Commission.”

Contents

1. Introduction.....	2
2. Objective and scope of the Note	3
3. Legal and policy framework	4
3.1. Legal instruments	4
3.2. Policy frameworks.....	8
4. Programming and implementation of desegregation measures through EU funds.....	11
4.1 Principles	12
4.2 Designing desegregation interventions	12
4.2.1 Measures at programming and implementation levels	13
4.2.2. Coordination mechanism	15
4.2.3. Role of local authorities.....	17
4.2.4. Selection of operations (see further examples in Annex I).....	18
4.2.5. Monitoring of operations	19
4.3. Specific guidance for education	19
4.4. Specific guidance for housing	22
4.5. Desegregation measures in different territorial settings.....	26
5. Conclusions.....	31
Annex I. Checklist for the call for proposals:	32
Annex II. Academic findings relating desegregation needs for an efficient EU Funds	34
programming.....	34

1. Introduction

As some previous lessons learnt justified, reducing social and territorial inequalities, boosting economic development and employment, alongside with the horizontal requirement of nondiscrimination across all policy areas, cannot be achieved without a particular effort to reduce the educational and spatial segregation of marginalised people.

The impact of the COVID-19 pandemics on marginalised communities requires reinforced focus on improving housing conditions and access to good quality services. Some of the early reflections in the course of the crisis also showed limited access to online education in marginalised communities, which might further contribute to increased drop-out rates and low educational outcomes. The infringement proceedings against Czechia, Slovakia and Hungary

with regards to discrimination of Roma children in education underline the importance of Cohesion Policy actions' contribution to structural policy reforms in this area¹.

Some Member States reported difficulties in addressing the needs of marginalised Roma communities through targeted EU Funds actions, as the absorption of Funds was limited due to, amongst others political concerns by local authorities. Mainstreaming of Roma needs in general education and housing policies and actions, in combination with explicit, but not exclusive, targeting should provide a reasonable solution, whereas desegregation and prevention of future isolation of marginalised communities should be essential part of the measures².

2. Objective and scope of the Note

This Note provides recommendations on the efficient use of EU Funds, in particular ESF+ and ERDF in tackling educational and spatial segregation, based on the EU legislative and policy frameworks³. The aim of the Note is to assist desk officers of DG EMPL and REGIO in programming and follow-up of EU funds measures to address the education and housing needs of marginalised communities (e.g. Roma, people with a migrant background, people with disabilities and other socially disadvantaged groups)², financed by the EU Funds in the 2021-2027 period.

This Note builds on the *Guidance Note on the use of European Structural and Investment Funds in tackling educational and spatial segregation*³, and several other legal and policy instruments (see chapter 3 “Legal and policy framework”).⁴

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

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

¹ Under Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (the ‘Racial Equality Directive’), the Commission has initiated infringement procedures against three countries (CZ, HU and SK) for school segregation of Roma children. ² Fighting segregation in education is a common EU goal under the EU Roma strategic framework, with an associated headline targets (for MS with sizeable Roma communities) under the EU Roma strategic framework. ³ As regards the Asylum, Integration and Migration Fund (AMIF) actions to eliminate educational and spatial segregation with the use of ERDF, ESF+ and AMIF are also discussed in the [Toolkit on the use of EU funds for integration of people with a migrant background](#) (European Commission, 2018). This Toolkit is updated for the 2021-2027 programming period. The reference will be added as soon as it is published.

² The Note does not provide a definition for marginalised communities, leaving it to Member State responsibility on the basis of national indicators.

³ https://ec.europa.eu/regional_policy/sources/docgener/informat/2014/thematic_guidance_fiche_segregation_en.pdf

⁴ See also the [EMPL internal note on “ESF+ in support to marginalised communities such as the Roma”](#).

In terms of desegregation measures, the European Regional Development Fund (ERDF) and the European Social Fund Plus (ESF+) are the two most important funding resources. These funds in general support investment in childcare-, education-, housing-, social and health infrastructure, human capital, access to the labour market, social inclusion, training and vocational training for skills and life-long learning.

3. Legal and policy framework

3.1. Legal instruments

Several legal provisions of the Cohesion Policy regulations identify the framework conditions of EU Funds supporting desegregation measures in education and housing. The following provisions serve as the basis for the programming and implementation of the 2021-2027 programmes targeting the needs of marginalised communities, including people with a migrant background, Roma and people with disabilities and other socially disadvantaged groups.

Legislation	Article	Main measures
Common Provisions Regulation⁵	Article 4(d) (e)	To support Policy Objective 4 ‘a more social and inclusive Europe implementing the European Pillar of Social Rights’. To support Policy Objective 5 ‘a Europe closer to citizens by fostering the sustainable and integrated development of all types of territories and local initiatives’
	Article 6	To involve relevant stakeholders in the preparation of the Partnership Agreements and programmes. This should be in accordance with the European Code of Conduct on partnership. ⁸
	Article 6a	To ensure respect for fundamental rights and compliance with the Charter of Fundamental Rights of the EU in the implementation of the Funds. To take appropriate steps to prevent any discrimination
		based on racial or ethnic origin, during the preparation, implementation, monitoring, reporting and evaluation of programmes.

⁵ COM(2018) 375 final (as amended by COM(2020)23 and 450) (hereinafter ‘CPR’). At the time of finalizing the note, the final regulatory framework for the 2021-2027 programming period was not published. ⁸ Commission Delegated Regulation (EU) No 240/2014.

	Article 67(1)	For the selection of operations, the managing authority shall establish and apply criteria and procedures which are non-discriminatory, transparent, ensure accessibility to persons with disabilities, gender equality and take account of the Charter of Fundamental Rights of the European Union and the principle of sustainable development and of the Union policy on the environment in accordance with Articles 11 and 191(1) of the TFEU.
	Article 11, Annex III	Horizontal enabling conditions: <ul style="list-style-type: none"> • To ensure effective application and implementation of the EU Charter of Fundamental Rights. • To ensure implementation and application of the United Nations Convention on the rights of persons with disabilities (UNCRPD).
	Article 11, Annex IV	Thematic enabling conditions: <ul style="list-style-type: none"> • Strategic policy framework for active labour market policies • Strategic policy framework for the education and training system at all levels. • National strategic policy framework for social inclusion and poverty reduction (in particular criterion 2) • National Roma inclusions strategic policy framework (in particular criterion 1) • Strategic policy framework for health and long-term care.
ESF + Regulation⁶	Art 4(1) (a) (b) (c), (d), (e), (f), (g), (h) (i), (j), (k), (l), (m)	<ul style="list-style-type: none"> • To improve access to employment and activation measures for all jobseekers, in particular young people, (...) long-term unemployed and disadvantaged groups (...) promotion of selfemployment and the social economy; • To modernise labour market institutions and services • To promote a gender balanced labour market participation, equal working conditions and a better work/life balance including through access to affordable childcare, and care for dependent persons; • To promote the adaptation of workers, enterprises and entrepreneurs to change, active and healthy ageing and a healthy and well-adapted working environment
		that addresses health risks;

⁶ COM(2018) 382 final (amended by COM(2020) 447 final, hereinafter 'ESF+'). At the time of finalizing the note, the final regulatory framework for the 2021-2027 programming period was not published.

		<ul style="list-style-type: none"> ☐ To improve the quality, inclusiveness, effectiveness and labour market relevance of education and training systems (...). ☐ To promote equal access to and completion of, quality and inclusive education and training, in particular for disadvantaged groups (...) and accessibility for persons with disabilities. ☐ To promote lifelong learning ☐ To foster active inclusion with a view to promoting equal opportunities, non-discrimination and active participation, and to improve employability in particular for disadvantaged groups. ☐ To promote socio-economic integration of third country nationals including migrants. ☐ To promote socio-economic integration of marginalised communities such as the Roma. ☐ To enhance the equal and timely access to quality, sustainable and affordable services, including services that promote the access to housing and person-centred care including healthcare (...). ☐ To promote social integration of people at risk of poverty or social exclusion, including the most deprived and children. ☐ To address material deprivation through food and/or basic material assistance to the most deprived, including children, and providing accompanying measures supporting their social inclusion.
	Article 6(2)	<ul style="list-style-type: none"> ☐ To support specific targeted actions to promote the principles referred to paragraphs 2 and 3 of Article 6a of CPR and Article 28 of ESF+ Regulation within any of the objectives of the ESF+. These actions may include actions for ensuring accessibility for persons with disabilities, including in terms of ICT, and promoting the transition from institutional care to family and community-based care. (...).
ERDF	Article 2 (1) (d) (i) (ii) (iii) (iii) bis (iv), (e) (i), (ii)	<ul style="list-style-type: none"> ☐ To enhance the effectiveness and inclusiveness of labour markets and access to quality employment through developing social infrastructure and promoting social economy. ☐ To improve equal access to inclusive and quality services in education, training and life-long learning through developing accessible infrastructure, including by fostering resilience for distance and online education and training.

Regulation⁷		<input type="checkbox"/> To promote the socioeconomic inclusion of
		<p>marginalised communities, low-income households and disadvantaged groups, including people with special needs, through integrated actions including housing and social services.</p> <input type="checkbox"/> To promote the socioeconomic integration of third country nationals, including migrants through integrated actions, including housing and social services. <input type="checkbox"/> To ensure equal access to health care and fostering resilience of health systems, including primary care, and promoting the transition from institutional to family- and community-based care. <input type="checkbox"/> To foster the integrated and inclusive social, economic and environmental development, culture, natural heritage, sustainable tourism, and security in urban areas. <input type="checkbox"/> To foster the integrated and inclusive social, economic and environmental local development, culture, natural heritage, sustainable tourism and security, in areas other than urban areas.

Legal instruments, applicable to Cohesion Policy

Racial Equality Directive (2000/43/EC)	Article 2, 3	<input type="checkbox"/> To combat discrimination and to ensure that there is no discrimination based on the grounds of racial or ethnic origin notably in social protection, education and access to and supply of goods and services, including housing.
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⁷ COM(2018) 372 final (as amended by COM(2020) 452 final). At the time of finalizing this note, the final regulatory framework for the 2021-2027 programming period was not published.

Charter of Fundamental Rights	Article 21	☐ Prohibition of any discrimination based on any ground, such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation
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The Racial Equality Directive (2000/43/EC)⁸, is a crucial element of the Union antidiscrimination legal framework. Segregation of ethnic groups in education or in access to housing is discriminatory since it implies either a less favourable treatment or an unjustified particular disadvantage, which are prohibited by the Racial Equality Directive⁹. In this respect, EU Funds should not be used to perpetuate segregation, which falls within the scope of discriminatory treatment.

Following the EU anti-racism action plan 2020-2025¹³, the Commission will report in 2021 on the application¹⁴ of the Directive and would follow up with any possible legislation by 2022. The report will assess what lessons should be drawn from the Directive’s implementation and identify any gaps. The report will also help to inform continued action to prioritise infringement proceedings that have a major impact. In addition, the role and independence of equality bodies and the potential need for new legislation to strengthen the role of these bodies will be an important theme in the 2021 report.

The provisions of the Charter of Fundamental Rights are applicable not only because of its role in the Cohesion Policy regulations. According to Article 51(1) of the Charter, its provisions are addressed to the EU institutions, bodies, offices and agencies, subject to the principle of subsidiarity, and to Member States when they are implementing EU law. In the context of the implementation of the EU Funds, all the Member States' actions undertaken for the implementation of the applicable regulations fall within the scope of EU law. Further details are included in the “Guidance on ensuring the respect for the Charter of Fundamental Rights of the European Union when implementing the European Structural and Investment Funds (‘ESI Funds’)”¹⁵.

3.2. Policy frameworks

Policy instrument	Main measures
European Pillar of Social Rights ¹⁶ and the Action plan to implement the European Pillar of Social Rights ¹⁷	<ul style="list-style-type: none"> • Principle 3 - equal opportunities, • Principle 1 - quality and inclusive education, • Principle 11 - childcare and support to children • Principle 19 - housing • Principle 20 - access to essential services

⁸ Council Directive 2000/43/EC

⁹ Based on this argument, and due to discrimination of Roma children in education, 3 infringement proceedings have been launched against Czechia, Slovakia and Hungary.

<p>EU Roma strategic framework for equality, inclusion and participation (Communication, Council recommendation¹⁸, and an analytical Staff Working Document)¹⁹</p>	<ul style="list-style-type: none"> • The new EU Roma strategic framework sets a number of targets up until 2030, which aim to promote effective equality, socio-economic inclusion and meaningful participation of Roma people. • It introduces a three-pillar approach with focus on equality, inclusion and participation as horizontal objectives as well as education, employment, health and social services, and housing and essential services as sectoral ones. • Some of the relevant minimum targets with regard to eliminating segregation for 2030 include, among others:
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¹³https://ec.europa.eu/info/sites/info/files/a_union_of_equality_eu_action_plan_against_racism_2020_2025_en.pdf

;

¹⁴ This report will be presented jointly with the report on Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.

¹⁵ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016XC0723%2801%29>

¹⁶https://ec.europa.eu/info/strategy/priorities-2019-2024/economy-works-people/jobs-growth-andinvestment/european-pillar-social-rights/european-pillar-social-rights-20-principles_en.

¹⁷ [Action Plan on the implementation of the European Pillar of Social Rights.](#)

¹⁸ [https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32021H0319\(01\)&from=en](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32021H0319(01)&from=en)

¹⁹https://ec.europa.eu/info/publications/new-eu-roma-strategic-framework-equality-inclusion-and-participationfull-package_en

	<ul style="list-style-type: none"> • Cutting the proportion of Roma with experience of discrimination by at least half; • Doubling the proportion of Roma who file a report when they experience discrimination • Cutting the gap in participation in early childhood education by at least half; • Cutting the proportion of Roma children who attend segregated primary schools by at least half; • Reducing the gap in housing deprivation by at least one third; • Ensuring that at least 95% of Roma have access to tap water
<p>EU anti-racism action plan 2020-2025¹⁰</p>	<ul style="list-style-type: none"> • To further strengthen the legal framework to combat discrimination, racism, xenophobia and identify potential gaps to fill • Regarding the link to better implementation of the Racial Equality Directive, see further details above.

¹⁰

https://ec.europa.eu/info/sites/info/files/a_union_of_equality_eu_action_plan_against_racism_2020_2025_en.pdf ;

<p>2019 - Report on the implementation of national Roma integration strategies¹¹</p>	<p>Success factors for planning, implementation and monitoring Roma inclusion (including desegregation) interventions.</p> <ul style="list-style-type: none"> • Embedding targeted interventions in mainstream policy and legal frameworks to ensure that they remain temporary and promote effective equal access of Roma to mainstream services, instead of creating permanent parallel structures. • Tackling extreme poverty with a combination of territorial and group targeting in comprehensive interventions to promote long-term change. • Explicit but not exclusive targeting to ensure consideration of the wider context and prevent resentment from other disadvantaged groups. • Active participation of Roma and all stakeholders in all stages (planning, implementation, monitoring, evaluation and policy review) • Desegregation (in education and housing) as a long-term priority instead of improving quality in segregated settings.
<p>Strategy for the Rights of Persons with Disabilities 2021-2030¹²</p>	<p>The strategy underlines that still many persons with disabilities, adults and children, are segregated from community life and do not have control over their daily lives, in particular those living in institutions. This is mainly due to the insufficient provision of appropriate community-based services, housing and technical aids, as well as to the limited availability of support</p>
	<p>for families and of personal assistance, including in the area of mental health. EU supports Member States to use EU Funds in compliance with the UNCRPD and respecting accessibility ensuring that EU funds do not support actions that contribute to segregation or exclusion.</p>
<p>EU Strategy on the Rights of the Child¹³</p>	<p>The Strategy highlights educational segregation, as one the main challenges and promotes access to inclusive, nonsegregated, quality education, through a non-discriminatory treatment regardless of racial and ethnic origin, religion or belief, disability, nationality, residence status, sex and sexual orientation.</p>

¹¹ https://ec.europa.eu/info/publications/report-implementation-national-roma-integration-strategies-2019_en

¹² <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8376&furtherPubs=yes>

¹³ <https://eur-lex.europa.eu/legal-content/en/TXT/?uri=CELEX%3A52021DC0142>

European Guarantee ¹⁴	Child	The Child Guarantee underlines that mainstream services need to be inclusive to ensure that children in need benefit fully and avoid stigma and segregation. In particular, segregation and discrimination in accessing mainstream education for Roma children, children with disabilities, children with a migrant background is an important challenge.
Strategy to strengthen the application of the Charter of Fundamental Rights in the EU ¹⁵ ¹⁶		It is a renewed commitment to ensure that the Charter is applied to its full potential. As of 2021, the Commission will present an annual report, which will look into how the Member States apply the Charter in a selected thematic area. The strategy is part of the Commission's comprehensive approach to promoting and protecting the fundamental rights and values of the EU.
Action Plan on Integration and Inclusion ²⁶		It promotes inclusion for all, recognising the important contribution of migrants to the EU and addressing the barriers that can hinder participation and inclusion of people with a migrant background, from newcomers to citizens, in European society.
Country Reports (2019)		Annex D included country-specific priorities for investments for the 2021-2027 period. Several priorities have been identified, such as, access to early childhood education and inclusive education, housing, transition from institutional to
		community-based services, increasing the socio-economic integration of marginalised communities, including Roma, people with a migrant background etc.

4. Programming and implementation of desegregation measures through EU funds

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

¹⁴ <https://ec.europa.eu/social/BlobServlet?docId=23788&langId=en>

¹⁵ Communication From The Commission To The European Parliament, The Council, The European Economic And Social Committee And The Committee Of The Regions, Strategy to strengthen the application of the Charter of Fundamental Rights in the EU, COM/2020/711 final, <https://eur-lex.europa.eu/legalcontent/EN/TXT/PDF/?uri=CELEX:52020DC0711&from=EN>

¹⁶ https://ec.europa.eu/home-affairs/sites/homeaffairs/files/pdf/action_plan_on_integration_and_inclusion_20212027.pdf

4.1. Principles¹⁷

The needs of marginalised communities can be addressed by a combination of targeted (direct) and inclusive mainstream actions. The aim of targeted actions is to provide additional support to promote effective equal access for marginalised communities to rights and mainstream services. Mainstream actions should be inclusive, addressing the needs of the marginalised communities by applying the principle of non-discrimination. In both cases, interventions must follow the principles of non-segregation and desegregation.

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

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

In all housing and education operations, the desegregation principle should be considered as a first option,¹⁸ and non-segregation only as a second option. Even if immediate desegregation actions are not possible, non-segregation actions must pave the way for desegregation processes.

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

1. the statistically proven social gap and physical distance in accessing quality mainstream services between marginalised groups and non-marginalized groups,
2. the stigmatized perception of the segregated schools/neighbourhoods;
3. the mechanisms of public policy design that reinforce or even increase segregation, including mechanism of discrimination and the lack of coherence of desegregation measures across relevant policies;
4. lack of awareness of national and local authorities on the anti-discrimination and equal treatment legislation.

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

4.2. Designing desegregation interventions

In order to ensure efficient use of EU Funds, the following conditions are recommended to be followed in both the programming and implementation periods. They are relevant for both

¹⁷ These principles were elaborated by the "Handbook for Improving the Living Conditions of Roma" European Commission-World Bank 2015,

http://ec.europa.eu/regional_policy/sources/docoffic/cocof/2010/cocof_10_0024_01_en.pdf

¹⁸ [IQ00844 - ERDF investments in private housing in small deprived localities, mainly populated by Roma](#)

targeted (directly addressing the needs of marginalised groups or deprived areas) and mainstream (targeting the general population) actions.

4.2.1 Measures at programming and implementation levels

The following items can be included in both programming and implementation periods, including the design of the measures in the programmes, and call for proposals (or any other instruments for implementation). These measures can be also considered in the following cases:

- Amendment of the programmes (including integration of specific desegregation indicators)
 - Review of horizontal and thematic enabling conditions
 - Infringement proceedings (which may also require programme modifications)
 - Complaints and follow-up actions
 - Audit and follow-up actions
1. Mapping of segregated educational facilities, housing stock and neighbourhoods, in particular in the scope of national, regional or local policy frameworks, development strategies. It should be also part of the infrastructure mapping¹⁹ and assessment of service needs. It requires predefined indicators and data collection and regular analysis on segregation, which can be carried out by National Statistical Offices or other independent institutions³⁰. The definition of segregated services and spatial isolation can also serve to monitor and evaluate EU Funds measures. The following measures have so far been used effectively in a number of Member States:

a. **Spatial segregation²⁰:**

¹⁹ Infrastructure mapping is part of the enabling conditions criteria for health, poverty reduction, education, Roma integration. Recommendations for reviewing infrastructure mapping have been developed to guide desk officers in the negotiations (https://myintracomm-collab.ec.europa.eu/dg/REGIO/Soconet/_layouts/15/WopiFrame.aspx?sourcedoc=/dg/REGIO/Soconet/Shared%20Documents/Recommendations_infrastructure_mapping_FINAL.docx&action=default)³⁰ Database on segregation should be publicly accessible.

²⁰ See examples in practice included in <http://www.opensocietyfoundations.org/sites/default/files/housingvademecum-supplementary.pdf>. In Slovakia, the Roma Atlas and in the Czech Republic, the Mapping of the Marginalised Communities would represent 'ii', which have been produced based on ethnographic field research exercises. The Hungarian segregation maps would be characteristic for 'i' which are produced based on CENSUS employment and education data, and the URBAN indicators used broadly in old Member States are examples for 'iii'. More on the URBAN indicators is available here: http://ec.europa.eu/regional_policy/sources/docoffic/official/guidelines/pdf/urban_en.pdf and general indicators applied for defining urban areas for interventions:

- (i) Area-based (neighbourhood, city, micro-region level) social indicators like high rates of unemployment and low levels of education, and low infrastructure supply;
 - (ii) A list of settlements affected by a high concentration of marginalised people, based on ethnic data collection (e.g. Roma);
 - (iii) Other significant social indicators (e.g. share of people benefitting from social assistance schemes) can help to scrutinize the pockets of poverty and exclusion in urban and rural settings.
- b. Segregation in education facilities:
- Segregation index: high percentage of pupils with low-income and low educational level parents in educational facilities (both at individual class and school level)
 - Dissimilarity index: deviation from the "fair-share" of the children belonging to a marginalised group across all school facilities of the locality.
2. The specificities of the different forms of spatial segregation should be reflected in programming and implementation, enabling adequate responses (see more details under section 4.5.). The following forms of spatial segregations should be taken into account:
 - a. integrated (non-segregated) urban and suburban neighbourhoods;
 - b. large deprived and segregated urban and suburban neighbourhoods;
 - c. small deprived and segregated urban and suburban neighbourhoods;
 - d. small rural localities with segregated neighbourhoods;
 - e. segregated villages/settlements in deprived micro-regions (e.g. county).
 3. Within the varying spatial settings, it is also important to address the links between spatial and education segregation in the scope of an integrated approach. For example, residential segregation may lead to school segregation, especially in settings where schools are located in the proximity or within the segregated neighbourhood.
 4. Programming and implementation of desegregation measures in education and housing may include the involvement of experts, trained in urban development, social inclusion, health, education, equal treatment legislation or in any other relevant field. They can provide technical assistance, and professional support both in programming and implementation. Contracting of experts can be done by the Managing Authorities or by the beneficiaries of projects, as part of eligible actions.
 5. Programming and implementation of desegregation measures should be designed and implemented with the direct involvement of representatives of the communities in all stages of the process:
 - empowerment and involvement of the future participants by targeted interventions co-designed with the community (e.g. through Community-Led Local Development actions, involvement of social innovators, participatory approaches);

- comprehensive analysis of needs leading to multi-dimension solutions addressing residential, social and economic needs at the same time (i.e. participatory and sustainable housing, Affordable Housing Initiatives).
6. Facilitation of public debate at national, regional and local level in order to involve all stakeholders. The necessary resources can be allocated (e.g. ESF+) for public campaigns, awareness raising activities (e.g. conferences, seminars, PR activities, hackathons, social innovation awards), anti-discrimination actions as part of the technical assistance at national level or eligible action of operations at project level.

4.2.2 Coordination mechanism

Synergies and coordination of EU funds to design desegregation measures might be constructed on different levels: programming, implementation (e.g. through calls for proposals) and projects.

Programming

- In general, during the programming phase it is useful to check that each of the needs identified can be linked to funding, either national or EU. The complex and interlinked needs call for an integrated approach combining both infrastructure (ERDF) and human capital (ESF+) investments in the fields of education and housing (in close cooperation with employment, health, etc.) potentially coupled with community empowerment and awareness-raising, as well as anti-discrimination measures.
- The Partnership Agreement requires the description of how complementarities and synergies between the funds, as well as other EU instruments, will be ensured for each selected policy objective. Comprehensive measures²¹ may require both ESF+ and ERDF interventions. ESF+ can be only programmed under PO4, while ERDF supported actions might be part of any policy objectives.
- As regards instruments, multi-fund programmes might help to ensure the close link between actions supported by both funds and could also reduce the administrative burden by appointing one responsible Managing Authority.
- The partnership principle²² requires the involvement of regional and local authorities, economic and social partners and other relevant bodies representing civil society, such as, non-governmental organisations, and bodies responsible for promoting social inclusion, fundamental rights,²³ rights of persons with disabilities, gender equality and nondiscrimination, throughout the whole programming and implementation cycles.³⁵ This should follow the European Code of Conduct on Partnership (ECCP)³⁶.

²¹ Also, as part of integrated territorial development

²² Article 6(1), Article 7(1a) CPR, Article 9 (1) of ESF+ regulation and the Code of Conduct.

²³ It could also include equality bodies, national human rights institutions and Ombudsman institutions. ³⁵ Member States shall, where relevant, allocate an appropriate percentage of the resources coming from the Funds for the administrative capacity building of social partners and civil society organisations (Article 6 CPR). ³⁶ Commission Delegated Regulation (EU) No 240/2014, to be continued in 2021-2027, as per art. 6.3.

- Synergies between EU funds can also be enhanced through the use of territorial instruments, such as the Community-Led Local Development (CLLD), Integrated Territorial Investment (ITI). In the scope of the integrated and sustainable urban development, synergies between EU funds can be also reinforced. All of these instruments can be programmed and implemented under all policy objectives.
- An effective coordination mechanism between funding authorities (ERDF, ESF+) and bodies responsible for the relevant policy areas would ensure the necessary coordination of the programmes under the different funds, as well as their alignment with the valid strategic policy frameworks. Such a mechanism may entail a coordination body and a framework to establish the timeline and logical sequence of operations.
- In the case of ESF+ and ERDF, there is a possibility for a 15% of cross-financing that can be considered under each priority. This would allow to support operations that would be eligible under the other fund. In other words, 15% of an ERDF priority can include ESF+ type of measures and vice-versa.

Implementation

- Coordination on the levels of implementation can be achieved through calls for proposals that are either:
 - a. Joint calls: for example, calls under ESF+ and ERDF that are launched under the same objectives (e.g. integration of people with a migrant background etc.).
 - b. Logical sequence of calls: for example, calls under ESF+ and ERDF are coordinated both time-wise and thematic-wise to be released in a sequence. This may also require introducing, for instance, specific conditions which advise applicants to apply to all corresponding calls.
 - c. Common selection criteria: for example, calls under ESF+ and ERDF should be coordinated to harmonise the selection criteria, where applicable. This requires training the independent expert panel participating on the selection committee.
- In the scope of the monitoring committees, Member States shall ensure “a balanced representation of the relevant Member State authorities and of the partners”, who are crucial for the preparation of the Partnership Agreement and the programming and implementation of ERDF and ESF+ programmes. Coordination could also be enhanced by inviting, on a case-by-case basis, representatives of other monitoring committees of EU funds, responsible for measures in the given geographical area or thematic field.

Projects

- It is desirable to coordinate projects at the beneficiary level in order to achieve the highest possible level of synergies. The managing authorities could support this effort by awarding additional selection points for 'coordinated' projects. Within this scope, beneficiaries may implement integration measures by applying to different calls possibly focusing on relevant areas (e.g. labour market integration of marginalised groups, support for the introduction of inclusive education, etc.).

4.2.3 Role of local authorities

The competence for the design and implementation of integration policies, including desegregation measures, varies across Member States and depends on regulatory requirements. Local and territorial authorities play an important role in both supporting the implementation of integration policies designed by national and regional authorities, and also developing their own local policies. Ensuring a multi-level governance approach throughout the design and implementation of integration policies is crucial to effectively coordinate stakeholders at different levels (local authorities and cooperation among them, as well as with regional and national authorities). In the scope of this note, the role of local authorities is more emphasized, taking into account their competences in local public services provisions.

When implementing national or regional integration policies, local authorities are responsible for translating policies into the local needs and context, in particular in service provision. This should include making education and housing services accessible, inclusive and nonsegregated. Another important consideration is the engagement and consultation with the local communities in order to adjust national and regional integration policies to the local needs.

Local authorities also have an important responsibility in designing local development strategies, supported through sustainable urban development, CLLD, ITI, and other territorial tools. These should be consistent with national and regional policies, which may require strong coordination mechanism (see above the multi-level governance). Desegregation measures should be an essential part of these strategies, and combined with other policy areas of local development. Following the regulatory requirements²⁴ for integrated territorial development, in addition to integrated approach (linking up different policy areas in territorial and local strategies) and multi-level governance, partnership with all relevant stakeholders (including consultation with the local communities) is crucial from planning, to implementation and monitoring.

All measures highlighted in chapter 4.2.1., designing desegregation in programming and implementation might be also relevant for local authorities. At the same time, there are some specific challenges, faced by local authorities, in the course of desegregation actions:

- *Access to EU funds.* Local authorities face difficulties in accessing EU funds. This may be due to various factors, such as low administrative capacities, (in particular in deprived areas political environment, eligibility rules, co-financing requirements etc.
- *Applicability of international, European and national law at the local level.* All levels of the government, including local authorities, are subject to international, European and national legal requirements. For instance, local authorities should also comply with the requirements of human rights laws such as the Charter of Fundamental Rights of the European Union and the Racial Equality Directive (2000/43). As “local arms of the state”, local authorities must put in place actions that ensure the fulfilment of their legal obligations. Following the multi-level governance principle, local authorities might be also required to closely work with surrounding localities (e.g. at microregional level) and the national and regional authorities to respect human rights requirements and to design joint desegregation and anti-discrimination measures.

²⁴ CPR Art 23 is for minimum requirements of territorial strategies, CPR Art 25-28 is for the specific CLLD requirements

- *Partnership and cooperation between national, regional and local stakeholders.* Member States should ensure partnership with local authorities (e.g. consultation on programmes, call for proposals). Managing authorities should involve local authorities throughout the programming and implementation and monitoring of the EU-funded measures.
- *Addressing the needs of marginalised groups in local development strategies.* When local policies fail to respond to the needs of marginalised groups this may lead to limited access to services, less participation in economic, political and social activities, etc. This might be due to low administrative capacity, insufficient links to national or regional policy frameworks etc.
- *High concentration of marginalised communities in deprived/segregated local neighbourhoods.* As a result of social housing policies in the past and the lack of affordable property prices, together with direct discriminatory actions, the concentration of marginalised groups in certain areas might be far above the local average. These neighbourhoods might be also isolated (segregated) from mainstream parts of the municipality, which may lead to limited access (i.e. physical access) to good quality services (see further information in chapter 4.4. *Specific guidance for housing*).
- *Participation of marginalised communities in local policies and actions.* Several barriers have been identified in conducting efficient consultation with communities of marginalised communities. These may cover lack of expertise and capacities in local policymaking and knowledge of ongoing initiatives, physical isolation of the community (segregation), mistrust in the management of the local authority, lack of participation in decision-making.

4.2.4 Selection of operations (see further examples in Annex I)

1. Selection of eligible projects is based on a clear set of criteria based on the desegregation and non-segregation principles and the planning tools listed above. Selection criteria should not contribute in any way to increased segregation.

Selection criteria should also refer to different scenarios of spatial segregation (as discussed under point 3. above). In this regard, adequate responses to different forms of spatial segregation can be facilitated. Non-segregation actions, for example in-situ upgrading or delivery and extension of services in segregated settings may be supported by EU Funds only if desegregation options are not available in the short to medium term, but they will pave the way for desegregation processes.

2. The operations must involve and empower the target groups in the stages of planning, implementation and assessment. This can be facilitated by interventions for community development²⁵.

²⁵ Very useful technical details on the effective design of such interventions are included in the Handbook for Improving the Living Conditions of Roma, WB/EC (2015), available at http://ec.europa.eu/justice/discrimination/files/roma_wbhandbook_en.pdf

4.2.5 Monitoring of operations

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

4.3. Specific guidance for education

The following mainstream and targeted measures and actions can be part of both programmes and call for proposals. Mainstream measures in education may address the needs of the general population; however, prevention and fighting against segregation of marginalised children are also essential in this case. Targeted measures should directly respond to the needs of marginalised children including the specific focus on desegregation. Measures of the programmes to improve the access to and participation in good quality, inclusive education by marginalised children should be assessed vis-à-vis spatial segregation (see further details in 4.5). Different forms of segregated spatial environments may have a close link to the access to quality education.

Some examples of challenges:

- low educational outcomes, low enrolment rates, high drop-out rates of pupils (also as a result of online education);
- low participation in early childhood care and pre-school education.
- misdiagnosis, disproportionate and abusive placement of marginalised children in special education;
- poor/lack of access to high quality education and services, extracurricular activities, etc.;
- organisation of separate education (at class, school level) for marginalised children (children with disabilities, children from a migrant background, Roma, etc.)
- refusal of children from marginalised background at registration in educational facilities
- inadequate skills, low motivation, as well as high turnover rates of staff in segregated schools;
- lack of training for teachers specifically addressing the needs of children from marginalised communities
- lack of sufficient and high quality human resource capacity in educational facilities in general;
- lack of sufficient high quality infrastructural capacity in educational facilities;
- very rundown physical environment;
- lack of sufficient access to good quality social services for children and their families;

In order to respond to these challenges, actions should follow the integrated approach, supported by both ERDF and ESF+. Infrastructure developments (ERDF) should always be accompanied

by human capital investments (ESF+). This may require a broad range of actions, depending on the needs and linked to the respective policy framework (National Roma inclusion strategic policy framework, poverty reduction policy framework, strategy on the integration of people with a migrant background etc.). Following the basic principles set out in this Note, construction of new educational facilities in spatially segregated neighbourhoods should be avoided. In small rural localities with segregated neighbourhoods (scenario D) and in segregated villages (scenario E), access to mainstream, inclusive educational facilities should be also assessed on micro-regional (e.g. county) level (see further details under 4.5). Marginalised children may also face internal or intra- class segregation in schools (secondary segregation in mainstream schools), which requires reorganisation of the school structure, where ESF+ support can be vital. The following list of actions gives only some indications, closely related to education, but certainly it can be completed with actions from other fields:

Examples of ERDF funded measures

1. Infrastructure investments and equipment in educational facilities:
 - upgrading education infrastructure, equipment, including extension of capacities in non-segregated environment
 - new education infrastructure, equipment
 - upgrading and building new infrastructure, equipment for extra-curricular activities
 - IT equipment to support access to distant and online education
2. Infrastructure investment in improved access to education
 - investments in transport means (e.g. bussing) □ investments in road infrastructure.

Examples of ESF+ funded measures

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

- introduction of innovative pedagogical tools and methods, including active and collaborative approaches which allow adaptation to individual needs and increase pupils' motivation, starting from early childhood education
- development of curricula for combating stereotypes and discrimination, also to adjust content for online education
- putting in place early tracking systems and measures to address the root-causes of early school leaving
- facilitating coordinated work at local level between all services serving children and families (education, health, social)
- more diversified teaching and non-teaching staff, reflecting on diverse backgrounds
- supporting cooperation between schools, social protection services
- training (initial and continuous professional development) for educational professionals, with a special focus on understanding educational disadvantage (including access to online education), discrimination, bullying and early school leaving risk factors,
- individual support for disadvantaged students, also when transferred from segregated to mainstream settings)
- ensuring smooth transition between educational levels and promoting upper secondary, vocational and tertiary completion of disadvantaged students, including through counselling, mentoring, career guidance and financial support

- subsidized employment of additional professionals (assistant teachers, mentors, guidance counsellors, social workers, psychologists) for instance to provide individual support to struggling learners, including language support if necessary
- methodological support to transform diagnostic tools, as prevention of misdiagnosis of marginalised children
- IT equipment to support access to distant, online education
- training for and employment of mediators, mentors
- after-school and extra-curricular activities
- encouraging effective parental involvement in education and fostering links between the schools and local communities
- better linkage between parents and professionals (active parental involvement in early childhood facilities and schools)
- enhancing the acquisition of social, civic and relational competences to transmit values, such as non-discrimination, respect for diversity and equality, etc.
- facilitating better and smoother access to quality schools by supporting transportation (bus services)
- measures to overcome prejudice and discrimination
- investment on third sector services
- capacity building of service providers

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

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

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

1. For **early childhood education and care (ECEC) (age 0-6)**, the preference should be given to access to mainstream, inclusive, high-quality services²⁶. At the same time facilities should be located in the close proximity to the families. Investments in early childhood quality services are proven to be effective in decreasing the socioeconomic gaps, if access to such

²⁶ The 2019 Council recommendation on high-quality Early Childhood Education and Care systems recommends to members state to “work towards ensuring that ECEC services are accessible, affordable and inclusive”

services are assured at the earliest possible time, facilities provide quality staff and services and parents are also actively involved. In large urban areas access to mainstream, inclusive pre-school facilities should be the first option.

2. In the case of investments in **primary education**, the preference is given to ensuring access to quality, inclusive mainstream education by marginalised children. This may include elimination of segregated schooling and relocation of pupils to mainstream schools. If schools located in non-segregated environment receive funding, measures to enable access by marginalised children from other locations or neighbourhoods should be envisaged.
3. In the case of investments in **secondary education**, access to quality education by marginalised children is required even if facilities are at a distance from the target groups concerned. Bussing or supporting inclusive dormitories (together with supporting accompanying services, such as scholarships, mentoring or other positive action measures) can also be supported. Assistance in secondary education via soft measures is especially vital to counteract early school leaving.

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

Desegregation of educational facilities in Kjustendil, Bulgaria

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

4.4. Specific guidance for housing

The following mainstream and targeted measures and actions can be part of both programmes and call for proposals. Mainstream housing measures may address the needs of the general population; and, in the scope of these measures, prevention and the fight against spatial segregation of marginalised people are also essential. Targeted measures should directly respond to the needs of marginalised people in deprived (segregated) neighbourhoods, including the specific focus on desegregation. Investments in housing infrastructure as adopted in the programmes should be assessed vis-à-vis different forms of spatial segregation (see further details in 4.5)

Following the basic principles set out in this Note, construction and purchase of new housing properties in spatially segregated neighbourhoods should be avoided. Interventions aimed at desegregation should always be the first option when considering investments in housing (both public and private). It cannot lead to perpetuating, strengthening or creating new forms of segregation of marginalised communities, including Roma.²⁷ In small rural localities with segregated neighbourhoods (scenario D) and in segregated villages (scenario E), access to mainstream housing on micro-regional (e.g. county) level should be assessed (see further details under 4.5) in order to map the availability of mainstream infrastructure and services and formulate measures in response to identified gaps and needs in accessing them.

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

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

Examples of ERDF funded measures ○

- building new housing infrastructure
- purchase of housing infrastructure
- refurbishment, upgrading housing and related infrastructure (water supply, sewage, gas, electricity, etc.)
- conditions of low energy cost housing
- infrastructural development in social-, healthcare services, education, employment
- building public transportation networks to increase connection between neighbourhoods and accessibility of services
- building multifunctional platforms in neighbourhoods e.g. sport centers with educational facilities
- rent for accommodation²⁸

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

²⁷ When it comes to legal eligibility, refurbishment of private housing can fall under the scope of support of Article 4 ERDF. See further details in [IQ00844 - ERDF investments in private housing in small deprived localities, mainly populated by Roma](#)

²⁸ Rent for accommodation as part of social inclusion measures may be considered as “investments in access to services” pursuant to Article 4(1)(b) and hence eligible. It is advisable that the rent for accommodation is part of integrated actions, combined with measures in access to mainstream and quality services. See further in [IQ00863](#).

- social regeneration of deprived urban areas through social innovation projects with the involvement of a widespread and rooted partnership in that context²⁹.

NOP “Cittá metropolitane” Integration between ERDF and ESF measures

In Italy the Multi-fund National Operational Programme Metropolitan Cities 2014-2020, conceived as a support to sustainable urban development, aims to improve the quality of services and to promote social inclusion in 14 metropolitan areas (Turin, Genoa, Milan, Bologna, Venice, Florence, Rome, Bari, Naples, Reggio Calabria, Cagliari, Catania, Messina and Palermo).

Some specific measures have been deployed for the inclusion of the most fragile population segments and areas and for disadvantaged neighbourhoods through services (ESF) and infrastructure (ERDF). It includes requalification of apartments for families with special social and economic fragility; restoration of unused buildings to be allocated to services in the third sector; low-threshold services and emergency social intervention for homeless.

2. EU Funds investments should aim at contributing to close the physical and social gap between segregated and non-segregated areas and it should improve access to quality, inclusive, mainstream services and infrastructure (such as educational, social and health care facilities, public transportation, green infrastructure and public spaces and public utilities such as water, electricity and gas, etc.). It can be achieved by a different set of measures (depending also on the territorial characteristics):
 - a. Housing facilities provided in non-segregated areas for marginalised groups may consist of elements of relocation from segregated neighbourhoods to mixed neighbourhoods, e.g. through provision of social housing by new construction, land acquisition³⁰ or purchase of second hand homes (desegregation measure). Relocation of marginalised families should also take into account the following aspects:
 - i. Social housing facilities should not be provided in isolated areas, which may contribute to further exclusion;
 - ii. In order to support the smooth relocation of families, soft measures like community development, social work, vocational training, etc. should come before the infrastructural developments. Families from the marginalised communities should be involved in the construction work, if applicable, as job opportunities.
 - iii. To ensure financial efficiency, the existing available affordable and good quality housing stock should be considered first for relocation purposes, instead of relocating families by building more costly new housing, or bringing

²⁹ Article 13 ESF+ regulations makes explicit reference to supporting the strengthening of bottom-up approaches based on partnerships involving public authorities, the private sector and civil society, such as local action groups that develop and implement community-led local development strategies.

³⁰ In some cases the availability of land is very limited in non-segregated areas, so, instead, purchase of properties might be supported.

infrastructure supply to isolated neighbourhoods/settlements at disproportionately high costs.

- iv. The relocation of families should thoroughly be planned and assisted by social work and other measures to prepare the moving families and the receiving families for the change.
 - b. In the case of childcare, social and health services, as it was mentioned before, marginalised groups should have equal access to quality mainstream services. If social and health services separate different groups in the society (in other words, parallel services are built), EU funds support should contribute to the reorganisation of services and to make them inclusive.
3. Following the outcomes of the mapping of available mainstream infrastructure and services, various measures can be designed, including relocation (desegregation), investments in infrastructures and services to ensure improved connection of the segregated area with neighbouring urban or rural areas (e.g. improved connections between the targeted settlement and the mainstream area by extension of public transport services). Interventions aimed at desegregation should always be the first option when considering investments in housing. Taking this into account and if needs are duly justified, investments in non-segregation interventions can be possible (e.g. water supply, sewage, gas, electricity). To achieve desegregation, other accompanying actions should be envisaged for further integration of marginalised groups into mainstream communities, e.g. employment, health, education and social inclusion activities to enable access to and use of mainstream services located in the mainstream areas (non-segregation measure).

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

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

Relocation of marginalised families in Madrid county

Desegregation activities on the territory of Madrid county have been carried out since 1997 with the financial allocation of 217,5 million EUR, out of which 174,4 million EUR was allocated for housing. The primary objective of the actions was the relocation from the segregated neighbourhoods. The relocation was carefully planned with strong emphasis on empowerment of the communities. The adaptation period (2 years) to the new housing environment was an important element of the projects. Housing properties are purchased from the secondary housing market, rented by the beneficiaries and are in public ownership. As a direct result several segregated neighbourhoods were eliminated by relocation measures.

Integrated housing project with relocation of families (Györgytelep, Pécs, Hungary)

The project with the budget of 1,5 million EUR in Pecs included several elements to respond to the needs of Roma families in segregated neighbourhoods (old mining areas). Together with renovation of social houses and roads, 30 families have been relocated in the mainstream area

of the city, so to have better access to public services in Pecs. Complex actions in employment, social work, community development, labour market integration and vocational training have been developed. As a result, Roma families enjoy a better quality of life, including employment opportunities and renewed physical environment and inclusion into the society.

4.5. Desegregation measures in different territorial settings³¹

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

³¹ The matrix builds on:

- "What works for Roma inclusion in the EU, Policies and model approaches", European Commission, 2012
- "Handbook for Improving the Living Conditions of Roma" European Commission-World Bank, 2014

	Education		Housing		NOT recommended measures
	Recommended infrastructure measures (ERDF)	Recommended soft measures (ESF+) to be carried out with or without the ERDF measures	Recommended infrastructure measures (ERDF)	Recommended soft measures (ESF+) to be carried out with or without the ERDF measures	

<p>A. integrated (non-segregated) urban and suburban neighbourhoods with segregated school(s)</p>	<ul style="list-style-type: none"> - elimination of segregated schools - investments in mainstream, inclusive education (schools) in order to involve pupils from segregated school - investments in early childhood education and pre-school facilities - investments in transport means (e.g. bussing) and accessibility measures 	<ul style="list-style-type: none"> - involvement of target group since the design of the measures - community development and facilitation of public debates to prepare for the inclusion process - training of education professionals - training for mediators, mentors - better linkage between parents and professionals - after-school and extra-curricular activities - facilitating reforms of enrolment policies (national/local policy making) and reduction of fees - awareness raising, public campaigns - individual support for disadvantaged students, including Roma (transferred from segregated to mainstream settings) - quality assessment, early tracking 	<p>no investment needed for desegregation</p>	<p>no investment needed for desegregation</p>	<ul style="list-style-type: none"> - single ERDF types of measures ONLY - Extension of capacities of segregated schooling
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		<ul style="list-style-type: none"> - intercultural activities - facilitating access to facilities, e.g. by supporting transportation - facilitating coordinated work at local level between all services serving children and families (education, health, social) 			
B. large deprived and segregated urban and suburban neighbourhoods	Same as category "A"	Same as category "A"	<p>First option</p> <ul style="list-style-type: none"> - investments in relocation of residents from the segregated neighbourhood (e.g. purchasing available properties, new construction, etc.) <p>If needs are duly justified</p> <ul style="list-style-type: none"> - investments in nonsegregation interventions (e.g. basic infrastructure like water supply, sewage, roads, other public utility services) 	<ul style="list-style-type: none"> - Accompanying measures like community development, social work, mediation, trainings, income generating activities (e.g. setting up social enterprises, microcredit programmes), anti-discrimination activities, etc. - investment in administrative actions like legalisation and regularisation 	<ul style="list-style-type: none"> - single ERDF types of measures ONLY - Building (new) housing properties and educational facilities in the segregated neighbourhood

C. small deprived and segregated urban and suburban	Same as category "A"	Same as category "A"	Same as category "B"	Same as category "B"	Same as category "B"
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neighbourhoods					
D. small rural localities with segregated neighbourhoods	Same as category "A" Access to mainstream inclusive educational facilities should be assessed at the microregional (e.g. county) level.	Same as category "A" Access to mainstream inclusive education should be assessed at the micro-regional (e.g. county) level.	Same as category "B" Access to mainstream housing should be assessed at the microregional (e.g. county) level.	Same as category "B" Services and actions should be assessed at the micro-regional (e.g. county) level.	Same as category "B"
E. segregated villages/settlements in deprived micro-regions	Same as category "A" Access to mainstream inclusive educational facilities should be assessed at the microregional (e.g. county) level.	Same as category "A" Access to mainstream inclusive education should be assessed at the micro-regional (e.g. county) level.	Same as category "B" Access to mainstream housing should be assessed at the microregional (e.g. county) level.	Same as category "B" Services and actions should be assessed at the micro-regional (e.g. county) level.	- single ERDF types of measures ONLY Same as category "B"

5. Conclusions

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

Investments in all social inclusion fields should not contribute to any perpetuation of segregation of marginalised communities and, at the same time, direct desegregation operations should be implemented.

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

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

Facilitation of further exchange and debate, in particular highlighting field experiences is an important element of policy making in this field. It should be also followed with reports on progress and responses to the outcomes, lessons learnt identified by all stakeholders.

Annex I. Checklist for the call for proposals:

1. Is the call for proposal in line with the integration policies addressing the needs of marginalized communities (including the strategies required for the fulfilment of the enabling conditions), Country Reports and Country Specific Recommendations?
2. Will the call for proposal contribute to the output indicators of the relevant programmes?
3. Does the managing authority have a definition of segregation of marginalized groups in education and housing and pre-defined indicators to measure the segregation?
4. Does the call for proposal explicitly address the problem of segregation of marginalized groups?
5. Does the call for proposal explicitly exclude support for actions resulting in segregation of marginalized groups?
6. Does the call for proposal require demonstration of alignment of the actions with local/regional development strategy in place, which addresses social inclusion and desegregation of marginalized groups?
7. Does the call for proposal require justification of proposed non-segregation actions, which:
 - a. demonstrates that desegregation measures were assessed or undertaken at the first place?
 - b. the action leads to desegregation of marginalized groups in longer term?
 - c. the action is complemented with desegregation activities related to marginalized groups?
8. Does the call for proposal include indicators to monitor desegregation effect of the actions specifically on marginalized groups?
9. Was the call for proposal consulted with representatives of marginalized groups or stakeholders having knowledge of the target groups' needs (such as academia, NGOs, specialized think-tanks or possible beneficiaries working with the target groups)?
10. Does the call for proposal require delivery of supporting activities to ensure effective desegregation of marginalized groups?

Selection of operations:

1. Does the project proposal assess specific needs of marginalized groups?
2. Does the project proposal require demonstration of alignment of the actions with local/regional development strategy in place, which addresses social inclusion and desegregation of marginalized groups?
3. Does the project proposal contribute to the desegregation and inclusion of marginalized groups as a final objective in longer term?
4. Does the project proposal ensure equal access to services by marginalized groups? Is building parallel services excluded?
5. In case that the project proposal includes non-segregation action, does the applicant demonstrated that:
 - a. all desegregation options (such as, for example administrative, financial and other measures to enable access of groups to available mainstream educational and housing capacities) were duly considered or undertaken?
 - b. the action will contribute to desegregation of marginalized groups?
 - c. is the action complemented by activities aimed at desegregation of marginalized groups?

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

Annex II. Academic findings relating desegregation needs for an efficient EU Funds programming

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

Ghettos are consequences of deliberate policies. Peach's (1996) classification of segregation processes includes imposed segregation and voluntary segregation. Based on this classification, Roma poverty neighbourhoods are results of imposed segregation and not voluntary segregation (that is responsible for the emergence of ethnic villages as opposed to ghettos). European migrants form voluntary ethnic villages, whereas the spatial concentration in African American poverty neighbourhoods is negative and destructive. The latter is the result not only of poverty, but also of heavy discrimination.³² Van Kempen and Sule Özüerken quote Kenneth B. Clark's argument from 1965 that 'the existence of the ghetto is the consequence of a deliberate policy of those who wield power in mainstream society: The dark ghetto's invisible walls have been erected by the white society, by those who have power, both to confine those who have no power and to perpetuate their powerlessness' (Clark, 1965: 11 quoted in van Kempen and Sule Özüerken 1998: 1637). The difference between ghettos and poverty neighbourhoods in general are striking: as evidence from the US shows, '[p]oor neighbourhoods that do not become ghettos have higher than average rates of social problems, but they do not experience the epidemic interaction that generates a whole much greater than the sum of its parts' (Crane, 1991: 1228), especially relating early child bearing and school drop outs. *Therefore, desegregation as a public policy has to address the mechanisms and institutional background of imposed segregation.*

Roma poverty neighbourhoods are manifestations of negative social processes. Roma poverty neighbourhoods are 'an outcome of the involuntary spatial segregation of a group that

³² For example, 'the difference between the observed and expected segregation in Chicago is 83 versus 10, so that we can say that although the black population is poorer than the white, wealth explains only 12% of observed levels of segregation' (Peach 1996: 393).

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

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

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

Tackling spatial segregation needs a differentiated approach. As stated further above, there are diverse spatial arrangements, shapes, sizes and physical features of Roma poverty neighbourhoods throughout Europe, in part related with their historical development. Therefore, interventions in Roma poverty neighbourhoods must be differentiated, too, but they

need to address mechanisms causing segregation and need to contribute to halting further, growing segregation. Thus, actions in Roma poverty neighbourhoods, depending on the neighbourhoods' features, should aim at immediate full desegregation in the case of small settlements and places which are characterized by hazard to health or life, and gradual desegregation in other, for example larger settlements. Gradual desegregation should include activities that make sure, as a minimum, that the population and density of Roma poverty neighbourhoods do not grow further. *Therefore, investments in Roma poverty neighbourhoods should be based on a combination of various tools, but they all should serve halting the further growth of the segregated neighbourhood.*

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

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