RACIAL DISCRIMINATION

IN THE FIELD OF HOUSING AND INFORMAL SETTLEMENTS

ESPAÑA SIN RACISMO.

GOBIERNO DE ESPAÑA · MINISTERIO DE IGUALDAD

SECRETARÍA DE ESTADO DE IGUALDAD Y CONTRA LA VIOLENCIA DE GÉNERO

DIRECCIÓN GENERAL PARA LA IGUALDAD DE TRATO Y DIVERSIDAD ÉTNICO RACIAL

Andalucía Acoge

Prôvivienda
Con las personas, por la vivienda

[Table of contents]

PRESENTATION

[**Presentation**]

The Directorate General for Equal Treatment and Ethnic and Racial Diversity, as established in Royal Decree 455/2020, of 10 March, is the executive body under the Secretary of State for Equality and against Gender Violence, which is responsible, among other functions, for the preparation of reports and studies on matters affecting equal treatment, non-discrimination, intolerance and ethnic and racial diversity, as well as their dissemination and exchange with other ministerial departments and public and private entities, at international, national, regional or local level.

In this regard, for the proper development of these aims, the Directorate General for Equal Treatment and Ethnic and Racial Diversity has promoted the undertaking of the study "Racial Discrimination in the field of housing and informal settlements". The entity in charge of its development was PROVIVIENDA (in cooperation with Andalucía Acoge), whose research team I would like to thank enormously for their involvement, which is evident in the results of the work carried out.

Racial discrimination against people from certain ethnic and population groups in different areas of everyday life is also evident regarding housing. The right of everyone to an adequate standard of living that ensures housing is a right recognised by the Universal Declaration of Human Rights, by European and Spanish anti-discrimination legislation and by the international Covenants and Agreements ratified by Spain, such as International Covenant on Economic, Social and Cultural Rights. Article 47 of the Spanish Constitution provides for the right of all citizens to decent and adequate housing, establishing that the public authorities shall promote the necessary conditions and establish the relevant regulations to make this right effective.

Likewise, the EU anti-racism action plan 2020-2025, taking as a reference reports, studies and surveys developed in the framework of the European Union (the Fundamental Rights Agency-FRA; the European Parliament's Research Service-EPRS, etc.) is clear in this regard: people who suffer racial discrimination are at greater risk of living in unhealthy conditions and residential segregation. Discrimination in the housing market reinforces segregation, with a ripple effect in terms of educational or employment opportunities.

This study on "Racial Discrimination in Housing and Informal Settlements" thus reinforces the commitment to the need for data to enable policy makers and citizens to assess the extent and nature of racial discrimination and to design, adapt, monitor and evaluate policies.

The research carried out constitutes a pioneering approach in the public sector in the study of racial discrimination in the field of informal settlements.

On the other hand, it is necessary to underline the application of qualitative research techniques in this study, that also make it possible to contrast the information obtained from the use of data extracted from the study

entitled *"Potential Victims' perception of discrimination based on racial or ethnic origin 2020*[1] and from the study *Examination of the african and afro-descendant population in Spain. Identity and access to rights*[2].

The enormous effort and scientific rigour of the PROVIVIENDA research team should also be noted, especially taking into account the challenge of carrying out the fieldwork with the time constraints due to the established schedule and the size of the territory under study (six cities and eight towns with informal settlements). Nevertheless, a total of 120 in-depth interviews were conducted (30 with key informants and 90 with residents and inhabitants of the cities and informal settlements studied).

In this area of study, I believe that there is a need for State recognition of structural racism, so that the underlying problem is addressed, as outlined in the above-mentioned EU anti-racism action plan 2020-2025, which recognises that racism is deeply rooted in the history of our societies, intertwined with their cultural roots and norms[3].

Thank you to all of you who have participated and collaborated in this project, for dedicating your time and energy to make this pioneering study go ahead. My thanks also go to the Ministry of Equality for its commitment to the real and effective implementation of the principle of equal treatment and highlighting the richness that brings ethnic diversity at the centre of the public agenda. Finally, I do want to particularly stress the involvement and professionalism of the staff of this Directorate.

RITA BOSAHO GORI
Director General for Equal Treatment and Ethnic and Racial Diversity

---

[1] https://igualdadynodiscriminacion.igualdad.gob.es/destacados/estudiopercepcion.htm
[2] https://www.igualdad.gob.es/ministerio/dgigualdadtrato/Paginas/index.aspx.
[3] EU anti-racism action plan 2020-2025 https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0565&from=ES.

01

01

INTRODUCTION

This study, "Racial Discrimination in the Field of Housing and Informal Settlements", carried out by Provivienda, in accordance with the contract awarded by the *General Directorate for Equal Treatment and Ethnic and Racial Diversity of the Secretary of State for Equality and Against Gender Violence of the Ministry of Equality*, which has promoted and financed this research, is in line with the measures proposed by the EU anti-racism action plan 2020-2025 to combat racism, and the mandate provided in Article 19 of the Treaty on the Functioning of the European Union and Article 21 of the Charter of Fundamental Rights, in relation to the adoption of actions to combat discrimination in any form.

Racism, under the terms of the European Commission against Racism and Intolerance (ECRI) of the Council of Europe, is the belief that "race"[1], colour, language, religion, nationality, or national or ethnic origin justifies contempt for a person or group of persons or the superiority of a person or group of persons. For its part, the International Convention on the Elimination of All Forms of Racial Discrimination (hereinafter, CERD) in its Article 1, establishes that the expression **"racial discrimination"** shall mean *any distinction, exclusion, restriction or preference based on the grounds of "race", colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.*

Housing is one of the areas where studies and surveys show that racial discrimination is most prevalent. The 2016 EU-MIDIS II European survey[2] reveals that **23 % of respondents have experienced discrimination in access to housing on the basis of their ethnic group or national origin in the last five years, and 7 % in the last 12 months.** In turn, it is the second area where racial discrimination occurs most intensely.

In the case of Spain, the data indicate higher values for 2020. The study of the Council for the Elimination of Racial or Ethnic Discrimination (hereafter CEDRE), *Potential Victims' perception of discrimination based on racial or ethnic origin*, highlights that **housing is the area with the highest rate of discrimination** of all the areas analysed in 2020. Specifically, **31 % of people of ethnic or racial origin surveyed perceived discrimination in access to housing in the last year,** and it is especially those belonging to the **non-Mediterranean African, Maghrebi and Roma** groups who, in general terms, perceive most clearly that they are victims of racial discrimination in the area of housing (CEDRE, 2020). According to the results of the survey, **17.7 % were refused to be shown the property to rent or buy, 20.8 % were refused rental of the property, and 20.1 % faced problems or more requirements than the rest.**

These results are also in line with the research carried out in 2020 by Provivienda *For Rent? Racism and Xenophobia in the Rental Market.* Through the *testing* methodology, it was found that 72.5 % of real estate agents accepted the existence of absolute direct discrimination (total blocking of access to housing), while of the remaining 27.5 %, 81.8% accepted the existence of relative discrimination (increase of specific requirements in access to housing).

---

[1] Since all human beings belong to the same race, ECRI rejects theories based on the existence of different "races". For this reason, in this publication, the term ethnic origin has been used, and where the term "race" has been used because it is provided for in legislation, it has been placed in quotation marks.

[2] FRA. (2017) Second European Union minorities and discrimination survey: main results.

The fact that housing is the area where racial or ethnic discrimination occurs with the greatest intensity and, in turn, is the sphere where it has experienced the greatest increase in recent years, is leading to an increase in the **processes of vulnerability and residential exclusion** of people from ethnic and population groups that suffer racial discrimination most frequently, in a framework in which the 2030 Agenda for Sustainable Development, specifically in Sustainable Development Goal (SDG) 11: Sustainable Cities and Communities, identifies the need to *make cities and human settlements inclusive, safe, resilient and sustainable* and sets as a key target *by 2030, to ensure access for all people to adequate, safe and affordable housing and basic services and to improve slums.*

Against this background, the main objective of this study is to analyse racial discrimination in housing and informal settlements: how it occurs, how it manifests itself, what implications it has, as well as to address the relationship between racial discrimination and residential exclusion, especially with the existence and persistence of informal settlements over time.

This research is a first approach to the analysis of racial discrimination in informal settlements in Spain. Informal settlements are not a new phenomenon in Spain. As some research indicates, "Spain has had, or has had in recent times, the largest shantytowns in Europe" (Malagón, 2008: 103).

Finally, we are grateful for the participation of all the people involved in carrying out this study, from the 90 people from different population and ethnic groups without the testimonies of which this study would not have been possible. We have also benefited from the contributions of more than 50 informants who have helped us to go further in depth into the analysis and detect key aspects for the development of the project.

The organisation Andalucía Acoge has played a fundamental role in the research, participating in the design of the research tools, developing the fieldwork in the informal settlements of Andalusia and in the cities of Almería and Huelva, and providing valuable contributions to the analysis.

We are also grateful for the support of the organisations that make up the CEPAIM Foundation, the Federació d'Associacions Gitanes de Catalunye (FAGIC), the Fundación Secretariado Gitano, the Plataforma Kethané, Quart Món, Cáritas and the Servei d'Atenció Social al Sensellarisme a l'Espai Públic del Ajuntament de Barcelona, for their crucial support in the visits and fieldwork in the informal settlements.

02

02

[STARTING POINT]

Council Directive 2000/43/EC of 29 June 2000 *implementing the principle of equal treatment between persons irrespective of racial or ethnic origin,* together with Council Directive 2000/78/EC of 27 November 2000, *establishing a general framework for equal treatment in employment and occupation* and Council Framework Decision 2008/913/JHA of 28 November 2008 on combating *certain forms and expressions of racism and xenophobia by means of criminal law,* provide the European legislative framework for combating racial discrimination in the Member States. The aforementioned definition in Article 1 of the CERD places special emphasis on the **impairment of the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life.** This discrimination is articulated through stereotypes and prejudices, which place ethnic and population minorities in social and physical spaces that are different from those of the majority.

Racial discrimination occurs in different areas such as employment, education and health, among others, as well as in everyday relations and uses of public space. This study, which focuses on **housing,** will address direct discrimination in access to the rental market and in the maintenance and permanence in housing, which can be further subdivided into two areas: "Absolute direct discrimination, understood as that which completely blocks access to the population's housing rights; and relative direct discrimination, considered as that which hinders access to certain groups by increasing specific requirements" (Provivienda, 2021: 6).

The imminent consequence of racial discrimination in housing is that it is a **violation of the right to equal treatment** in accessing, maintaining and remaining in housing. It does not always have to lead to residential exclusion, but it does place victims at a situation of disadvantage, in addition to other types of psychological or social consequences (European Commission, 2020: 12). In the worst cases, in addition to all of the above, it leads to situations of residential exclusion of different kinds. **Discrimination** is therefore understood to be an **element influencing residential exclusion**.

We understand residential exclusion as "a process that entails the non-resolution of housing needs at the precise and adequate levels to ensure that housing acts as a stable component in the development of daily activities [...] housing becomes an essential condition for access to the levels of quality of life necessary to exercise our fundamental social rights. It is an unavoidable requirement located at the very root of our own social organisation" (Cortés and Antón, 2007: 62).

According to FEANTSA's *European Typology of Homelessness and Residential Exclusion* (ETHOS)[1], residential exclusion would be a gradient ranging from situations of inadequate residence in substandard or overcrowded housing, as well as insecure housing due to subletting without a contract or occupancy, to situations of homelessness distinguishing between living in the open or in night shelters.

Informal settlements are nuclei of people located in spaces that were not planned to be housing, as they do not meet criteria of habitability, suitability, accessibility and physical and legal stability, the number of inhabitants and spatial concentration of which varies according to the environment in which they are located.

---

[1] Acronym for European Federation of National Organisations Working with the Homeless.

With the exception of Sectors 1 and 2 of Cañada Real, which are mainly inhabited by the white Spanish population, the rest of the settlements are made up of people belonging to different ethnic and population groups. According to the fieldwork carried out by collecting information in settlements, and NGO and social services techniques, the number of people living in the settlements surveyed is estimated at around 6,500. Of this number, approximately 90 per cent belonged to an ethnic group that most frequently experienced racial discrimination.

Another backbone of the analysis is **intersectional discrimination,** understood as the **simultaneous interaction** of different axes or grounds of discrimination in one person that entails the intensification of differential treatment (CEDRE, 2020: 84). For example, being a woman, having a low income, being of Arab ethnicity and professing the Muslim faith, leads to situations where these different circumstances interact and lead to increased discrimination.

Before turning to the specific analysis of racial discrimination in housing, it is necessary to look at the research methodology used and the limitations identified in the research, as well as the different ethnic and population groups that are victims of racial discrimination, which will be referred to in relation to their participation in the development of this study.

03

03

METHODOLOGICAL
DESIGN
OF THE STUDY

The methodology of this research was based on a **qualitative** design, using **discussion group and open in-depth interview techniques.** The information generated has been complemented and triangulated with the **secondary sources** consulted, both bibliographic documents and quantitative data *(desk research)*[1]. The development of the qualitative methodology of the study involves the following phases:

1. **Bibliographic review process:** in-depth study of the object of study by reviewing the international, national, regional and local regulatory framework on housing and discrimination, the main quantitative data available and the news published in different media on informal settlements.

2. **First meeting with the group of experts:** initial working session to define the object of study and identify key informants for the fieldwork.

3. **Designing discussion group scripts and profiles:** preparing qualitative techniques.

4. **Conducting discussion groups and subsequent design of the fieldwork:** two discussion groups on the object of study, with the participation of multiple professional profiles. From these sessions, new ideas were incorporated into the open-ended in-depth interview scripts.

5. Implementation of **the fieldwork:** development of interviews with key informants and potential victims of racial discrimination[2]. The territories considered were **6 cities and 8 settlements,** namely: Madrid and Barcelona as large cities; Almería, Huelva, Granada and Parla as medium-sized cities/towns; the settlements of La Cañada Real and Las Sabinas in Madrid; the Gorg neighbourhood in Badalona and some settlements in the city of Barcelona[3]; settlements of Níjar, El Ejido, Lepe and Moguer in Andalusia.

6. **Qualitative analysis of the information collected:** compilation of the information gathered in the fieldwork to carry out both content analysis (categorisation of the information collected in verbatim and systematised in the ATLAS.ti tool) and discourse analysis (identification of discursive lines beyond what was explicitly stated by the interviewees).

Two discussion groups and 120 open-ended in-depth interviews were conducted, of which 30 were with key informants and 90 with PVRD. The key informants were selected according to territorial criteria and the diversity of professional sectors, taking into account those that were most relevant to the subject matter of the study. In the case of the PVRD, the "snowball" methodology was used, consisting of asking interviewees for new contacts to carry out new interviews, until the established number of interviews was achieved. In the fieldwork, special emphasis was placed on ensuring a balance between interviewing women and men. In this regard, 40% of the key informants and 60% of the PVRD. interviewed were women, respectively.

---

[1] For more information, see the "Bibliography" section of the general report.

[2] Hereinafter referred to as PVRD.

[3] Barcelona's urban geography leads to the dispersion of urban settlements, which instead of being concentrated in peripheral areas are scattered throughout the city's occupiable spaces (plots of land, abandoned warehouses). For this research we visited settlements in Sant Martí, Gràcia, Sant Andreu, Sants-Montjuïc and El Eixample.

CHART 3.1.   Distribution of key informant assignments (2021)
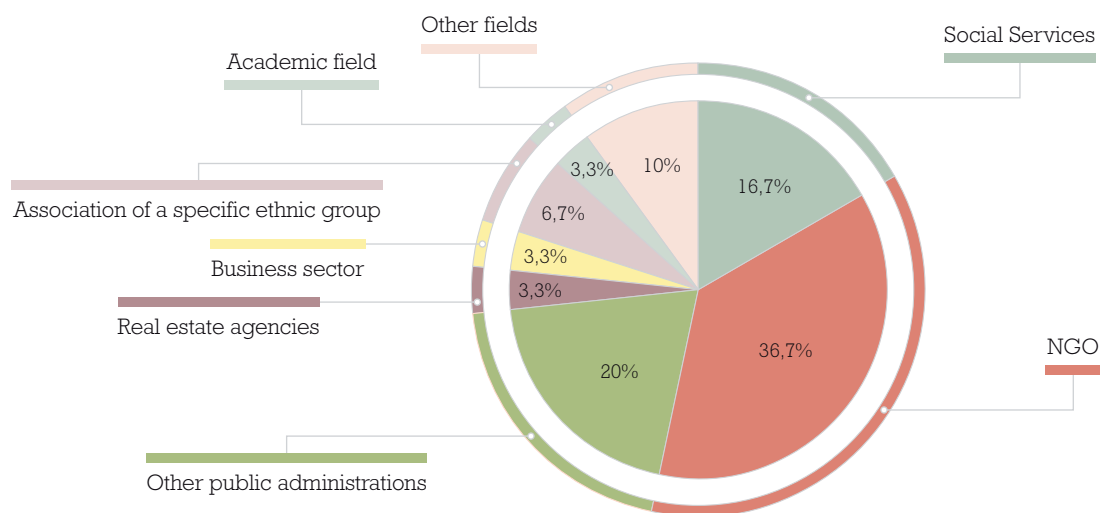
Source: in-house based on data obtained from Key Informants.

CHART 3.2.   Territorial Distribution of Key Informant Assignments (2021)
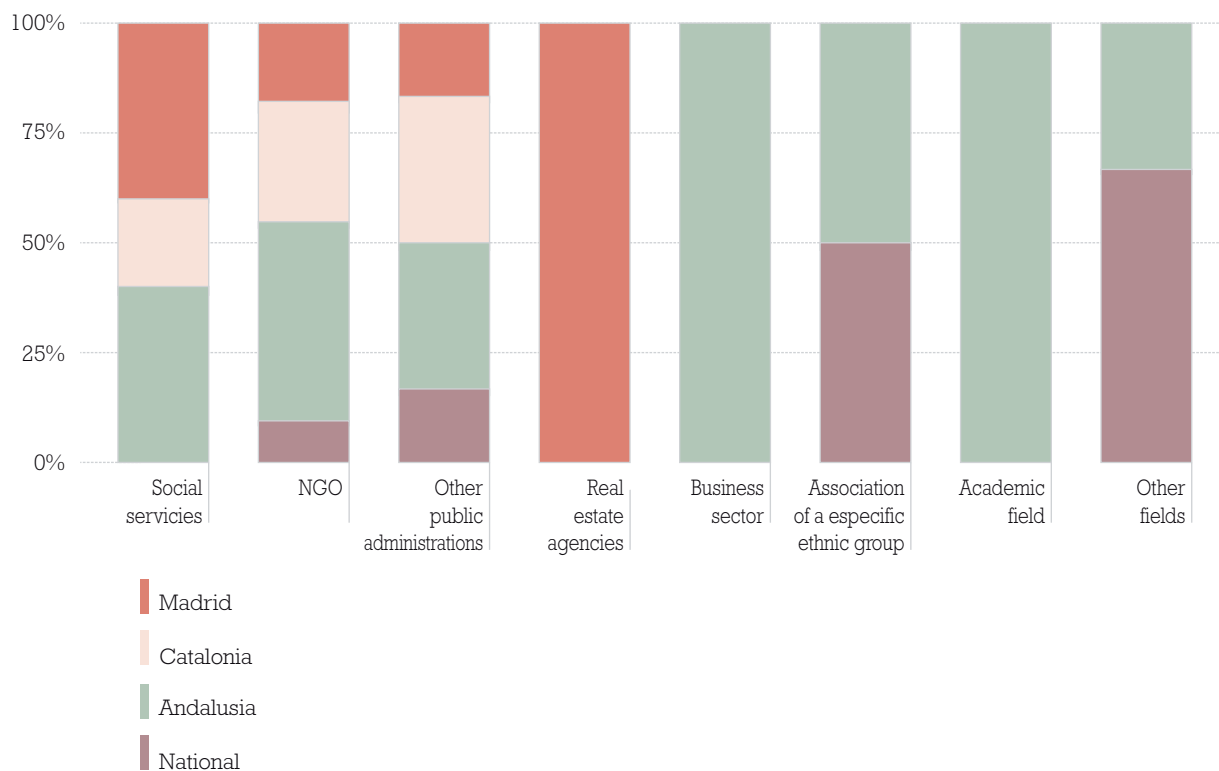
Source: in-house based on data obtained from Key Informants.

The 90 interviews with PVRD. were distributed among the different informal settlements and cities analysed. Below is a table with the breakdown in absolute and relative values of the interviews carried out by territory.

TABLE 3.1. Distributions of interviews carried out by territory (2021)

Typology of territory	Which one?	Absolute values	Percentage of total
Informal settlement	Cañada Real	6	6.7%
	El Ejido	6	6.7%
	El Gorg	6	6.7%
	Las Sabinas	5	5.6%
	Lepe	6	6.7%
	Moguer	6	6.7%
	Níjar	6	6.7%
	Barcelona	5	5.6%
Informal Settlement Total		**46**	**51.1%**
City	Almería	5	5.6%
	Barcelona	12	13.3%
	Granada	5	5.6%
	Huelva	5	5.6%
	Madrid	12	13.3%
	Parla	5	5.6%
City Total		**44**	**48.9%**
Total		**90**	**100%**

Source: in-house based on data obtained from open-ended in-depth interviews.

Limitations identified in the research

It should be noted that there are a number of issues that have emerged during the preparation of the study that could not be covered:

- Firstly, and contrary to what happens in other countries (for example: The United States, the United Kingdom, Ireland, Brazil or Colombia), there is currently no primary quantitative statistical data on ethnic or population groups in Spain, which makes it difficult to characterise them.
- Secondly, it has not been possible to interview PVRD. from certain ethnic and population groups during the fieldwork, mainly those originating from the Asian continent, except for one interview with a person from Bangladesh.
- The snowball methodology does not allow quotas to be set by socio-demographic variables in the sampling, although efforts have been made to achieve maximum diversity of ethnic and population groups and sufficient representativeness of women and men.
- Time constraints, due to the established timetable, in order to achieve greater heterogeneity in the different territories where the fieldwork was carried out. In the area of settlements, the time constraint affects the possibility of a more in-depth study of settlements, pointing to the suitability of specific studies designed *ad hoc*.

- Another of the difficulties encountered due to a question of temporality has been the impossibility of establishing trusting relationships with the inhabitants of the settlements, which has meant that, in certain cases, the interviews were not as rich as expected.
- At the level of analysis, these limitations have had consequences on the development of robust conclusions according to territorial distribution, due to the existence of very homogeneous interviewed profiles: for example, Parla and Almería, in the case of cities, and Cañada Real in Madrid or the Gorg neighbourhood in Badalona, in the case of settlements.

Categories of analysis

At the time of the analysis of the interviews, 802 references regarding 100 categories of analysis were extracted (the same quote could have one or several associated categories), which were subsequently grouped into different categories. The following graph shows the 10 most frequently mentioned categories, as well as the weight of each with regard to the whole associated quotes:

TABLE 3.2.   Most frequently mentioned categories of analysis and distribution of quotes associated to categories of analysis (2021)

Category	% of associated quotes	Explanation
Expression of desire to leave the settlement	14.2%	These are those mentions that respondents made of a desire to leave the settlement, usually without any concrete action being taken.
Housing conditions	11.6%	These are mentions of substandard conditions in the normalised housing of people living in cities.
Structural racism	11.0%	Mentions that are made to justify situations of racial discrimination on the basis of existing racism throughout society. Sometimes the interviewees explicitly mention structural racism, sometimes they mention situations, which, upon analysis, refer to this category.
Informal networks	11.0%	Refers to the need expressed by settlement dwellers to have acquaintances (social networks) in order to facilitate the settlement entry process.
Relationship with other villagers	10.0%	Mentions of the relationships (coexistence, conflicts, solidarity, etc.) of people living in settlements.
Basic supplies	8.4%	These are mentions of the living conditions in the settlements where access to utilities (water, electricity, gas, etc.) is reported to be lacking
Deceptions and excuses about housing availability	8.9%	When the questions ask about manifestations of racial discrimination in housing, one of the questions is this category.
Living in overcrowded, squatted or substandard accommodation	8.5%	This is one of the most common consequences of experiencing racial discrimination in housing.
Employment needs	8.5%	Refers to settlement entry processes related to labour needs. That is, residing in a settlement because it is close to a particular workplace, or because it is the only place where it is possible to combine it with a productive activity (scrap metal, street vending).
Intersectional discrimination	7.9%	These are situations where expressions of other forms of discrimination in access to housing are reported, and which operate jointly with racial discrimination.

Source: in-house based on data obtained from open-ended in-depth interviews.

04

04

APPROXIMATION
TO THE ETHNIC
AND POPULATION
GROUPS
THAT ARE POTENTIAL
VICTIMS OF RACIAL
DISCRIMINATION
IN SPAIN

04

This report is an approach to the study of the various **ethnic and population groups** living in Spain. In terms of obtaining official statistical data, there are only data on the foreign population.

For this reason, when conducting the fieldwork, we wanted to investigate the ethnic origins and self-ascription of the people interviewed[1]. The information was collected through a **twofold question:** firstly, **self-ascription to an ethnic group** was asked in **an open-ended** way, leaving it up to the respondents to name their ethnic group. Secondly, the same **question** was asked **but offering a series of closed categories discussed in the expert group,** based on different international consensuses.

The main results obtained in this respect in this research show the difficulties people have in self-ascribing to an ethnic group, mainly due to a lack of knowledge of what this category implies. With the exception of ethnic groups such as the Roma and some people belonging to mestizo or indigenous ethnic groups in Latin America, **some respondents confused ethnic group with religious or national group, or preferred to self-identify on the basis of their religious group or national origin.**

Following the question with closed categories, some respondents changed their answer, others kept their answer, while a minority decided not to answer. The difficulty in understanding what the question on ethnicity referred to, even when the interviewer explained it, shows the **need to raise awareness and educate** on this issue and the opportunity to gather information in this regard for the design of strategies and public policies to tackle issues of racial discrimination such as the one addressed in this report on housing and informal settlements.

---

[1] At all times this process has been carried out on the basis of the principles of willingness, anonymity and self-ascription, explaining the interest and the reason for this question, and giving people the possibility of refusing to answer.

TABLE 4.1.   Absolute and Relative Values of Membership of Different Ethnic and Population Groups and Proposed Grouping by Blocks for Their Analysis (2021)

Open-ended question to the person on the ethnic group	Response rate	Closed categories on ethnic group affiliation	Response rate	Grouping proposal**	Total percentage of the grouping
Roma	11.1%	Roma; romani	11.1%	Roma people	11.1%
African	12.2%	African	14.4%	African, Afro-descendant and Black	23.4%
Sub-Saharan*	1.1%				
Wolof and Mixed*	1.1%				
African and Black	1.1%	Black	6.8%		
Black	5.7%				
Afro-Colombian	1.1%	Afro-Descendant	2.2%		
Afro-Descendant	1.1%				
Arab	6.8%	Arab	33.4%	Arab, Amazigh and Maghrebi	34.5%
Arab, Muslim and Moroccan	1.1%				
Muslim*	13.3%				
Spanish/Muslim	1.1%				
Moroccan	8.9%				
Maghrebi	2.2%				
Amazigh population	1.1%	Amazigh	1.1%		
Latin	5.6%	White Latin American	12.2%	White Latin American	12.2%
Latin American, with Spanish and French roots	1.1%				
Latin American	4.4%				
Chilean	1.1%				
Mestizo	1.1%	Indo-American. Indigenous or Native American	3.3%	American Indian, Indigenous or Native American	3.3%
Indigenous Mixed-Race	1.1%				
Caribbean	1.1%				
European	1.1%	White	2.2%	Other ethnic and minority population groups in the field work	4.4%
Serbian	1.1%				
Bangla	1.1%	Indo-Pakistani	1.1%		
Mixed	1.1%	Mixed. Multiple ethnic groups	1.1%		
None	1.1%	I don't want to answer this question	11.1%	Not included in the analysis	11.1%
No answer	10.0%				
Total sum	**100%**		**100%**		**100%**

Source: in-house based on data obtained from open-ended in-depth interviews.

* **Muslim** is a religious group and not an ethnic group, although 13.3% of people self-identify as such. This highlights the preference of part of the Arab population to self-identify according to their religious group in an open-ended question. When provided with a closed category of ethnic group response options, these respondents indicated that they considered themselves to be Arabs.

Sub-Saharan is a geographical category that refers to the entire African territory below the Sahara and not to an ethnic group. People who self-identified in this group in an open way, self-identified as Africans when asked about closed categories.

Wolof is the main ethnic group in Senegal, and one of the main ethnic groups in West Africa, referring to a historical African kingdom. When these people were offered closed categories, they ascribed to the African ethnic group.

** According to the answers given by the interviewees to the open-ended question on ethnic group affiliation (column 1, open-ended answers) or to the closed-ended categories in the cases in which they did not answer with a specific ethnic group (column 3, categories proposed in the closed-ended question), several groupings of ethnic and population groups have been made to develop the analysis of the information (column 5, proposed grouping for analysis).

05

PROFILE OF INTERVIEWEES

The gender distribution is 60% female and 40% male. Women outnumber men among urban respondents, in an effort to better address gender-related issues and how they intersect with racial discrimination in housing.

In the case of settlements, several key informants have indicated that male presence is more frequent (especially in agricultural and urban settlements) and the distribution between men and women interviewed in settlements was 43.5% women versus 56.5% men. In this case, it has been considered particularly convenient to **over-represent the presence of women** in order to approximate a complex reality of which there are not many studies, as indicated at the time by CEPAIM (2020).

Of the possible victims of racial discrimination interviewed, 40% are unemployed, compared to 35.5% who work in some sector of the formal economy and 12.2% who work in the informal economy. Of these people, 6.7% are engaged in domestic work and 5.6% are inactive. The most interviewed ethnic group, both in cities and settlements, was *Arab, Amazigh and Maghrebi* (25% and 43.4%, respectively), followed in cities by *African, Afro-descendant, black and white Latin American* (20.4% both groups) and, in settlements, by *African, Afro-descendant, black* (26%) and *Roma people* (19.5%).

CHART 5.1. Distribution of Ethnic Groups of Respondents in Cities (2021)
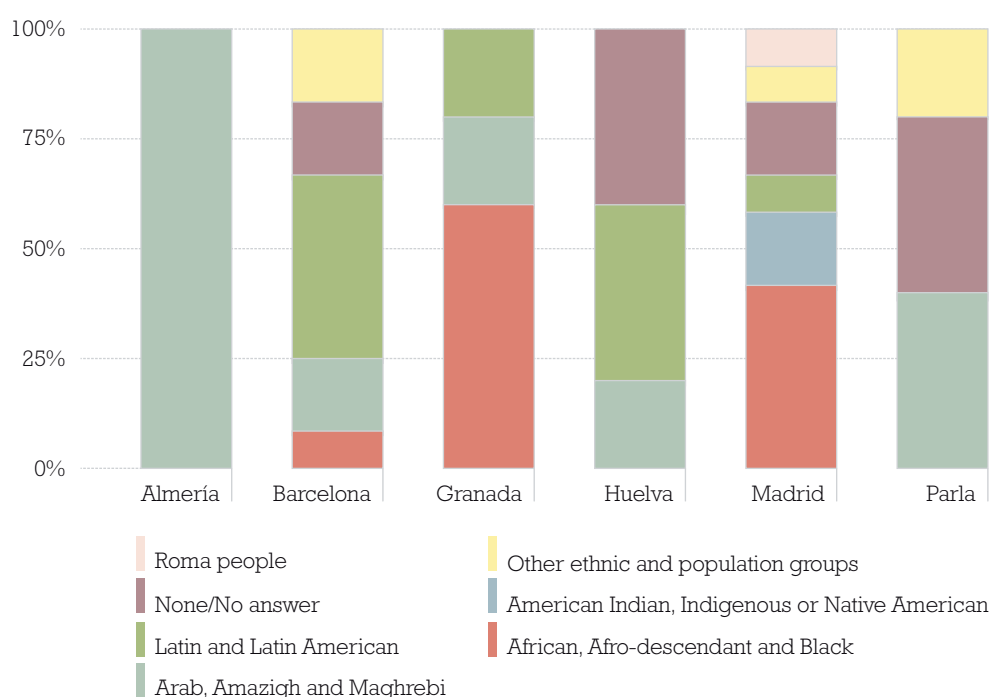
Source: in-house based on data obtained from open-ended in-depth interviews.

CHART 5.2.   Distribution of Ethnic Groups of Respondents in Settlements (2021)

Roma people

None/No answer

Latin and Latin American

American Indian, Indigenous or Native American

Arab, Amazigh and Maghrebi

African, Afro-descendant and Black
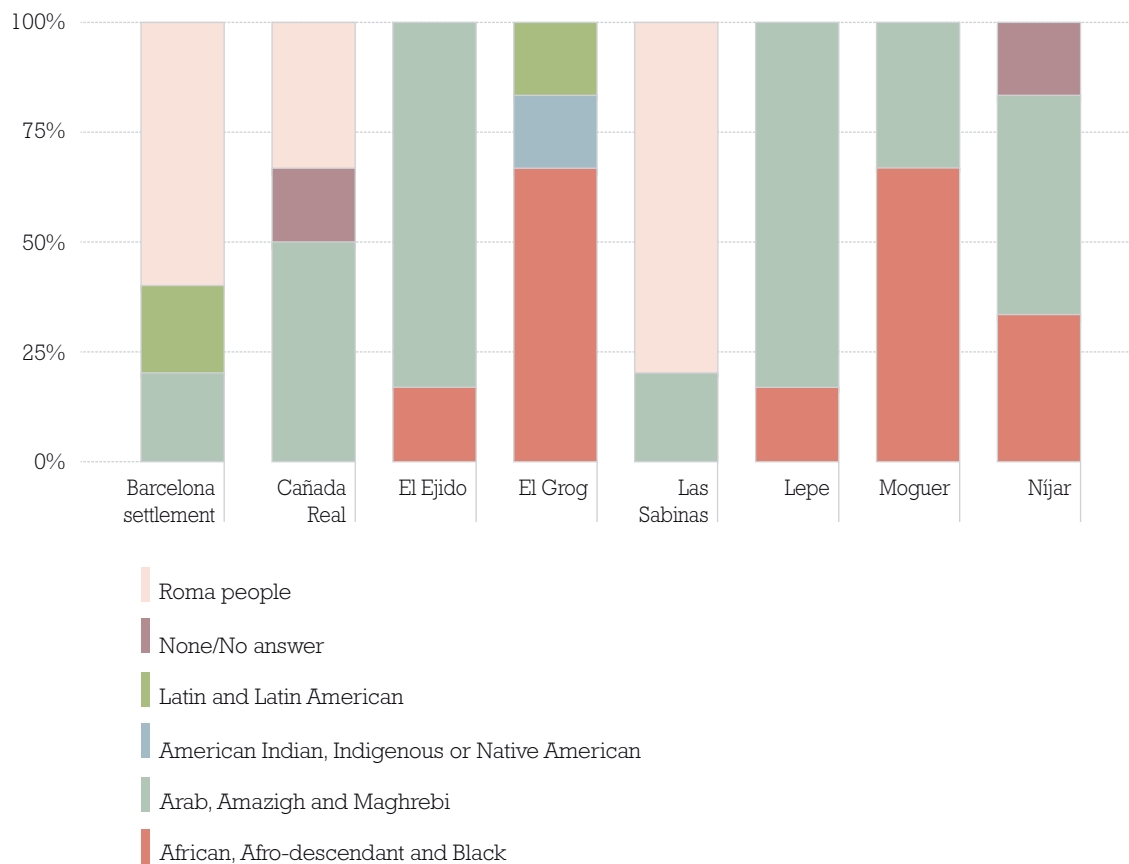
Source: in-house based on data obtained from open-ended in-depth interviews.

Some limitations in the fieldwork described in the methodological section have prevented a greater hetero-geneity and representation of certain groups in some territories. For example, in the city of Almería, it was only possible to interview people belonging to the *Arab, Amazigh and Maghrebi* groups; or in the case of Parla, where only women could be interviewed.

06

RACIAL DISCRIMINATION IN THE FIELD OF HOUSING

The current EU anti-racism action plan 2020-2025 speaks of **structural racism** in a way that addresses the underlying problem: *"Racism is often deeply rooted in the history of our societies, intertwined with their cultural roots and norms. It can be reflected in the way society functions, how power is distributed and how citizens interact with the state and public services. It can be unconscious and is often perceived as not reflecting the interests of those affected by racism, although it is not necessarily a direct attempt to exclude them. As the impact of structural racism can be as deep and damaging as individual racism, its existence must be recognised and addressed through proactive policies"* (European Commission, 2020: 16).

Structural racism connects the present and the colonial past, with the legitimising discourses of social structures in which slavery was a structuring institution of economic processes and an organiser of society. As the EU anti-racism action plan 2020-2025 also recalls, *"prejudices and stereotypes can be tackled by first recognising the historical roots of racism. Colonialism, slavery and the Holocaust are rooted in our history and have profound consequences for today's society"* (*Ibid*.: 16). Thus, the people who make up the Roma were already described as "vagabond, dark, lazy, uneducated and criminal" (Matache, 2016) from the beginning of the 17th century.

> **Racism** *is associated with stereotypes, prejudice, non-acceptance of culture and diversity, of other cultural spheres, of other groups, (...) and, of course, in line with human rights and fundamental rights.*

Technical Adviser in National Public Administration.

It is not "race" that creates racism, but **racism that creates the idea of race** in order to classify human groups on the basis of random physical or cultural characteristics (Hall, 2020: 46). This involves a process whereby a person with certain cultural traits or backgrounds is discriminated against for this reason and treated unequally. This treatment is based on **stereotypes** (mental images or simplified ideas based on shared beliefs) and/or **prejudices** (preconceived attitudes or opinions, usually negative, towards a person or groups).

The most recent data from the study *Potential Victims' perception of discrimination based on racial or ethnic origin* (*CEDRE,* 2020) show that Roma people are the ethnic group that most clearly perceives racial discrimination in general terms, while in terms of housing it is the non-Mediterranean African and Maghrebi population[1] who report having suffered discrimination to a greater extent (48.1% and 45.7%, respectively).

In short, **structural racism** is the basis for discriminatory attitudes towards certain ethnic and population groups. And, as mentioned above, these discriminatory attitudes can occur in different spheres, based on different prejudices and stereotypes, with different triggers, manifestations and consequences. In the following

---

[1] These categories are those used in the CEDRE report (2020) which grouped the survey participants into 8 "population groups of diverse ethnic and territorial origin" (2020: 30). The categories explained in Section 3 will be used throughout this report.

pages, the analysis of these issues will be explored further, taking into account the intersectional and gender approach, in order to understand how racial discrimination intersects with other forms of discrimination that affect people.

6.1.   MAIN CAUSES OF RACIAL DISCRIMINATION IN ACCESSING, MAINTAINING AND STAYING IN HOUSING

The main stereotypes and prejudices in access to housing that emerge from the analysis of the fieldwork are the **presumption of economic precariousness** and the **misuse of the property by the tenant.** While the former is associated with people from certain ethnic and population groups who suffer more frequently from racial discrimination having poorer working conditions or instability or insufficient income to afford housing and the associated costs, the latter reflects landlords' prejudices about the possible damage to their property caused by renting it to people from a certain ethnic or population group. These prejudices result in differential treatment leading to greater difficulties or even total blocking of access to and/or maintenance and permanence in housing (relative and absolute discrimination, as explained above).

With regard to maintenance and permanence in the dwelling, the main cause analysed indicates prejudices related to **problems of coexistence** with the neighbourhood or the community, with arguments related to noise, dirt, and lack of care of the common areas.

It should be noted that the analysis has also identified situations where racial discrimination **intersects with others.** The *Survey of African and Afro-descendant population* in Spain (Cea and Valles, 2021) notes that of the 78 % of respondents who reported feeling discriminated against because of their skin colour or ethnic features, 55 % of these people were also discriminated against because of their gender (46 %), their physical appearance (35 %), and their culture or customs (35 %).

It is particularly relevant to bear in mind that, in the case of women, several grounds of discrimination interact in an inseparable and simultaneous manner, which leads to an increase in the vulnerability of the women who suffer it.

In the interviews analysed, we observed that the discriminations that most intersect with racial discrimination in the field of housing are those based on **gender,** and stereotypes associated with women, **family structure,** especially if they refer to single-parent households and households with children, and the **presumption of economic precariousness,** closely linked to factors related to the stigmatisation of poverty or aporophobia, as well as the presumption of economic dependence on a man or lack of autonomy to start a life project of one's own.

> *Single-parent families are the ones who have the worst time and many of them, if they have the condition of being a woman, of being migrants, of living in economic precariousness, if on top of that they have this functional diversity, in other words, I think that there are a lot of variables that place you in a much more difficult position than if you have another profile or other living conditions.*

Councillor in the Public Administration of the Municipality of Parla.

Considering the evolution of racial discrimination, it is noteworthy that the causes of racial discrimination have also been accentuated by the **COVID-19 pandemic,** taking on new forms with the emergence and spread of new racist stereotypes towards different ethnic and population groups, disseminated through hoaxes, biased information and fake news.

6.2. TRIGGERS OF RACIAL DISCRIMINATION: HOW RACIAL DISCRIMINATION IS ACTIVATED IN THE FIELD OF HOUSING

The analysis of the interviews identified that **physical appearance** or **skin colour, clothing** or **attire, first name and/or surname,** and **language or native accent** are the main triggers for identifying the person, which is consistent with the results of the EU-MIDIS II survey (FRA, 2016). These triggers "activate" the prejudices that the person has towards that social or ethnic group during the search and/or application for housing, either when talking on the phone, handing in the required documentation to the landlord or real estate agent, or when visiting a property.

In this way, it can be concluded that racial discrimination in the field of housing is triggered by the characteristics and identities of people from certain ethnic and population groups who suffer racial discrimination more frequently, who are devalued, and to whom a series of negative prejudices are attributed that lead to rejection and mistrust in the process of accessing housing.

6.3. DISCRIMINATION EXPRESSIONS OF RACIAL DISCRIMINATION IN ACCESSING, MAINTAINING AND STAYING IN HOUSING

The expressions of racial discrimination in the field of housing represent all those forms (actions or attitudes) through which prejudices towards a certain ethnic or population group are externalised, giving rise to unequal treatment that hinders access to and/or maintenance and permanence in housing, such as, when visiting a property, abusive demands, excuses about the availability of housing, complaints from the neighbourhood, among others.

The analysis reflects a plurality of manifestations of racial discrimination in the field of housing, mainly based on the hindrance by real estate agencies and/or individuals to access housing: on the one hand, through **deception and excuses about the availability of housing**, **abusive clauses and prices**, requests for **excessive documentation and guarantees** and, on the other hand, by offering **housing in worse conditions or of lower quality** than to other applicants, and which do not meet the needs expressed by the people discriminated against **and located in peripheral or vulnerable areas within cities,** which, in many cases, generates spatial and territorial concentration of ethnic and population groups that are subject to racial discrimination, a trend identified in both large and medium-sized cities, and leads also to school concentration.

Roma people refer to **deception and excuses about the availability of housing** as the main manifestation of racial discrimination, while people from the African, Afro-descendant and Black, American Indian, Indigenous or Native American and Arab, Amazigh and Maghrebi groups point to being offered housing with **worse characteristics and conditions.** On the other hand, people from the white Latin American group mainly highlight **abusive clauses and prices** in access to housing.

> *We have encountered a lot of barriers, a lot of excuses from the real estate agent or the landlord when they identify the person concerned as Roma. We find that the rent offer disappears because the landlord no longer needs to rent it, or they say they don't want Roma people in the building.*

Lawyer in the Third Sector.

Discrimination does not end once access to housing is gained, but continues to be suffered in the **dialogue with the landlord,** due to a hostile relationship or a lack of willingness to deal with problems associated with the care of housing and **neighbourhood relations** (Provivienda, 2020), and as a consequence of pointing the finger at people from ethnic and population groups who suffer racial discrimination more frequently as being responsible for any problems related to housing, which can generate tensions and conflicts between neighbours.

The COVID-19 pandemic has led to an increased perception of racial discrimination according to some interviewees, especially in neighbourhood or community settings. In addition, the presence of some hate speech in the media has been mentioned, which has added new elements to racist prejudices. However, it has also been a time of strengthening ties at the community level, as neighbourhood relations have been a key element of support during some of the extreme situations caused by the health crisis.

6.4. CONSEQUENCES OF RACIAL DISCRIMINATION

6.4.1. Inequality and residential exclusion

The discriminatory processes explained above have serious implications for access to decent housing for people who are victims of racial discrimination. The main consequence of racial discrimination is that it operates as a **factor of inequality**, which implies, in the first instance, a **violation of the right to equal treatment and non-discrimination**.

In the residential sphere, racial discrimination operates as a further element of residential exclusion. However, not all situations of racial discrimination necessarily trigger a situation of exclusion. There are times when such discrimination only manifests itself in the form of unequal treatment and unequal access to housing, but the PVRD. may end up finding other decent housing. This would be a situation of discrimination without the person ending up in a situation of residential exclusion.

It should be borne in mind that factors such as income, employment and administrative status, or the support of informal networks influence whether people discriminated against on racial or ethnic grounds gain access to decent housing or whether, on the contrary, they are pushed into situations of residential exclusion.

In short, the result of racial discrimination regarding normalised housing could lead to situations of residential exclusion in the form of **substandard housing, overcrowding, irregular occupation of a dwelling** (sometimes as a result of being the object of scams), etc. In cases where they are unable to access housing, the **consequence is manifested in settlements** (warehouses, garages, shantytowns, farmhouses), as the **most severe** situation of **residential exclusion** and, in turn, the **greatest expression of racial discrimination.**

The main consequence often mentioned by Arab, Amazigh and Maghrebi, African, Afro-descendant and black, and white Latin American groups is that they end up living in *substandard and overcrowded* housing. For their part, Roma people highlight that racial discrimination has mainly had an impact on their *emotional well-being and mental health*, which may be related to the fact that they were one of the ethnic groups most affected by racist hate speech during the COVID-19 pandemic. Finally, in the case of Latin American Indigenous people, the main consequence of racial discrimination is being subjected to *deception and fraud in order to gain access to housing*.

Consequently, residential discrimination implies a **situation of inequality and violation of access to rights** produced, in part, by the barriers to access rental housing faced by people who suffer racial discrimination. This can sometimes result in them being left **outside the system of residential provision,** and forced

to suffer different situations and degrees of residential exclusion, ranging from inadequate housing or insecure housing to more severe situations such as informal settlements or homelessness.

6.4.2.   Other consequences of racial discrimination

The analysis has identified other effects that arise from the processes of racial discrimination and residential exclusion, mainly those associated with *emotional and mental well-being*, and the *territorial concentration of certain ethnic and population groups in cities*.

The perpetuation of racist behaviour that limits equality, the lack of empathy, the situation of social and residential vulnerability, has important psychological implications for the people who suffer it and can affect other vital areas of the person who is discriminated against (work, studies, personal relationships, etc.). On the other hand, the territorial concentration of certain ethnic and population groups is related to the provision of housing in poorer conditions both in terms of quality and location, while more affordable housing is often found in the peripheral areas of the city.

6.5.   RESOURCES AND COMPLAINT MECHANISMS TO ADDRESS INCIDENTS OF RACIAL DISCRIMINATION IN ACCESS TO HOUSING

6.5.1.   Self-perception and normalisation of racial discrimination

The lack of visibility and lack of knowledge of the protection of their rights by potential victims, as well as of the channels through which report incidents of racial discrimination, is a major factor in the identification of discriminatory attitudes and manifestations. If we add to this the fact that, on certain occasions, the way in which racial discrimination is expressed is not easily identifiable, reporting the event becomes more complex.

In addition to these facts, there are **different barriers** that victims of racial discrimination encounter when **reporting,** the main ones detected in this study being the following:

- Lack of awareness of rights and complaint channels.
- Fear of reprisals.
- The difficulty of proving that he/she has been subjected to racial discrimination.
- The perceived lack of effectiveness and lack of trust in the institutions.

6.5.2.   Complaint channels

The results of the study coincide in that there is widespread under-reporting among the different ethnic and population groups interviewed, for the reasons previously mentioned, among which the difficulty of having sufficient evidence to prove that they have suffered racial discrimination emerges as one of the most relevant. As noted above, many of the manifestations of racial discrimination are veiled and are based on blocking access to housing on the basis of excuses or by increasing the requirements to make them unaffordable. In this regard, having witnesses who can certify discriminatory facts is fundamental, since it is difficult for a complaint to have sufficient scope if it is based on the word of one person (the discriminated against) against another (the discriminator) (City Council of Barcelona, 2020a).

On the other hand, some key informants point out that there is still a general lack of knowledge about the **channels or resources** through which victims of racial discrimination can file complaints.

The analysis has identified that the main channels for reporting racial discrimination regarding housing are the law enforcement, the Public Prosecutor's specialised Offices against Hate Crimes and Discrimination, the Ombudsman or Citizen's Ombudsman, the different Municipal Offices specialised in discrimination, and the Assistance and Guidance Service for Victims of Discrimination of the Council for the Elimination of Racial or Ethnic Discrimination (CEDRE).

> *What we collect every month are complaints about the poor conditions of the housing where the Moroccan workers are housed, and what COVID has done is make it worse, because they are overcrowded and unsanitary. In some of them there is no hot water, they send us photos, well, this is what we have been reporting to the Labour Inspectorate, but it is another housing reality, it is not that of the settlement.*

Lawyer specialised in human rights.

In conclusion, in most situations, racial discrimination in housing occurs in a veiled or hidden way, which makes it difficult to identify this type of discrimination. In addition, there is a general lack of knowledge about reporting channels, and a widespread perception that reporting will not be effective.

07

07

RACIAL
DISCRIMINATION
AND INFORMAL
SETTLEMENTS

Settlements are a phenomenon intimately linked to certain population and ethnic groups that suffer more frequently from racial discrimination. This being the case, according to estimates by the CEPAIM foundation (Consortium of entities for comprehensive action with migrants) (2018), the population residing in settlements in the provinces of Almería (96%), Huelva (95%) and Barcelona (97%) are people belonging to ethnic and population groups that suffer this racial discrimination. There is no census data on Las Sabinas, but according to the Móstoles Social Services report (2020), 97% of the population served in this settlement were PVRD. persons. According to data from the 2011 census carried out by *Law 2/2011 of 15 March, of the Cañada Real Galiana,* in Cañada Real, 55% corresponds to the PVRD. population. (ICI Cañada Real, 2016). This section will address the relationship between structural racism and racial discrimination and the phenomenon of informal settlements: in the processes of entry, in the living conditions that exist there and in the processes of exiting the location.

7.1.   SETTLEMENT CHARACTERISATION

During the study, interviews and participant observation were carried out in 8 territorial units made up of settlements, which provide the backbone for the analysis of these territories in terms of similarities, differences and social dynamics in these spaces.

- Settlements in Barcelona: 5 interviews were conducted with PVRD. (2 women and 3 men) from the Roma, Arab, Amazigh and Maghrebi and Latin American groups in 5 different settlements. CEPAIM (2018) estimates that, in Barcelona, there are 10 settlements with 543 people (130 women).
- Settlements in El Gorg (Badalona): 6 interviews were conducted with PVRD. (5 men and 1 woman) from African, Afro-Descendant, Black and White Latin American groups. CEPAIM key informants identified 3 settlements in Badalona with approximately 91 people (13 women).
- Cañada Real Galiana (Community of Madrid): 6 PVRD. were interviewed (2 men and 4 women) between Sector 5 (1,601 inhabitants) and Sector 6 (2,953 inhabitants), which have a larger population and a situation of greater vulnerability, compared to the rest of the sectors (Community of Madrid, 2018).
- Las Sabinas (Móstoles): 5 PVRD. were interviewed (4 women and 1 man) between Sabinas Centro and Sabinas Norte. It is estimated that 932 people live in this settlement (City Council of Móstoles, 2020).

In the two settlements in the Community of Madrid, interviews were conducted with Roma, Arabs, Amazigh and North Africans.

- Settlements in Níjar (Almería): 6 PVRD. were interviewed in 2 settlements. The Municipal Housing and Land Plan estimates the existence of 94 shantytowns and substandard housing in which 3,014 people reside (Local Council of Níjar, 2018). Social entities estimate approximately 70 settlements and 3,000 people (CEPAIM, 2018).
- Settlements in El Ejido (Almería): 6 interviews were conducted with PVRD. (2 women and 4 men) in 6 settlements. CEPAIM (2018) estimates that, in El Ejido there would be 11 settlements with approximately 1,940 people (467 women).

- Settlements in Lepe (Huelva): 6 interviews were conducted with PVRD. (4 women and 2 men) in 3 different settlements. In Lepe, 8 settlements with 888 people (3 women) have been quantified (CEPAIM, 2018).
- Settlements in Moguer (Huelva): 6 interviews were conducted with PVRD. (3 women and 3 men) in 2 settlements. According to CEPAIM (2018), there is a settlement in Moguer with 120 men.

In the 4 territorial units of Andalusia, the migrant population was predominantly African, Afro-Descendant and Black, and Arab, Amazigh and Maghrebi.

7.2.   PROPOSED GROUPING AND SETTLEMENT TYPOLOGIES

The diverse and multiform character of settlements makes it necessary to establish a typology that allows for the detection of dynamics common to each type. The following table develops the proposed typology of settlements, according to geographical and temporal dimensions, as these are considered to have the greatest explanatory capacity. In addition, the predominant building type in each settlement is indicated.

TABLE 7.1.   Dimensions that define settlements

Table explaining the dimensions defining settlements				
Geographical			**Temporary**	**Predominant buildings**
Peri-urban	Located on the edges of the "urban sprawl". They respond to a historical process of consolidation in accordance with unresolved housing needs, productive needs, or failed policies of relocation from other shantytowns. They imply isolation in access to the public services that urban environments provide.	Pre-90	Settlements originated during the 60s and 70s, linked to rural exodus processes, population victims of residential exclusion from the consolidated city, Roma population, migrants and population from failed rehousing, forming peripheral neighbourhoods in urban centres (Pacto Regional por la Cañada Real Galiana, 2017).	Stable and durable substandard housing
				Precarious shacks
Urban	Located within urban centres. The logic of necessity puts pressure on vacant spaces in cities, leading to unplanned and volatile settlements in urban interstices and voids (warehouses, plots, premises, abandoned buildings, etc.).	Post-90	Settlement dynamics that began in the 1990s and stabilised in the 2000s, both in rural and urban areas, with a mainly foreign population, in an irregular situation and almost exclusively male. This may consist of shantytowns, abandoned buildings that had access to supplies, or in vacant or uninhabited areas.	Pre-existing buildings: warehouses, banks, abandoned factories
				Precarious shacks
Rural	Located in non-urban or rural environments. They are closely related to the labour needs of the intensive agricultural production market. Different occupancy levels are combined according to seasonal production needs. Some of these settlements have been in stable existence for more than two decades and may be in areas close to the reference farms, with all that this implies in terms of isolation and access to basic services.			Pre-existing buildings: farmhouses
				Precarious shacks

Source: in-house.

Overall, it can be concluded that the characteristics of the buildings, as well as the habitat conditions (public space, lack of access to services, etc.), do not meet the minimum conditions of habitability that a dwelling should have. However, there are different degrees of precariousness within the settlements studied. Settlements located in peri-urban areas are settlements that emerged before the 1990s (pre-90s). These settlements have a historical development associated with the dynamics of discrimination and exclusion of the ethnic and popula-

tion groups interviewed, at a time of demographic explosion in large cities (Las Sabinas and La Cañada Real appear in the 1970s). Both urban and rural settlements appear after the 1990s (Post-90s). In the second case, they are directly related to the transformation of intensive farming into greenhouses, and the housing needs of the labour force coming to these areas. Urban settlements are related to migration processes and the impossibility of accessing housing in large cities.

7.3. TRAJECTORIES OF INHABITANTS

All people throughout their life cycle develop a series of residential trajectories that are defined by the changes in the places they inhabit, with their processes of moving in and out of a home or accommodation, the different situations and living conditions at any given time, adjustments and mismatches in the needs of the household they form, etc.

Provivienda, 2021. Settlement in peri-urban area.

> *We see that people who have no other possibility of accessing normalised housing resort to settlements. They are people who are racialised or do not have a permanent residence. There is a structural racism that pushes people to the periphery and to the margins of society.*

Third Sector Representative.

The analysis has allowed us to identify different types of trajectories: on the one hand, **non-chronified trajectories** are identified, such as the temporary passage through a settlement (an infrequent situation derived from a moment of specific need due to the loss of housing, together with a process of socio-residential exclusion and the impossibility of accessing normalised housing). On the other hand, what has been observed most frequently are **chronified trajectories,** such as:

- **Entry and exit in one or more settlements in the same urban environment:** the Roma population has been identified in large cities, especially in Barcelona, associated with eviction processes without a housing solution and the occupation of new spaces in the urban environment, in the case of families from the Roma population.
- **Itinerancy between several settlements in different territories linked to economic activity:** trajectories in which the link between work and type of accommodation is very close, mainly identi-

fied in the case of migrant population seeking work in intensive farming. This corresponds to what is known as the *seasonal worker's route*.

- **Entry and long-term stay in a settlement:** the most frequent trajectory, sustained by processes of accumulation and chronification of settlements, but above all by the inability of the inhabitants to access the housing provision system, among other reasons, due to racial discrimination and processes of residential exclusion, which operate in the processes of entry and exit from the settlements. Such trajectories can occur in all settlement typologies.
- **Born in the settlement:** identified in those settlements where people reside who were born and grew up there and are therefore not aware of any other reality than settlement residence. There can be a feeling of rootedness towards the place.

7.4.   ENTRY PROCESSES IN INFORMAL SETTLEMENTS

7.4.1.   Barriers in accessing, maintaining and staying in normalised housing

7.4.1.1.   Residential exclusion and racial discrimination in the rental market

The factors of entry into a settlement are varied and caused by various forms of exclusion and racial discrimination. This implies that an improvement in a person's economic situation may not be sufficient, on certain occasions, to gain access to normalised housing. Moreover, there is no adequate system of public housing provision that presents itself as a real alternative to the rental market. This fact, coupled with the scarcity of available public housing, sometimes leads to specific administrative obstacles for people living in settlements.

> *I have been looking for rentals because there was a time when I wanted to leave here* [settlement] *(...) I've looked for rooms to rent in a flat and, being a Roma person, they won't rent to you. Neither with nor without a deposit nor anything else, and when they did, they asked me twice as much as anyone else and I paid more than anyone else.*
>
> **PVRD. Roma woman in the Las Sabinas settlement.**

These entry trajectories take place in urban and peri-urban environments, which allow them to maintain certain social and employment ties and roots. These are sometimes highly mobile processes in which different types of accommodation are used, ranging from shared rooms, guesthouses, etc., to occasional entries into settlements. The situation of administrative irregularity also appears in the interviews as a barrier in the process of residential integration. This encourages the presence of migrants from certain ethnic groups in the settlements.

7.4.1.2.   Unsuccessful relocation entry proceedings

The public programmes of eviction and demolition of shantytowns implemented from the 1980s onwards provided for rehousing in public housing (Amorocho, 2019). The granting of housing was subject to the fulfilment of certain administrative requirements such as the Cañada Real Eviction Protocol, which includes the requirement to reside and be registered in the settlement before 2012[1], and which some people did not fulfil as they

---

[1] Collaboration AGREEMENT of 11 May 2018, between the Community of Madrid, through the Social Housing Agency of the Community of Madrid and the Madrid City Council, for the rehousing and social integration of families in Cañada Real Galiana, Sector 6, section between the Valdemingómez incinerator and the end of the municipal district of Madrid with Getafe. TUESDAY 31 JULY 2018 Official Bulletin of the Community of Madrid No. 181.

had arrived later, giving rise to a situation of indirect discrimination. As a result, some families were unable to access housing, even though their shack was demolished. This and other factors caused shantytowns to move to existing settlements on the outskirts. The lack of effective solutions that take into account the particularities of the inhabitants of the settlements chronicles a problem of certain specific ethnic and population groups that suffer more frequently from racial discrimination, such as the Roma, with residential trajectories associated with itinerancy through various settlements.

7.4.2. Entry procedures for employment

a) Low-skilled labour in intensive farming

Among the migrants interviewed, it is observed that, in their search for employment opportunities, they adapt their residential routes to the productive needs of this sector. It is, as a lawyer who is an expert on Andalusian settlements explains, what can be called the ***Ruta del temporero (the seasonal worker's route)***. Mobility is motivated by the need to find work during the harvest season, and influenced by informal networks (family, ethnicity or country of origin). In the crops associated with these settlements (Huelva, Almería), the productive seasons are increasingly longer, as explained by different key informants in their interviews, which means that there are people living in these settlements all year round. However, some seasonal workers combine rural work with periods spent in urban settlements (warehouses, buildings). As explained by representatives of the third sector in Catalonia, during times when crops are not being produced, it is necessary to find another occupation. On the other hand, the settlers state that they live in very precarious shacks or farmhouses, which they access through the employer (owner of the farmhouse) via informal networks or also by building their own shack or buying a vacant one from the former occupant or from one of the people in the settlement who took it over.

> *The problem of settlements is linked to the farming seasons. They come to settle as a base of operations between April and May and stay until September for the harvesting of potatoes, garlic or grapes. These are situations of precariousness, marginality, irregular work and irregular administrative status.*

Third Sector Manager for settlements in the municipality of Albacete.

Andalucía Acoge, 2021. Settlement in rural area.

b)   Other productive activities associated with settlements

Informal economic activities linked to the collection and sale of scrap metal are one of the productive activities carried out in the settlements which, according to the inhabitants, condition their housing needs. This activity has been carried out on a regular basis by the Roma, both nationals and from other Eastern European (Rom) areas (Gutiérrez, 2017; García Espinel et al., 2019). In this case, mobility is associated with the capacity to collect better quality scrap materials. Moreover, it is a subsistence activity with little profit margin and little predictability. According to the Social Services teams and third sector organisations in Barcelona, there is a perception that normalised housing will make it difficult to develop this way of life, which means that the settlement is sometimes the preferred option.

7.4.3.   Entry processes through informal networks

In a situation of residential exclusion, the existence of informal networks takes on special relevance, and is also a condition for access to these settlements. Regardless of the situation prior to entry, whether due to loss of housing or mobility between settlements, it is necessary to have a link to someone who is part of that environment in order to gain access to it. On the other hand, staying in a consolidated settlement makes it necessary to acquire the space from one of the settlers. In this regard, several interviews explain how in order to reside in a farmhouse it is necessary to pay the agricultural employer.

7.5.   LIVING CONDITIONS

7.5.1.   Relationship between villagers

7.5.1.1.   Hierarchies and everyday life

There are notable differences in the forms taken by community organisation in the informal settlements studied. In the case of the Sabinas (Móstoles) or Cañada Real (Madrid), as a result of a long historical process, community structures have been created serving as a backbone (parishes, mosques, hairdressers, shops, etc.), which influence aspects of daily life. In the case of the agricultural and urban settlements studied, key informants have confirmed the appearance of authority figures. The *settlement mayor* serves to regulate the day-to-day conflicts that often arise. Their legitimacy stems from their ability to engage in conversations with neighbours, or to be the intermediary of both social entities and the state.

7.5.2.   Health and emotional well-being

The lack of decent housing has an impact on physical, psychological, emotional and social health. In the case of settlements, there are residential determinants such as poor-quality housing, unsuitable living spaces, residential insecurity due to possible eviction and lack of access to services, which worsen living conditions. In this regard, it should be noted that life expectancy in shanty towns can be as low as 60 years (Provivienda, 2018)[2].

---

[2] Source: Save the Children and Universidad Pontificia Comillas ICAI-ICADE (2014) Report: Human rights are also a children's issue. The situation of children in "El Gallinero". Cited by Provivienda (2018) Cuando la casa nos enferma.

7.5.3.   Construction and accommodation quality

The internal organisation of the settlements studied generally responds to criteria of maximising the space available. The construction typologies and building qualities will depend on the time and skill of the settlers, as well as on the space occupied. The scale that FEANTSA makes in its ETHOS typology[3] is mixed in informal settlements, where insecurity is on par with the inadequacy of the housing that has been analysed. From the fieldwork carried out, it can be seen that there are different levels of construction quality, which can coexist in the same building and influence the wellbeing of those who live in the settlements.

Provivienda, 2021. Settlement in peri-urban area.

7.5.4.   Access to basic supplies and public space

The informal nature of the settlements studied leads to insecurity and precarious access to services. What is interesting, therefore, is to know the strategies and conditions under which those who live in the settlements access these basic services. Access to certain services will in many cases depend on the geographical location of settlements and the action of urban planning. Access to the two main basic utilities, electricity and water, is totally lacking in rural settlements, and partially lacking in urban and peri-urban settlements. Services such as rubbish collection hardly reach rural and peri-urban areas where waste accumulates and poses health and safety risks.

---

[3] FEANTSA, in its ETHOS typology, differentiates between unsafe buildings (related to dwellings at risk of eviction, squatting or caravans) and unsuitable buildings (spaces that are not designed to be lived in).

Andalucía Acoge, 2021. Settlement in rural area.

7.5.5.   Insecurity as a consequence of settlement conditions

Insecurity is a feature highlighted by all settlement dwellers and key informants. Insecurity appears in various forms and is at the root of many of the problems suffered by people living in these settlements: associated with irregular administrative status, lack of security in maintaining and staying in the accommodation, the informal nature of employment, the uncertainty associated with relocation protocols that are not fulfilled, suffering a cut in the supply, etc.

7.5.6.   Violation and forms of access to rights

The people interviewed who live in the settlements state that the violation of access to rights is widespread, although situations vary depending on various factors such as: the length of time the settlement has existed, the isolation of the settlement, municipal or NGO involvement, etc. Despite being an obligation of the municipalities, migrants living in settlements sometimes face difficulties in gaining access to registration through excuses and endless bureaucratic processes, with the corresponding consequences in terms of access to essential public services.

7.5.7.   Isolation and relations with the environment

The isolation of informal settlements can be both physical and social, and there is a relationship between the two phenomena. Isolation is associated with social invisibility and the perception of the settlements from the

outside. Despite being victims of systematic human rights violations, they are sometimes seen as responsible for their situation and are victims of prejudice and stereotypes. Processes of racial discrimination associated with living in a settlement are activated and feed into existing prejudices towards these population and ethnic groups.

## 7.6.   EXIT PROCESSES IN INFORMAL SETTLEMENTS

7.6.1.   Expression of desire to leave a settlement

In most of the situations analysed there is a desire to leave the settlement or to improve living conditions in the settlement. There is a gap between the expression of desire and the ability to act, which is determined by previous experiences (previous racial discrimination processes in housing) or unattainable entry requirements. However, it should also be noted that, in many cases, renting accommodation in the settlements is expensive despite the living conditions they offer.

7.6.2.   Individual exit strategies from a settlement

7.6.2.1.   Access to the private rental market

In general, it is very difficult to get out of a settlement without institutional strategies. The conditions of the housing provision system and the consequent residential exclusion, including the lack of options in the private market in some municipalities close to some rural settlements, appear at the moment when a person wants to leave a settlement and access housing through renting. To these problems we must add **racial discrimination,** which is a barrier even when people manage to overcome the initial obstacles of lack of resources and conditions for renting.

Provivienda, 2021. Settlement in urban area.

7.6.2.2.   Application for public housing

Due to the difficulties in accessing the private rental market, social housing is a more accessible option for people in vulnerable situations. When institutional or social service sources were consulted in this regard, they alluded to the saturation of these mechanisms and the administrative barriers that sometimes arise.

7.6.3.   Institutional exit strategies from a settlement

7.6.3.1.   Long-term peri-urban settlements: between socio-urban integration and resettlement processes

The Regional Pact for Cañada Real Galiana (2017) proposes a series of coordinated actions among the public administrations with authority in this area, leading to improve the situation and to achieve a comprehensive solution for this settlement. Sectors 1 and 2 are planned for urban integration and regularisation of their dwellings. The residents of Sectors 3, 4 and 5 are working in commissions with the public administrations to find a solution for the people who live there. The signing of the Pact between the different public administrations with responsibilities over the territory covered by Cañada Real was perceived as a great step forward by the actors involved in the negotiation. However, the power cuts and sense of abandonment during the COVID-19 pandemic has worsened the image that some sectors of the neighbourhood have of the agreement and the political will to achieve a solution. On the other hand, there is a current of thought within Sectors 5 and 6 that defends their right to have La Cañada transformed into a neighbourhood on an equal footing with the rest of the city. However, socio-urban integration processes pose multiple problems from the point of view of physical security, regulations, access to infrastructures and supplies, etc., which is why this option is neither the preferred nor the most recommendable for the key informants linked to the public administrations consulted.

7.6.3.2.   Private rental housing stock programmes

The municipality of Lepe, in collaboration with third sector organisations, launched in 2017 the *"Agenda 2020 for the Eradication of Shantytowns in Lepe. Strategy for Intervention",* which included an action plan that included the Lepe-Habitat programme[4], which consisted of a series of measures to make use of empty and second-use housing in a rental strategy for the eradication of shantytowns. The programme, managed by FECONS (European Foundation for North-South Cooperation) and now called Habitat-Living Space[5], offers financial incentives for landlords and support for the people who are going to live in them. The housing is rented and managed by third sector organisations that offer support in case of possible conflicts.

7.6.3.3.   Temporary housing resources

These resources are intended for agricultural labourers for the duration of the harvesting season. It is a strategy that sometimes comes from the public initiative, sometimes from the third sector, and sometimes managed and financed by the business sector.

---

[4] Source: Lepe Town Council. http://ayuntamiento.lepe.es/es/node/2625.
[5] https://www.fecons.org/h%C3%A1bitat-espacio-de-vida.

08

08

[CONCLUSIONS]

Throughout this report, the importance of structural racism, rooted in cultural practices and norms, has been highlighted in the context of the reality that the study brings to light. It has addressed how racist prejudices and stereotypes influence the existence of racial discrimination towards people of certain ethnic and population groups accessing to housing, simply because they have a different skin tone, a different accent or cultural practices perceived by some as inferior.

The private rental market is discriminatory and exclusionary towards people belonging to the ethnic and population groups that suffer most from discrimination. The causes of this direct racial discrimination in access to housing are associated with prejudices of **presumption of economic precariousness** and **misuse of the property,** while in the maintenance and permanence in the same the causes are related to the **attitudes of the tenant** and **relations with the neighbourhood,** which tends to blame certain ethnic and population groups for any negative events that occur.

Manifestations of racial discrimination are often presented in a hidden way, through excuses or increased requirements for access to housing, or non-renewal of the rental contract in the case of maintenance and permanence in housing. **It is sometimes difficult for the victim of racial discrimination to detect that he or she is being discriminated against without external mediation.** Moreover, even when they are able to detect that they are suffering a discriminatory process that violates their right to equal treatment, it is difficult for them to complain, due to, among other factors, the **difficulty of proving it.** Other times it is their own precarious situations that make it difficult to file a complaint, as well as a lack of knowledge of the mechanisms for filing complaints and a lack of trust in the institutions.

On the other hand, the weakness of the Spanish public housing provision system must be taken into account: **the social housing stock in Spain is 0.96 %, compared to the** European Union average of **9.3 %**, according to the **European Anti-Poverty Network - EAPN** (European Anti-Poverty Network)[1].

From this point onwards, the risk of residential exclusion increases for people from certain ethnic and population groups who suffer more frequently from racial discrimination, often leading to **situations of substandard housing or overoccupancy and overcrowding.** Respondents also emphasised the impact on their **health and emotional well-being.**

Beyond these situations, we find other more serious situations such as informal settlements. **Settlements are the product of multiple factors, among which structural racism and socio-residential exclusion predominate. The vast majority of people in the settlements belong to ethnic and population groups most exposed to racial discrimination and face extreme vulnerability and insecurity.**

---

[1] "More than 11 million people suffer from housing exclusion in Spain #EmergenciaVivienda" https://www.eapn.es/noticias/1427/mas-de-11-millones-de-personas-sufren-exclusion-residencial-en-espana.

Informal settlements are related to the inability of the housing provision system to provide a solution to the problems of exclusion and racism. The latter is a structural element that runs through settlements and is reflected in the heterogeneity of entry and exit processes and the way settlements are inhabited.

The **processes of entry** into informal settlements respond to situations of **loss of housing or blocked access** to housing or failed re-housing processes. These processes can also be linked to certain **work situations,** that is, related to labour needs (e.g. agricultural labourers) . In any case, entry to the settlements is mediated by the existence of **informal networks** with people who already populate the settlements and can facilitate access to these spaces.

There is a lack of foresight for effective solutions to settlements that has become chronic over the last few years. The living conditions they bring with them represent a violation of the human rights of the inhabitants, who see that something as simple as heating water can be a risk to their lives, because the conditions for doing so can cause a fire. **The persistence of such spaces,** almost exclusively for these ethnic and population groups, is a **sign of the structural racism that underpins them.**

Within the settlements, in addition to the insecurity shared by all the people who live there, there is also physical insecurity in the face of the macho violence to which women may be subjected, such as sexual harassment or economic control by their partners.

Exiting the settlements is extremely difficult for the people living in them, due to the lack of preventive initiatives and of an effective strategy for their eradication which is capable of dealing with such a complex and heterogeneous reality. In the face of individual attempts to exit through the rental housing market, people are again confronted with racial discrimination. A reality that is summed up by the following testimony:

> *I tried to go and rent a room, but he didn't know I was black. He waited for me at the door, I couldn't turn back. We had agreed on 250 and then he told me he had gone up to 400. And I said look, I'm black and you're not going to rent to me, right? And the man, very straight, said to me, look, yes, you are black and I won't rent to you. I was content, because at least he didn't hide it.*

PVRD man from the African, Afro-descendant and black group from one of the settlements of El Gorg.

09

09

RECOMMENDATIONS FOR IMPROVE

9.1.   RECOMMENDATIONS IN THE FIELD OF HOUSING

1.   Adoption of a Law for Equal Treatment and Non-Discrimination, and Incorporation of Victims of Racial Discrimination in the State Housing Plan 2022-2025

The integral law proposal for Equal Treatment and Non-Discrimination[1] Bill **should extend protection against racial discrimination regarding housing** beyond the grounds set out in Directive 2000/43/EC. The bill currently being debated in the Parliament aims to reinforce this idea, stating that public administrations must guarantee that housing policies respect the right to equal treatment. Moreover, this law proposal establishes that providers of real estate sales, renting or intermediation services in their commercial operations are also obliged to respect the right of equal treatment and non-discrimination. However, the express **prohibition of discriminatory conduct should apply to all "publicly available" offers,** both from private individuals and intermediaries. It is also necessary to extend the scope, in the future law, of situations of racial discrimination regarding housing not only regarding access but also to use housing (as included in the law proposal), as well as to specifically include situations of indirect racial discrimination and real estate harassment.

Furthermore, **the *assessment of burden of proof*** should be **included in the future law,** based on previous experience and on the fact that Article 27 of the bill itself should be retained. In this regard, Article 30 of Law 2/2017, of 3 February, on the social function of housing in the Valencian Community is a clear example to replicate. It establishes that, in proceedings alleging discrimination in the exercise of the right to housing, the complainant must allege facts and provide evidence that allow the existence of such discrimination to be presumed. Where appropriate, the competent body, after assessing them and taking into account the availability and ease of proof, as well as the principle of equality of the parties, shall require the accused party to provide objective and reasonable justification that sufficiently proves that, in its actions or as a consequence of its possible inactivity, the right to equal treatment has not been infringed.

In a complementary manner, and with a view to the **future State Housing Plan 2022-2025** (currently being drafted), it is proposed that **victims of racial discrimination be expressly included** in access to public housing and rental subsidies. The lack or shortage of coverage of public housing policies to tackle housing problems is a structural issue that needs to be resolved (social housing stock accounts for only 0.96% of the main housing stock in Spain, compared to the EU average of 9.3%). The need to reduce barriers to access social housing for all vulnerable groups must be a priority, and the incorporation of the group of victims of racial discrimination as a priority group, an indisputable fact for the fulfilment of the guarantees of rights and equality.

---

[1] Presented by the Group of the Party of Spanish Socialists (29 January 2021): https://www.congreso.es/public_oficiales/L14/CONG/BOCG/B/BOCG-14-B-146-1.PDF.

2.   Design of specific awareness-raising and information campaigns

As this study has shown, one of the main reasons for under-reporting is the difficulty of perceiving and identifying discriminatory events on the part of their victims, together with the acceptance and normalisation of such events (assumption as their own in the framework of a *"self-fulfilling prophecy"*). To overcome this barrier in the fight against racial discrimination, there is a need to **implement new awareness-raising and information campaigns on racial discrimination, equal treatment and housing rights.** These campaigns should be focused on all actors involved, with special emphasis on potential victims of racial discrimination, but also considering real estate agencies as intermediaries (and their professionals) and private landlords, the business sector (especially the agricultural sector), public administrations at different levels (state, regional and local), the law enforcement, and the Public Prosecutor's specialised Offices against Hate Crimes and Discrimination, regarding violation of the right to equal treatment in accessing, maintenance and permanence of housing. The inclusion in these specific campaigns of the different agents mentioned above will help to reduce malpractice and ignorance of rights and duties in the rental of housing.

In addition to awareness-raising campaigns, the **information available on racial discrimination** could be complemented **by counselling services through the Housing Offices.** In this regard, potential victims of racial discrimination regarding housing will be advised on the processes of accessing housing and the identification of discriminatory practices in the private rental market, so that they can identify when they are victims of an administrative infringement and what channels and means are available to them to report it. Similarly, this advice (face-to-face and/or telematic) will support the collection of documentation to prove the discriminatory act.

3.   Implementation of intermediation programmes in the rental housing market

These programmes are based on social accompaniment and community work, as key elements to tackle racial discrimination in access to housing, and also in the maintenance and permanence therein, dismantling prejudices and avoiding neighbourhood conflicts. The methodology present in intermediation programmes, such as the *Affordable Rental Housing Exchanges* (implemented by entities and organisations such as Provivienda), have already demonstrated their effectiveness in facilitating access to decent and affordable housing for people who are victims of racial discrimination. It is based on helping victims or potential victims of racial discrimination to find housing at affordable prices and appropriate to their needs, as well as offering guarantees to landlords. In addition, they avoid any discriminatory treatment in access to housing, not allowing the owner who avails himself of the guarantees of the programme to reject the person or persons who meet the necessary requirements and who are proposed by the professional mediators.

4.   Creation, reinforcement and promotion of channels, resources and mechanisms for reporting racial discrimination in the field of housing

As has become clear in this research, and in many others, there is a high rate of under-reporting in the area of racial discrimination, conditioned by a lack of knowledge of rights and channels for processing such complaints, fear of reprisals, lack of efficiency and trust in institutions, in the effectiveness of the complaint itself, and the difficulty of proving discriminatory acts on racial or ethnic grounds. Faced with this reality, a series of proposals for action are presented.

Firstly, the **promotion of institutional resources that allow for accompaniment of victims of racial discrimination in the complaint process.** Providing more human and financial resources for accompaniment is key to addressing the elements that lead to under-reporting, such as lack of knowledge or fear of reprisals. If victims of racial discrimination are not left alone to face a process that may be difficult in their

diverse personal contexts, this will make it easier (or at least enable complaints to be made). This accompaniment can be carried out through public management and/or third sector management. Examples to consider are the *Office for Non-Discrimination of the Barcelona City Council,* as well as the Victim Assistance and Counselling Service of the Council for the Elimination of Racial or Ethnic Discrimination (CEDRE), created in the framework of Directive 2000/43.

The use of methodologies such as the *testing* that Provivienda implemented in its study *For Rent? Racism and Xenophobia in the Rental Market* (Provivienda, 2020), allow us to know, through investigation, whether racial discrimination is taking place in accessing housing. To establish a test to identify discrimination, a rapid telephone service could be implemented, allowing for an investigative call to be made within a short period of time. This service could either be managed directly by the public sector or through third sector organisations and NGOs with experience in the field of racial non-discrimination.

9.2.   RECOMMENDATIONS IN THE FIELD OF INFORMAL SETTLEMENTS

5.   Enforcement: guarantee the registration of settlement dwellers by eliminating barriers and obstacles in the procedure

Based on the premise of the need to provide decent housing for people living in informal settlements, it is essential to immediately guarantee access to and enjoyment of their rights. To this end, **guaranteeing the municipal registration of people living in informal settlements** is a first step towards the possibility of accessing other basic rights (such as health or education).

The Resolution of 29 April 2020, of the Under-secretariat, by which the Resolution of 17 February 2020 of the Presidency of the Spanish Statistical Office and the General Directorate of Autonomous and Local Cooperation is published, which issues technical instructions to local councils on the management of the municipal register, states that it is compulsory for all persons living in Spain to register in the registry of the municipality in which they habitually reside. In addition, it establishes that "substandard housing (shacks, caravans, caves, etc. and even total absence of a roof) can and should be included as valid addresses in the municipal register" (BOE, 2020: 10).

The municipalities in which informal settlements are located must avoid discriminatory situations in the municipal registration procedure, such as not providing the registration form in physical format, doubts about the veracity of the data provided by the inhabitants of the settlements, or non-compliance with the established regulations in any of their forms.

Likewise, city councils should facilitate the renewal of the registration of people living in informal settlements who are removed from the registry due to expiry or change of residence, in order to avoid the loss of effective rights.

Finally, it is possible to consider the implementation of affirmative action measures to guarantee registration, such as the registration of people living in the settlement through ex officio registrations by the municipalities.

6.   Eradication of settlements through coordination mechanisms and a comprehensive intervention plan

As stated in the *"Recommendation of the Council for the Elimination of Racial or Ethnic Discrimination on settlements in substandard conditions of habitability"* (CEDRE, 2021), in Spain there are no studies promoted by public institutions that "analyse the situation of informal settlements from a multidimensional and holistic human rights perspective, which investigates the various factors and dimensions of racial discrimination".

This study is an initial approximation to the reality of some informal settlements and their inhabitants, the analysis of which should be continued and studied more in depth. The competent public administrations in each territory should assess the real housing needs of the entire population present in their territories, the degree of inaccessibility to the private rental market due to discrimination and the extent to which it is necessary to develop public housing and work with social entities or involve other actors to guarantee the right to decent housing for all people.

Developing comprehensive responses to the problems of informal settlements requires the coordinated and consensual work of key public and private actors. In this way, it would be interesting to **set up a multi-stake-holder working space** to promote actions that guarantee access to and enjoyment of the rights of the inhabitants of informal settlements, especially the right to decent housing.

Among the actors that should have representation and participation in this space are representatives of the different levels of the Public Administration with authority in Housing, Equality and Social Services; of the agricultural business sector; of Professional Associations of Real Estate Agencies; of third sector entities; experts and academics specialised in racial discrimination and housing; and representatives of the inhabitants of informal settlements.

The Multi-stakeholder Working Space could be attached to a public body with competencies (such as CEDRE itself), in order to be able to propose specific initiatives, such as the **elaboration of diagnoses** on the barriers to accessing rights and accessing decent housing for people living in settlements, and the **development of a comprehensive intervention plan in settlements with sufficient economic resources** that, according to the results of the research, establishes concrete actions with specific responsibilities to improve the living conditions of informal settlements in the short term, and the implementation of decent housing formulas adapted to the particularities of the people living in the settlements.

The actions proposed by the Coordination Table mentioned in CEDRE's Recommendation, if created, would complement the initiatives and consensus already existing in the different territories where informal settlements are located, contributing to the achievement of effective and negotiated solutions. However, in no case would they replace the progress and agreements already reached at local and/or regional level.

In this regard, **the development of community work initiatives** is an aspect of great relevance during the process of the people leaving the settlements in order to prevent their stigmatisation, avoid situations of racial discrimination and achieve a suitable coexistence in urban environments in which they have access to decent housing.

7.   Promoting decent housing solutions for people living in informal settlements

As the study concludes, the racial discrimination suffered by people living in settlements when trying to access the private rental market, in their exit processes, reflects the diffi-culties to realise their right to decent housing.

Furthermore, guaranteeing this basic right will not be possible in all cases through access to the private rental market, but rather other formulas for access to public or private housing must be considered, according to the particularities of each type of settlement and each inhabitant, so that it is possible to implement more effective and efficient housing solutions for each case, always under the need for housing to be decent and adequate for people's housing needs.

It should also be noted that any housing solution should guarantee access to and enjoyment of the rest of basic rights, discouraging its location in peripheral and/or isolated environments, which could generate additional problems of residential concentration and/or segregation, as well as the stigmatisation of its inhabitants.

Some possible intervention models are outlined below, which may be more or less appropriate for some types of settlements than others:

1. **Private housing rental intermediation programmes,** complemented by community accompaniment and mediation actions, especially in urban and rural settlements, given the existence of a private housing market towards which interventions can be directed to improve its accessibility and affordability. The people living in these settlements usually have an income, although they are not always stable enough or willing to provide all the documentation required to start the process of renting a house.

2. **Development of temporary housing alternatives as an emergency solution** to guarantee the right to decent housing immediately and as a **transitory solution within a structured intervention and transition to normalised housing**. Housing resources such as shelters should be avoided, and other possible habitable spaces such as hotels, prefabricated modules and temporary flats should be considered. In any case, they should be spaces that respect people's privacy and have decent living conditions.

    In general terms, it is an alternative oriented to rural settlements, both for people who live practically all year round in the same municipality because there is a need for permanent labour (as may be the case in Almería), and for people who live in settlements in close connection with seasonal labour needs.

3. **Promotion of pilot programmes that propose alternative formulas for land use and housing management**, such as social cooperatives or associations of ethnic groups that manage social housing. Such programmes could be useful for any type of settlement, but especially for urban and rural settlements.

4. **Strategies for re-housing in decent housing and demolition of the evicted building** to progressively end informal settlements. This intervention model has already been used in the peri-urban settlements analysed and in other experiences at the national and international level.

    It is a strategy that requires planning and design sensitive to the needs of the inhabitants, which must be complemented by comprehensive intervention and accompaniment to guarantee the possibility of permanence in housing, and which requires a lot of economic and temporal resources for its implementation.

    Consequently, a cautious assessment should be made of when it is appropriate to implement it, which is usually more suitable for peri-urban settlements where there are chronic shantytowns. In the case of the analysed settlements of this type, relocation plans already exist and it is recommended that they be reactivated in order to achieve access to decent housing for the population of the settlements.

5. In addition to resettlement, **the development of normalisation measures should be studied in greater depth and assessed.** These actions could be targeted at those settlement areas (usually peri-urban in nature) where the long history of settlement has led to situations unsuitable for resettlement, such as the self-building of durable housing or a strong sense of rootedness of the community generated around the settlement. Some formulas used at the international level in this direction, and which could be studied at the national level, are the **zones of social interest** (which make it possible to adapt the urban code and the regional land law to the logic of the informal city and the needs of the people living in the settlements) or the **socio-urban integration** of those settlements in which the situation allows it.