

THE UNIVERSITY OF EDUCATION FREIBURG

# Discrimination of Roma In Serbia

---

## Government Response

**Tijana Joksic**

**6/18/2015**

<b><i>Table of Contents</i></b>		
<b>No.</b>	<b>Chapter</b>	<b>page</b>
<b>1.</b>	Introduction	3
<b>1.1.</b>	Roma Community in Serbia	3
<b>1.2.</b>	The Reintegration of Returnees Based on Readmission Agreements	5
<b>2.1.</b>	Legal Invisibility	6
<b>2.2.</b>	Education	6
<b>2.3.</b>	Health Care	9
<b>2.4.</b>	Employment	10
<b>2.5.</b>	Housing and Forced Evictions	12
<b>3.</b>	Serbian Legislation	14
<b>4.</b>	Government Response	18
<b>4.1.</b>	Autonomous Province of Vojvodina	23
<b>4.1.1.</b>	The Municipality Apatin	25
<b>4.1.2.</b>	The Municipality of Kula	25
<b>4.2.</b>	The Municipality of Pozarevac	26
<b>5.</b>	Conclusion	27
<b>6.</b>	Bibliography	28
<b>Table</b>	<b><i>Table No.1 Roma Employees in LSG and AB, Central Serbia in 2013</i></b>	11

## Introduction

Roma population in Serbia continues to occupy an unenviable place in Serbian society as the most disadvantaged and marginalized national minority. They are faced with a unique set of intractable obstacles that continue to hamper their development, ranging from lack of access to the most basic amenities such as adequate healthcare, primary education and welfare benefits to barriers in accessing the labour market.<sup>1</sup> Nowadays, Roma population in Serbia is marked by significantly higher rates of poverty, unemployment and disease than the rest of the Serbian citizenry. In addition, they remain politically and institutionally underrepresented.<sup>2</sup> Lastly, but not the least important, the lack of access to personal documentation creates situations of *de-facto* statelessness for many of Roma in Serbia. Consequently, they are not able to fully enjoy their citizenship rights.

### 1.1. Roma Community in Serbia

The size of the Roma population is a subject of controversy. This derives from the lack of documentation, unregistered housing and a general mistrust between the authorities and Roma. Hence, estimates of the true number of Roma vary, though a commonly quoted estimate is that up to 500,000 Roma live in Serbia.<sup>3</sup> This very dispute over the exact number of Roma serves as a good example of the extent of marginalization and alienation of Roma population in Serbia. Nevertheless, according to Statistical Office of the Republic of Serbia, there were 147.604 Roma in Serbia in 2011 when the last census was conducted.<sup>4</sup>

Regarding their position in Serbia, between 35 percent and 60 percent of Roma children are not enrolled in school, while between 60 percent and 80 percent of Roma persons do not complete primary school.<sup>5</sup> This trend leads to less than one percent of Roma completing higher education. The economic figures are no better with nearly half of Roma population facing an existential poverty threat while some two-thirds of children from Roma settlements are estimated to live under the poverty line.<sup>6</sup> In other words, Roma population is approximately 7.5 times more exposed to the threat of poverty than the rest of the population in the Republic of Serbia, while the rate of unemployment in Roma community is 4 times that of the national average.<sup>7</sup>

Unfortunately, less than one third of Roma women have gainful employment. Similarly, the systemic and society-wide discrimination against Roma is prevalent even in the treatment of

---

<sup>1</sup> United Nations in Serbia, p. 3.

<sup>2</sup> Ibid.

<sup>3</sup> UNICEF (b), p. 9.

<sup>4</sup> RZS, available at <http://webrzs.stat.gov.rs/WebSite/>

<sup>5</sup> United Nations in Serbia, p. 4.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

victims of serious crimes; i.e. Roma women threatened by domestic violence are routinely excluded from safe houses on account of the admission criteria.<sup>8</sup>

Furthermore, between 60 and 80 percent of Roma persons live in unhygienic isolated settlements, of which approximately 70 percent are informal. There are approximately 45,000 internally displaced Roma persons (IDPs) from Kosovo, while only about half (23,164) are officially registered as IDPs.<sup>9</sup> Eventually, Roma longevity statistics are perhaps most illustrative, i.e. less than one percent of Roma live past the age of 60.<sup>10</sup>

Furthermore, 30 percent of all identified victims of human trafficking are Roma women and children, i.e. they represent an especially vulnerable group and easy targets for traffickers. More dramatically, 72 percent of all identified minor victims of trafficking in the Republic of Serbia are Roma children and youth.<sup>11</sup>

Moreover, the mortality rates among Roma children under five years of age living in settlements is 28 deaths per 1000 children, which is almost 3 times the national average, and the prevalence of malnourishment is several times higher than the national average (nearly 8 percent of children are underweight and 20 percent stunted). Furthermore, Roma children living in settlements are less than twice as likely to be fully vaccinated compared to the rest of Serbian population (27 percent among Roma children aged 18-29 months, compared to 57 percent of Serbian children in the same age group).<sup>12</sup>

Bearing in mind afore-mentioned, the survey on the position of Roma population in Serbia was conducted by Center for Free Elections and Democracy (CeSID) in 2013, and only 12 percent of respondents saw the responsibility for the bad situation of Roma in the behavior of citizens of Serbia towards them.<sup>13</sup> Therefore, the dose of self-criticism among the citizens of Serbia is not overly expressed in terms of attitudes towards marginalized ethnic groups. The attitude of a good part of citizens towards Roma can best be seen through the fact that almost 35 percent of respondents believe that Roma are the sole to blame for their bad situation in Serbia.<sup>14</sup> This is another indication that the citizens of Serbia are not sufficiently aware of the situation of minority groups in the country, especially if one takes into account the real parameters of the life of Roma.<sup>15</sup>

---

<sup>8</sup> United Nations in Serbia, p. 5.

<sup>9</sup> United Nations in Serbia, p. 4.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> United Nations in Serbia, p. 5

<sup>13</sup> CeSID, p. 8.

<sup>14</sup> Ibid.

<sup>15</sup> CeSID, p. 8.

Furthermore, resistances of citizens to accept Roma people in their neighborhoods, particularly people displaced from slums Tosin Bunar, Gazela, and Belvil, who were living there in extremely difficult living conditions, as well as Roma displaced from Kosovo, pointed out the fact that in recent decades society is not prepared to accept the demands of Roma integration.<sup>16</sup>

The government has failed in the construction of housing units for Roma displaced from villages under the bridge Gazela and Belvil. Namely, it has not started building even after two or five years of displacement, despite the fact that there are funds approved by the EU. Alleged reasons for this failure are that the necessary technical documentation on the use of land and property is not provided; whereas the displacement of Roma population to the rural households is not achieved in a timely manner because it is not conducted in accordance with sustainable development plan and is not in line with human rights standards. The exception is the construction of residential buildings in Belgrade's municipality of Stari Grad ("Eagle's settlement"). The situation is similar to other local self-governments that often, and even when there are adequate resources and support, are not prepared to create and implement local policies of integration. Eventually, the problem of integrating Roma displaced from Kosovo to Bujanovac and Novi Pazar, and who have renounced the return, is not solved even 15 years after they moved to those towns.<sup>17</sup>

## **1.2. The Reintegration of Returnees Based on Readmission Agreements**

IOM reports that 60 percent of assisted returnees from Western Europe declare themselves as Roma.<sup>18</sup> Regarding social reintegration of returnees, there are no appropriately developed mechanisms, nor provided funds which would establish coordination between the competent state bodies and local self-governments.<sup>19</sup> Moreover, an accurate database has not been established. Protector of citizens notes that the process of reintegration in local self-governments is not being conducted in the best interest of returnees.<sup>20</sup>

The inclusion of returnee students in the educational system is difficult due to shortages of preparation programs and difficulties with their adjustment, and the process of translation and verification of documents is often expensive for the majority of returnees.<sup>21</sup>

Furthermore, there is not sufficient capacity to provide emergency accommodation for returnees, nor for solving their housing, and when it comes to the issuance of personal documents, this

---

<sup>16</sup> Basic, G. p. 16.

<sup>17</sup> Basic, G. p. 17.

<sup>18</sup> United Nations in Serbia, p. 4.

<sup>19</sup> Zastitnik gradjana (a), p. 21.

<sup>20</sup> Ibid.

<sup>21</sup> Zastitnik gradjana (a), p. 22.

process does not go smoothly either, since returnees often get contradictory information about the processes how personal documents are obtained.<sup>22</sup>

Since the areas in which discrimination against members of Roma community most often occurs, are personal documents and citizenship, health care, education, housing and employment, hereinafter more information about the same can be found.

## 2.1. Legal Invisibility

In the Republic of Serbia the number of people without legal identity remains unknown. However, according to nongovernmental sector, this number may be from 2,500 up to 20,000.<sup>23</sup> It is believed that majority of legally invisible persons belong to Roma national minority.

This lack of documentation often creates a *de facto* situation of statelessness and is a major hindrance to the ability of Roma to exercise their rights as citizens. There are many root causes of this problem, such as: lack of civil registration, the lack of a registered residence due to a lack of a legally-recognized address, a lack of financial means to pay required fees, a lack of information on procedures, destroyed Registry Books from Kosovo, institutional discrimination against Roma, and lengthy and complicated administrative procedures.<sup>24</sup> The most complex problems in this respect are the lack of a uniform practice by administrative bodies and courts regarding the procedures for subsequent registration and their differing interpretations of existing laws and competences.<sup>25</sup>

Hence, legal provisions to register legally invisible persons are put in place and are producing encouraging results, however the speed and efficiency of their enforcement needs to improve. This resulted in over 20,000 Roma being registered in the vital registers to date.<sup>26</sup> However, the legal provision allowing social welfare centers to be used as a temporary address for registration purposes is implemented unevenly across the country.<sup>27</sup>

## 2.2. Education

There is no monitoring system and reporting on the extent and quality of education of Roma children, and there is no accurate record of the number of Roma students in the education system.<sup>28</sup> According to some estimation, only about 2 percent of children attend mandatory pre-school education, while estimates say that somewhere between 35 percent and 60 percent of

---

<sup>22</sup> Zastitnik gradjana (a), p. 22.

<sup>23</sup> Zastitnik gradjana (b), p. 7.

<sup>24</sup> United Nations in Serbia, p. 8.

<sup>25</sup> Ibid.

<sup>26</sup> Belgrade Center for Human Rights, p. 316.

<sup>27</sup> Ibid.

<sup>28</sup> Zastitnik gradjana (a), p.19.

Roma children of school age are not enrolled in school at all, with more than 60 percent not completing primary school.<sup>29</sup> In 2014, the percentage of Roma children of secondary school age who were attending secondary school or higher stood at 21.6 percent while the share of children of that age attending school in the rest of the population stood at 89.1 percent.<sup>30</sup> In other words, the government has not adopted regulations which would ensure affirmative action measures for enrollment and schooling of Roma pupils in secondary schools and at the university.<sup>31</sup>

The organization of the teaching of "Roma language with elements of national culture" has not been provided in the way that enables students belonging to other national minorities to learn in schools, hence there is no staff, nor developed program.<sup>32</sup> Basically, the educational system does not provide sufficient support in the creation of a welcoming multicultural environment for Roma children, including learning in Roma language.<sup>33</sup>

Primary school children are often segregated from the majority population or even placed in special schools for children with learning disabilities. There are even instances of physical segregation in primary schools, e.g. the "Vuk Karadžić" Primary School in Niš.<sup>34</sup> Similarly, there are 80 special schools in Serbia for children with intellectual disabilities, and it is estimated that 50 to 80 percent of children in those schools are Roma.<sup>35</sup> Furthermore, enrolment into primary education is age-bound, i.e. until the age of 8½, children are eligible for late enrolment into first grade, and only after the age of 16 they are eligible for enrolment into adult education schools.<sup>36</sup> Consequently, many Roma children fall into the gap between 8½ and 16 years, and stay out of school permanently. Therefore, many Roma children are wrongly placed in "adult schools", which are inappropriate since those schools are supposed to train adults in certain labor skills.

Moreover, regarding performance of Roma children in schools, the assessment system is culturally and linguistically biased, hence they usually become underachievers in school tests and exams, and thus they usually do not pursue further education.

Similarly, schools attended mostly by Roma children are perceived as providing a lower quality of education.<sup>37</sup> The same fate befalls returnee children, due to their frequent inability to communicate in Serbian. These children also face great difficulties in continuing their education as they are unable to verify their school diplomas from abroad.<sup>38</sup>

---

<sup>29</sup> Open Society Institute, p. 485.

United Nations in Serbia, p. 10.

<sup>30</sup> Belgrade Center for Human Rights, p. 318.

<sup>31</sup> Zastitnik gradjana (a), p. 19.

<sup>32</sup> Ibid.

<sup>33</sup> United Nations in Serbia, p. 10.

<sup>34</sup> Open Society Institute, p. 485.

<sup>35</sup> UNICEF (a), p. 5.

<sup>36</sup> UNICEF (b), p. 10.

<sup>37</sup> UNICEF (a), p. 2.

<sup>38</sup> United Nations in Serbia, p. 10.

Reasons for placement of Roma children in special schools for children with intellectual disabilities vary, from pure discrimination, to linguistic barriers, ill-treatment in schools, and low socio-economic situation, and eventually this constitutes fundamental Roma children's right to quality education.<sup>39</sup>

When it comes to discrimination of Roma children throughout their schooling, one of the drawbacks of the education system is the fact that the staff in educational institutions and administration, including school inspectors, do not have the capacity to recognise and penalise discrimination. This arises from the fact that the Ministry of Education, Science and Technological Development has failed again in 2014 to prescribe the detailed criteria for recognising forms of discrimination by the staff, pupils or third parties in the educational institutions envisaged under Article 44(4) of the Act on the Bases of the Education System even though five years have passed since its adoption. The adoption of these criteria was one of the recommendations made by the Commissioner for the Protection of Equality.<sup>40</sup>

Despite the fact that Roma are officially recognised as a national minority, and Romani as a mother tongue of a national minority, in practice, education in Romani is only offered as an elective course in primary school – and currently only in the Autonomous Province of Vojvodina.<sup>41</sup> Moreover, the educational curriculum in Serbia is not very sensitive to the values of multiculturalism and identity of national minorities, and envisioned changes to the curriculum to include multiculturalism and elements of Roma culture and language have not been realized yet.<sup>42</sup> Eventually, official teacher training programmes do not have courses on tolerance and multicultural education (including bilingual education), or a methodology for working with children from deprived backgrounds, nor other aspects of inclusive education.<sup>43</sup>

However, policy documents foresee the introduction of Roma Teaching Assistants (RTAs) in pre-schools and primary schools.<sup>44</sup> After piloting projects, the existing school practice has revealed serious obstacles to greater engagement of RTAs, as they were sometimes perceived as intruders by the teaching staff.<sup>45</sup> In addition, since teaching is generally not based on interactive methodology, many RTAs had nothing to do in the classroom, and the rigid required qualifications often constitute a barrier to RTA employment.<sup>46</sup>

---

<sup>39</sup> UNICEF (a), p. 3.

<sup>40</sup> Belgrade Center for Human Rights, p. 317.

<sup>41</sup> Open Society Institute, p. 486.

<sup>42</sup> Ibid.

<sup>43</sup> Ibid.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Open Society Institute, p. 486

Roma teaching assistant programmes can be an important means to enhance participation of Roma in education, and their inclusion in the teaching and education process in Serbia will require establishing the legal ground and financing mechanisms, working with teachers to change their practice, as well addressing practical obstacles.<sup>47</sup>

Furthermore, the adoption of the Decision on the Standardisation of the Roma Language by the National Council of the Roma National Minority (NCRNM) is extremely relevant to the realization of the collective rights of the Roma national minority.<sup>48</sup> Hence, the practical reach of the decision on the exercise of the rights to use the Roma language, to information and education in and nurturing of the Roma language is yet to be seen.

Regarding equality and access to quality education, the Republic of Serbia undoubtedly launched major and critical systemic changes when it adopted the corollary Act on the Bases of the Education System.<sup>49</sup>

### **2.3. Heath Care**

Roma cannot achieve full primary health care in health centers, and availability of secondary and tertiary health care does not correspond to health condition of Roma citizens who live in poor socio-economic conditions and are at risk of chronic and other diseases.<sup>50</sup>

The mortality rate among Roma is significantly higher compared to the rest of the population. Similarly, Roma population has a life expectancy of more than ten years below the one of the general population.<sup>51</sup> It is also indicated that infant and maternal mortality rates are very high, while Roma children fall ill between three and ten times more often compared to the general population.<sup>52</sup> Furthermore, one in six Roma aged 25-44 is reported suffering from chronic illnesses, while that proportion among the general population is closer to one in sixteen.<sup>53</sup> Finally, the disparity among those aged 40-55 is even more striking, with half of the Roma reporting chronic illnesses as compared to only a quarter of the general population.<sup>54</sup>

Even though the health system has been attempting to make health facilities more accessible, there are still many challenges, such as higher numbers of Roma with reported chronic illnesses, and almost no benefit from public healthcare. To put things differently, the access to health services is constrained by a variety of factors, including the lack of personal documentation, language barriers, cultural insensitivity among healthcare professionals regarding the specific

---

<sup>47</sup> Ibid.

<sup>48</sup> Belgrade Center for Human Rights, p. 316.

<sup>49</sup> Belgrade Center for Human Rights, p. 318.

<sup>50</sup> Zastitnik gradjana (a), p. 20.

<sup>51</sup> United Nations in Serbia, p. 12.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid.

<sup>54</sup> Ibid.

characteristics of health issues in Roma population, as well as discriminatory attitudes and practices.<sup>55</sup>

Finally, the Law on Health Protection and the Law on Health Insurance sets forth that Roma, constituting a vulnerable group, have the right to access primary health care with reduced costs. However, they have difficulty in exercising this right. Primary health care and emergency health care, irrespective of the lack of personal documentation, should be a free service to Roma, but this access is hampered by lack of knowledge by health professionals who nevertheless continually request personal documentation. The situation is particularly troublesome for Roma IDPs.<sup>56</sup>

## **2.4. Employment**

Surveys reveal that up to 60 percent of Roma are unemployed and more than half of Roma have been looking for a job for over five years without success.<sup>57</sup> Roma unemployment is significantly higher across all educational levels, and it has been indicated that even Roma who complete secondary or tertiary education face serious obstacles in realizing the returns of education.<sup>58</sup>

In other words, two-thirds of Roma included in the research fall into the categories of either of low-skilled or unskilled labour. Hence, the lack of qualifications leaves them open to abuse of power by their employers. Additionally, approximately 20 percent of those in employment have not signed a contract.<sup>59</sup> Furthermore, regarding the gender of persons employed, the overwhelming majority tends to be male, with only a third of the women legally employed.

Discrimination against Roma in the employment sector is reflected in the lack of opportunities offered to them in the labour market. Moreover, the issue of documentation once again hampers the search for employment, as those without an officially registered residence cannot register with the National Employment Service, and are therefore ineligible for services aimed at getting the unemployed back to work.<sup>60</sup>

Basically, active employment policy measures have not been implemented. Therefore, black economy and the collection and resale of waste are still the basis of existence of the majority of Roma families. Furthermore, majority of Roma citizens (88.1 percent) registered with the National Employment Service has never been sent to the interview with the employer, and affirmative action that encourage self-employment of Roma and subventions for employers who

---

<sup>55</sup> United Nations in Serbia, p. 12.

<sup>56</sup> Ibid.

<sup>57</sup> United Nations in Serbia, p. 13.

<sup>58</sup> UNICEF (b), p. 9.

<sup>59</sup> United Nations in Serbia, p13

<sup>60</sup> Ibid.

employ them have not contributed to economic empowerment.<sup>61</sup> In addition, in public work programs only every hundredth Roma logged in records of the National Employment Service (211 of 20,564) was included.

In addition, the number of Roma working in public administration remains negligible. For instance, some information on how many Roma employees work in local self-governments and administrative bodies in Central Serbia can be found in the table below.<sup>62</sup>

No.	Municipality	Percentage of Roma Population in Municipality	Percentage of Employed Roma in Local self-government and administrative bodies
1.	Bojnik	14,81	1,92
2.	Bujanovac	25,33	4,76
3.	Vladicin Han	7,20	-
4.	Vranjska Banja	14,35	-
5.	Leskovac	5,34	-
6.	Kostolac	19,50	-
7.	Presevo	8,80	2,86

*Table No.1 Roma Employees in LSG and AB, Central Serbia in 2013*

Similarly, in AP Vojvodina according to information on national structure of employees in the provincial administrative bodies and other provincial organizations and services for 2014, there were 6 Roma civil servants in 2014.<sup>63</sup>

Even though the Roma youth internship programme was launched to ensure equitable representation of national minorities in the civil service, it did not lead to their full-time employment in the public administration or an increase in the employment of persons belonging to national minorities in it.<sup>64</sup>

The Office of the Commissioner for the Protection of Equality undoubtedly contributes to the prevention of and protection against discrimination. For instance, in one case it has established that a pizza parlour owner in Niš discriminated against a Roma woman who had applied for a job, since he intended to hire only the non-Roma applicant. Namely, after the owner advertised a vacancy in the pizzeria, two NGOs, Praxis and Women's Space, conducted situational testing, asking two women, one Roma and the other non-Roma of similar age and work experience and other features to apply for the job and show up for an interview.<sup>65</sup> Similarly, despite the

<sup>61</sup> Zastritnik gradjana (a), p.17.

<sup>62</sup> Kancelarija za Ljudska I Manjinska Prava (c), p. 6.

<sup>63</sup> Pokrajinski Ombudsman (a), p. 88.

<sup>64</sup> Belgrade Center for Human Rights, p. 316.

<sup>65</sup> Belgrade Center for Human Rights, p. 317.

participation of Roma in job fairs, career guidance programmes, and additional functional education, that does not contribute to their employment.<sup>66</sup>

## **2.5. Housing and Forced Evictions**

It has been estimated that approx. 72 percent of Roma settlements are illegal (out of 593), while the Report of the Council of Europe noted with concern that only in Belgrade 137 informal settlements existed, and that during 2011 there was the record in increased number of forced evictions.<sup>67</sup>

The living conditions in the informal settlements are horrible, since their residents lack in basic necessities such as electricity, water and elementary hygienic conditions. Fires are not strange to the informal settlements in fall and winter, because their residents light candles or fires to keep themselves warm. Unfortunately, three Roma children died when a fire broke out in an informal settlement in Novi Beograd in September 2014. The NGOs focusing on the protection and improvement of Roma rights and the Protector of Citizens warned that this tragedy was a reminder of the desultory living conditions in informal Roma settlements and called for the urgent adoption of specific measures to improve the housing and living conditions of Roma in Serbia.<sup>68</sup>

All in all, living conditions of Roma community are still difficult. Those living in the numerous informal settlements are subject to a high degree of discrimination in accessing welfare, health care, employment and adequate housing, including the basic hygienic living conditions, water and electricity. Hence, evictions and the right to housing are generally a big problem, and Serbia is far from fulfilling the international standards on evictions and resettlement. Social housing is still at an early stage and, in the absence of a comprehensive legal framework and the slow implementation of the activities envisaged by the National Social Housing Strategy, it does not provide a satisfactory response to Roma housing problems.<sup>69</sup> The previous experience in Belgrade shows that only about 10 percent of social apartments are allocated to persons of Roma ethnicity. In addition, the NGO Praxis alerted to the problems of the beneficiaries of social housing in Belgrade, whose lease contracts were cancelled or not renewed because they were unable to pay the high rents and utility fees. Namely, they cannot exercise legal protection in the event their contracts are cancelled. The costs of social housing often exceed the total incomes of the entire households and the beneficiaries were not offered subsidies, i.e. housing allowances. Furthermore, the beneficiaries do not have the status of protected energy customers and have to

---

<sup>66</sup> Zasritnik gradjana (a), p. 17.

<sup>67</sup> CeSid, p. 5.

<sup>68</sup> Belgrade Center for Human Rights, p.320.

<sup>69</sup> Belgrade Center for Human Rights, p. 318.

pay personal property tax on the apartments although they do merely use them and do not own them.<sup>70</sup>

Bearing in mind afore-mentioned, European Union has earmarked 3.6 million Euro for the “Livelihood Enhancement or the Most Vulnerable Roma Families in Belgrade” (Let’s Build a Home Together) project, which is to provide durable and adequate housing solutions for up to 200 Roma families resettled from the Belgrade Belvil informal settlement and living in the Belgrade container settlements in Makiš, Jabučki rit, Resnik and Kijevo.<sup>71</sup> The Project is implemented in partnership with the City of Belgrade, the United Nations Office of High Commissioner for Human Rights, the Danish Refugee Council, the Housing Development Centre for Socially Vulnerable Groups, the OSCE and the UN Serbia Team. The implementation of the project began in February 2013 and is to be completed by early 2015. So far, it has achieved modest results. By the end of July in 2014, 16 village houses were purchased and eight families were relocated to their new homes. Furthermore, the construction of twelve social housing units in Orlovsko naselje started, while seven beneficiaries made significant progress in the reconstruction of their own property. Given that the implementation of the project is to end in early 2015, expectations are that only 30 percent of the targeted beneficiaries at most will be accommodated.<sup>72</sup> The project faced a number of problems, including lack of funding, higher construction costs and poor cooperation with the local authorities.<sup>73</sup>

Roma suffered major damages during floods in May in 2014. However, the prospects that their problems will be addressed are much smaller than those of the rest of the population affected by the floods.<sup>74</sup> It is difficult to determine the precise number of flooded Roma households and vulnerable Roma because of the desultory conditions they had lived in and lack of documents. Consequently, Roma have spent much longer periods of time in collective centers without a certain solution on the horizon. It is equally difficult to monitor what, if any, assistance they have been offered.

Eventually, the Protector of Citizens established that the rights of 31 Roma citizens, including 12 children, had been violated during the floods. Basically, one reception centre they were referred and transported to in Dobanovci refused to take them in on explicitly discriminatory grounds.<sup>75</sup> Finally, capacities in the Republic Agency for Social Housing and social housing agencies in local municipalities that deal with housing problems of socially disadvantaged groups do not secure planning and implementation of measures and activities necessary for the improvement of

---

<sup>70</sup> Belgrade Center for Human Rights, p. 318.

<sup>71</sup> Ibid.

<sup>72</sup> Ibid.

<sup>73</sup> Ibid.

<sup>74</sup> Belgrade Center for Human Rights, p. 320.

<sup>75</sup> Ibid.

housing of Roma.<sup>76</sup> In fact, there is no database on Roma housing conditions, their housing needs and settlements in which they live.

### **3. Serbian Legislation**

The normative framework in which the Republic of Serbia is tackling the issue of Roma integration is a comprehensive mixture of international and national law. Serbia has signed and ratified a number of international and regional human rights treaties, such as , e.g. the Covenant on Civil and Political Rights, the Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of Racial Discrimination, the European Convention on Human and Minority Rights, the Framework Convention for the Protection of National Minorities of the Council of Europe, imposing binding obligations on the state and allowing all citizens, including Roma, to exercise their rights without prejudice or discrimination.<sup>77</sup>

The Constitution regulates the equality of the citizens, freedom of expression of one's national identity, prohibition of discrimination, prohibition to inspire racial, religious and national hatred, collective rights of national minorities (informing, culture, education, the official use of language), the right to self- governance, development of tolerance, authorizations of the autonomous regions to implement the rights of national minorities, the prohibition to force assimilation, the right to association, the right to collaboration with compatriots from other counties, and foresees direct implementation of the guaranteed rights.

Moreover, Serbian domestic legislation prohibits discrimination on the grounds of race, culture, language and religion and imposes the specific obligation on the state to protect minority rights that are enshrined in the Serbian Constitution and have been enacted in over thirty laws, including the Law on the Protection of Rights and Freedoms of National Minorities, that explicitly require the state to undertake the measures necessary to improve the livelihoods of Roma.<sup>78</sup>

In other words, Article 4 of the afore-mentioned law sets forth minority status and establishes the obligation of the authorities to comply with the Constitution and the law, and adopt regulations, individual legal acts, and take measures to ensure full and effective equality between persons belonging to national minorities and the majority of the nation, and in particular to improve the situation of persons belonging to Roma national minority.

According to Article 2 of this Law, national minority is any group of citizens of the Republic of Serbia, which is sufficiently representative by number, although it is a minority in the territory of the Republic of Serbia, it belongs to some population group with a lasting and firm connection to

---

<sup>76</sup> Zastitnik gradjana (a), p.18.

<sup>77</sup> United Nations in Serbia, p. 7.

<sup>78</sup> Law on Rights and Freedoms of National Minorities, Art. 4.

the Republic of Serbia and has features such as language, culture, national or ethnic affiliation, origin or religion that make it different from most of the population, and whose members are distinguished by their concern to preserve together their common identity, including their culture, tradition, language or religion.

In addition, the Law guarantees certain specific rights to national minority aiming to preserve its special features: a right to choose and use the personal name (Art. 9); the right to use of the native language (Art. 10); the right to use their language and writing (Art. 11), the right to preserve their culture and traditions (Art. 12); the right to education in their native language (Art. 13); the right to use of national symbols (Art. 16); as well as the right to public information in the language of minority (Art. 17).

The Law on Prohibition of Discrimination stipulates the general prohibition of discrimination, forms and cases of discrimination (Art.1-7), and procedures for the protection against discrimination (Art.35-40, and Art. 41-46). Namely, this law establishes the Commissioner for Protection of Equality as an autonomous state authority, independent in performing his/her duties (Article 1), and foresees that protection from discrimination can be achieved either before the Commissioner for the Protection of Equality or in court proceedings.

Furthermore, the law expands the area of prohibited grounds of differentiation (skin color, ancestry, nationality, ethnic origin, gender identity, sexual orientation, genetic characteristics, medical condition, marital and family status, criminal record, appearance, and membership in political, trade union and other organizations), while some grounds that are recognized by the Constitution, are not mentioned in this law (social background and culture).<sup>79</sup>

Basically, the Republic of Serbia has gradually been putting into place a normative and institutional framework designed to improve the dire socio-economic situation of the Roma population in Serbia. The key policy documents in this respect are the National Strategy for the Integration and Empowerment of Roma (Roma Strategy) and the Roma Decade 2005-15. The Roma Strategy represents the guiding policy document intended to cover all the relevant issues for the integration of Roma population in Serbia, and especially to counteract poverty and discrimination against Roma who by all appearances are the most vulnerable national minority.<sup>80</sup>

For the realization of this ambitious document, the Government of the Republic of Serbia has adopted two action plans: first, for a period of two years, was adopted in July 2009 and the second, which was adopted in 2013 and would end on 1 January 2015. Furthermore, since the mandate of the regional initiative "Decade of Roma" (2005 - 2015) that Serbia has joined is

---

<sup>79</sup> Commissioner for Protection of Equality, p. 122.

<sup>80</sup> United Nations in Serbia, p. 5.

Basic, G. p. 3.

going to end in the early 2015, and within which strategic measures were implemented, the Office of Human Rights and Minority Rights has prepared Baseline Study stressing the importance of adopting new Strategy document.<sup>81</sup> In other words, this act would be in accordance with an EU Framework for National Roma Integration Strategies up to 2020, and it would be adapted to meet EU Roma integration goals, i.e. four crucial areas: access to education, employment, healthcare and housing.<sup>82</sup>

Furthermore, Strategy for the Prevention of and Protection from Discrimination for the 2013–2018 period reiterates that the Roma community in Serbia, especially its most vulnerable categories – women, children, IDPs, legally invisible people – are exposed to various forms of discrimination, above all verbal and physical assaults, destruction of their homes and segregation.<sup>83</sup> In the section on national minorities, the Strategy devotes particular attention to the status of Roma (section 4.2.2.3) and sets out special measures (Measures 4.2.4, paragraphs 10–13) and objectives (Section 4.2.5.4) regarding the Roma national minority.

In solving the problem of legal invisibility, the Law on Registry Books was adopted in 2009 as well as the by-law - Guidance on keeping the registers and forms the register. Those legal acts have significantly improved the right to register the fact of birth in the register of births, even after the application deadline (late registration). Furthermore, the Republic of Serbia has changed the Law on Identity Cards and the Law on Republic Administrative Fees in 2011, and has adopted a new Law on Permanent and Temporary Residence. At the end of 2012, the Ministry of Internal Affairs on the basis of the law brought a special Ordinance on the residence application form at the address of the centers for social work. In August 2012, the National Assembly of the Republic of Serbia adopted the Law on Amendments to the Law on Non-contentious Procedure Act, which established the legal basis to establish the facts of birth in the trial, which will in future significantly reduce the number of "legally invisible" persons.<sup>84</sup> However, the issue of acquisition of citizenship is not sufficiently clearly and precisely regulated, which leaves the possibility that the status of legally invisible persons is replaced by the status of persons at risk of statelessness.

Moreover, Article 11 (11) of the 2005 Health Protection Act foresees and specifically states that health care coverage includes Roma. In addition, Article 22 (11) of the 2005 Health Insurance Act has applied affirmative measure which has enabled Roma citizens who because of traditional ways of living do not have a permanent residence or temporary residence, to exercise the right to health insurance. This solution represents a good example of affirmative action.

---

<sup>81</sup> Basic, G. p. 3.

<sup>82</sup> European Commission, Chapter 2 and 3.

<sup>83</sup> Belgrade Center for Human Rights, p. 316.

<sup>84</sup> Kancelarija za ljudska i manjinska prava (a), p. 27.

However, as previously mentioned, even though the Health Insurance Act allows Roma to acquire the status of an insured regardless of whether they have registered permanent or temporary residence, notwithstanding the legislation, they are still denied the right to access to health insurance. Many branches of the Health Insurance, referring to the Decree on the Content, Form and Manner of Filing a Single Application for Compulsory Social Insurance, which states that persons of Roma nationality should have temporary residence, demand that Roma persons attach residence registration as evidence when applying to Health Insurance. Consequently, those who have no residence registration are denied the status of insured.<sup>85</sup>

One good example of affirmative action is the existence of health mediators. The Ministry of Health has organized in 50 local self-governments the work of 75 health mediators who have done significant activities and tasks related to health education and the exercise of the right to health of Roma citizens.<sup>86</sup>

When it comes to informal Roma settlements, the Roma civil sector has initiated adoption of a *lex specialis* which would facilitate the regulation of the illegal settlements and their coverage by urban plans, and further on construct a prerequisite for the legalization of individual facilities.<sup>87</sup> The valid law on legalisation, adopted in 2013, does not provide the residents of Roma settlements in Serbia with the opportunity to legalise their homes satisfying construction and utility standards. Basically, Serbia has signed the Vienna Declaration in 2004, which underlines the importance of legislation in this area and states that the urban, social and economic integration of informal settlements within the overall city structure will be a key factor in preparing for accession to the EU. Consequently, the draft *lex specialis* relies on the same.

Regarding education, the Constitution recognizes the right to education as a fundamental right and imposes a corresponding obligation on the state to ensure the effective exercise of this right. In addition, the issue of Roma education is addressed in general policy documents as well as in separate policy documents tackling the question of Roma education, including the National Action Plan on Education.<sup>88</sup>

---

<sup>85</sup> Kancelarija za Ljudska I Manjinska Prava (a), p. 28.

<sup>86</sup> Zastitnik Gradjana (a), p. 17.

<sup>87</sup> Belgrade Center for Human Rights, p. 319.

<sup>88</sup> United Nations in Serbia, p. 10.

## 4. Government Response

The Republic of Serbia has assumed the chair of the 2005-2015 Decade of Roma Inclusion (“Roma Decade”) for a period of one year, as of 1 July 2008. The Decade is a regional initiative aimed at eliminating discrimination and closing the unacceptable gaps between Roma and the rest of society, and its priority areas are laid down as education, employment, health and housing.<sup>89</sup> Consequently, Serbia has undertaken certain commitments by joining the Roma Decade. Therefore, in 2005 the Government of Serbia has adopted four National Action Plans intended to give effect to the Roma Decade, and which tackle four previously mentioned priority areas.<sup>90</sup>

Despite this, even in 2014 the status of Roma did not improve much. Roma are one of the most vulnerable categories of the population in Serbia. The three-year Action Plan (Roma Strategy AP) for the Implementation of the Strategy for the Improvement of the Status of Roma in the Republic of Serbia (hereinafter: Roma Strategy) was adopted in 2013. Paradoxically, this key Government document applied retroactively also to 2012 (given that the prior Roma Strategy AP had been in force until 2011) and was enforced until 1 January 2015.<sup>91</sup> The Roma Strategy AP laid down the measures, institutions charged with implementing them, the deadlines and the projected costs and sources of funding. However, two segments of the Roma Strategy AP – the deadlines and sources of funding – stand out immediately.

Namely, all measures were to be enforced by the same deadline – end of 2014. This may indicate that the ministries and other competent institutions lacked a clear plan on the priorities and the order of the measures they were to take to make specific and appreciable improvements in the status of Roma.<sup>92</sup> Second, the Government was mostly relying on foreign sources of funding (donations and loans) and less on the national budget. Moreover, the authors of the Roma Strategy AP failed to envisage funding for most of the measures, which particularly gives rise to concern as regards housing.<sup>93</sup>

Furthermore, in May 2013, the Government has formed the Council for the Improvement of the Status of Roma and the Implementation of the Decade of Roma Inclusion ( Roma Council) and tasked it with drafting public policy proposals to improve the status of the Roma population and monitoring their implementation, rendering opinions on planned budget funding, analyzing the effects of the undertaken measures, monitoring the implementation of the Decade of Roma Inclusion in the Republic of Serbia, etc.<sup>94</sup>

---

<sup>89</sup> Please refer to <http://www.mc.rs/dekada-roma.1095.html>

<sup>90</sup> United Nations in Serbia, p. 5.

<sup>91</sup> Belgrade Center for Human Rights, p. 313.

<sup>92</sup> Ibid.

<sup>93</sup> Ibid.

<sup>94</sup> Belgrade Center for Human Rights, p. 315.

Roma Council was established for a four-year period in 2008, as an inter-ministerial body chaired by the then Deputy Prime Minister and comprised of the state secretaries, ministerial advisors and assistant ministers, as well as the representatives of the Roma civil sector and the National Council of the Roma National Minority.<sup>95</sup> However, in 2014 new members of the Roma Council were appointed, now being chaired by the Minister of Labour and Social Issues rather than the Deputy Prime Minister, which may indicate its lesser political relevance.<sup>96</sup> The decision to entrust chairmanship to the Minister is seen at least problematic, since this Ministry has been the least active on Roma inclusion issues.<sup>97</sup>

Regarding the establishment of the National Council of the Roma National Minority (NCRNM), the National Minority Council elections were held on 26 October 2014. The NCRNM was constituted and Vitomir Mihajlović was re-appointed Chairman. However, the smaller turnout than at the previous elections may indicate increasing political passivity of this category of the population traditionally reluctant to exercise its right to political participation or of its lack of trust in the NCRNM as an institution.<sup>98</sup> However, the NCRNM has been hampered by disputes over the procedure for electing its members.<sup>99</sup>

On the other hand, one of the key institutions in this area is the Secretariat for the Roma National Strategy. However, its lack of a clear mandate threatens to seriously compromise its effectiveness. Its standing and effectiveness would be bolstered by its formal incorporation into the Ministry of Human and Minority Rights.

Measures taken by the Government of the Republic of Serbia such as adoption of the Strategy for improvement of the position of Roma only partially contributed to the establishment of a normative basis for elimination of long-term negative social position of this national minority, but unfortunately the strategic objectives set were not achieved.<sup>100</sup> Basically, the need to transform these words and declarations into action still remains.

The results achieved have not removed obstacles to socio-economic integration of Roma and have not created a complete normative basis for the implementation of long-term measures for reducing poverty and achieving substantive equality of citizens Roma.<sup>101</sup> Measures of positive discrimination (affirmative action) provided for in Article 21 of the Constitution of the

---

<sup>95</sup> Belgrade Center for Human Rights, p. 315.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

<sup>98</sup> Belgrade Center for Human Rights, p. 316.

<sup>99</sup> United Nations in Serbia, p. 6.

<sup>100</sup> Zastitnik gradjana (a), p. 15.

<sup>101</sup> Ibid.

Republic of Serbia are not sufficiently undertaken as a means of overcoming extreme adverse socio-economic situation of Roma, which might be essential reason for inequality.<sup>102</sup>

Existing mechanisms and instruments (strategy and AP) in the period from 2009 to 2015 have not been effectively established and it is undoubtedly the reason why the existing strategy should be replaced with a new one, which foresees proper balance between political, infrastructural and governmental basis for the implementation of an active policy to promote situation of Roma, and steady development of inclusive public policies to reduce poverty of the Roma population and social exclusion.<sup>103</sup>

Moreover, these omissions have caused that even after expiry of the five-year period of implementation of the Strategy social, regulatory and organizational conditions for its implementation and basic database on the status and needs of Roma do not exist; as well as that public administration is unable to implement, monitor and manage its implementation, and eventually non-existence of inclusive budget projected on the real number of users.<sup>104</sup> Additionally, this is accompanied by weak action plans, which follow the strategy, and which do not provide the specific obligations of local authorities in connection with the implementation of specific measures and activities.<sup>105</sup> Therefore, one might note the unwillingness of the state to realize the essence of the strategy, to design and implement effective measures of improving the situation of Roma.

Eventually, the data indicate that 81.2 percent of Roma living in different types of settlements in 30 cities and municipalities in Serbia have not felt the effects of the measures and actions taken based on the Strategy and the Action Plan.<sup>106</sup>

Furthermore, at the local level, there is insufficient support across municipalities in Serbia for the institution of the Coordinator for Roma Issues. The practice of the Office for the Inclusion of Roma of the Autonomous Province of Vojvodina (AP Vojvodina) is a good example of how to integrate the functioning of these local institutions into the work of higher-level bodies charged with implementing policies on Roma inclusion.<sup>107</sup>

The Office has associates who have strong links with local self-governments and their coordinators in charge of Roma issues.<sup>108</sup> The Office has developed successful models of integration of Roma population and visibly has improved their position. Namely, AP Vojvodina

---

<sup>102</sup> Constitution, Art. 21.

<sup>103</sup> Basic, G. p. 12.

<sup>104</sup> Basic, G. p. 16.

<sup>105</sup> Zastitnik gradjana (a), p. 15

<sup>106</sup> Zastitnik gradjana (a), p. 54.

<sup>107</sup> United Nations in Serbia, p. 6.

Office for Roma Inclusion, available at <http://www.inkluzijaroma.vojvodina.gov.rs/>

<sup>108</sup> Zastitnik gradjana (a), p. 43.

applies measures of positive discrimination in admissions to universities, and mechanisms for the economic empowerment of Roma are put in place. It is not of lesser importance that the Provincial Secretariat for Economy, Employment and Gender Equality has established a special sector whose jobs are concentrated to the employment of Roma.

On the republic level, the Ministry of Education and the Secretariat for the Roma National Strategy are implementing the National Action Plan in two primary areas: through the promotion of Roma enrolment and by combating segregation. Affirmative action measures promoting Roma enrolment, which are in conformity with the Law on National Minorities, include the provision of free textbooks for Roma children in primary education and the facilitated access to secondary schools through lower admission standards. Unfortunately, in reality, the majority of Roma children are neither able to purchase text books, nor are they provided with them for their elementary education.<sup>109</sup> In other words, despite the fact that the Government has formed a working group mandated to direct and monitor the implementation of the National Action Plan on Education, this has limited contribution on the ground.<sup>110</sup>

Regarding affirmative action measures for facilitated enrolment into schools, under the recently promulgated Regulation on Enrolment of Students in High Schools, a Roma student is eligible for admission if the total number of points gained in the course of the application process is up to 30 points lower than the average.<sup>111</sup> Due to the affirmative action for school year 2014/15, 322 Roma students were enrolled in secondary schools on the desired occupation, and the Republic of Serbia provided 350 high school student scholarships, 30 university student scholarships and 20 student loans.<sup>112</sup> The amount of student scholarships is 5,400 dinars for high school students and 8,400 dinars for university student.

In 2015, all formal legal and administrative requirements to establish mentoring and scholarships programme for Roma secondary school system through the Ministry of Education, Science and Technological Development of Republic of Serbia, with the technical support of the Roma Education Fund from Budapest, are met.<sup>113</sup> On the basis of clear criteria for awarding scholarships, selection was conducted and 525 scholarships for Roma high school students were allocated. Their payment has started in January 2015 as well as the training and recruitment of mentors for these students. The total number of scholarships for this year will be 1,000.

In an effort to ensure the public health for all, the Ministry of Health has developed programmes to improve health and healthcare for Roma and has undertaken special activities aimed at increasing the availability and quality of health care of Roma population. The Ministry of Health

---

<sup>109</sup> United Nations in Serbia, p. 11.

<sup>110</sup> United Nations in Serbia, p. 10.

<sup>111</sup> United Nations in Serbia, p. 11.

<sup>112</sup> Kancelarija za Ljudska I Manjinska Prava (b), p. 15.

<sup>113</sup> Kancelarija za Ljudska I Manjinska Prava (b), p. 2.

is the only ministry that has allotted funds in 2006-8 exclusively for the implementation of the Roma National Action Plan on Health.<sup>114</sup>

Overall, the Ministry of Health has taken an active role in implementing the National Action Plan on Health, including the organization of workshops on writing project proposals for health institutions and Roma NGOs and promoting the National Action Plan on Health among health institutions through outreach activities. The Ministry has also agreed to continue the initiative of international and non-governmental actors and to continue supporting the work of Roma health mediators tasked with familiarizing Roma population on how to access healthcare services and enjoy their right to health.<sup>115</sup>

According to the criteria set by the Ministry of Health, health mediators have to have a good understanding of, and appreciate problems burdening certain marginalized local groups, they have to come from some of the target Roma settlements and to live in them, to have completed primary school, to be a mother in order to better understand the problems of this target group and to be familiar with Roma language and culture.<sup>116</sup> Not only that this measure contributes to trust building and better access to health protection, it also improves employment chances for Roma women, i.e. from 2008 until now, 75 Roma women got employment as health mediators in 60 local self-governments.<sup>117</sup>

The Ministry of Culture and Information has stressed at the end of 2014, that its priority is to undertake active role in promoting a more positive image of the Roma community in the media, and has established a Department which should publish children's newspaper in Romani language ( or bilingual), and which would be distributed in schools through assistants for education.<sup>118</sup> Furthermore, this ministry has provided double the budget for cultural projects of Roma minority (2,255,000.00 dinars) in 2014, and has noted the increased involvement of youth. Moreover, in AP Vojvodina, there are 8 radio and TV stations that provide either full or partial information in Roma language, which still means that Roma do not occupy enough space in the media bearing in mind their participation in the total number of population.<sup>119</sup>

The Ministry of Economics and Regional Development has formed a working group tasked with implementing the Roma Employment Action Plan.<sup>120</sup> The Ministry decided to apply measures of affirmative action through the National Employment Service. Consequently, in 2007, public works were launched with the improvement of Roma settlements as one of the priorities; following consultations, and eventually 20 projects out of 77 were approved targeting Roma with

---

<sup>114</sup> United Nations in Serbia, p. 12.

<sup>115</sup> United Nations in Serbia, p. 12.

<sup>116</sup> Zastitnik gradjana (c), p. 10.

<sup>117</sup> Ministarstvo Zdravlja RS, p. 7.

<sup>118</sup> Kancelarija za Ljudska I Manjinska Prava (b), p. 4.

<sup>119</sup> Pokrajinski Ombudsman (b), p. 12.

<sup>120</sup> United Nations in Serbia, p. 13.

Roma NGOs as the implementing partners. The projects focused on settlement infrastructure and on collecting data and have engaged around 400 Roma for around six months.

In addition, Roma were designated as a priority category in the self-employment programme, run by the Ministry. The programme allows an unemployed person to receive a subsidy of about 1,600 Euro towards self-employment.<sup>121</sup> However, the Ministry has yet to set aside funding specifically for implementing the Roma Employment Action Plan, leaving funding for the above-mentioned projects and other Roma-focused initiatives in a very uncertain state.<sup>122</sup>

Ministry of Labour, Employment and Social Affairs has not developed the necessary capacity in order to exercise jurisdiction laid down in Article 17 paragraph 1 of the Law on Ministries related to the social integration of Roma.<sup>123</sup> Social centers often do not accept written requests of Roma citizens, they rather refuse it, or verbally advise them to exercise the right before other authorities. Moreover, employees in social work centers are not adequately trained to deal with Roma, i.e. often express prejudice against citizens of Roma nationality.<sup>124</sup>

When it comes to executive power, racist graffiti can be seen written in the central parts of the cities like Belgrade, Zrenjanin, Kraljevo, Nis, Novi Sad, Pozega, etc. however Police Department has not apprehended wrongdoers, nor the prosecutors perceived that as an act which inflamed racial, national, ethnic and religious intolerance.<sup>125</sup>

Finally, the absence of a person in charge in the administration of local self-governments who is supposed to take care of the integration of Roma, i.e. undeveloped legal status, rights and obligations, and job description of Roma coordinators, significantly hamper their status and work, but also access of Roma to authorities and institutions.<sup>126</sup>

#### **4.1. Autonomous Province of Vojvodina**

In order to improve the situation of Roma in education, employment, health, housing, and human rights as well as creating conditions for inclusion of Roma in all spheres of social, public and political life, the Autonomous Province of Vojvodina has established the Office for Inclusion Roma in 2006, which has been funded by the provincial budget.<sup>127</sup>

The Office deals with implementation, monitoring and implementation of the Strategy for Roma integration, and implementation of action plans in the province, coordinate various projects for

---

<sup>121</sup> United Nations in Serbia, p. 13.

<sup>122</sup> United Nations in Serbia, p. 14.

<sup>123</sup> Zastitnik gradjana (a), p. 20.

<sup>124</sup> Ibid.

<sup>125</sup> Zastitnik gradjana (a), p. 57.

<sup>126</sup> Zastitnik gradjana (a), p. 21.

<sup>127</sup> APV, Odluka o Osnivanju, Art. 1.

Roma integration involving respective Provincial Secretariats, cooperates with the NCRNM, the Roma Integration Council in the province and with appropriate organizations and bodies at the international and national level, performs professional, administrative and technical tasks related to the implementation of certain projects, preparation of programs of activities related to the integration of Roma in the province and organize seminars, conferences, round tables on issues related to the activities of Roma integration. The main objective of this office is to assure complete and full social inclusion of Roma.

Namely, the Office has achieved remarkable results with regard to improving the situation of Roma in education. For instance, in 2013 thanks to its affirmative action measures 156 Roma students enrolled in high schools and 27 students enrolled in respective faculties. Nowadays, more than 250 Roma students study at the University of Novi Sad, and other universities in Vojvodina, which is more than in all faculties in the rest of Serbia.<sup>128</sup> Furthermore, for a number of students the Office provides accommodation in the homes of high school, and university scholarships.

Moreover, Vojvodina is the first region in Europe which has enabled Roma to study in their mother tongue. In other words, at the initiative of the Office a study program for teachers in the Roma language was set up at the University of Education in Vrsac.<sup>129</sup> This is a very good, though the only example of creating frames for education in the Roma language.

Ministry of Education, Science and Technological Development has decided that Roma language is taught in primary school as an elective course, however, this decision is implemented only in AP Vojvodina mainly due to the activities of the Office for Roma Inclusion. Around 1,000 Roma children attend the course.

Furthermore, regarding the enhancement of employment, the Office has achieved establishment of more than 50 outstanding companies in AP Vojvodina whose owners and workers are Roma.<sup>130</sup> To put things differently, Roma who want to start their own business, do not have to guarantee with high material or financial participation, since the Office will guarantee for them, and take the responsibility in case of business failure to return the funds obtained by selling of purchased real estates.

Eventually, an essential part of the work of the Office represents the housing of Roma families. It is primarily based on the purchase of houses in the villages, e.g. there are examples of good practice in municipalities of Apatin and Kula.

---

<sup>128</sup> Zastitnik Gradjana (c), p. 24.

<sup>129</sup> Zastitnik Gradjana (c), p. 25.

<sup>130</sup> Ibid.

#### **4.1.1. The Municipality Apatin**

In accordance with the recommendations of the Government of the Republic of Serbia given in the Strategy for Improving the Position of Roma in Serbia, the Municipal Council in municipality of Apatin has adopted a "Local Action Plan for Roma" for the period 2010 to 2015 in 2010, which has included housing, education, employment, health, environment, culture and information.<sup>131</sup> This Action Plan was prepared in cooperation with the social work center, health centers, branch of the National Employment Service, and Roma associations, and it derives from the need for continuation of strategic planning and protection of interests of local citizens, since in this municipality traditionally live 23 ethnic groups including Roma.<sup>132</sup>

In accordance with the objectives of this document, the municipality of Apatin renewed all the houses that did not meet minimum housing conditions in the Roma settlement. In that village, there are more than 3,000 residents in 580 households. Rehabilitation of settlements included the improvement of the existing infrastructure, renovation of 100 houses and construction of 45, all earmarked for meeting the housing needs of Roma families. From 2008 to 2012, 67 million dinars have been invested in the infrastructure of the village. Furthermore, the water supply, sewerage system, electrical networks, and roads in all the streets, have been arranged and constructed as well as house of culture, kindergarten, sports facilities, parking lots, etc. Additionally, the work of health clinics has been established, and Health mediator is available, as well.

The village has a kindergarten, tailored to the needs of children and parents, it has been financed by municipality. In addition, the municipality provides funds for the purchase of textbooks, bus transportation of students, snacks, as well as for scholarships for Roma students regardless of financial status of the family.<sup>133</sup> Statistically, more than 90 percent of Roma children regularly attend primary school courses, but unfortunately only 30 percent of them continue their higher education.<sup>134</sup>

Eventually, even though the integration of Roma in the municipality of Apatin serves as a good example of full integration of Roma into society, and might be inspiring for other local self-governments, there are still some problems that draw attention and remain to be resolved in the future, like unemployment and legalization of informal settlements. Nevertheless, the municipality has shown serious determination to tackle those issues.

#### **4.1.2. The Municipality of Kula**

The municipality of Kula is trying to improve the socio-economic situation of Roma citizens, and has initiated activities related to the improvement of housing conditions and the inclusion of Roma children in the education system.<sup>135</sup> Namely, in 2011 it has adopted Local Action Plan for

---

<sup>131</sup> Opstina Apatin, Akcioni Plan, p. 2.

<sup>132</sup> Zastitnik Gradjana (c), p. 14.

<sup>133</sup> Opstina Apatin, Akcioni Plan, p. 5.

<sup>134</sup> Ibid.

<sup>135</sup> Zastitnik Gradjana (c), p. 17.

housing which sets out measures to improve the economic status of Roma through solving their housing needs.

The Government of the Autonomous Province of Vojvodina in cooperation with the Roma Inclusion Office of the Government of AP Vojvodina, has provided funds to purchase households in the village of Sivac for ten Roma families with more than one hundred members, who were living in informal settlements. The local self-government has undertaken other activities that provide full integration of Roma.

Municipal authorities in Kula have displaced Roma from substandard settlements to the different parts of the village Sivac, and it has granted them permanent ownership of the house with a garden.<sup>136</sup> At the same time, Kula model of Roma integration is different from Apatin, since it has focused only on the most vulnerable families, and has avoided spatial segregation of Roma.

#### **4.2. The Municipality of Pozarevac**

Since the mid nineties, nineteen families displaced from Kosovo and two local families, or 105 persons of which 65 children, has lived in the so-called "tent" settlement in Pozarevac. The settlement had the status of informal collective center and the Commissariat for Refugees has taken care of its inhabitants until 2011, when they were displaced to new location.<sup>137</sup>

The location of new settlement and infrastructure has been provided by the city administration, and the funds for the construction of 21 houses were provided by the Commissariat from the pre-accession EU funds.<sup>138</sup>

Fully equipped apartments were allocated to Roma families, based on the number of members. However, the ownership of apartments remains with the city, whereas users do not pay rent, and for the poorest families social work center provides subsidies and benefits for payment of utility costs.<sup>139</sup>

---

<sup>136</sup> Zastitnik Gradjana (c), p. 17.

<sup>137</sup> Zastitnik Gradjana (c), p. 19.

<sup>138</sup> Ibid.

<sup>139</sup> Ibid.

## **Conclusion**

In conclusion, the state authorities have not properly agreed on who has responsibility for managing the integration and implementation of the Government Strategy for improving the situation of Roma. Some successes, such as the work of health mediators, work management integration in Vojvodina, or models of integration in individual local self-governments and, finally, systematic work on significant issues of recognition of personal status, cannot replace the need for solving problems of Roma citizens. They remain poor, often illiterate and unable to stand up for their rights and equal status.

## Bibliography

AP Vojvodina, *Odluka o Osnivanju Kancelarije za Inkluziju Roma*. Sluzbeni List APV, 2006.

Basic, G., Jovanovic, V., Colak, A., Ivanovic, I., *Polazna Studija za Izradu Strategije za Inkluziju Roma u Srbiji Usaglasena sa Strategijom Evropa 2020*. Beograd: Kancelarija za ljudska i manjinska prava, 2014.

Belgrade Center for Human Rights, *Human Rights in Serbia 2014: Law, Practice and International Human Rights Standards*. Belgrade: Belgrade Center for Human Rights, 2015.

CeSID, *Istrazivanje Javnog Mnenja, Izveštaj sa istraživanja javnog mnenja, Odnos Gradjana Prema Romima u Republici Srbiji*. Beograd: CeSID, 2013.

Commissioner for Protection of Equality, *Court Civil Protection from Discrimination*. Belgrade: Commissioner for Protection of Equality, Judicial Academy, 2012.

Constitution of the Republic of Serbia, Official Gazette RS, 2006.

European Commission, *An EU Framework for National Roma Integration Strategies up to 2020*. Brussels: European Commission, 2011.

Health Insurance Act, Official Gazette RS, 2005.

Health Protection Act, RS Official Gazette, 2005.

Kancelarija za ljudska i manjinska prava (a), *Strategija Prevencije i Zastite od Diskriminacije za Period od 2013-2018*. Beograd: Kancelarija za ljudska i manjinska prava, 2013.

Kancelarija za ljudska i manjinska prava (b), *Seminar: Drugi Izvestaj o Implementaciji za Period April 2014- Decembar 2014*. Kancelarija za ljudska i manjinska prava, 2015.

Kancelarija za ljudska i manjinska prava (c), *Nacionalna Pripadnost I Maternji Jezik Zaposlenih u Upravama Jedinica Lokalne Samouprave u Centralnoj Srbiji*. Beograd: Kancelarija za ljudska i manjinska prava, 2013.

Law on the Protection of Rights and Freedoms of National Minorities, Official Gazette FRY, 2002.

Law on Prohibition of Discrimination, RS Official Gazette, 2009

Medija Centar Beograd, *Dekada za Inkluziju Roma*, available at <http://www.mc.rs/dekada-roma.1095.html>.

Ministarstvo Zdravlja Republike Srbije, *Romske Zdravstvene Medijatorke u Zajednici kao Primer Dobre Prakse*. Sarajevo: Ministarstvo Zdravlja R Srbije, 2014.

Open Society Institute, *Monitoring Report: Equal Access to Quality Education for Roma, Serbia*. Belgrade, Open Society Institute, 2007.

Opština Apatin, *Lokalni Akcioni Plan za Poboljšanje Polozaja Roma u Opštini Apatin: 2010-2015*. Opština Apatin, 2010.

Pokrajinski Ombudsman (a), *Izvestaj Pokrajinskog Zastitnika Gradjana- Ombudsmana za 2014. Godinu*. Novi Sad: Pokrajinski Ombudsman, 2014.

Pokrajinski Ombudsman (b), *Manjinski Mediji u Vojvodini*. Novi Sad: Pokrajinski Ombudsman, 2010.

Province of Vojvodina, Office for Roma Inclusion, available at <http://www.inkluzijaroma.vojvodina.gov.rs/> (accessed on 25.04.2015).

Statistical Office of the Republic of Serbia, *2011 Census of Population, Households and Dwellings in the Republic of Serbia*, available at <http://webrzs.stat.gov.rs/WebSite/> (accessed on 25.04.2015).

Strategy for the Improvement of the Status of Roma in the Republic of Serbia, Official Gazette RS, 2009.

UNICEF (a), *When Special Means Excluded, Roma Segregation in Special Schools in the CEE/CIS Region*. UNICEF Regional Office for Central and Eastern Europe and the Commonwealth of Independent States, 2009.

UNICEF (b), *Advancing Education of Roma in Serbia: Country Assessment and the Roma Education Fund's Strategic Directions*. Roma Education Fund, 2007.

United Nations in Serbia, *Realizing Roma Rights*. Belgrade: United Nations in Serbia, 2008.

Zastitnik gradjana (a), *Izvestaj o sprovođenju Strategije za unapređenje položaja Roma sa preporukama*. Beograd: Zastitnik gradjana, 2014.

Zastitnik gradjana (b), *Izvestaj o Polozaju Pravno Nevedljivih Lica u Republici Srbiji*. Beograd: Zastitnik gradjana, 2012.

Zastitnik gradjana (c), *Primeri Dobre Prakse Integracije Roma u Lokalnim Samoupravama*. Beograd: Zastitnik gradjana, 2013.