



**ROMA**  
INTEGRATION

Regional Cooperation Council

ANALYSIS OF  
MAINSTREAM POLICIES  
TARGETING  
ROMA INTEGRATION  
IN BOSNIA AND  
HERZEGOVINA



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# **ANALYSIS OF MAINSTREAM POLICIES TARGETING ROMA INTEGRATION IN BOSNIA AND HERZEGOVINA**

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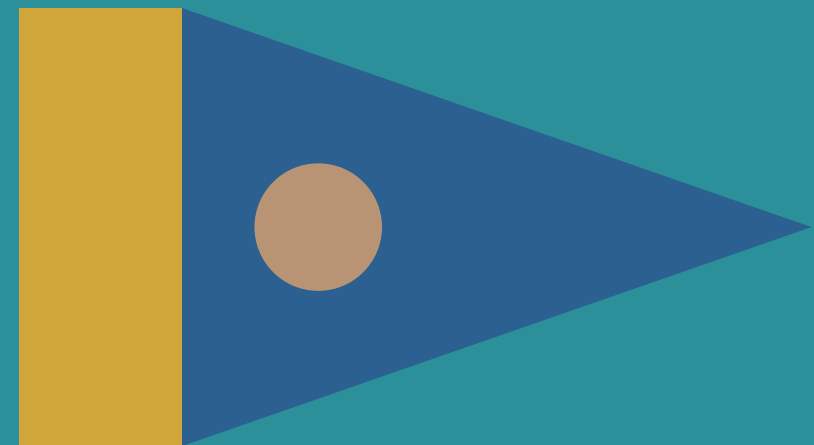
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## INTRODUCTION





Roma constitute the largest ethnic minority in Bosnia and Herzegovina. The many policy initiatives designed over the past 15 years to tackle the adverse social conditions in the Roma community have had limited success. The analysis reviews the efforts in the four priority sectors of education, employment, healthcare and housing to improve the lives of Roma in Bosnia and Herzegovina and identifies the factors that can limit the effectiveness of these policy initiatives.

Strong political commitment and measures to overcome prejudice against Roma require inter-sectorial policy coordination, adequate budgets, evidence-based policies and Roma involvement as key preconditions for improved outcomes in the priority sectors. Developing a sound evidence-based approach to Roma inclusion requires the removal of the obstacles to the collection of reliable data and improvement of the analytical and evaluation capacities. General policies and programmes aimed at reducing inequality for the Roma community need to be reciprocal and aligned to form part of a comprehensive policy framework that allows for effective integration. This analysis of mainstream policies targeting Roma integration in Bosnia and Herzegovina analyses the effects that the existing targeted policies, strategies and action plans at the governmental and other administrative levels have on Roma.

The analysis uses existing data in the area of education, employment, healthcare and housing to investigate the extent to which Roma issues are incorporated into policy plans within mainstream policies and budgets. The analysis tries to find correlation between the existing mainstream policies that do not directly target Roma on one side and national strategies and action plans for Roma integration on the other. It also highlights the remaining challenges and gaps.

The overview summarises information found in sectorial strategies, policy papers, programmes and measures, complemented by discussions with the National Roma Contact Point, Roma NGOs and government agencies.

Integration of Roma has been recognised as a challenge that concerns both the Roma community and society in general for more than 15 years. Naturally, the resolution of such a public challenge requires the development of public policies within the political decision-making process that should provide a flow or plan of action that will achieve the desired goals through the rational use of public funds. Therefore, according to its general meaning, policy should result in purposeful action taken by government institutions to change the situation of this particular minority group as well as the whole of society.

Public policy could mean the *de facto* use of services of local Roma businesses by, for example, their selection as service providers through measures for the procurement of services such as the cleaning of riverbanks or services for cafeterias and restaurants used by public institutions. This is despite the fact that such a decision does not exist in a written form (action flow). One of these action flows was used by the City of Sarajevo Administration to secure the cleaning of the

riverbank of the Miljacka and the Bosnia rivers. In this way, a local Roma company employed 50 Roma through service contracts that provided them with income for three months.

Thus, a public policy could also mean the *de facto* protection of a category of people through, for example, social housing. Government assistance for young people in the form of grants or loan subsidies for buying a house or apartment would help keep young educated people in the economy regardless of fact that such a decision does not exist in written form (action flow).

On the other hand, public policy can also be developed in the form of strategies, programmes, legislation or all of the above in the form of an action plan. Since policies reflect the actions of government in terms of what it decides to do consequently a lack of action on the part of government concerning a certain phenomenon recognised as a problem can also be interpreted as policy. That is, a government decision 'not to decide' on the resolution of a certain problem can be influenced by the current political situation, the relationship between political forces and or a lack of administrative capacity and the resources needed to effectively resolve the issue at a given moment. Policy implementation instruments include, but are not limited to, taxation, regulation, prescribed mandatory requirements and prohibitions, public expenditure, the dissemination of information and political decisions. In the broadest sense, we can define them as strategies, measures and resources that a government uses to meet its objectives.

Almost every policy implementation instrument has a legal basis, whether in the form of a strategy, programme or project adopted at the governmental or parliamentary level or as legislation or regulation, a decision made by the government or by parliament, directive, rulebook or some other form of implementation document. When selecting the policy implementation instrument the most important question is the ratio between the coercive instruments and the incentive instruments. In practice, it is usual to combine several instruments.

There are three major types of policy implementation instruments when it comes to the level of coercion.

- › Mandatory: This includes regulations and direct service provision by government institutions (i.e. laws, rulebooks, directives and mandatory instructions).
- › Combined: The provision of information, counselling and subsidies and the application of tax or direct costs to be covered by the users of the service provided (i.e. paying to cover part of the cost of medical services not included in primary healthcare).
- › Voluntary: This involves assurance or advocacy (i.e. campaigns on awareness raising for Roma inclusion in all social processes in Bosnia and Herzegovina).



Although it may seem that the voluntary instruments complement the mandatory ones the efficiency of mandatory instruments depends on the extent to which the liable parties agree to fulfil their obligations.

All levels of government, particularly local self-government units, citizens and the private sector have to be informed in a timely manner about new regulations. Therefore, when developing policy proposals and legislative development plans the relevant government institutions should anticipate the time and the financial and human resources required to implement informative actions and, if necessary, provide education/training for lower levels of government and user groups with regard to the mode of implementation for new regulations.

Needs assessments, situational analysis and the development of policy options and impact assessments are rational steps within the political decision-making process based on some form of evidence that indicates the probable effectiveness of government interventions.

Over the years, Bosnia and Herzegovina has developed a number of public policies that have had either a direct or an indirect effect on Roma integration. At very first beginning, it should be noted that most of these strategies and policy papers have now expired. The complex institutional structure of the economy might be one of the reasons why after the expiration of many policies new one are not developed. The matrix below shows the main policies clustered under the main areas covered in the Roma action plans.

Table I. Overview of public policies in Bosnia and Herzegovina that may target Roma

Sector	Title	Roma specific sections
Education	Platform for the Development of Preschool and Education in Bosnia and Herzegovina 2017–2022	✓
	Principles and standards in the area of adult education in Bosnia and Herzegovina	✗
	The Strategy for the Development of Education in Republika Srpska 2016–2021	✗
	Priorities for the Development of Higher Education in Bosnia and Herzegovina 2016–2026	✗
Employment	The Strategy for Employment in Republika Srpska 2016–2020 with EAP	✓
	Employment Strategy of the Federation of Bosnia and Herzegovina 2018–2021	✗

Sector	Title	Roma specific sections
Employment	Plan on the Guidelines for Labour Market Policies and Measures for Employment in Bosnia and Herzegovina for 2019	✓
	The Strategy for Strengthening the Mediation Function of the Public Employment Services in the Federation of Bosnia and Herzegovina	✗
Housing	Revised Annex VII Strategy of Bosnia and Herzegovina	✓ but only in the context of education
	Instruction on the delivery of Aid, selection of Beneficiaries and realisation of Projects for the Housing of Roma in Bosnia and Herzegovina	✓
	Standards for the Renovation and Construction of Housing units of Roma in Bosnia and Herzegovina	✓
Health	Strategic Plan for the Improvement of early Upbringing and Development of Children in the Federation of Bosnia and Herzegovina 2013–2017	✓
	The policy and the Strategy for Protection and Improvement of Mental Health in the Federation of Bosnia and Herzegovina 2012–2020	✗
	Strategy for the Prevention, Treatment and Control of Malign Neoplasms in the Federation of Bosnia and Herzegovina 2012–2020	✗
	Policy for Improvement of the Health of the Population in Republika Srpska by the year 2020	✗

**Qualitative analysis of these strategies, which have Roma specific sections, shows that the strategies only mention Roma briefly as one of the vulnerable groups and only few plan Roma specific activities.**

Although the necessary policies, tools and structures linked to the inclusion of Roma are in place in Bosnia and Herzegovina, the actual implementation is still in the initial phase without mainstreaming into the general policy initiatives.



In parallel, it is equally important to understand the human and financial resources required to meet the identified needs of Roma. **Therefore, it is necessary to gather qualitative and quantitative evidence to prepare a new situational analysis.** To achieve this it is crucial to involve a wide range of governmental and non-governmental stakeholders in order to ensure that it is comprehensive and reflects expertise and insights from different policy areas (e.g. education, employment, health and housing). A 'SWOT' analysis (strengths, weaknesses, opportunities and threats) would also facilitate effective implementation of the Roma strategy. This would be particularly important in terms of the development of local action plans for Roma. Local Roma action plans should not be copy-paste versions of the State Roma action plans, but well designed action plans that take into account the specific needs of the Roma community and specific geographical aspects.

## EMPLOYMENT





Bosnia and Herzegovina has developed the Plan on Guidelines for Labour Market Policies and active Employment measures for 2019, which was influenced significantly by EU approaches. The plan was intended to address the issues of improvement of the business climate, promotion of entrepreneurship, reorienting the skills and competencies of the labour force toward the needs of the private sector and the need to reduce exclusion and poverty through social protection and activation programmes targeted at vulnerable groups.

While, this represents an important effort by all layers of government, **analysis suggests that the plan has achieved only limited success in addressing the situation of those most at risk from exclusion in the labour market.** The employment programmes in both entities and in Brčko District have remained largely sectorial documents and the prerogative of 12 ministries (usually the Ministry of Labour and Social Welfare), which often have to compete with other sector priorities for political attention and budget allocations. Financial commitments for implementation remain low, are insufficient to address the needs effectively and tend to be among the first to be cut during fiscal consolidation programmes.

Studies analysing the employment/unemployment challenges in Bosnia and Herzegovina point to the suboptimal patterns of economic growth and the high share of undeclared employment with levels estimated at between 30 and 40 per cent, mostly spread among vulnerable sections of the population. The labour market demands higher levels of skill and this leads to a widening of the gap between those inside and outside the formal labour market. Yet very often the recommendations offered to policymakers remain 'traditional', ranging from the need to strengthen macroeconomic stability, improve different aspects of the business environment, address structural rigidity in the labour market (legislation, wage bargaining), the implementation of policies to enhance the skills of the labour force, boost labour productivity and implement comprehensive and sustained policy reforms. Although the systemic implementation of these recommendations can certainly have a positive impact in the long run they should not detract policy attention from the need to identify and pilot concrete ways to improve the employability and employment opportunities for the more disadvantaged.

Bosnia and Herzegovina has ratified the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work, which emphasises non-discrimination in the labour market. It has also ratified Conventions 88, pertaining to public employment services, and Convention 122, related to employment policy, as well as the Convention on the Rights of Persons with Disabilities. Moreover, Bosnia and Herzegovina has experience in establishing youth development policies, gender mainstreaming policies and policies aim at the inclusion of ethnic groups (Roma).

**ILO Convention 122** does not refer specifically per se to Roma but rather to stimulating economic growth and development, raising living standards, meeting manpower requirements

and overcoming unemployment and underemployment. It prescribes that each Member State shall declare and pursue, as a major goal, the design of an active policy to promote full, productive and freely chosen employment.

The aforesaid policy aims to ensure the following:

- a. there is work for all who are available for and seeking work;
- b. such work is as productive as possible;
- c. there is freedom of choice of employment and the fullest possible opportunity for each worker to qualify for and to use his/her skills and endowments in a job for which he/she is well suited, irrespective of race, colour, sex, religion, political opinion, national extraction or social origin.

Article 6 of ILO Convention 88 related to employment services states that the employment service shall be organised to ensure effective recruitment and placement and shall ensure for that purpose (i) assistance to help workers find suitable employment and assistance for employers to find suitable workers and in particular shall, in accordance with rules framed on a national basis, (ii) register applicants for employment, take note of their occupational qualifications, experience and desires; interview them for employment, evaluate, if necessary, their physical and vocational capacities and assist them where appropriate in obtaining vocational guidance or vocational training or retraining; (iii) obtain precise information from employers on vacancies that they notified the service about and the requirements to be met by the workers whom they are seeking to employ, (iv) refer such vacancies to available employment applicants with suitable skills and physical capacity, (v) refer applicants and vacancies from one employment office to another in cases where applicants cannot be suitably placed or the vacancies suitably filled by the original office or where other circumstances warrant such action.

**In order to ensure that Roma have access to jobs with long-term prospects, the public employment services are supposed to administer active labour market policies and therefore must know what technical skills are in demand.** In the case of Bosnia and Herzegovina, public employment services lack the human and financial resources to remain abreast of the latest market developments or to consult employers regularly about their current and anticipated needs. This means that active labour market policies (ALMP) targeting the Roma community do not match the needs of the labour market they are supposed to serve. The measures to promote the inclusion of Roma in the labour market through ALMP fail to take into account the fact that Roma, in general, have limited access to education. Therefore, **the ALMPs are not designed to respond to the potential, interests or preferences of Roma.**

Some mainstream ALMPs assumed a certain level of education such as previous work experience, vocational training or retraining among beneficiaries, which automatically excludes Roma who



have not enroll school or left school early. Weaknesses in the administration of ALMP with particular application to Roma are attributable in part to a lack of data disaggregated according to ethnicity. Data in Bosnia and Herzegovina is available on sex, age and education but does not include ethnicity.

The absence of reliable data on ethnicity makes it difficult to monitor and evaluate the impact that active labour market policies have on the Roma community. Because none of the public employment services collects information on the ethnic background of beneficiaries and only invites them to self-declare, it is almost impossible to assess the benefit that Roma derive from participation in these programmes. Even the two Roma targeted employment programmes do not have actual data on the ethnic composition of participants; participants are identified as Roma simply by virtue of the fact that the priority target group is Roma. Furthermore, many Roma are reluctant to declare their ethnic identity. Even if this data was available it seems unlikely that it would provide an accurate picture of Roma participation.

Despite this impressive list of global, regional and national frameworks, neither the labour market nor the social policies have been very successful in addressing the specific needs of vulnerable sections of the population. The weak links between these two sets of policies and the bodies responsible for implementing them have led to a lack of flexibility and efficiency, resulting in suboptimal employment outcomes for these sections of the population. Many citizens are excluded and face multiple barriers to gaining access to the labour market. Attempts to promote access have so far mainly taken the form of activation policies.

There are no comprehensive evaluations of activation and active labour market policies; however, case studies carried out for projects in Bosnia and Herzegovina suggest that these policies tend to contribute to the employability or employment of those who would have found jobs even without benefiting from these programmes. Those most distanced from the labour market face multiple barriers and remain under-represented in the very weak measures designed by the public employment services, while the programmes specifically designed for them usually do not result in them finding a more permanent job.

Bosnia and Herzegovina has a very complex system of institutions in the area of labour and employment, which is consistent with the constitutional and legal order. Pursuant to the existing legal regulations, the following parties implement active policies of employment:

- › the Federation of Bosnia and Herzegovina Employment Service and the cantonal employment services (in the Federation of Bosnia and Herzegovina),
- › the Employment Service of Republika Srpska,
- › the Employment Service of Brčko District.

Active measures are predominantly concentrated around employment incentives. Roughly estimated on the basis of the report on active labour market policies published in 2017 by the Bosnia and Herzegovina Labour and Employment Agency, around two-thirds of funds allocated for active labour market policies for these measures covers more than 70 per cent of the beneficiaries. These measures provide a quick fix and can move unemployed persons from the registers of the employment bureaus into jobs relatively easily and thus boost or maintain the employment statistics. However, these measures have only a modest or even negative effect on the position of long-term labour market beneficiaries through employment incentives.

Another widespread measure is self-employment, which comprises of just under a quarter of active labour market policy expenditure. At the same time, (re)training measures are neglected. This is despite their potential for addressing the skills mismatch and redirecting unemployed persons toward professions that are in demand through on-the-job training accompanied by subsidies attached to employment. This is usually considered one of the most successful measures in the regional context, because they have a positive impact on the employability of the beneficiaries in the mid to long-term perspective. However, less than 8 per cent of all funds for active measures are allocated to (re)training compared to the EU where training measures account for 30 to 40 per cent of active labour market policy spending. This clearly indicates that the authorities prioritise a reactive short-term approach that helps temporarily to amortise unemployment as one of the burning social issues over utilising the more substantial long-term potential of active measures.

Seen from the macro perspective, it is clear that this design of active measures produces questionable results overall. Active labour market policies very often support those persons that are sufficiently competitive in the market and who could find a job even without such support. Furthermore, employment incentives often substitute for regular employment. Employers would rather wait for employment incentives and subsidies to decrease their hiring costs than advertise a vacancy when the need arises.

However, it seems that at least temporarily 'money' is no longer an issue. After a period of several years when public spending on active labour market policies fluctuated around 0.15 per cent of GDP, it started to increase in 2016 when it exceeded 0.21 per cent of GDP. More recently, it has reached half that of the EU and the OECD figures, which on average spend 0.40 per cent of GDP on active labour market policies. The trend of further growth was expected to continue in 2019, partially because of implementation of the loan agreement that Bosnia and Herzegovina reached with the International Bank for Reconstruction and Development (IBRD).





## The Roma employment programme

The Roma Employment Programme plans to provide subsidies for employment and self-employment of Roma registered as unemployed in the Federation of Bosnia and Herzegovina. The emphasis is on strengthening their competitiveness in the labour market and preventing them from falling into long-term unemployment whilst taking into consideration social, gender and other types of vulnerability.

Employment measures explicitly and exclusively for Roma exclude other people who share similar socioeconomic circumstances as Roma. Analysis of the programme for Roma employment clearly shows that **this approach separates interventions focused on Roma from broader policy initiatives**. This approach is regressive toward Roma rather than inclusive.

The strategic goals of the Action Plan for Improving Employment of Roma differ from current employment measures implemented by the public employment services in both entities and in Brčko District. Only two measures that were formally the same and implemented by all three public employment services as from 2017 correspond to the Action Plan. Measures such as the development of concrete programmes for the employment of Roma, motivation for employment and self-employment, public works programmes, social enterprises, cooperatives and other forms of association of Roma (and non-Roma), vocational training and retraining, programmes for encouraging Roma to register at the employment agencies, additional adult education, vocational qualifications and job search skills, training Roma for active job search and starting their own business are not implemented at all.

Employment agencies did not attempt to develop specific programmes to increase the employability of Roma. What has been done so far amounts to a general public call through which employers are invited to apply for funds and unemployed Roma to apply for self-employment programmes. Specific targeted actions or specific projects aimed at developing integrated pathways to the labour market, including individualised support, counselling, guidance and access to general and vocational education and training focused on Roma, do not exist.

**The development of such specific programmes or projects requires analysis of the root causes of the problem**, SWOT analyses and recommendations for corrective measures to address these aspects. The Strategy for Roma and the Action Plan represent the framework for the development of concrete measures at lower levels of authorities, while the allocation of budget funds at other levels of government does not follow the logic at the state level.

There is a need for comprehensive packages aimed at addressing the multiple disadvantages Roma face when seeking employment. The necessary elements include vocational and technical training, entrepreneurial development, and opportunities for basic skills workers, apprenticeships, job

placement, mentoring and counselling. Engagement of the private sector is essential for enhancing dialogue and opportunities, especially with corporate partners who want to implement diversity policies. Only a few companies have developed diversity and inclusion policies and diversity practices and the truth is that their relationship with other vulnerable groups, such as people with disabilities and women, are far more advanced than with Roma.

Roma do not have access in a non-discriminatory way to vocational training, to the job market and to self-employment tools and initiatives, while there are no complementary programmes to enable them access to micro-credits. Although, the public employment services established the centres for information, counselling and training (CISO) and job clubs responsible for providing services and information on additional opportunities for youth, such as opportunities for education, seasonal jobs, seminars, volunteering, work experience, job advertisements, etc. available in the region and abroad, *there are no personalised services or mediation for Roma*.

**One of the activities that the employment centres provide is ‘profiling’ and this could be of great assistance to Roma.** Profiling is a tool used to differentiate between job seekers in order to identify those who need intensive support, those who need only modest help and those who could obtain assistance via internet-based or self-service systems. The profiling of jobseekers is usually done through checklists that take into account factors such as age, length of unemployment, education, language skills, ethnicity, disability, literacy and numeracy and family status.

Starting from the first interview with a jobseeker different support services target different groups with the goal to improve matches for employment opportunities. Thus, profiling increases the efficiency of use of scarce resources, allowing hard-to-employ groups such as Roma to benefit from greater staff time and attention. Profiling facilitates the development of individualised activation plans aimed at employment. These plans involve training, the development of core skills, confidence building and work experience.

The plans should be adapted to individual needs and priorities and regularly reviewed in partnership between the participant and the Public Employment Service officer. Such individual activation plans have the potential to address the specific challenges to labour market inclusion for Roma, provided both the public employment service and the job seeker are committed to their implementation.

Yet measures developed in this way lead to further segregation and a narrowing of their scope and effect. Existing measures targeting the Roma community do not take into account the actual needs of Roma or offer employment opportunities based on their educational structure or job opportunities in sectors such as business services, environment, agriculture or retail and as such are regressive in nature. At the same time, vocational training and retraining, which is the field



where the employability of unemployed Roma can actually be increased, are underdeveloped and there is no recognition of prior learning or adult education programmes.

The CISO centres (centres for information, counselling and training) have introduced successfully an innovative approach to direct work with beneficiaries aged 15 to 30 years, which constitute one of the most vulnerable categories in the labour market in Bosnia and Herzegovina. CISO staff is trained to provide appropriate services to the unemployed and new services have been introduced in these centres as well as in the public employment services (individually tailored services for youth, job search training, the development of individual employment plans, IT and foreign languages, etc.). There are sixteen centers (six in Republika Srpska, nine in the Federation of Bosnia and Herzegovina (in nine cantons) and one in Brčko District). Six such centres have been institutionalised in Republika Srpska and become part of the government structure in the entity. More than 3,100 young people have received their first work experience, including volunteering and internships.

The Youth Employment Project (YEP) in Bosnia and Herzegovina introduced the idea of changing the way young people are supported when first attempting to enter the labour market. More than 25 public employment services have adopted the approach developed by YEP.

Finding a job and being actively involved in the labour market in Bosnia and Herzegovina is almost impossible for those who have a very low level of qualifications and skills. Supported by Swiss Development Cooperation (SDC), **the Youth Employment Project (YEP)** contributed to the improvement of job intermediation by introducing new procedures and services into the public employment services. The project that began in 2008 will remain active until 2020.

The services provided by the employment centers relate to active labour market measures whose purpose is to provide continuous job search assistance to unemployed persons through peer group support and guidance. Group counsellors work with a group of unemployed persons for four days per week for a period of three weeks using a specified programme and activities for each day. The original concept was developed in Great Britain and the United States but is widely accepted and implemented worldwide. **The Youth Employment Project introduced the programme in Bosnia and Herzegovina in cooperation with the public employment services.** Job clubs prepare young unemployed persons to respond to the demands of employers in the best and most effective way. An unemployed person who is a member of a specific job club group adopts the basics of business communication and recognises the importance of teamwork and group support when searching for a job. During the three-week training programme, members gain knowledge and skills relevant to searching for jobs. This increases their self-confidence and motivation along with their chances of entering or reintegration into the labour market.

Job clubs differ from typical training programmes in the fact that they are an interactive experience and include the full involvement of their members. In concrete terms, job clubs help job seekers through a combination of skills enhancement, a setting that fosters discipline in relation to searching for employment and general everyday support. It is not just assistance with CV writing skills, searching job ads and job interview role play but an environment where the full group of unemployed persons supports one another.

The Youth Employment Project has also established a performance measurement system that compares single performance based on a set of indicators that, among others, include the number of unemployed persons who attend the training, their level of job search activity and ultimately the number of placements. The Youth Employment Project has trained and equipped the public employment services to implement the measure in 29 locations throughout Bosnia and Herzegovina.

Since the beginning of the Youth Employment Project, 7,098 adolescents (4,266 women and 2,832 men) have participated in the programme and received support of which 3,090 (1,871 women and 1,219 men) found employment within six months of or during the job club programme. This result surpasses the vast majority of active measures currently implemented in Bosnia and Herzegovina.

On a more systemic level, the biggest achievement of the programme is that despite such a form of counselling being an unknown prior to its implementation, job clubs have now become a recognised starting point for all those who want to find a job in the shortest possible time. Furthermore, this has enriched the range of active labour market measures in Bosnia and Herzegovina by developing an approach that can be implemented without the need for additional funding.

Another measure applicable to Roma relates to the project initiated by the Public Employment Service of Bosnia-Podrinje Canton. Namely, in November 2015, this public employment service developed the concept and methodology of the **Mobile Employment Bureau of Gorazde**. This mobile bureau is intended to encompass dozens of villages, thus providing administrative and counselling services to the unemployed for whom travelling to the town represents a significant financial burden.

**The mobile bureau represents a unique and innovative approach to public employment services that enables the most vulnerable categories of unemployed persons to access public employment services. The mobile bureau remains active** and its target groups include those listed below.



## 1. Unemployed persons

The aim is to register unemployed persons (in accordance with Article 3 of the Law on Mediation in Employment and Social Security of the Federation of Bosnia and Herzegovina) in less accessible parts of the canton. This applies in particular to Communities located in rural, mountainous and less accessible areas, especially long-term unemployed youth who represent one of the most vulnerable categories.

## 2. Employers

### 3. Pupils in the final grade of primary school.

This applies in particular to pupils who live in areas of the canton where the transportation infrastructure is weak.

Within its budget, the Ministry for Human Rights and Refugees designates grants for the implementation of the Action Plan. However, over the last two years the amount of these grants has reduced by almost a third. Grant funds are disseminated in accordance with the Decision of the Council of Ministers of Bosnia and Herzegovina on Framework Relations. The funds are allocated for Roma housing, employment and health protection.

The funds for the employment of Roma are transferred to the employment bureaus on the basis of the signed Memorandum of Understanding in the two entities and Brčko District, which are obliged to spend these funds in support of employment/self-employment of Roma. Based on the Memorandum, each year the employment bureaus issue public calls for the selection of Roma beneficiaries for employment/self-employment. The selection is done by the commissions established by the employment bureaus, which include representatives of the Roma community. Roma face the highest level of discrimination in terms of employment opportunities and are almost completely absent from the workforce, which means that they have little choice but to find undeclared work in the informal sector or remain without the means of subsistence. The unemployment rate among Roma is 56 per cent<sup>1</sup>, which is among the highest in the Western Balkan region and twice as high as that of non-Roma.

## Gaps and challenges

Although the employment agencies in both entities allocate the same amount of money for measures targeting Roma because of the different disbursement methodologies the end-users registered at the public employment services in the Federation of Bosnia and Herzegovina are

<sup>1</sup> Taken from the analytical report that accompanied the document 'Communication from the Commission to the European Parliament' and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union in 2019.

placed in an unfavourable position compared to those registered at the public employment services in Republika Srpska. The Employment Agency of Republika Srpska disburses 70 per cent of these funds in advance whereas in Federation of Bosnia and Herzegovina the funds are paid on a monthly basis. This is discouraging, especially for those starting their own business. Roma NGOs have complained about the procedure for the disbursement of fund in the Federation of Bosnia and Herzegovina because there have been instances where the transfer of money has been late by one to two months. This issue can cause significant problems, especially for those starting their own business through the self-employment programmes.

Another problem Roma face is the backslide of the Parliament of Bosnia and Herzegovina to adopt the draft State Budget for 2019, which means that the Council of Ministers continues to adopt quarterly decisions on provisional financing of the institutions of Bosnia and Herzegovina. This has caused a delay in the financing of the Action Plan and other planned activities for a period of two years.

The current design and targeting of Roma within the active labour market policies is not in line with the Action Plan for Employment. More importantly, it does not meet the needs of Roma. This most vulnerable category among the unemployed has either no or only limited access to public funds because public calls are published online and most Roma have no internet access. These differences are reflected primarily in the failure to identify gaps in information and indicators of achievement for Roma and the lack of dialogue with Roma NGOs when developing measures within the active labour market policies aimed at ensuring Roma participation. It is also reflected in the lack of pilot projects and monitoring programmes and the failure to scale up successful ones and to facilitate Roma access to the active labour market policies.

Furthermore, there is lack of Roma mediators and their community links and no efforts to develop and strengthen a culture of equal treatment and non-discrimination within the public employment services. The latter requires, where appropriate, staff training, codes of conduct and staff evaluations that signal the commitment of the management to ensure equal treatment. None of the public works projects incorporates training as an integral project component, which should include the validation, recognition and certification of the skills and achievements gained by successful participants. Neither are there internships or technical training programmes or a system for profiling clients according to the barriers they face in terms of formal employment (age, social, geographic, educational, skills), etc.

Current active labour market policies are inadequate and inefficient, because the measures in their current form do not reach those with the lowest chance of finding employment. In other words, although there have been some improvements in regard to the diversification of the target groups of active labour market policies the most vulnerable and hard-to-employ categories, such as low-skilled persons, Roma women and youth, are insufficiently targeted through employment



programmes. Only two programmes (self-employment and employment at known employers) specifically target Roma as job seekers and this does not balance the fact that the employment rate for Roma has been extremely low for years.

Lastly, the employment subsidy programmes usually target young people with higher education who represent a highly employable category. **One of the strategic goals of the Action Plan in the area of employment is to improve the employability and employment rate of Roma. The new Employment Strategy of the Federation of Bosnia and Herzegovina 2018–2021 and the Employment Strategy of Republika Srpska 2016–2020 aim to improve the targeting of measures by the Council of Ministers of Bosnia and Herzegovina;** however, it appears that no substantial steps have been undertaken in this regard because the same employment measures for Roma are repeated year after year without serious analysis of the achieved results. To date, employment programmes usually target employers rather than the unemployed (end users). In addition, public calls often lack transparency and this results in inefficiency.

All candidates are eligible for a particular programme as defined by the specific criteria provided in a public call. In that sense, persons registered as unemployed from a given target group usually have the right to apply and participate as candidates for the general call and are eligible for a particular programme. These measures across Bosnia and Herzegovina define Roma as a specific subgroup, but they do not exclude Roma from applying.

Targeted employment is insufficiently personalised. Participation in programmes on active labour market measures is based mainly on facultative applications to open calls. However, there is no established institutional mechanism to provide individual guidance during the employment process or to steer participation in these programmes according to the determined needs of the Roma community and those of other vulnerable groups. Effective well designed and planned mechanisms for better inclusion of Roma in employment programmes is a crosscutting issue that at present does not exist in Bosnia and Herzegovina.

One programme was identified during the analysis of employment measures as a possible for Roma employment. **The programme titled ‘Co-financing Programme of Joint Projects with other Organisations and Institutions 2019’** is implemented by the Federal Employment Agency in cooperation with international organisations and institutions, local, regional and entity authorities and their institutions, regional development agencies, non-profit organisations (associations and foundations), employers and the cantonal employment services. The aim of the programme is to create partnerships for employment through vocational training and re/training, adult education, lifelong learning, career guidance, volunteerism, the organisation of conferences, fairs and other events.

This approach is particularly interesting for three reasons. The first is that the employment agencies lack funds and capacity in terms of human resource and have limited available skills to implement programmes intended to employment. The second relates to financing. New model would help ensure significantly more funds that could be allocated for employment programmes. The third relates to monitoring and evaluation of the implementation of existing and new programmes and planning, involving local and regional development agencies. By creating this model of cooperation, in agreement with a range of partners, the conditions for a more systemic approach to Roma can be created and can improve sustainability. By building cooperation between the involved partners and including budgets and mid-term expenditure frameworks, this model could become a regular part of their activities.

The new Employment Strategy in the Federation of Bosnia and Herzegovina 2018–2021 does not envisage measures for the Roma community per se but the goals set in the Strategy are aimed at promoting the employment of vulnerable groups. The measures relate to unemployment profiling and inclusiveness, social entrepreneurship and incentives for activating youth not in education, employment or training (NEET). Yet the new Employment Strategy 2018–2021 in the Federation of Bosnia and Herzegovina is too general and descriptive in its content. The focus is on the creation of an encouraging legal environment for strengthening the role of mediation and efficient employment policies, the promotion of employment of socially vulnerable citizens and improvement of the efficiency and quality of the employment services. It does not contain measures for visible concrete activities and neither is it connected to the action plan for Roma. The Parliament of the Federation of Bosnia and Herzegovina did not adopt the draft strategy and returned it for revision.

An unemployed person in Bosnia and Herzegovina receives little support from the public employment services. When a person enters the employment bureau, the officer asks him/her for the basic information, completes the necessary paperwork and perhaps offers some advice. After that, the relationship between the unemployed person and the public employment service comes down to periodic reporting to the bureau. For the sake of illustration, research conducted by Bartlett, Branković and Oruč in 2016 suggests that almost 88 per cent of recent graduates received no or very little support from the public employment services throughout their period of unemployment.

Roma are no exception, not all registered job seekers receive adequate support from the employment officers and services such as extensive support in terms of counselling and guidance during the job seeking process. Also for creation of an individual employment plan in order to adapt the job seeking path to the specific profile of the job-seeker in terms of skills, previous experience and educational background and enrolment in the best-fitting programmes, such as preparation for job interview, writing a CV and vocational training, for each individual.



## Monitoring and evaluation of active labour market measures

The employment agencies conduct evaluations of programmes of active labour market measures. The evaluations are predominantly internal and thus the results are for the most part not made publicly available. There is a lack of external independent research in this field that could otherwise provide reliable findings on the effectiveness and impact of active labour market measures in Bosnia and Herzegovina, which is almost entirely missing. Overall, both targeting and performance monitoring within the active labour market measures is weak and there is no rigorous evaluation analysis of their effects. Evaluation as an aspect for evaluating the cost-effectiveness, relevance and impact of interventions as well as drawing lessons to aid the decision-making process on future programmes is not performed. In this respect, the availability of information on the labour market regarding Roma, which is essential for designing and monitoring initiatives, is missing.

## Recommendations

Government should start to address the labour market issue at its core by **creating a favourable business climate, improving education policies and adapting labour regulation to meet the new business and technological realities**. Active labour market measures should supplement market mechanisms and serve the primary function of policy: the provision of timely and substantial support for those with limited access to the labour market. Primarily this involves improving their employability. Thus, active labour market measures should play a role in the policy efforts to tackle the skills gap. However, it seems that removing or reducing the skills imbalances and long-term unemployment would be very challenging through the active labour market measures. There is no simple or universal instruction for designing effective active labour market measures, especially in Bosnia and Herzegovina. There are many flaws in the design, monitoring and evaluation of active labour market measures **that require improvement on the planning, forecasting and budgeting side as well as the adoption of a diversified approach to the development of specific measures** in order to avoid the 'one size fits all' approach.

In that sense, the following are a few recommendations that would improve the position of all vulnerable groups in the labour market.

- ✳ The employment services should be more active in guiding unemployed persons through the job seeking process in order to match them with employers based on their profile. Although employers would still be incentivised to accept unemployed persons, better guidance and a tailor-made approach would increase the effectiveness of the measures.

- ✳ A greater share of funds for active labour market measures should be allocated for (re) training. The goal set at achieving a rate of one third of total funding would meet the EU average. Rising expenditure on training measures should be followed by their diversification and adjustment to the needs of industries with high job creation potential.
- ✳ The programmes of the employment agencies targeting Roma should not only be published online. Additional activities are necessary to improve outreach and inform a larger number of Roma.
- ✳ A new approach to employment should be devised to increase the effect of the employment measures and increase interest in participation in employment programmes.
- ✳ Properly informing Roma individuals about the benefits of voluntary declaration of ethnicity would improve data collection on unemployed Roma registered at the employment offices.
- ✳ Design specific training programmes in selected sectors in accordance with the needs and skills of Roma.
- ✳ Organize the calls for public works in cooperation with employment companies.
- ✳ Introduce measures for vocational and professional training.
- ✳ Provide career guidance.
- ✳ Ensure monitoring and evaluation of active labour market measures.
- ✳ Develop partnerships that facilitate the transition from education to employment among all relevant stakeholders, all levels of government, employment agencies, the NGO sector, employers and local and regional development agencies.
- ✳ Strengthen co-ordination between different layers of government, bodies representing minorities and the regulatory bodies and enhance their capacities to promote the interests of minorities and improve crosscutting cooperation between sectors (housing, employment and education).
- ✳ Improve the mechanisms for budget monitoring and evaluation.

Current policies tailored to Roma in Bosnia and Herzegovina are predominantly targeted measures but even as such have no clearly described objectives, sub specific themes, adequate forms and mechanisms of implementation or specific forms of reporting, including indicators.

**It is evident in the case of Bosnia and Herzegovina mainstream policies/measures (where they exist) do not reach the Roma community, because Roma are often far from the system.** On the other hand, measures that target Roma exclusively have in some cases led to segregation and prejudice within public policies and have only limited social impact.



In order for the mainstreaming approach to be effective, it is very important to develop a detailed planning process that identifies how the different actions foreseen in the action plans would reach Roma, how the activities and working methods will be adapted to the needs of Roma and how Roma participation will be ensured.

Even in best case scenarios, presuming that policymakers were aiming at the inclusion of Roma into mainstream policies, it has been the case that these policies have failed to reach the Roma community. Yet targeted actions have had a limited impact when conceived as a form of compensation for existing disadvantages and imbalances. Another issue relates to the difficulties in monitoring the results and the impact of programmes on Roma beneficiaries. A proper monitoring methodology in place should ease the process of identifying effective actions for Roma.

**Taking into account the constitutional and administrative structure of Bosnia and Herzegovina, a combination of mainstream and targeted actions appears to be the best option.** An even distribution of both is achievable by combining social policies inclusive of the Roma community with targeted measures to compensate for existing inequalities. **In Bosnia and Herzegovina most of the mainstream policies are already expied or do not exist yet. In order to revise the Action Plan for the Employment of Roma, there is a need to adequately include Roma into the mainstream employment measures from planning to implementation.**

HEALTH





If access to equitable healthcare is to be achieved for all, then policy documents must include and address in detail the different needs of vulnerable groups. If these needs are not addressed in the policy documents then there is little chance that they will be addressed at the implementation stage.

According to certain constitutional provisions, healthcare comes under the jurisdiction of Brčko District, Republika Srpska and the Federation of Bosnia and Herzegovina.

Thus, in Bosnia and Herzegovina there are currently three laws on healthcare and three laws on health insurance. The provisions of these regulations are in general harmonised, although there are significant differences between them. Currently, there is the Federal Ministry of Health and the ten cantonal ministries of health, the Institute of Health Insurance and the Institute of Reinsurance as well as the ten cantonal health insurance institutes in the Federation of Bosnia and Herzegovina.

**In regard to public health, there is no health strategy at the state level and in Brčko District.** The Strategic Plan for the Development of Health in the Federation of Bosnia and Herzegovina expired in 2018. **The Republika Srpska has a policy on the improvement of health of the population that is valid until 2020. Three cantons (Zenica-Doboj, Sarajevo and Herzegovina-Neretva) have developed their own strategies. Yet there is no harmonisation between the strategic documents** developed at the different levels of decision-making and the relevant legislation across the economy is not in alignment with the EU acquis.

The Ministry for Human Rights and Refugees collects and collates the data collected by the healthcare institutions in the entities and Brčko District. Yet because of the lack of harmonisation and cooperation between the different levels of government, there is only limited capacity for statistical governance, which is a prerequisite for evidence-based policy.

The Republika Srpska has the Ministry of Health and Social Welfare and the Health Insurance Fund. In Brčko District, there is the Department for Health and Other Services under the Government of Brčko District and the Health Insurance Fund of Brčko District. At the entity level, agencies for health accreditation were also established, namely the Agency for Quality and Accreditation in Health in the Federation of Bosnia and Herzegovina and the Agency for the Certification, Accreditation and Quality improvement of Healthcare in Republika Srpska.

**At state level it is important to mention the Ministry of Health and the Ministry of Civil Affairs as institutions that apply regulations throughout Bosnia and Herzegovina. The most significant is the Law on Medicines and Medical Devices.**

The main problems of the health sector in Bosnia and Herzegovina are inequitable access to healthcare, the poor quality of healthcare services, lack of transparency within the system of finance, obsolete technology and a lack of funds to invest in new equipment.

The obvious fragmentation of the system on the one hand and the diversity of the laws and regulations in certain parts of the economy on the other, make a significant contribution to the difference in the quality of treatment for patients. Namely, there is difference between the health services that people are receiving in different parts of the economy.

This is just one of the reasons why it is essential to implement extensive reform in this area aimed at the elimination of such differences and inequalities. **Although healthcare in Bosnia and Herzegovina is formally based on the principles of solidarity, inclusiveness, continuity, efficiency, accessibility and holistic access it is evident that access to health services and their quality are not equal throughout the economy.**

The analysis of policies in Bosnia and Herzegovina highlighted the broad nature of referencing vulnerable groups and the lack of detailed specifications on the different needs of the various groups. The results pertaining to Roma, as the most vulnerable group, confirmed this finding. The documents suggest that the vulnerable groups are homogeneous in terms of their needs, which is not the case. There is, for instance, a lack of recognition of the needs of the different vulnerable groups in relation to access to healthcare.

Although the healthcare priorities of Roma have been identified in Bosnia and Herzegovina, other levels of authority, with the exception of the state level, have not developed policies, strategies, programmes or plans of action to manage these health priorities. Apart from the action plan on health of the Roma community, there are no other policy documents within the healthcare sector that focus on this community.

**Differences in the health status of the population shall be reduced in the following manner:**

- › development of specific policies, programmes and action plans designed to tackle social determinants within the health sector by focusing on key areas such as early growth and development, employment and ensuring a reduction in social exclusion and vulnerability of individuals and communities;
- › reducing health inequalities (related to reducing social inequalities).



**Equitable access to healthcare is more likely when issues related to healthcare and vulnerability policy documents are integrated into a single policy document with an integrated implementation plan. Mainstreaming at the level of policy documents is a step in the direction for ensuring equitable access to healthcare that is truly available to all.**

Based on the planned budget, each year the Ministry for Human Rights and Refugees signs a memorandum of understanding on the implementation of measures of the action plans within the domain of health protection with the public health institutes of the Federation of Bosnia and Herzegovina, Republika Srpska and the Department of Health and Other Services of Brčko District. The Ministry for Human Rights and Refugees allocates funds activities related to Roma, matched by funds from the entities, including the cantons and municipalities as well as international organisations.

Roma continue to experience problems in accessing healthcare. The main obstacles in this area are a lack of identity documents and residence registration. In order to gain access to health insurance, social security, education and other basic rights, Roma must possess personal documentation that includes a birth certificate, identification card, passport, etc. There is still number of Roma who don't possess personal identification. If they live in rural areas it is even more difficult to get access to health institution or insurance.

Roma NGOs that deal with the issue of health insurance, for example, receive financial grants per year from the Ministry for Human Rights and Refugees. The Ministry pays voluntary health insurance for a period of six months for ill persons that come under the category of uninsured Roma. The funds are not only intended to provide voluntary health insurance for uninsured Roma but to cover the cost of Roma health mediators, the administrative costs of Roma NGOs (their fee, utility and transportation costs), the purchasing of health booklets, the cost of preventive health examinations for certain diseases (cervical cancer, breast cancer and obesity intestine cancer and prostate cancer), the cost of organising workshops on sexual and reproductive health education, education on general health, infectious diseases and addictive diseases, etc.

Poverty means that many Roma find it difficult to cover the additional costs during treatment.<sup>2</sup> According to Roma representatives, occurrences of refusal of treatment continue to be reported. This applies in particular to the inability of elderly Roma who are no longer of working age and therefore ineligible for registration at the employment offices to obtain health insurance coverage. According to the analytical report that accompanied the document 'Communication from the Commission to the European Parliament' and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union, **around two-thirds of**

<sup>2</sup> Interview with Mujo Fafulic from the Roma association 'Romalen' in Kakanj.

**Roma have access to healthcare services; however, this depends on whether they are registered at the employment or education administrations. A major concern is the fact that Roma children outside of education and elderly Roma face the biggest hurdles.<sup>3</sup>**

Although it is evident that some progress has been made in terms of Roma health insurance coverage representatives of Roma associations claim that the situation in relation to this problem is far from satisfactory. **Many obstacles still prevent some Roma families from resolving their status, such as older Roma who are no longer eligible to register on the list of the public employment services and have no pension and children who do not attend school regularly. Those Roma who miss the opportunity to sign in regularly at the employment bureau also experience problems when attempting to obtain a health certificate.**

In regard to the harmonisation of the health sector with international documents and the legal system of Bosnia and Herzegovina and the harmonisation of domestic regulations with international ones, it should be emphasised that the reform in the field of health is not labelled directly as one of the conditions to be fulfilled in **the process of the stabilisation and accession of Bosnia and Herzegovina to the European Union. Practically, this means that all of the work that will need to be done in order to reach European standards in this area will depend on political agreement and the initiatives run by local stakeholders.** At the end of 2010, the Council of Ministers of Bosnia and Herzegovina adopted the Decision on the adoption of the document 'Activities for the Integration of the Health Sector of Bosnia and Herzegovina into the European Union'. The document provides an overview of guidelines that could be of use to the authorities in Bosnia and Herzegovina in relation to strengthening the health sector during the process of integration into the European Union.

In 2008, the Parliament of the Federation of Bosnia and Herzegovina adopted the Strategic Plan for Health Development in the Federation of Bosnia and Herzegovina from 2008 to 2018. The strategy sets out the strategic goals in the field of health and outlines the direction for future reform in this area.

### Gaps and challenges

Dissatisfaction with the current situation in the field of healthcare, especially the healthcare for Roma children, arises from the slow or non-existent resolution of the problem. Therefore, **there is a need to separate terms such as 'exercising the right to healthcare' and 'the adequacy of healthcare'**. Regardless of the laws and measures that stipulate every child

<sup>3</sup> The analytical report accompanying the document Communication from the Commission to the European Parliament and the Council Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union in 2019.





under 15 is to be cared for inevitably there are situations that require payment for individual services. Difficulties also arise from the fact that health institutions do not accommodate children whose place of residence is in another canton, which given their tendency to migrate within the economy is a particular concern for Roma. Rural areas suffer exclusion because of a lack of information, lack of access and lack of transportation to healthcare facilities and alike.

**The healthcare system in Bosnia and Herzegovina is characterised by fragmentation,** considering the fact that the system is organised in various ways in the Federation of Bosnia and Herzegovina, Republika Srpska and Brčko District. Although this is an old problem that should not be ignored and has to be mentioned, it should not be used as an excuse for the extremely poor situation in the healthcare sector.

A consequence of inappropriate legal provisions is the **lack of a systematic approach to the organisation of the health insurance system.** All aspects of the fundamental principles of healthcare are endangered, such as access to high quality healthcare, solidarity and equality. The healthcare systems of the EU define these values and they represent a goal to which Bosnia and Herzegovina must gravitate. No one should be denied access to healthcare. While solidarity is linked to the financial arrangement of the system and the need to ensure accessibility for all equity relates to equal access according to the needs, regardless of gender, age, social status or the ability or inability to pay.

Based on the analysis and interviews conducted with Roma NGOs and representatives of the Ministry for Human Rights and Refugees concerning the implemented activities and achieved results as well as budget allocations for healthcare measures within the action plan, it is obvious that there is not synergy and harmonization with the Framework Action Plan on Education. **The plan envisages an improvement in the quality of and access to healthcare, better coverage through health insurance and an increase in the scope of delivering of healthcare services to the Roma community. However, the spending of grants through public health institutes has only a limited impact on the final beneficiaries.** The obligations of the public health institutes have to be set precisely prior to the implementation of the measures. The Ministry for Human Rights and Refugees transfers the grant to the public health institutes and these institutes then transfer the same amount to selected Roma NGOs to implement the project.

The activities that Roma NGOs implement to promote and educate Roma about their right to healthcare would be more efficient if supported by government institutions. These institutions should provide technical and material support rather than just financial support.

It remains an unacceptable fact that Roma NGOs continue to take upon themselves part of the state's obligations related to informing Roma about their right to healthcare and their rights as patients, while at the same time they are not supported by governmental funding or encouraged to participate in policy-making.

One issue is the quality of the services that these NGOs provide and the questionable geographical distribution of services. Another issue of concern is the monitoring and evaluation of projects implemented under public calls. Selected Roma NGOs are responsible for writing project proposals, implementation and reporting. The public calls issued by the public health institutes only specify the administrative conditions but provide no terms of reference and do not specify the expected results, indicators, etc. All of these factors imply that there is a need to reconsider the manner in which the health section of the action plan is implemented and how the allocated funds are spent.

All responsibility for the delivery of project results, monitoring and reporting is transferred to the Roma NGOs. The role of the public health institutes is therefore unclear, except for writing the public call and the publication of the collected data. Another eye-catching fact relates to the fact that **there is no unique manner or content of reporting on how the spent funds were used and therefore it is not possible to follow the expenditure as per the intended purpose.**

## Recommendations

- ✳ It is necessary to start decisive initiatives on changing the regulations on health insurance in order to resolve the problem of non-insured persons in a systematic and permanent way.
- ✳ Define precisely the obligations of the public health institutions for enforcing programme of health protection and establishing a unique manner of financial reporting in order to avoid non-dedicated expenditure.
- ✳ Create measures that provide access to healthcare by providing accurate and up-to-date data on the number of members of the Roma minority.
- ✳ Collect data and ensure proper information on the health of the Roma community that will serve as guidance for policy makers.
- ✳ Design programmes on disease prevention and ensure their implementation.
- ✳ Ensure funding at all levels of government.
- ✳ Continue the engagement of Roma mediators.



- ✿ Make further efforts to stimulate the programmes to engage mobile teams for measures of preventive health protection for Roma women and their children, especially in environments where Roma live in large numbers under poor hygienic and sanitary conditions.
- ✿ Create informational and educational campaigns in cooperation with representatives of the Roma community in Bosnia and Herzegovina. At the same time, organise periodic basic health testing in Roma communities (through mobile teams).
- ✿ Ensure a practise aimed at improving hygiene and epidemiological conditions in Roma settlements through partnership between health institutions and Roma associations.
- ✿ Strengthen voluntarism in local communities.
- ✿ Design apprenticeship programmes in Roma communities for medical faculty undergraduate students and graduate students from the secondary medical schools. In this way, these students as future physicians and nurses will gain the chance to familiarise and sensitise themselves with the problems faced by the Roma community. Through specifically designed programmes run in cooperation with Roma NGOs at different locations in Bosnia and Herzegovina students would be able to collect different sorts of information relevant to the improvement of healthcare for this community. The information could be collected through specifically designed and standardised questionnaires. The students could conduct basic medical check-ups, create a database on those not covered by health insurance and offer advice to those suspected of suffering from some diseases, organise educational workshops on general health, infectious diseases, addictions and reproductive health, etc. These programmes do not require significant financial resources and could be replicated each year and become a practice at the seven faculties of medicine in Bosnia and Herzegovina.

## EDUCATION





Education is one of the most important topics within European public and political discourse and incorporates the objectives on education in the Europe 2020 Strategy, the European Pillar of Social Rights, the Sustainable Development Goals and the EU Framework for National Roma Integration Strategies. The European Commission works with the Western Balkan economies and Turkey to boost competitiveness, long-term growth and job creation.

The European Commission published its assessment of the Economic Reform Programme of Bosnia and Herzegovina, which provides assessment and analysis of the economy's structural reform priorities including the main economic, business and sectorial challenges. The assessment has become one of the key components of the enlargement process in recent years. For the first time, the European Pillar of Social Rights plays an integral role in the assessments and provides a framework for identifying key priorities. The Pillar of Social Rights is about delivering new and more effective rights for citizens.

It builds upon twenty key principles structured around three categories: 1) equal opportunities and access to the labour market, 2) fair working conditions and 3) social protection and inclusion. **The European Pillar of Social Rights (EPSR) can be of great assistance in terms of improving the situation in priority sectors for Roma and translating this into benefit for the Roma community.** In that sense, the principles of the EPSR offers a chance for synergy between the factors for the implementation of the principle of equal access and further steps aimed at achieving more success on Roma integration.

**Bosnia and Herzegovina has adopted a number of laws and policies that provide every child the right to quality education and equal opportunities, but the manner and quality of implementation remain questionable. Roma in Bosnia and Herzegovina remain far behind when it comes to accessing opportunities in education on an equal footing with the constituent ethnic groups.** The existing legal and policy tools, including targeted actions on Roma education and infringement procedures, are not as effective as they should be in challenging engrained patterns of Roma exclusion and discrimination.

There is widespread disparity in terms of opportunities within education and outcomes across Bosnia and Herzegovina. **Access to learning opportunities, success at school and chances for higher education and further learning all remain socially and geographically divided across the economy.** In many cases, the education system in Bosnia and Herzegovina is not favourable in sense of unequal funding and resources and through less rewarding and enriching experiences of learning for different target groups. As such, the education system can be characterised as 'unequal for all'. Socioeconomic background, disability, ethnicity, gender, geographic and other factors still have a strong impact on access to opportunities within education and the learning experience and outcomes within education. Despite the presence

of policy initiatives designed to redress these inequities, entire social groups, such as Roma, constantly achieve less in education. Furthermore, these disparities in education reflect and deepen other inequalities such as those in employment, healthcare and housing.

**Out of all measures envisaged within the education policies in the Federation of Bosnia and Herzegovina (which differ from canton to canton in the entity) and those that apply in Republika Srpska the responsible institutions mainly pay attention to those measures aimed at improving the educational attainment of non-Roma.** This includes the prevention of early-school leaving, encouraging completion of secondary education and continuation to tertiary education and the provision of tuition, financial or other forms of support aimed at compensating for the material disadvantage of children of war veterans and invalids and the recipients of war honours.

**Activities such as vocational training, career development support and lifelong learning do not include Roma** despite the fact that these activities address some of the key barriers to the successful transition from education to employment faced by young Roma. The vast majority of education authorities consider mediation to promote access to education as one of their main achievements, but very few deal with specific measures that include mediation as their key focus. The latter activity was only realised because the Roma mediators (where they exist) played a significant role. These measures included prevention of early-school leaving, encouragement to complete secondary education and support for outreach of Roma families to ensure that children enrol in primary education.

**The education of Roma through enrolment in early childhood education, enrolment in compulsory education and the prevention of early school leavers has improved in general.** Information reported for 2017 indicates that Bosnia and Herzegovina invested resources primarily in those areas where improvement was observed: addressing the issue of early school leavers, overcoming disadvantages to school enrollment and strengthening efforts to complete primary education.

Implementation of the Framework Action Plan on Education is fragmented, and has achieved only limited steps forward. Although efforts by some municipalities are worthy of praise and the level of progress achieved is visible, such examples are rare and insufficient. A particular challenge is the fact that not one school in Bosnia and Herzegovina teaches Roma language as an optional subject. It is also necessary to emphasise that no financial resources have been allocated for this purpose but there are governmental initiatives for the introduction of the subject of Roma language and culture.



## Preschool education

Several articles of the Framework Law on Preschool Education in Bosnia and Herzegovina prohibit discrimination, provide for the right to language, equal access and equal opportunities in education, respect for religious freedom, compulsory inclusion of children in preschool education, equal access to public and private preschools and provide a legal basis for exercising the right of access to and equal participation in preschool education for all children.

**Article 46 of the Framework Law on Preschool Education in Bosnia and Herzegovina indicates that the founders' budget must provide funds for financing the education of Roma children in preschool institutions.**

The Law also regulates clearly the issue of the right to preschool education for children without parental care, children with special educational needs, children with disabilities, children of civilian victims of war, children of unemployed parents, children of single parents, children of beneficiaries of social benefits and children of full-time students as well as the right to healthcare for all beneficiaries of the right to preschool education.

The Framework Law stipulates compulsory preschool education in Bosnia and Herzegovina for all children in the year preceding primary school yet in practice there is a lack of uniformity in the implementation of this legal provision. Therefore, **when it comes to the compulsory programme for children in the year prior to enrolment in school, the Framework Law on Preschool Education stipulates that this programme is obligatory and free for all children and that the funds for its realisation be provided by the founder of the preschool institution.** The founders can be domestic or foreign legal or natural persons, while for public institutions founders can be the municipal or city council or the canton assembly if they are of public interest.

In Sarajevo Canton, the Ministry of Education, Science and Youth has the responsibility to finance the implementation of compulsory preschool education programmes in public institutions. In Una Sana Canton, the Ministry of Education, Science, Sports and Culture has no obligation to finance compulsory preschool education programmes because the founders are the municipalities and they are entitled to finance private preschool institutions based on a decision brought by the municipal council. This Law is not harmonised with the Framework Law on Preschool Education in Bosnia and Herzegovina.

Investment in the development of public preschool education in the form of facilities, increased capacity, etc. is conditioned directly by the level of development of the municipality and its economic power. This means that the conditions for preschooling vary from one environment to another dependent on the differences, which can be significant. This applies in terms of the

capacity for enrolment in preschool institutions, the quality of education, the absorption capacity for the inclusion of children with disabilities and children from disadvantaged backgrounds as well as in terms of salaries and other compensation for experts employed in preschool institutions. Underdeveloped municipalities allocate less for the co-financing of preschool institutions and this automatically increases the price paid by parents, which is why the number of children in kindergarten is less in some areas.

The founder provides funding for the following in preschool education:

- › wages and other employee benefits;
- › material costs;
- › purchase of basic equipment and furniture;
- › teaching aid and material and toys, etc.

Service users have to provide the funding to implement shorter more specialised work programmes and cover the cost of meals for the children.

The competent ministries provide funding for the following:

- › part of the didactic material and toys in public preschool institutions,
- › the professional development of staff in preschool public institutions,
- › development of the preschool work programmes,
- › evaluation of preschool work programmes,
- › funding for the programme of preschool education and upbringing in the year prior to school enrolment.

Problems arose in the process of enacting the entity or cantonal laws on preschool upbringing and education because these laws did not ensure harmonisation with the provision on compulsory preschool upbringing and education prior to school enrolment with the provisions set out in the Framework Law.

An analysis of the legislative framework that governs the issue of preschool education showed that the founder of the preschool institution provides the resources required for the establishment, operation and implementation of the preschool education programmes in accordance with pedagogical standards and norms for preschool education. With the exception of compulsory preschool education, programmes can also be supported financially by the parents through donations. The service users have to provide the funds for the implementation of shorter more specialised work programmes and the accompanying child nutrition costs. The responsibilities of



the competent education authorities cover the provision of funds for the procurement of part of the didactic material, the professional training of staff in education, the development of the preschool work programmes, evaluation of the preschool work programmes, and part of the funds required to implement specialised work programmes.

In the **Law on Preschool Upbringing and Education** in Republika Srpska preschool education is not prescribed as a compulsory programme prior to enrolment in primary school but is left as an option and matter of choice.

In the Federation of Bosnia and Herzegovina, some cantons, such as the Central Bosnia, the Herzegovina-Neretva and the West Herzegovina cantons, have not established a compulsory form of preschool education for children prior to enrolment in primary school. This is because they have not yet adopted laws on preschool education despite the requirement to do so within six months of the entry into force of the Framework Law. Therefore, the preschool programme in these cantons is optional and there is no obligation for the founders to fund these programmes. There is only limited awareness of the importance of early childhood education among parents and education stakeholders. This implies that preschool education is often regarded as childcare rather than an opportunity for education and development.

Compulsory preschool programmes have either not been implemented or have only been partially implemented in the Una-Sana, the Herzegovina-Neretva and the West Herzegovina cantons. In other administrative units, their duration varies from 150 (e.g. Brčko) to 300 hours per year (e.g. Canton 10). Moreover, in some parts of Bosnia and Herzegovina compulsory preschool programmes are implemented over the course of an entire year while in others they operate for around three months. Such programmes are implemented in schools in some administrative units. However, there is no evidence of the usefulness or effectiveness of any of these modalities. The situation on the ground differs significantly from that prescribed by the Framework Law as an obligation. This raises the question of whether the application of the Law is a choice or an obligation as well as the question of what the main obstacles to the consistent implementation of not only the Framework Law but also the laws adopted at the proposal of the competent education authorities at the entity and cantonal level are.

An analysis conducted by the 'Business Affirmation Center'<sup>4</sup> found that Bosnia and Herzegovina has an inefficient system of support for preschool education that is based on subsidising the work of public institutions. In order to eliminate this type of inadequate allocation of funds, it is necessary to implement a number of reforms within preschool education. More precisely, it is necessary to include private kindergartens in the subsidy system in order to support the development of the private sector. The private sector is the basis of today's socioeconomic development.

<sup>4</sup> <https://cpa-bih.org/vacuerizacija-obrazovanja/>

Furthermore, objective 4 (enhance inclusion)<sup>5</sup> of the Platform for the Development of Preschool Education in Bosnia and Herzegovina for the period 2017–2022 is among the specific strategic goals of preschool education in Bosnia and Herzegovina. Objective 4 justifies the need to increase inclusion of children with disabilities, gifted children, children from at-risk families, Roma children, children from rural areas and from low socioeconomic backgrounds, children without parental care, children of unemployed parents and children from other vulnerable social groups in preschool education.

Eight activities are defined within the stated objective aimed at the achievement of the mentioned goal. One of these specific activities relates to Roma children and specifies the need to, "Systematically increase the number of Roma children, children from poor families, families at-risk, children of unemployed parents, children without parental care, etc. with comprehensive development programmes."

The Platform, which was adopted on 12 May 2017, represents a framework for action for the competent education authorities in Bosnia and Herzegovina to harmonise strategies, policies, plans and other documents supporting the development of preschool education with the aims of the European Union and the United Nations. At the same time, the Platform unifies the aims and the respective activities of preschool education through five pillars targeted at increased coverage of children by preschool education, quality assurance, regular funding, inclusion and awareness rising in society.

In the Federation of Bosnia and Herzegovina, the Federal Ministry of Education and Science implement the programme 'Support to Projects for Improving the Inclusiveness of Preschool and Primary Education' through public calls. All public preschools, public primary schools and non-governmental organisations are invited to implement the project in cooperation with the public education institutions. Although projects that target groups of children with disabilities are usually invited to the public call, schools implementing projects aimed at improving the inclusion of Roma children in pre-primary and primary education can also submit their project proposal in response to the public call.

On the other hand, the successful inclusion of Roma children in preschool education is not possible without the necessary resources to enable preschool education to be free of charge for this group of children. Therefore, the Platform for the Development of Preschool Education in Bosnia and Herzegovina rightly states that preschool education should be included in the budgets of the entities, cantons, Brčko District and local communities in the areas of health, education and social protection and awarded the status of permanent budget beneficiary.

<sup>5</sup> The Platform for the Development of Preschool Education in Bosnia and Herzegovina for the period 2017-2022 was adopted by the Ministry of Civil Affairs of Bosnia and Herzegovina in cooperation with the competent education authorities in Bosnia and Herzegovina, in the period 2015-2016 with the support of UNICEF Bosnia and Herzegovina.



The provisions of the cantonal laws on preschool education in the Una-Sana and Central Bosnia cantons that requires the enrolment of all children of the appropriate age in preschool education in the year prior to enrolment in primary school has still not begun. In the Herzegovina-Neretva Canton the new Law on preschool education has yet to be enacted and the old Law is not harmonised with the Framework Law on Preschool Education in Bosnia and Herzegovina. This means that preschool education is still not prescribed as compulsory in the year prior to enrolment in primary school.

In the document 'Education Reform in Bosnia and Herzegovina through the Prism of Inclusion of the Roma Minority: Public Policy Analysis and Proposal of a New Action Plan for Competent Institutions' from 2018 it states that only 1.5 per cent of preschool Roma children are covered by some form of early childhood education or preschool education.<sup>6</sup>

The data presented in the Annual Report on the implementation of the Strategy on Roma sub-objective 1.1 and measures 1.1.1 to 1.1.5 of the Action Plan in the context of the provisions of the Framework Law on Preschool Education in Bosnia and Herzegovina **lead to a conclusion that the implementation dynamic of education reform is very slow and the strategic goals and measures for the inclusion of Roma children in preschool education are hard to achieve.**

**Currently, no objective measures to assess the qualitative success of the work of preschool institutions apply and therefore one can only rely on the subjective evaluation of parents to assess the quality of work of preschool institutions.**

## Primary education

The most important documents adopted at the state level relevant for primary education of children are the '**Framework Action Plan on Education**' and the '**Framework Law on Primary and Secondary Education in Bosnia and Herzegovina**'. The Framework Law stipulates through its provisions the need to ensure accessibility and the obligation of primary education for all children without discrimination on any grounds.

There is a whole set of provisions under the aforementioned Law. Yet the provisions of the Framework Law do not address the issue of the education for Roma pupils exclusively but provides a legal framework (at the state level) that ensures the highest level of respect for the human rights and freedoms of all participants in primary education, including Roma. At the

<sup>6</sup> Mirna Jancic Doyle, Education Reform in Bosnia and Herzegovina through the Prism of Inclusion of the Roma Minority: Public Policy Analysis and Proposal of a New Action Plan for Competent Institutions, the Roma information centre Kali Sara, January 2018, p. 13. The analysis was supported by an Open Society Foundation Bosnia and Herzegovina. This information was obtained from UNICEF Bosnia and Herzegovina.

same time, the cantons of the Federation of Bosnia and Herzegovina have the competency to adopt regulations to ensure consistent implementation of the aforementioned provisions of the Framework Law as well as their implementation in practice within education.

The document 'Strategic Directions for the Development of Education in Bosnia and Herzegovina' together with the Implementation Plan 2008–2015 have expired, while the new strategic document in the field of education in Bosnia and Herzegovina does not yet exist. Currently, there is no policy document to accompany the measures defined in the Framework Action Plan on Education. The latter is devoted to the issue of increasing the inclusion and equal participation of Roma children in quality primary education.

Support for the removal of obstacles that prevent access to and the equal participation of Roma children in pre-primary and primary education has largely been reduced to project activities and interventions implemented over time. However, there are a number of examples of good practice in the form of support provided by international and domestic civil society organisations as well as local government institutions at different levels of government. Yet it should be noted that there is no systematic approach or such commitment among all relevant institutions, primarily domestic, to engage in and support the successful inclusion of Roma in pre-primary and primary education through the provision of financial support from their budgets to ensure free preschool and primary education for Roma children. The pace of implementation of education reform is slow when it comes to achieving the goals and measures set out in the strategic and legal documents relating to Roma inclusion in pre-primary and primary education.

In order to secure a quota for the enrolment of Roma children in secondary schools, the Ministry of Education and Culture of Republika Srpska gave written consent for the enrolment in secondary school of eight Roma children who did not have sufficient points. This refers directly to the Framework Action Plan on Education.

Making reference to the Action Plan on Roma Educational Needs, the Head of the Brčko District Education Department addressed a letter to secondary schools in Brčko District demanding direct enrolment of all Roma children who applied for secondary school. There are no such examples in the Federation of Bosnia and Herzegovina.

According to the Action Plan on the Educational Needs of Roma, local communities (mjesne zajednice – LCs) as a form of communal self-governance are expected to allocate budgetary funds that cover 21 per cent of the cost of textbook and transportation for Roma secondary schools pupils. Local communities also provide scholarships for a smaller number of Roma pupils. Vocational education and training (VET) is not adapted to the needs of young Roma. Local communities and local NGOs are rarely included in the advisory process for creating VET





programmes and coordinating the provision of services for young Roma. Existing training courses are not in alignment with the needs, conditions and plans for local employment and self-employment.

**In the Federation of Bosnia and Herzegovina, the Federal Ministry of Education and Science has a programme related to higher education titled ‘Incentive Education for Roma Citizens of Bosnia and Herzegovina residing in the Federation of Bosnia and Herzegovina, who study at Public Higher Education Institutions in Bosnia and Herzegovina’.** This programme is implemented through a public call issued by the Ministry.

**The Government of the Federation of Bosnia and Herzegovina established the Student Loan Fund in Sarajevo on 16 November 2006.** The Fund was established with the aim of encouraging the provision of funds and support to enable students to study at recognised institutions of higher education, namely universities in the Federation of Bosnia and Herzegovina.

Appropriate policies and programmes with allocated funds that would effectively address the issue of Roma and other vulnerable groups do not accompany the developed strategic documents at the state level. The insufficient mainstreaming of Roma within education is also a consequence of the low level of commitment among policymakers. Although framework laws and strategies on inclusion were introduced into schools in Bosnia and Herzegovina fifteen years ago, their implementation has been sporadic at best.

## Recommendations

- ✳ The main recommendation is to foresee funding for the implementation of the activities envisaged in the Framework Action Plan on Education.
- ✳ Form an expert group comprised of representatives of all relevant institutions, including Roma representatives to draft an implementation action plan for education.
- ✳ Supervise the realisation of the Framework Action Plan on Education and provide suggestions on its efficient realisation and possible revision and harmonisation with the educational needs from the field.
- ✳ Institutional and community work with Roma parents. The local communities should develop a plan with specific measures to prevent early-school leave. It is necessary to involve Roma mediators for education in this effort.
- ✳ Include Roma children into preschool education and provide free of charge access. Increase the municipal funding for staff in kindergartens, transport of children, nutrition, excursions etc.

- ✳ Introduce school extracurricular activities to help Roma children to follow up with the educational material. Local communities should be more active when simulating Roma children to complete primary school and further education.
- ✳ Scholarships should be given to all Roma pupils who attend secondary education.
- ✳ Adopt an intersectoral approach (health, education, social welfare, finance, etc.) to address education of Roma pupils.
- ✳ Ensure uniform solutions throughout Bosnia and Herzegovina so that all Roma children can be included free of charge in quality preschool and primary education.
- ✳ Embed the goals and measures from the Framework Action Plan on Education into the entity and cantonal strategic documents and action plans on education.
- ✳ Develop a plan for teachers, parents and students to eliminate stereotypes and discrimination within education.
- ✳ Ensure Roma participation in the parent-teacher associations.
- ✳ Introduce the Roma language as an optional subject in primary schools as well as learning about the culture and traditions of Roma, in accordance with the existing legal regulations.
- ✳ Establish a committee of qualified Roma mediators within schools, municipalities and the ministries of education to work on continuous cooperation with Roma communities, to increase enrolment of Roma and monitor the attendance and completion rates for primary education.
- ✳ Develop programmes on adult education for Roma to enable them to complete their primary and secondary education.
- ✳ Introduce a programme for child and student education sponsorship through improved cooperation with the private sector.



# HOUSING



Far the largest amount of funds is allocated for housing of Roma and vulnerable groups. The construction or recovery of housing facilities, namely infrastructure, is one of the most complex issues and demands serious preparatory activities and good coordination between different stakeholders. The general impression is that goodwill exists and key people in the municipalities are commitment, which is a good start for the efficient solving of housing needs.

## Gaps and Challenges

There is no legal or institutional framework in Bosnia and Herzegovina at the state level to define housing policy.

Bosnia and Herzegovina has yet to face the challenge of defining housing policy, which also includes defining the 'social housing'. The process will certainly have to take into account the needs of different social groups and different forms of assistance if the state is to address the housing needs. It will also need to be based on a real assessment of the state ability to provide sufficient and appropriate resources for the implementation of its housing policy. In the case of Bosnia and Herzegovina, a myriad of challenges exist when it comes to implementing adequate responses to housing.

Bosnia and Herzegovina ratified the Revised European Social Charter in 2008, but not Article 31 related to housing rights. The **International Covenant on Economic, Social and Cultural Rights and the Universal Declaration of Human Rights address the fundamental right to housing and shelter in the event of an emergency.** They are an obligation for the authorities to take them in consideration when implementing housing policies and projects. Moreover, **Sustainable Development Goal 11.1 and principle 19 of the European Pillar of Social Rights** urge signatories to provide the right to adequate housing.

At present, Bosnia and Herzegovina has a challenge to find a model and system of clear defined goals, structure, techniques of functioning, people, financial resources or defined rules on internal and external communication. So far **the competent authorities have through public policy documents, strategies, laws, regulations and quality tandards formally and legally adopted all of these elements of the system.**

Although **there is no housing policy at the state level,** some models of social housing do exist and are the responsibility of the entities, cantons and municipalities.

Republika Srpska and almost all cantons in the Federation of Bosnia and Herzegovina have adopted a Law on social housing which is encouraging but not sufficient to address the issue. Sector policy documents that make explicit reference to Roma need to be adopted in order to maximise the effectiveness of mainstream interventions. This would greatly alleviate the





housing problems of the Roma community caused by the current lack of legislation, shared competency and lack of financial resources. It would also provide an opportunity for lower levels of government to participate more actively in the implementation of the Roma Action Plan on Housing, Employment, and Health.

**Article 5 of the Law on Social Housing in Zenica-Doboj Canton** refers specifically to vulnerable groups as well as Roma. Furthermore, the same article lays down the conditions and priorities for addressing housing needs.

It states, “Specific conditions for determining the order of priority for addressing a person’s housing needs are:

a) housing status, b) amount of income, c) health status, d) disability, e) the number of household members, f) property state.”

In determining the order of priority under the special conditions referred to in paragraph (1) of this Article, priority shall be given to persons belonging to vulnerable social groups: young people, children without parental care, single parents, persons over 65 years of age, single households, persons with disabilities, civilian victims of war, displaced persons and returnees, Roma and other socially vulnerable groups.

The cantonal government and local self-government units within each programme of social non-profit housing shall prescribe more closely the conditions and criteria for addressing the housing needs of beneficiaries of social non-profit housing.<sup>7</sup>

The Law on Social Housing in Republika Srpska does not target Roma specifically as a vulnerable group but in paragraph 1 of Article 4 bans discrimination based on race, colour, gender, language, political, national or religious orientation, place of birth.

The Law imposes the obligation on the Government of Republika Srpska to develop a proposal for the Republika Srpska Strategy on Social Housing for a period of ten years, which should be adopted by the Assembly of Republika Srpska and implemented through five-year action plans at the entity and municipal level.

As defined in the Law vulnerable groups are persons whose material, social, psychological status requires housing assistance due to unfavourable position. This section of the population is divided into the following groups:

- › refugees and displaced persons, including persons repatriated to Bosnia and Herzegovina under the readmission agreements;
- › Roma;
- › elderly;
- › youth, with focus on young married couples who cannot afford their first property;

<sup>7</sup> The Law on Social Housing of Zenica-Doboj Canton.

- › households with extremely low income and users of social welfare or other forms of material assistance;
- › professionals of special interest in the development of the local community and its institutions, particularly vulnerable groups such as the homeless, migrants, civilian victims of war, persons with disabilities and special needs, single parents, children without parents, etc.

It should be noted that in the above categories, households and persons without any income are not included, due to their inability of covering the rent required by the Law and the utility bills.

Although the existing legislation does not prevent the development of social housing as one of the models for the issue of Roma housing directly, it is very difficult to find a model for targeted social housing of Roma due to restrictive regulations (ban on disposing of state property, restrictions on budget spending and local government borrowing, problems with outdated spatial and urban plans, construction land, etc.), which is why a few municipalities opt for this type of housing. However, some municipalities have shown in practice that political efforts and skills and abilities of the local administration are both crucial for the implementation of such projects.

Six municipalities (Srebrenica, Prijedor and Banja Luka in Republika Srpska and Tuzla, Gorazde and Mostar in the Federation of Bosnia and Herzegovina) have developed social housing strategies. The success of the envisaged activities will depend on local communities and political decision and ability to map Roma households without proper housing, with special emphasis on homeless Roma, and to compile lists of potential users.

An additional problem relates to the changes to the **Law on Residence** (Law on Amendments to the Law on Permanent and Temporary Residence of Citizens of Bosnia and Herzegovina), Official Gazette of Bosnia and Herzegovina, No. 58/15) that came into force in 2015 whereby a person needs to submit proof of residence at a given address (i.e. proof of ownership or tenancy/ rental agreement or similar) in order to obtain an ID document. This represents a serious obstacle for a homeless person and assumes that most homeless people have not been issued an ID document since 2015, which further aggravates the situation. Persons without ID document cannot receive assistance from a centre for social welfare. Furthermore, it complicates access to healthcare, as without health booklet (which cannot be obtained without an ID document) person in need most likely will not be admitted to a health institution.

A lack of data that would otherwise enable the measurement and monitoring of Roma housing needs in the economy and which would allow for evidence-based policy responses aggravates the issue of housing. **In order to develop an effective strategy for the prevention of homelessness, the entities require much more information at their disposal than is currently available.**



To date, the construction and renovation of Roma housing has been implemented with funds from the Ministry for Human Rights and Refugees, IPA funds and funds from international civil society organisations. With donor support, social housing apartments have been built across the economy, primarily done as a solution for people living in collective centres, but also for other socially vulnerable categories. By the end of 2015, Catholic Relief Services (CRS) and Hilfswerk Austria International (HWAi) had built, for instance, some 360 housing units that are now the property of local communities. Returnees and IDPs make up 89.49 per cent, other socially vulnerable groups 5.66 per cent and the Roma community 2.16 per cent of all social housing beneficiaries.<sup>8</sup>

Municipalities, cities, cantons, the entities, Brčko District, domestic and foreign NGOs and government institutions and donors are entitled to participate in the public call for construction and renovation of Roma housing units based on the principle of co-financing.

To date, Bosnia and Herzegovina has built nearly 1,000 housing units for Roma in almost 35 municipalities.

The disadvantages of this approach are reflected primarily in the concentration of particularly vulnerable social groups in one place, which can lead to an increase in stigmatisation, poverty and segregation. Successful integration is impossible without long-term sustainability, which requires additional support in terms of employment, health and social services.

Based on the analysis of existing housing practices in Bosnia and Herzegovina it is evident that these were ad hoc solutions aimed primarily at responding to the urgent housing needs of some extremely vulnerable social groups of beneficiaries. The existing practice should be considered in this context. All existing practices are the result of a compromise between different factors: perceived urgent needs, political priorities within the context of the Agreement on Stabilization and Association and the accession process of Bosnia and Herzegovina on its path to joining the EU, reintegration and reconstruction and requests from donors and individual programmes through which the construction of these housing units were financed.

According to an analysis conducted by the Ministry for Human Rights and Refugees of Bosnia and Herzegovina, between 50 per cent and 70 per cent of Roma in the economy live in inadequate housing. According to the same analysis, between 4,500 and 6,000 housing units need to be built in order to meet the housing needs of the Roma community.<sup>9</sup> Given the availability of funding, the dynamics of construction and the assessment of the need for new housing units, it can be concluded that building will last for between 45 and 60 years in order to cover all the needs of the current Roma community.

<sup>8</sup> Hilfswerk Austria International, 2015 p. 54.

<sup>9</sup> Ministry for Human Rights and Refugees, Analysis of the registration of Roma Needs, Sarajevo, 2011.

**The Assembly of the Zenica-Doboj Canton has adopted a Decision on the legalisation of illegally constructed buildings in the area of the canton.** Different types of Roma settlements in Bosnia and Herzegovina would benefit from this Decision. Yet settlements that are not suitable for housing, building and living in it, would not be covered by this Decision. Only those that meet the minimum requirements and building standards would and should be legalised without problems. This intervention is not directed exclusively at Roma but the Roma community would benefit from it.

There cannot be any systematic development of social housing without clearly identified elements for housing policy with objectives, priorities, institutions responsible for its implementation and available resources. Social housing is an integral part of housing policy in all economies and there is not a single economy in Europe that has managed to develop a functional social housing system without having previously identified the strategic objectives and priorities for its creation. The European Commission noted in its review of the Strategy for implementation of Annex 7 of the Dayton Peace Agreement that it clearly expects Bosnia and Herzegovina to adopt an adequate housing policy that includes the right of access to social housing for all social groups without discrimination. In view of the constitutional set up in Bosnia and Herzegovina, it is very unlikely that it will be possible to achieve a single housing policy at the state level. Thus, it would be ideal to pass a framework document at the state level that identifies the basic principles of housing policy and affirms global principles and standards for policy in the housing sector as identified by various international documents, namely the recommendations by the EU and the United Nations Human Settlements Programme (HABITAT). At the same time, the strategic and operational objectives of the housing policies and systems for social housing could be identified through entity housing policies.

## Recommendations

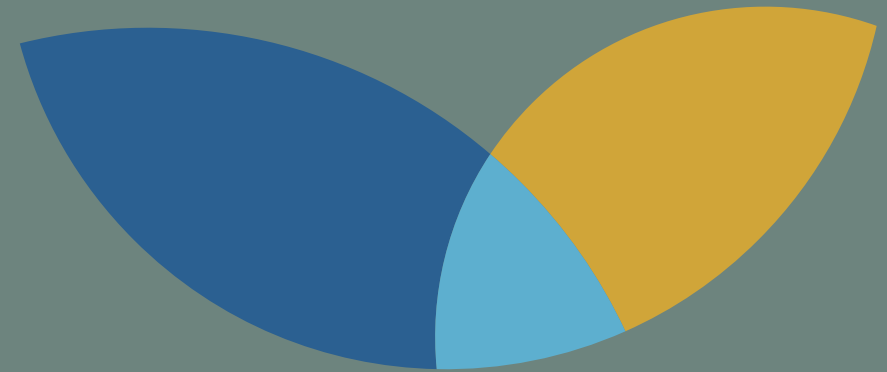
- ✿ Adopt a framework document at the state level that identifies the basic principles of housing policy and affirms global principles and standards for policy in the housing sector.
- ✿ Establish entity housing agencies (The Law on Social Housing foresees the establishment of the housing agencies) that would be responsible for identifying and implementing the entity housing policies and development of multiannual and annual housing programmes for different social groups.
- ✿ Establish a voucher model for subsidised housing whereby the beneficiaries receive a certain amount of money on a monthly basis that allows them to rent an apartment, regardless of whether it is commercial or social housing.
- ✿ Build a model of social housing using primarily funding from loans and private sources by developing different public-private partnership programmes.



- ✿ Secure financial resources from the state budget for independent expert opinion on technical admission and attestation of the built housing units.
- ✿ Amend Article 4 of the existing Law on Social Housing in Republika Srpska to incorporate Roma as a specific vulnerable group whose material, social, psychological or other situation requires housing assistance from the community based on the unfavourable position of Roma compared to other categories.

There is a need for a higher level of coordination between different sectors in order to achieve the goals targeted in the Housing Action Plan for Solving the Problems of the Roma Community.

## CONCLUSION





**Specific measures enumerated in the Roma Action Plan have to become part of general policies at all levels of government. It appears that the Roma community would benefit significantly more from tailored interconnected public policies in all four sectors. This would increase the available funding compared to measures that only target Roma needs.**

All levels of government should consider developing public policies and measures that would be funded with the objective to include socially marginalised groups, which would certainly encompass numerous Roma that are in a such position. **Such measures could be integrated in public policies that deal with matters such as education, employment, social housing and other important areas. Therefore, their goal would be all-encompassing and include different categories of the population that are in a state of need.**

It is very likely that properly tailored general policies, sensitive toward certain horizontal issues (the position of ethnic minorities, social marginalisation, children, women, the poor, discrimination, etc.) would have bigger chance of stimulating follow-by, involving strong legislative measures, programmes and responsible budgeting, institutional strengthening and the creation of quality programmes/projects that could attract funding from different sources. Yet while theoretically such an approach appears to be much better and would guarantee systematic solutions that would benefit Roma and other citizens the problem in reality is the slow, fragmented and inefficient processes for the adoption and implementation of public policies and the question of what to do until quality public policies are issued and until the start of their implementation.

An analysis of the mainstream policies shows that the approach to addressing the issues of Roma, adopted in Bosnia and Herzegovina uses mainly targeted measures aimed at the Roma community exclusively. The analysed policies and programmes have no measures or approaches tailored to specific situations and areas of action. **Mainstream policies are not adapted to the needs of Roma and this can lead to further limitations on access to mainstream services for this minority.**

In the case Bosnia and Herzegovina this approach can have only a limited impact and at the same time lead to increased segregation. The Roma community has no effective access to mainstream services and these services themselves lack the sufficient flexibility to adapt to the needs of Roma.

Current policies content is explicit and exclusive in targeting Roma and this makes them a means for inclusion policy initiatives. This approach separates Roma focused interventions from broader policy initiatives. Mainstream policies and programmes are not adjusted to the diversity of the needs of their beneficiaries, including Roma, and do not consider their specific characteristics when putting mechanisms in place to facilitate their access to and effective use of services.

**There is insufficient evidence of serious and deliberate efforts to mainstream Roma needs across government institutions and policies. At the same time, a number of public policies have expired and there are no new ones.** Therefore, it is important to work on capacity building in the entities and at the cantonal level of authority in order to develop mainstreaming at different levels of policymaking.

**An example of a mainstream programme that is non-inclusive of Roma is that of employment, including self-employment.** This programme has no integrated guidance for employability, individualised support, counselling, access to general and vocational education and training focused on skills and knowledge development. The allocation of funding also indicates the extent to which a measure has an impact or remains just a formal pledge on paper.

The level of inclusion of Roma is still far from acceptable. The necessary policies, tools and structures linked to the inclusion of Roma are not in place and the actual implementation is still at an initial phase without mainstreaming them into the general policy initiatives.

**Public services relevant to Roma (i.e. issuing official documents, the legalisation of illegal settlements, registration, employment, better access to healthcare and education, information services, etc.) are still very limited and lack a Roma perspective to ensure their better accessibility and decrease the limitations caused by discrimination.** Some positive experiences, however, were generated within local government in the area of housing and access to health and should be expanded to other localities countrywide. These pilot efforts need to be reinforced through pro-active credible and concerted public actions and communication outreach to the Roma community lead by the Ministry for Human Rights and Refugees and by engaging relevant government institutions.

**Mainstreaming programmes for youth employment, self-employment and social entrepreneurship do not take into account the specific needs of young Roma as well as gender and age perspectives.** Existing programmes do not address factors that prevent young Roma from accessing information and employment support opportunities in areas such as literacy, isolation and/or discrimination. The impact of good practices are rarely monitored, documented or communicated to the relevant stakeholders.

**Vocational education and training (VET) should be adapted to the needs of young Roma.** Local communities and local NGOs should be part of the advisory process for creating VET programmes and coordinating the provision of services to young Roma. Emphasis should be placed on aligning training courses with the needs, conditions and plans on local employment and self-employment.



**Employers should be involved in a dialogue on the employability of young Roma. They should be part of the training initiatives for access to information, career guidance, the acquisition of relevant skills and the design of local youth employment projects.** Dual education should be developed with the direct involvement of employers as an alternative to the low level of vocational education and training (VET). In order to support the development and implementation of VET policies by clearly defining the basic skills that make young Roma employable it is necessary to set up working groups composed of representatives of government agencies, education institutions and training institutions to meet the needs of employers and businesses.

All stakeholders need to show a greater level of commitment for the educational success of Roma students. This requires a **review of current support programmes, such as adult education institutions, vocational education and training, multidisciplinary teams, counselling and information programmes, support programmes for families.**

All relevant stakeholders need to show greater commitment to policies and strategies for implementing quality measures to address the increasing number of young Roma that are not employed in education or in training. There is an immediate need to define national policies and identify strategic interventions within the National Roma Inclusion Strategy and action plans.

Mainstream measures are effective only if they are accessible to Roma. Although mainstream measures are nominally accessible, in reality Roma can face a variety of different barriers. These barriers limit Roma in terms of (i) access to various mainstream services and (ii) opportunities to exercise in full their rights enshrined in the Charter of Fundamental Rights. Therefore, the presence of explicit safeguards to compensate for the impact of existing disadvantages is important for making mainstream measures work for Roma.

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