**REPORTS ON DISCRIMINATION, SEGREGATION AND THE RIGHT TO ADEQUATE HOUSING**

QUESTIONNAIRE

**BASIC INFORMATION**

1. Name of Individual, Organization, Institution, Agency or State: Click here to enter text.

Type of Entity\*

☐ National Government or federal governmental ministry/agency

☐ Inter-governmental organization or UN agency

☐ Local or regional government, agency, representative or mayor

☐ Association, tenant union or housing cooperative

x NGO network, umbrella organization

☐ Community-based NGO

☐ Academia

☐ Foundation

☐ National human rights organization, ombudsperson

☐ Real estate, urban planning or construction

☐ Real estate investor or investment fund

☐ Trade Union

☐ Other:

2. Categorization of your Work

Please select one or more responses, as appropriate.

☐Public administration

x Advocacy

☐Funding

☐Legal Assistance

☐Networking

x Policy

x Research

☐Technical Assistance

x Training

☐N/A

☐Other:

3. City/Town: Chișinău

4. State/Province: Republic of Moldova

5. Country (please indicate your region or “international” if focus the work of your organization covers multiple countries); Republic of Moldova

**HOUSING DISCRIMINATION**

7. What specific forms of de facto or legal discrimination or barriers towards equal enjoyment of the right to adequate housing do the following groups face in your country (please provide evidence with examples, studies, reports and relevant statistical information):

* People of African Descent, or Roma
* Racial, caste, ethnic, religious groups/minorities or other groups
* Migrants, foreigners, refugees, internally displaced persons
* Women, children or older persons
* Indigenous peoples
* Persons with disabilities
* LGBTQ persons
* Low income persons, including people living in poverty
* Residents of informal settlements; persons experiencing homelessness
* Other social groups, please specify:

Young people in Moldova face barriers in accesing adequate housing.

In 2017, over 84% of employed young people earned below the national average salary of 6,100 MDL, and over 60% - below 3,000 MDL. In comparison, the rent of an apartment in Chisinau varies between 150-250 EUR for a one-room apartment and 250-300 EUR for a two-room apartment. Moreover, the rent payment is set in Euros while salaries are in Lei, and fluctuations can aggravate their access to housing. For example, during March, 2020 - March, 2021, the Leu depreciated by about 9%.

Therefore, many young people live with their parents (even after starting a family) or are crowding into small spaces. According to the NBS (2018), about 11% of young people aged 18-29 live in homes with more than two people in a room. This indicator is below 4% for people over 40 years of age.

Buying a home with a mortgage is also not accessible to young people. For a mortgage loan of about EUR 30,000 for 25 years with the ”Prima Casa” program, a young family with a net income of MDL 3,500 each will have to disburse about 35,000 MDL in the first month and about 5,000 MDL per month, accounting for 71% of monthly income. More recently, following adjustments made by the Government under the program, banks are refusing to grant this type of loan on the long-term, making it accessible only to people with substantial monthly incomes.

8. Discrimination in housing can affect various dimensions of the right to adequate housing and other human rights. Could you provide more details regarding the specific areas in which housing discrimination is experienced? Below are examples of various forms of discrimination that can be experienced in relation to different dimensions of the right to adequate housing:

*Accessibility*

* Discrimination in relation to access to land, including water and natural resources essential for habitation;
* **Discrimination in relation to housing for rental or for acquisition or in accessing public or social housing;**
* Access to emergency and/or transitional housing after disaster, conflict related displacement or in case of homelessness, family or domestic violence;
* Accessibility of housing for persons with disabilities or older persons, including access to housing for independent living or to care homes;
* data collection or requirements to furnish certain certifications resulting in the exclusion of particular persons from accessing housing;

*Habitability*

* **discrimination in relation to housing conditions, overcrowding or housing maintenance;**
* Exposure to health risks within the home, including lack of ventilation, heating or insulation, exposure to fire or housing collapse risk, unhealthy building materials, or other unhealthy housing covered by the WHO Guidelines on housing and health;
* Exposure to other risks which render housing uninhabitable, including sexual or gender-based violence, interference with privacy and physical security in the home and neighbourhood;
* Discrimination in relation to housing renovation or permission of housing extension;

*Affordability*

* Discrimination in relation to access to public benefits related to housing;
* **Lack of equal access to affordable housing;**
* **Discrimination in public and private housing financing;**
* Discrimination related to housing and service costs, housing related fees, litigation or taxation;

*Security of tenure*

* Discrimination in relation to ownership or inheritance of housing and land and related natural resources including water including on the basis of a distinction between formal and informal tenure arrangements;
* Discrimination in relation to evictions, resettlement and compensation for loss or damage of housing, land or livelihoods;
* Differential treatment in land or title registration, permission of housing construction;

*Availability of services, materials, facilities and infrastructure*

* Discrimination in relation to access to work, schooling, health care or public benefits based on the residential address or related to a lack of an official address;
* Public transportation services and transportation costs;
* Provision of water, sanitation, energy, waste collection and other utility services; their quality or cost, including interruptions/blackouts including policies relating to disconnection from utility services;
* spatial disparities in access to health care, education, child care, cultural and recreational facilities;

*Location*

* Discrimination in relation to freedom of choice of the place of residency within the country, within a particular region or location;
* Discrimination based on place of residence or address, such as exclusion from invitation to job interviews or access to credit;
* Exposure to environmental health risks, such as external air quality, flooding, toxic ground exposure; noise; risk of landslides etc.;
* Living quality and physical security in the neighbourhood, including geographical disparities in policing and law enforcement;

*Cultural adequacy*

* Discrimination in relation to the recognition of culturally adequate dwellings as housing as well as equal access to public space;
* Prohibition of accessing, maintaining or constructing culturally adequate housing;
* Lack of recognition of mobile forms of residency.

Dedicated youth support programs are limited and the existing programs are not well correlated with other support mechanisms.

The only housing loan program developed by the authorities at the moment is the ”Prima Casa” Program. It is not dedicated exclusively to young people, the beneficiaries being people aged 18-50, employed Moldovans living in the country. One of the objectives of this program is to discourage the emigration of young specialists abroad.

The main advantages of the "Prima Casa" program is the lending of a home of up to 1 million MDL at an advantageous rate, without collateral, with a owner initial contribution of 5% and the possibility of compensation. The data shows that since the launch of the State Program "Prima Casa" until May 2020, 4296 homes were purchased by young people and families.

In May 2020, the authorities came up with a series of changes to the program, including: reducing the applicant's own contribution from 10% to 5%, expanding the number of beneficiaries (age from 40 up to 50 years, allowing other property in possesion, etc.) , expanding eligibility for compensation and reducing banks' margin (from 3% to 2%).

As a result, according to young people who tried to access this loan in March 2021, we find that in practice, banks refuse to grant Prima Casa loan on long-term, even if their websites indicate the maximum term of the loan being 25 years. The reduction of the crediting period implies substantial monthly installments, while the compensation rate is calculated on the basis of the amount that would normally be repaid monthly, for 25 years. In this way, banks limit their risks by allowing access to this type of credit only for people with significant monthly incomes, and young people who cannot afford monthly installments of about 14,000-20,000 lei per month, no longer have access to this tool.

By expanding the number of beneficiaries and the compensation system, without any filters or support mechanisms, instead of providing sustainable help to the most vulnerable, the Government can create serious imbalances on the market, aggravating the access to housing for young people. Therefore, we believe it is necessary to create a system of prioritization of allocated funds (in case the resources for compensation will be depleted at an accelerated pace). Thus, the way and volume of compensation can be expanded or combined with a more focused system on the most vulnerable categories, based on the principles of income, age and disability, to facilitate their access to housing. Furthermore, existing public programs could be directed at building homes at accesible prices for vulnerable categories that can be bought through the Prima Casa loan program.

9. Are there any particular current laws, policies or practices in your country, region or town/community that contribute to or exacerbate discrimination in relation to the right to adequate housing?

Described above.

10. Can you explain exemptions in national law that allow (certain) public, private or religious housing providers to give preferential or exclusive access to housing to members of a particular group, for example based on membership, employment contract, public service, age, disability, civil status, sex, gender, religion, income or other criteria?

Click here to enter text.

11. In case there may be differential treatment of particular groups in relation to housing, please explain why such treatment could be justifiable according to international human rights standards - for example positive measures benefiting a particular group to overcome systematic discrimination or disadvantage-or if it would amount to discrimination?

Click here to enter text.

**SPATIAL AND RESIDENTIAL SEGREGATION**

12. What forms of spatial segregation along racial, caste, ethnicity, religion, nationality, migration status, heritage, economic status/income or other social grounds can be observed in urban and urban-rural contexts in your country?

Click here to enter text.

13. What impacts do these forms of spatial and residential segregation have on affected communities? Please point to indicators such as rates of poverty, un-employment and under-employment; prevalence rates of malnutrition; disparities in access to services and facilities (such as access to schooling, health care or other public benefits); disparities in access to infrastructure (lack of and/or poor quality provision of water, sanitation, transportation, energy, waste collection and other utility services); rates of exposure to environmental health risks (poor air quality, flooding, toxic ground exposure, etc).

Click here to enter text.

14. Have any particular historical or current laws, policies or practices in your country, region or town/community caused or exacerbated segregation?

Click here to enter text.

15. In your view, what factors (current or historical) are the principal *drivers* of spatial and residential segregation in urban and urban-rural contexts in your country?

Click here to enter text.

16. Are there examples in your country of where spatial and residential clustering has been a result of voluntary choices of residence by members of particular groups?

Click here to enter text.

17. The preservation of cultural identity, the right to self-determination of indigenous peoples and the protection of minority rights are examples of grounds for which groups may choose to live separately. Can you comment on how these forms spatial/territorial separation are evidenced in your country, if these communities they are subject to discrimination and suffer adverse consequences from spatial segregation such as through disparities in access to services, infrastructure, living conditions, etc.?

Click here to enter text.

18. In your view, are certain forms of observed residential separation/voluntary clustering compatible with human rights law and if so why? (for example to protect rights of minorities or to respect the freedom of choice of individuals to decide with whom to live together).

Click here to enter text.

19. Are there any laws or policies requiring certain individuals (and their families) to live in particular housing provided to them or in a particular geographical area (e.g. asylum seekers, migrants, IDPs, refugees, ethnic, religious, linguistic or other minorities, indigenous peoples, persons with disabilities, public service and military personnel)?

Click here to enter text.

20. In your view, what are the principal *barriers* to diminishing spatial, including residential segregation?

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**MEASURES AND GOOD PRACTICES TO CURB DISCRIMINATION AND REDUCE SEGREGATION**

21. What laws, policies or measures exist at national or local level to prevent or prohibit discrimination in relation to the right to adequate housing?

1. The housing project for socially / economically vulnerable groups involves the construction of social housing that are lend to socially vulnerable families (including at least 50% of young families) for a period of 5 years, during which time they will pay a monthly rent, lower than average market prices. Under this program, young people do not have the opportunity to take possession of these homes, being forced to leave them after 5 years or to prove that they are still in the category of potential beneficiaries.

2. Another 3 programs were developed in order to stimulate the employment of young people in rural areas, especially for young teachers, pharmacists and doctors who are expected to be compensated for housing expenses.

3. The only housing loan program developed by the authorities at the moment is the ”Prima Casa” Program. It is not dedicated exclusively to young people, the beneficiaries being people aged 18-50, employed Moldovans living in the country. One of the objectives of this program is to discourage the emigration of young specialists abroad.

22. Have your State, regional or local Government adopted any positive measures, such as measures of affirmative action, to reduce discrimination, segregation or structural inequality in relation to housing? To what extent have such initiatives been successful to address housing discrimination and segregation?

Despite the advantages offered by the “Prima Casa" program, the number of beneficiaries is only 1.6% compared to the number of employed population, up to 34 years old. Moreover, following the new changes, the financial market is clearly restricting young people's access to the government's “Prima Casa" program.

By expanding the number of beneficiaries and the compensation system, without any filters or support mechanisms, instead of providing sustainable help to the most vulnerable, the Government can create serious imbalances on the market, aggravating the access to housing for young people. Therefore, we believe it is necessary to create a system of prioritization of allocated funds (in case the resources for compensation will be depleted at an accelerated pace). Thus, the way and volume of compensation can be expanded or combined with a more focused system on the most vulnerable categories, based on the principles of income, age and disability, to facilitate their access to housing. Furthermore, existing public programs could be directed at building homes at accesible prices for vulnerable categories that can be bought through the Prima Casa loan program

23. Have any particular laws, policies or measures been implemented to limit or reduce residential segregation? To what extent have such policies raised human rights concerns?

Click here to enter text.

24. What is the role of the media, as well as other non- governmental organizations, of religious and governmental institutions, in fostering a climate that reduces or exacerbates discrimination in relation to housing and segregation?

Monitoring the situation through research and studies, as well as conducting awareness and advoacy campaigns.

25. Which institutional mechanisms exist to report, redress and monitor cases of discrimination or segregation in relation to the right to adequate housing and how effective have they been to address discrimination?

There is the anti-discrimination coalition that can be contacted by individuals or organisations, however our structure sends reports and recommendations directly to the relevant central authorities and monitors their implementation.

26. In your view, what are the principal barriers to seek justice for discrimination/segregation in relation to the right to adequate housing?

Lack of interest / ressources in searching viable and innovative solutions for providing easier acces to housing for youth, as well as unawareness of the vulnerable groups about their right to adequate housing.

27. Can you specify how individuals and groups subject to structural discrimination or experiencing segregation can submit complaints to administrative, non-judicial or judicial bodies to seek relief? Please share any leading cases that have been decided by your courts or other agencies in this respect.

Click here to enter text.

**DATA ON DISCRIMINATION IN HOUSING AND SPATIAL/RESIDENTIAL SEGREGATION**

28. Is any data on housing disparities, housing discrimination and spatial segregation collected and publicly available? If so where can it be accessed? Are there any practical or legal barriers to collect and share such information in your country?

Click here to enter text.

29. Can you kindly share any studies or surveys by local, regional or national Governments or by other institutions to understand better housing disparities, housing discrimination and spatial segregation and how it can be addressed (e.g. title and link, or kindly submit document).

Click here to enter text.

30. Can you provide information and statistics related to complaints related to housing discrimination, how they have been investigated and settled, and information on cases in which private or public actors have been compelled successfully to end such discrimination or been fined or sanctioned for non-compliance?

Click here to enter text.