

ROMA STRATEGY IN BOSNIA AND HERZEGOVINA

Roma are, de facto and de jure, the largest national minority in Bosnia and Herzegovina, in the both entities. At the same time they are the most vulnerable national minority measured by social, scientific and technical criteria and benchmarks that are taken into account when social status of a community or social group is appraised. None of the 17 national minorities, the number that is ascertained according to the 1991 Census and recognized in the Law on the National Minorities in BiH (Zakon o zaštiti prava pripadnika nacionalnih manjina u BiH), is in such a difficult and problematic situation that can be compared to the situation of Roma.

This fact, which has been confirmed by a few sources of various proveniences and explanatory values and proved by a great number of data and information, obliges BiH authorities at all levels to take a range of actions and measures in accordance with their competences and actual possibilities, which will be aimed at a radical change for better and improvement of the social and economic status of Roma in BiH. Doing this, BiH authorities, both at the state level and the levels of entities, cantons, cities and municipalities have to start from the principled standpoint, i.e. from the national and international legislation respecting rights of members of all national minorities in BiH, including Roma.

A powerful weapon in the hands of authorities to fight for a change of economic, social, political, educational, cultural, information, housing, health care and other status and situation of national minorities in BiH, primarily Roma who are being discussed in this document - are, and ought to be, international legal documents and instruments about protection of human rights, including rights of national minorities, as well as the Constitution of BiH, entities and cantons, statutes of District, cities and municipalities and domestic legislative, development and other strategies, action plans and other documents and regulations. Primarily, these are:

- the CoE Framework Convention on the Protection of National Minorities,
- the European Charter for Regional or Minority Languages
- the European Convention for the Protection of Human Rights and Fundamental Freedoms
- UN Universal Declaration of Human Rights
- The International Covenant on Civil and Political Rights
- UN Convention on the Rights of the Child
- The International Convention on the Elimination of All Forms of Racial Discrimination
- The International Covenant on Economic, Social and Cultural Rights
- The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities
- The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- The Recommendation of Parliamentary Assembly of CoE on the rights of minorities, 1990, paragraph 10-13
- The Recommendation of CoE on access of minorities to higher education, housing problem, employment etc.
- The Constitution of Bosnia and Herzegovina
- The Constitution of Republic Srpska

- The Constitution of Federation of Bosnia and Herzegovina
- the Law on the National Minorities in BiH,
- the Framework Law on Primary and Secondary Education

Also, the important lever and medium of acting in order to implement the highest standards in the field of protection of rights of national minorities, particularly Roma, is permanent cooperation with numerous Roma NGOs, as well as non-Roma NGOs concerned with one aspect of Roma issue in BiH.

Given the importance and complexity of the issues, BiH authorities, primarily the BiH Council of Ministers and entity Governments, consider it their obligation to draft and officially adopt a paper of strategic scope and importance, which would identify and list all fields and issues of major importance for the resolution of the status of Roma in BiH, and to identify actors responsible for carrying out particular tasks. The implementation of actions and measures proposed in the **Roma Strategy in BiH** should bring about an overall improvement of the social status of Roma community in BiH, first of all improvement in housing, education, employment, standard of living, social security, health care, cultural identity, learning of their own mother tongue, history and culture matters, information, participation in politics and decision-making, affiliation with Roma compatriots and Roma NGOs from other countries, awareness of human rights, children and women's rights in particular etc.

The BiH Council of Ministers has identified within this Strategy important fields and issues that should be included in the programme of actions with concrete measures, which should be well-contemplated and well-designed and then adopted, and they are as follows:

- education,
- employment,
- housing,
- health care,
- social security,
- civil registration and identification documents,
- census,
- participation in and partnership with authorities,
- organization and networking of Roma NGOs and non-Roma NGOs dealing with Roma issues, information,
- improving cultural identity by maintaining and promotion of tradition, customs, religion, learning of the Romany language, history, art and culture matters and establishment of Roma cultural institutions and associations,
- cooperation and sharing of good practices with Roma NGOs and non-Roma NGOs from neighbouring countries and other foreign countries and international organizations,
- demographic and population policy,
- domestic matters, gender equality, children's rights.

All the fields above and the issues arising from them have several layers and several meanings and are mutually conditioned and linked, so that actions that should be

taken with a view to defining them and having “production” of positive impacts have to be carried on in a synchronized and systematic fashion. Actions and measures to be taken in the listed fields of the entire society, and thereby of the Roma national minority, with a view of improving them concern and include the following:

1. Education

Over the last few years BiH authorities at all levels, in cooperation with international and organizations that have missions and offices in BiH and Roma NGOs and non-Roma NGOs dealing with Roma issues, have achieved significant and empirically proved results when the issue of meeting educational needs of Roma is discussed. However, as a lot of reports and other indicators of various proveniences ranging from national specialized NGOs to international organizations, occupational associations and scientific institutions show, a great percentage of Roma children still do not attend even primary school, not to mention secondary school and university (the total number of Roma children at secondary school do not come as near as one thousand and Roma university students can be counted on one man’s fingers). Moreover, the number of Roma children who start primary school and drop out is not at all small; owing to poverty they have not the minimum fundamental conditions for schooling, vocational training or any form of training at all. Facing such an educational situation of BiH Roma, at an initiative of the Council of Ministers Roma Advisory Board and the Council of Roma, in early 2004, BiH authorities designed and adopted a very important document titled “**Action Plan on Educational Needs of Roma and Members of Other National Minorities in BiH**” under auspices, mediation and financial support of the OSCE Mission to BiH. This document comprehensively identifies educational needs of Roma (and, of course of other national minorities in BiH) and lists all actions and measures, including their descriptions and the schedule of performance, to be carried out by relevant authorities. It also lists all competent and responsible actors in the process of meeting educational needs of Roma and they are primarily the entity Ministries of Education, cantonal and local authorities, including the Education Department of the Brcko District Government and some specialized educational institutions such as the Agency for Assessment Standards in Education, Pedagogical Institutes and the like.

Given the fact that two BiH ministries were involved in drafting the document, BiH Ministry of Human Rights and Refugees and the BiH Ministry of Civil Affairs, and they have a role in the coordination and monitoring of activities in the implementation of the **Action Plan**, the Council of Ministers accepts it in full and orders for its substance and standards to be accepted by all other levels of the executive in BiH and considers it part of the Roma Strategy in the part concerning Roma national minority’s education. Accordingly, there is no need for any other, new elaboration of the situation of Roma education or regulation or for making up new obligations and measures, that is, for designating some new authorities and institutions to be responsible for their implementation. That means that **the Action Plan** is still of current interest at the level of text as well as at the level of standards stipulated by it and imperatives determined by some relevant subjects of governmental and non-governmental sectors in its implementation which, apart from some unclearness and obstacles, is going on and gives results, from financial point of view (buying books, supplies, equipment, travel expenses, hot meal, etc) and from the point of view of higher percentage of new Roma pupils attending elementary schools, organising summer schools, including Roma assistants in educational process etc. The only thing

that should be insisted on is the establishment of statutory, obligatory **Council of National Minorities within the Parliamentary Assembly of BiH**/ entity Parliaments / as soon as they carry the entity laws (this currently relates only to the Parliamentary Assembly of Federation of BiH, since Republika Srpska has already passed their law), which will be another monitoring body in this area, especially to monitor obligations to Roma and to continuously monitor and evaluate the implementation of the **Action Plan** by the competent and responsible authorities, institutions, services etc., primarily Ministry for Human Rights and Refugees and Ministry of Civil Affairs, when talking about the state level. When entity and canton level are concerned, these are entity and cantonal Ministries of Education and appropriate service of District Brčko. Monitoring and evaluation of process of implementation of the **Strategy** in this field, should be realised once a year and the reaction to all possible new challenges should be prompt as well as informing the public about everything should be on time and regularly.

2. Employment

Employment of members of Roma national minority in BiH is in close connection with the situation and results in education. Namely, regardless of sporadic and occasional results in this field, Roma are still the most unemployed ethnic group in BiH. Reasons are numerous. First of all qualifications of Roma people are not adequate. Then, although it is not possible to allege open and systematic discrimination of Roma, employers reluctantly hire Roma people and especially reluctantly give them more qualified and better-paid jobs. In addition, Roma themselves are not in self-employment, rather they own very few companies or establishments so that they cannot hire any notable number of Roma, and some Roma businessmen openly avoid to hire Roma.

Given the nature of political and economic system in BiH, i.e. market economy, it is not realistic to expect any significant direct intervention of authorities at any level in order to increase and expedite employment of Roma. Anyway, in this field no progress is possible without applying affirmative action, i.e. open favouring of Roma people in recruitment, that is, more control over employers who employ Roma by checking payment of wages and statutory contributions. By the help of relevant educational institutions and labour exchange offices, the authorities on their part can and will support and fund necessary vocational training to change occupation or get additional qualifications with a view of acquiring new skills and knowledge suitable to new modern circumstances. They and the Council of Ministers of BiH, through the Ministry of Human Rights and Refugees and the Ministry of Civil Affairs in particular, will “lobby” with authorities at lower levels to plan regular funds in the budget for Roma employment – by the same principle and methodology employed for funding educational needs of Roma – that is, by subsidizing the legal persons, including private enterprises and companies, which have designed programmes and hire Roma people specifically. The legal persons can and will receive other legal benefits, especially when it comes to exemption from a portion of statutory liabilities, to simplification of administrative procedure of registering the company, NGO and the like. Using public campaigns the authorities will also influence banks and other financial organizations to give favourable loans for setting up small and medium companies owned by Roma and enable employment of unemployed Roma. In this connection there are reserves and possibilities for establishment and successful operation of companies dealing with collecting and processing of secondary raw

materials, cleaning of public property (parks, rivers, lakes, untitled agricultural areas and the like) and other activities in the preservation of nature and environment etc. In local communities, authorities will seek to employ a number of Roma, at least the number proportional to the number of Roma living in the respective municipality, city or canton, in the administration, public services, companies and other institutions where the state has the right to manage them.

An important segment of activities in recruitment of Roma is also the issue of reduction of poverty in BiH, just for the reason that the Roma people are the poorest ethnic group of BiH population. The authorities are obliged to address the issue, that is, to encourage the implementation of the 2002 PRSP. There is a need to innovate and amend the mid-term 2004-2007 Development Strategy by including Roma issues, increased and expedited employment of Roma people. The obligation of the executive, labour inspection in particular, to continuously analyze the implementation of labour laws and regulations governing labour relations and employment exists at the same level of importance so that any possibility of discrimination of Roma is eliminated in labour relations and employment.

The problem of Roma employment can be solved partly by allocating to Roma families state-owned untitled agricultural land and property, that is, some resources and facilities from agricultural sector, for temporary or, even, permanent occupation. Special regulations should be enacted to preclude sale and giving away of the allocated land and property and to treat and encourage the matter in a special economic, financial and fiscal manner so that the Roma people will accept agriculture as a permanent source of income and as a style of life. It is self-understood that, if the infrastructure is not adequate, the issue of infrastructure has to be resolved in these areas and settlements. Responsible actors for identifying and solving the issue of employment are the Employment Agency of BiH and entity/cantonal labour exchange offices and entity/cantonal ministries/authorities for economy, labour, social security policy, directorates and departments for privatization, centres for social work, municipal authorities, services and departments for utilities. In the process of and measures for the resolution of the unemployment issue the BiH authorities at all levels are also obliged to respect and apply ILO Conventions that have been ratified by BiH. Given the neglected state of the tasks and their complexity, the timeframe for the implementation is open-ended.

However, in contrast to education field, in the field of employment it is necessary to make appropriate action plans for acting, which is the task of competent entity/cantonal Ministries for Labour and Employment, the Employment Agency, market and labour inspection, employment office, Coordinator Office for Implementation of Development Strategy of BiH (PRSP) 2004-2007 etc., with coordination of Ministry of Civil Affairs of BiH. The deadline for making action plan in this field is the end of 2005.

3. Housing

Most members of Roma community in BiH do not have even temporary housing, not to mention permanent housing. Truly, they did not have it before the war, in former SFRY, the fact that is only to some extent connected to the nomadic life of some parts or fractions (cergari) of the Roma people, so the lack of housing owned by Roma cannot be explained by the reason. Thus, the Council of Ministers does not maintain that the Roma people themselves are (were) not interested in having permanent residence. A number of Roma has been living in inadequate housing, usually illegally

built, which means the settlements do not have any infrastructure. During the 1992-1995 war a lot of Roma left their homes, some property of theirs was (have been) taken away or destroyed and they were the last to repossess their property in the process of implementation of property laws. They have received the least international or national grants for reconstruction of their homes and that is one of the reasons why there is still a high percentage of Roma without housing or any prospects to get it.

Given the Roma housing situation described above, the Council of Ministers and other BiH authorities, primarily entity/cantonal Ministries of Urbanism and Civil Engineering and municipal services in the same field, deem it necessary to start “an offensive” in providing housing to the Roma people. The first measure in it is the legalization of earlier built houses without construction permits or permits on use of housing units, an enormous cost-cutting in the legalization of earlier built housing units, private houses in particular and repair and humanization of existing settlements that have a chance of “surviving” and continuing existing after monitoring and application of minimum town planning and infrastructure related criteria and requirements have been carried on and applied. The measures that are at the same level of importance are simplification, shortening and cost-cutting measures to be applied to the procedure of getting town planning certificates, construction permits and statutory papers necessary for new houses yet to be built, which are exclusively meant for the Roma people, including the reduction of construction land fee and utilities connection charges. BiH authorities at all levels, municipalities in particular, will take care of the choice of location and surroundings where Roma houses will be built in order to avoid that the choice itself will bring about ghetto-like exclusion and additional discrimination of Roma. In other words, the authorities will develop and implement such a Roma housing policy that opens and facilitates the integration of the national minority in BiH and does not additionally segregate and stigmatize it.

The BiH authorities will also ensure and implement mechanisms for making financial resources that are available in housing and similar funds existing in entities, cantons, cities and municipalities operational both in direct investments and building of housing units for Roma people, as people in need, and for encouraging individual building by members of Roma communities. In this connection it is necessary to contemplate and, possibly, put in operation the idea of establishing solidarity housing funds for solving housing needs of people in need, in which category most Roma undoubtedly fall, within municipalities, cantons or, even, entities, that is, it is necessary to directly engage in the campaign and build at least one house or flat per year in each settlement for one Roma family that is most in need. The Roma and non-Roma NGOs that have Roma housing projects within their programmes will be supported to the greatest possible extent and international donors will be lobbied for a continuation of support to Roma projects by moving the focus of interest and assistance gradually from training in human rights to specific solution of subsistence issues. Important possibility, and at the same time, mechanism for solving this subsistence issue for Roma national minority as social endangered category of BiH population, is state mortgage at Development Bank of CoE in order to build Roma houses. Concerning that, it is necessary, through Roma NGOs, Council of Roma BiH and other Roma associations, to test interest and mortgage capability of Roma for solving housing problems in this manner. After getting analysis, competent entity/cantonal Ministries should make appropriate projects that would be applied to Development Bank of CoE by authoritative state body. The state would be warranty for mortgage. The deadline for this activity is the middle of 2006.

With regard to this segment of Roma issues this Strategy should also deal with the issue of Roma refugees and displaced persons. More or less the process of implementation of property laws has been drawn to an end, so almost all Roma who had some property have repossessed it and have been reinstated in the property. However, the Ministry of Human Rights and Refugees of BiH, the Fund for Return of BiH, entity and cantonal ministries of refugees and displaced persons, local authorities in charge of this matter and national and international NGOs dealing with return, have an obligation to urgently settle the remaining cases of unrepossessed property and reconstruction of destroyed property, in the first place, of houses and flats and, then, of infrastructure in Roma returnees' settlements. In this context, there is the obligation of competent authorities to, through specialised Demining Agencies, solve the problem of minefields located in or around Roma settlements and it represents serious obstacle to the return. The deadline for this activity is the end of 2005. The monitoring will be carried by the Ministry of Human Rights and Refugees, i.e. by its regional centers.

4. Health care

According to statistics in BiH the largest death rate is among the Roma people and the situation is similar in other countries in the region. At the same time the average age of Roma people who died is the lowest in comparison with all other ethnic groups. Reasons are multifold and the most prominent is inadequate health care. Health care is not available to most Roma people because they do not have any health insurance and they are not included in the national health scheme because they do not have full-time employment nor do they have any benefits or substitution for the right. Many of them do not have health care cards (because they were not registered at birth or because of some other mysterious reason), so access to the right is made difficult for them. For the time being and in the next years the problem is solvable only through affirmative action. It means that the health authorities, i.e. relevant health insurance funds and other departments dealing with the issues of health insurance and health care, in cooperation with institutions and authorities dealing with social security, should issue health cards and stamp them as valid for a longer period of time, without discrimination, to all Roma who do not have health insurance on same other grounds, which would ensure the basic health care for members of this national minority. The same should be applied to payment for medicines. Particularly, all Roma school-children without exception should have health insurance and be provided with all kinds of health care, which would encourage them to attend school regularly. Funds required for the two measures have to be provided by state authorities by earmarking them in the budget for these purposes. Another matter in the health care issue that has to be provided for is health education for some groups within this population. Education and awareness raising about the meaning and significance of particular diseases (tuberculosis, jaundice and the like), addictions and the possibility of their prevention and successful cure, education on family planning, prevention of unwanted pregnancy, vaccination of new-borns, maternity counselling and the like are still needed by a significant number of Roma and authorities at all levels will take that into account. More effective health care and prevention of some diseases in particular, can be achieved not only by opening dispensaries or health care services, but also through various campaigns and events such as occasional mobile medical teams that would visit Roma settlements in turns to perform various check-ups, e.g. lungs x-ray, gynaecological and dental check-ups, taking blood pressure, epidemiological tests,

etc, competitions (e.g. in first aid, prevention of diseases etc), a week specially designated for health care to be provided to Roma or within the framework of manifestation of promotion and protection of health or health education referring to all citizens no matter what nationality they are, i.e. no matter what origin or status they are, so that the persons belonging to Roma national minority would not feel additionally discriminated etc.

Responsible actors for identifying and solving the issue of health care are primarily entity and cantonal ministries of health, funds of health care, public health institutions (health care centres, institutes, out-patient wards etc.), vocational and professional medical associations, physicians' chambers and associations in particular, NGOs, municipal departments of general affairs and administration, inspectorates and the like. The implementation of this activity is a long-term activity.

5. Social security

Starting from the fact the Roma people are the people who are in need most of all in BiH, the Council of Ministers and other authorities in BiH deem it necessary that all local authorities (municipal administrations, mayors, cantonal ministries and governments etc.), in cooperation with centres for social work and other institutions and authorities for social welfare) have to have specific programmes and elaborated measures for providing social assistance to Roma in need. The only way to achieve this goal is to plan in advance funds to be earmarked regularly in annual budgets or to establish some separate foundations or funds for these purposes that would be filled up from e.g. taxes or levies from the games of chance, sale of some special goods, charges on some special services or the like. But, before that, it is necessary for the relevant institutions and authorities of social welfare to make a precise "anamnesis", i.e. to map the financial condition and needs of Roma people, in order to avoid granting of aid and benefits to those who are not in need instead of to those who are really in need.

The situation has been changing for better through the fulfilment of obligations under points above, i.e. by solving problems in education (buying text-books and school supplies, providing transport and a meal free of charge and the like), housing (providing whatever housing), employment, health care etc. It means that all these fields and pertaining difficulties are intertwined and that working solutions out in one influences the other and the opposite. Anyway, faster employment of members of Roma minority would reduce poverty among them, they would have health insurance and care available, they could pay for their children's schooling and start working on their own housing and be less dependant on social security benefits.

Aged and feeble Roma, who are at the same time very poor, pose another difficult problem. For the time being there are no programmes or projects to help them, so we urge specialized institutions, authorities and services in this field, including old people's homes, Roma and non-Roma institutions, to tackle the problem more courageously and we urge financial institutions to support them. Responsible bodies for the implementation of these activities are the Ministry of Civil Affairs, entity and cantonal ministries of social policy and security, funds of pension and disability insurance.

6. Civil registration and identification documents

At the initiative of the Council of Ministers Roma Advisory Board joined by the Council of Roma, the OSCE Mission to BiH and the municipalities where Roma live took some actions in this field in 2003 and 2004. The result of these actions has shown in the reduced number of unregistered Roma in BiH. The number of Roma who managed to get identity cards, driving licenses, health cards, passports and the like after the campaign is not small. All this, however, is not enough yet. BiH authorities will strive to have all Roma registered in statutory books and have and use identity cards. In that connection the Council of Ministers tasks and considers CIPS project responsible body, meaning the Ministry of Civil Affairs, which has been carrying on all actions concerning personal records and issuance of identification documents of BiH nationals. The Council of Ministers also suggests that the entity ministries of administration and local self-government, cantonal and municipal departments and authorities in charge of this matter should ensure an institutional framework and human resources as well as financial resources, which are not so large that they would not be able to be provided in the regular budget, for acting towards the goal above, in order to finish this action important for the Roma people as early as in 2005.

Understandably, civil registration of Roma can be more successful and efficient only if all Roma NGOs are involved, that is, in cooperation with the network of Roma NGOs. Therefore, NGO networking and coordination of joint actions, and not only in the civil registration, is an imperative. It is also a task of the Council of Ministers Roma Advisory Board and the Council of Roma. At the same time, an informative campaign should be launched to explain the meaning and goal of Roma civil registration.

7. Census

The census and the census among Roma in BiH is closely related to Roma civil registration. Today there is an enormous discrepancy between the official data - from the last official census that was carried on in 1991, which has to be respected by BiH authorities – and the actual number of Roma in BiH: 8,864 members of the national minority and 30, 50 or even 80 thousand Roma (figures provided by Roma NGOs) respectively. BiH authorities consider that there is no better way to get accurate data about the Roma people, and not only Roma but also any other nationality, than a regular census. Therefore, when it is carried on, the Roma people will have to be prepared and capacitated for the event and accompanying activities. In the first place it is an obligation of authorities and professional institutions, the media, the press and public broadcast services, Roma and non-Roma NGOs to advocate the policy and need for Roma to declare themselves as Roma when asked about their nationality, and not, possibly, as a confession of faith. The Agency of Statistics of BiH and entity institutes of statistics have to be involved in this process to the largest possible extent and to identify, train and prepare interviewers from the Roma population. That will contribute to diminishing a lack of confidence that the Roma people traditionally have in various registrations and surveys, which results in their avoiding the census and determination of the accurate number of Roma. It is also necessary to launch an information campaign in the media by the help of Roma NGOs in order to mobilize all Roma resources so that all Roma will accept the Census as a normal exercise that is in their own interest.

To enable this BiH authorities are obliged to organize and implement special kinds of training for Roma potential interviewers. Experience gained in the training will be able to be used in other activities for the benefit of the Roma people in BiH, such as engagement in the media, education, ad hoc jobs etc. It will be necessary to apply additional incentive means and methods to have larger turn out of Roma in the Census. All these activities should start immediately, i.e. as soon as Strategy is adopted by the Council of Ministers of BiH, till the end of 2005, and carry them on continuously so that Roma will encounter the Census prepared for it. Apart from the statistical institutions and departments, other authorities such as entity ministries of administration and local self-government, relevant cantonal ministries and departments, municipal authorities and their future Census Commissions have to be held responsible for these activities.

8. Participation in and partnership with authorities

Participation of Roma in Bosnia and Herzegovina in political life is more than modest. It refers primarily to the executive at all levels of government in BiH and the situation is none better in the legislatures. Apart from three to four councillors in municipal councils (Centar-Sarajevo, Tuzla, Kiseljak etc.) in the last term of office, there have not been any other Roma representatives in municipal councils or municipal assemblies. If such a situation is at the local levels of government and it is, it is unnecessary to try to find them in entity parliaments or BiH Parliamentary Assembly, as there are none of them there. Without trying to elaborate on the answer to this issue on this occasion, the Council of Ministers calls on all relevant state, entity, cantonal, city, municipal and Brcko District authorities to, within their jurisdiction and responsibility, take actions to fully implement both the Law on Protection of Rights of Members of National Minorities and the Election Law, as amended in May 2004 to regulate participation of national minorities in the local government but could not be implemented in 2004 local elections for some procedural reasons. The Council of Ministers calls on the BiH Parliamentary Assembly and entity parliaments to, immediately, without delay, implement provisions of the Law on Protection of Rights of Members of National Minorities and establish the Council of National Minorities within the BiH Parliamentary Assembly, i.e. to pass or harmonise their laws on national minorities and establish bodies of representatives within their parliaments, where participation of Roma people could be considered as their own representation, nevertheless how rudimentary, marginal participation in government it is, or more precisely, could be considered as involvement in advisory bodies to legislatures.

Understandably, the BiH Council of Ministers or any other authority in BiH, entities, cantons, municipalities etc. do not have mandate to be arbiters of the composition of membership of political parties or their bodies, so they cannot suggest them to favour Roma candidates, or members of any other national minority, among their members, i.e. to put them on their candidate lists in future general and local elections in order to have them in the legislature at all levels of government in BiH, as councillors or MPs. Roma people have to take the responsibility on themselves. However, the BiH Council of Ministers can and will suggest to all legislative and executive authorities at all levels in BiH that, when establishing various advisory, regulatory, coordinating, monitoring, working, correcting and other bodies, councils, commissions, boards, committees, agencies, offices, services, teams etc., they should include in them representatives of registered Roma NGOs, associations and other forms and contents

of gathering and working of Roma people. In this way political participation of this national minority, nevertheless indirect, will be ensured in working bodies of legislative and executive authorities of BiH. Roma NGOs are advised to avail of this opportunity as much as they can, to understand this as a first, beginning form, degree and level of political participation of Roma in the public and political life of BiH, i.e. as a kind of training for future involvement in authorities and administration. Funds for this form of participation of Roma in the public and political life of BiH and its entities are responsibility of the executive to provide them in their budgets, under lines that will not jeopardize funding of other activities of Roma NGOs.

BiH authorities, in cooperation with the media that are and operate as public services of citizens, first of all the electronic media, should give appropriate slots to leaders of Roma NGOs and associations in informative and political programmes. Certainly, favouring such programmes should not jeopardize regular programme schemes and editing policy of the media, nevertheless inviting prominent Roma representatives more often in TV and radio programmes would contribute to their political affirmation and constitute a concrete content and form of partnership with authorities. This practice, i.e. bringing Roma leaders into public and political life through the media, should start immediately, even before **the Roma Strategy** is adopted by competent authorities, should be permanently advocated and cherished and should be gradually brought from the state and entity level public services down to the cantonal and local level until an adequate quality of Roma participation, i.e. satisfactory partnership with authorities and the governmental sector in general, is achieved in the executive and legislatures. As the political tradition and modern experience show, problems of any community, and so do the problems of Roma national minority, are solved in the most efficient way through participation in authorities.

9. Organization and networking of Roma NGOs and non-Roma NGOs dealing with Roma issues

Today there are a lot of Roma NGOs in BiH. The number reached almost 40 and the legitimate questions whether it is too many and whether there is any sense to establish new ones, which is indicated from the filed in different parts of BiH, are asked. They are sensible questions as there are more Roma NGOs than NGOs of other national minorities altogether. But we have to bear in mind the simple fact that the establishment of an NGO is a matter of civil initiative, an initiative of citizens, who have a need for an NGO, i.e. as long as they serve to voice some public interests and solution of difficulties. Accordingly, it is almost useless to lament the fact that in BiH there are 40 Roma NGOs that are citizens' associations mostly organized at the local level, while only a few of them are at the regional or entity level. Another issue is what the NGOs deal with, what their achievements are and what benefits members of Roma communities have from them, today and here.

It is, however, obvious that territorial dispersion of the NGOs is not adequate. Namely, while in some municipalities and towns, and even settlements, such as Tuzla, Kakanj, Sarajevo, there are several NGOs, in some other municipalities where a significant number of Roma live, there is none. That is why priority in establishing new Roma NGOs should be given to municipalities, towns and settlements where there are no NGOs or any kind of association of Roma. Immediately after the most recent war in BiH, organizing of Roma was more intensive and effective in the Federation – by 2000 all Roma NGOs were established and worked in the territory of the Federation. The establishment of Roma NGOs started then and has been going on

in the Republika Srpska ever since. Today, in early 2005, in this entity there are 7 NGOs in Gradiska, Biljeljina, Banja Luka, Prijedor, Prnjavor etc. and new ones are going to be established in a number of municipalities where Roma live. A very important fact is that in the Republika Srpska the Union of RS Roma operates as an umbrella organization. Initiatives for establishment and organization of new Roma NGOs should be given and implemented by earlier established Roma NGOs, Roma associations and representative bodies of BiH Roma, such as the Council of BiH Roma and the Union of RS Roma. It is not and cannot be a responsibility of state authorities, but the authorities at all levels cannot be released from an obligation to provide financial and administrative support and assistance in the establishment of new Roma NGOs, once Roma communities choose to establish them. There is a need and space for suggestions and influences that will result in profiling and thematic diversification of the existing Roma NGOs, especially with them all dealing with the same projects. Thus, we should “make” some Roma NGOs to expand or change their basic so-called line of activity/the matter dealt with, and thereby diminish unfair competition among Roma NGOs that does not make any good to Roma themselves. Diminishing, if elimination is not a realistic option, of the unfair competition among Roma NGOs is an imperative in organizing the Roma population. On the other hand, coalition of individual NGOs should be formed immediately. The “network” should be made on the occasion of particular projects, then permanently for other tasks and problems of the Roma people to be solved. The network of Roma NGOs should be formed not only territorially, i.e. according to the level of administration: municipal, cantonal and entity, although it is the easiest way, but also according to the problem - thematic criteria. It means that it would be purposeful and opportune if in BiH, the Republika Srpska and the Federation a network of Roma NGOs would be established for e.g. education, human rights, housing, health care, social security, recycling etc. A network or coalition of Roma NGOs according to individual issues, i.e. particular interests, do not have to be formally registered unlike unions, councils and other kinds of associations at a particular level of administration, which at the same time aspire to political involvement. Networking of Roma NGOs, those that do not have adequate financial support in particular, should start immediately without mistrust or bias and the network should be kept as long as it meets interests and needs, i.e. until the project is implemented, i.e. until the issue over which the network was formed is solved. A network or coalition of Roma NGOs can be more efficient for the simple reason that not only financial and technical resources but also human resources with qualification aspect will be pooled.

Besides Roma NGOs, in BiH there are a lot of non-Roma NGOs dealing with Roma issues and difficulties. Without trying to elaborate on this occasion on the answer how much they have justified their establishment and whether they are competition to Roma NGOs, we should clearly point out possibilities and needs for cooperation and coordination with them for the benefit of the Roma people. In other words, networks should be formed also between Roma and non-Roma NGOs. It is monitoring of non-Roma NGOs and verification of their implementing projects and dealing with activities they are registered for that authorities here can and have to do. This is a permanent responsibility both for Roma and non-Roma NGOs dealing with Roma issues and authorities. Governmental officials are always obliged to encourage and explain advantages of Roma NGOs networking, formation of coalition and networking with non-Roma NGOs and to encourage joint activities of two or more Roma or non-Roma NGOs in their “area of responsibility”. A network or coalition of Roma NGOs does not mean losing independence by either NGO; it is not the

beginning of their dissolution or dislocation but only better organizing in order to operate more efficiently for the benefit of the Roma people.

The Council of Ministers recognizes that at the time being the main representative body of the Roma people is the Council of Roma of BiH consisting of 9 members elected at the November 2001 conference of 22 Roma NGOs. Accordingly, the body will be considered its main partner in voicing interests of the Roma community in BiH until another representative body might be appointed. As much as financial resources allow that, the Council of Ministers will support the Council of Roma of BiH and will work out mechanisms within the legal framework to ensure regular budget for it. At the same time, the BiH Council of Ministers expects the BiH Council of Roma to, with assistance and support of the Council of Ministers Roma Advisory Board by the end of 2005, hold an elective assembly of Roma NGOs (understandably, the ones that want it and accepts this way of organizing and networking) at which new or possibly additional members will be appointed to the Council of Roma. The present Council of Roma is responsible for this activity.

10. Information

There is a lot that must be said and done and there is a lot to be said and done when it comes to information provided to Roma. With regard to the field of information and needs of Roma for information, the executive are the most responsible and the Council of Ministers directly calls their names and invites them to play their statutory roles and fulfil their responsibilities. Namely, the Law on Protection of Rights of Members of National Minorities clearly provides for obligations and responsibilities of the authorities in the territory where Roma live to ensure conditions, means and mechanisms for Roma to meet the need for information, in accordance with the percentage of Roma population in the overall population, with the financial resources available and with the realistic needs expressed by the Roma community. All Roma and non-Roma NGOs, the BiH Council of Roma, the Union of RS Roma, the Council of Ministers Roma Advisory Board, public radio and TV services and broadcast companies, local radio and TV stations under the supervision of municipal, city and cantonal authorities and the press outlets that are owned by the state to whatever extent should participate in and coordinate the implementation of these provisions and standards under the CoE Framework Convention on the Protection of National Minorities.

Activities in this area should be carried on in two directions or at two levels. The first one is to establish new media outlets, both electronic and press, which will be owned and controlled by Roma NGOs and other bodies of Roma provenience and origin. If such initiatives are given, authorities are obliged to assist in their realization, administratively, i.e. by simplifying the procedure of granting licences and registering, financially and in the field of education of Roma people to make them qualified to work in these outlets. If the language used is the Romany language, at least partially and occasionally, it will be a good thing, as this will meet two needs: a need for the language and a need for information. The other way of fulfilling statutory obligations and meeting needs of Roma community is redefining and reprogramming of radio and TV programmes and schedules, i.e. shows/columns in existing media outlets that use one of languages of the constituent peoples. BiH authorities are obliged to order all local, cantonal, entity and state media to include and broadcast programmes about life and activities of Roma community and to enable broadcasting in the Romany language occasionally. On a proposal of the Council of Ministers

Roma Advisory Board and the Ministry of Human Rights and Refugees, the Council of Ministers will distribute an urgent letter to all relevant authorities at the lower levels of government, the Communication Regulatory Agency and the Council for the Press and public radio and TV services and urge them to immediately harmonize their programme schemes with the obligatory statutory provisions and standards under international conventions on human rights and fundamental freedoms. It will ensure regular monitoring of the statutory standards and programme schemes through the Ministry of Human Rights and Refugees and the Communication Regulatory Agency. It is a continued responsibility not only of the relevant ministry and agency at the BiH level but also of all other authorities at the level of entities, the Brcko District of BiH, cantons and municipalities. Without a well-designed and realistic action plan it will not be possible to improve the situation and realize the right of Roma national minority to access to the media, creation of radio and TV programmes, newspapers, magazines and other media messages and contents.

Of course, in order to make this possible, it is necessary to provide financial and technical resources and conditions and human resources. The latter, again, requires adequate curricula and programmes, which the Council of Ministers will try to realize by the end of 2005 through its Roma Advisory Board by funding and facilitating training of Roma journalists so that they will be able to take the role of journalists in near future and improve the quality of programmes for Roma and about Roma and speed up and promote the process of social and political emancipation of the Roma people in BiH. In the future time it will be necessary to organize training, courses of lectures, seminars and workshops in other areas of journalism and media creativity such as cameramen, film editors, directors etc. so that Roma themselves will be able to take over complete creation and editing of media contents, programmes and columns both about the life and problems of Roma and other topical issues. The time seems to have come and a need seems to have risen to contemplate issuing a Roma paper even if it will be only an ordinary bulletin.

11. Maintenance and improving cultural identity and tradition, learning of the Romany language and establishment of Roma spiritual and cultural institutions and associations

What makes members of national minorities, including the Roma people, different from the constituent peoples are specific features of the culture, tradition, customs, rites, language, script, art; in one word: spiritual being - the origin and refuge of human being and community. In BiH authorities are obliged to create conditions and opportunities for national minorities to remain what they are, particular in comparison with the majority ethnic groups, at the same time having full equality and equal opportunities in all fields, as the constituent peoples have. This particularity is best preserved, developed and expressed through linguistic and cultural diversity, customs, religious rites and rituals, arts after motifs of folklore, cherishing legacy and historical heritage. BiH authorities are obliged to create conditions for preservation of cultural identity of the Roma people, not only to comply with the law, but also because of the civilization standard that is demonstrated in this. An answer to a simple question how to protect, cherish, maintain and promote the cultural identity of members of Roma national minority in BiH should be the answer listing the following measures and contents of governmental and nongovernmental organizations' work:

- creating conditions for learning mother tongue, i.e. to teach all subjects in the Romany language: the responsibility for this lies with the

educational authorities, i.e. entity and cantonal ministries of education and specialised pedagogical institutions and Roma NGOs that will provide funds for separate classes of Roma children, i.e. for salaries of teachers to teach the Romany language or in the Romany language, will organize extracurricular lessons or special sessions in the educational institutions or NGOs, will pay for writing, printing and distribution of textbooks in the Romany language, will establish media outlets in the Romany language, will broadcast programmes on informative, political, cultural, artistic and educational matters by writing, publishing and reading books in the Romany language, by starting actions (social, professional and scientific) to standardize the Romany language, i.e. the dialect that is spoken in BiH;

- establishment of cultural societies, art sections, folklore and music groups and bands, amateur theatres and acting troupes, painting sections, colonies, festivals, shows, literary evenings, exhibitions etc;
- cherishing customs from Roma traditional way of life and open displaying in public;
- preventing abuse of Roma tradition, culture, customs, religion and rites for commercial purposes and profanization of Roma identity;
- free practising of religion, that is, in the case of Roma, confession of faith, because they are multiconfessional and not persistent in religious belief, and open practicing and cherishing Roma rites, which strengthens the feeling of identity, i.e. the sense of belonging to the Roma community, without any fear of discrimination;
- unhindered keeping, preservation and display of cultural and historical spiritual heritage;
- exchange of cultural and artistic creative works with Roma from other countries, that is, exchange of good practices in this field with authors and institutions of other peoples, cultures and traditions;
- establishment of youth cultural centres in Roma settlements, as space (ambiance) and an institution at the same time, where young Roma would express and affirm themselves in order to remain and build their future in the place of birth.

Understandable, BiH authorities are obliged to create conditions, provide financial and other resources and develop mechanisms for Roma cultural activities, creative work and their presentation in public. Through the Ministries of Human Rights and Refugees, Finance and Treasury, Commission for Protection of National Monuments and Cultural Heritage and other competent and official departments, the Council of Ministers will initiate and design activities to affirm Roma cultural, artistic and spiritual creative works, their presentation by the media, to advocate openness of existing cultural institutions towards Roma creative works. Through the entity and cantonal governments the Council of Ministers will ask of the respective ministries of culture, science, education and the like, state archives, museums, galleries, theatres, film, discography and publishing companies, institutes for protection of cultural and historical heritage and other institutions, agencies and departments to take the same actions permanently as this aspect of Roma identity is protected and its affirmation is encouraged by a number of international conventions and other human rights instruments. It is not redundant to educate Roma about this aspect of the fight for affirmation and preservation of their particularity and at the same time integration in the society, so the Council of Ministers Advisory Board of Roma together with the

Council of Roma are tasked to develop curricula for training of Roma NGOs in the significance of cultural, linguistic, spiritual and traditional identity for the Roma community, that is, training in drafting projects in this area and inclusion in cultural, artistic and other developments in the creativity of the people and community with which and in which they live and work.

12. Cross-border and international cooperation and sharing of good practices with Roma NGOs and non-Roma NGOs

This aspect of solving the Roma issue in BiH, that is, the affirmation of their existence and identity in BiH, has been discussed very little in BiH. Roma themselves have not insisted on this issue. The full affirmation of the Roma people as a national minority and resolution of the problems they are facing exactly because they are Roma is not possible if members of this national minority, individually and collectively, especially their leaders and NGOs, do not have opportunity to have constant cooperation with Roma from neighbouring countries, their NGOs, international organizations and other entities (scientific, media, humanitarian and the like) that deal with Roma issues and influence both the public opinion about Roma and the adoption of various political and legal documents (guidelines, declaration, charters, resolutions and the like) and establishment of some bodies, forums and mechanisms for voicing and solution of Roma issues in the world. Especially useful exchange of good practices is the exchange with Roma and non-Roma NGOs from countries in former SFRY, as all these countries are undergoing a painful process of transition of social relations and the system of values, that is, the content, methodology and form of solution Roma issues are almost identical. That is why lessons learned in other countries should be conveyed and applied in own country for the benefit of the Roma community and the country they live in.

The Council of Ministers will encourage cross-border cooperation of Roma NGOs and Roma NGOs cooperation with international institutions and organizations. To this end the Council of Ministers orders the Ministry of Foreign Affairs to, immediately, through a network of diplomatic and consular establishments in the world, in neighbouring countries in particular, employ mechanisms and simplify procedures for getting documents required for official trips abroad. It orders the Council of Ministers Advisory Board of Roma, in cooperation with the Ministry of Finance and Treasury, to plan funds in the budget for these purposes in a timely manner, and the Ministry of Security of BiH and State Border Service, entity and cantonal ministries of the interior to facilitate to the largest extent, but under the valid legislation, return visits of Roma representatives and organizations from neighbouring countries and international community to BiH Roma and non-Roma NGOs and authorities. Actions in this field do not have time limit, so they are long-term activities and should be intensified urgently.

13. Demographic and population policy, domestic matters, gender equality and children's rights

Regardless of the fact that Roma in BiH are a national minority that makes 2% of overall population in BiH, given the living conditions of Roma in their entirety and (im)possibility of changing the conditions for better, it is high time that the demographic issue should be raised and demographic policy and measures should be addressed. Although at the time being, as it was said at the beginning of this paper,

there is no accurate figure to indicate the number of members of Roma national minority in BiH, it is well-known that many Roma families have a large number of offspring: five, six or more children. Of course, the number of family members is not an issue by itself, the fact that many Roma couples have five and more children is not an issue, but difficulties rising from the fact that many of them do not live in conditions that allow normal supporting and bringing-up of their own children, not to mention enough means for regular and complete schooling, from pre-school education to, at least, secondary education, health care, housing, toys and other things that are necessary for a happy and dignified childhood, that is, the standard of living suitable to their needs.

That is why the Council of Ministers of BiH considers it necessary to launch an information campaign, primarily among Roma NGOs, and then among all Roma, about the meaning and need to think about and define the matter of sexual and reproductive health of Roma women, both women and girls, that is, the matter that was called family planning until recently, including the number of children in a family and other benchmarks relevant to normal functioning of a family and keeping spouses together in a marriage. This, of course, is not and it should not be understood as any kind of restriction, i.e. repressive control, least of all forbidding childbirth, i.e. looking after their own children and their upbringing. It is just appeal for highlighting the role of responsible parenthood, i.e. as one of prevention measures to children not having children, because it is well known that Roma women under 18, what is – accordingly to propositions of UN Convention on Child Rights – still belonging to the group of children not adult, also have children. Apart from the Council of Ministers and other BiH authorities, primarily the Ministry of Human Rights and Refugees, Gender Equality Agency of BiH, the Ministry of Civil Affairs, Institute of Health Care and other institutions at the BiH level, the campaign has to involve entity and cantonal authorities, governments, ministries, professional and scientific organizations, resources and departments dealing with demography, population policy, housekeeping and family planning, experts in sexual and reproductive health of women, marriage counselling, public information services, centres of social welfare, public health institutions, Roma and non-Roma NGOs and all others dealing with Roma. Thus, actions in this area with a view to achieving birth control and sustainable birth-rate in the framework of international human rights standards – responsibility for supporting new-born children and for their future and dignified life suitable to human beings, has to be taken and fulfilled by parents in the full capacity, and not only by the community, that is, specialised institutions and authorities at all levels of government, such as centres of social welfare, homes for children uncared for by their parents, specialised educational institutions etc. – have to be coordinated and harmonized among many stakeholders. It is not an easy thing to achieve and all stakeholders have to “arm” themselves with patience and persistence. The issue of population policy, that is, family planning, is important for other demographic reasons, from the choice of place of living to building the infrastructure.

BiH authorities are obliged to pay adequate attention to the gender equality of members of Roma community, first of all to improvement of financial and social position of women in the Roma community because it seems they are discriminated against in comparison with male members of Roma community. To this end the Gender Equality Agency of BiH and entity gender centres are tasked to, in cooperation with parliamentary commissions and other bodies for gender equality and the position of women in society and other relevant bodies and Roma NGOs dealing with this issue, develop an action plan on gender sensibility of both Roma and those

who address their issues and, after it is adopted by relevant authorities, to start the implementation. Monitoring of the process will be carried on by the Gender Equality Agency of BiH and entity gender centres and the Council of Ministers Roma Advisory Board.

BiH authorities have to pay more attention to the issue of exercise and protection of children's rights, although all the stated above bears some relevance to children's rights. To this end members of Roma national minority should have access to the UN Convention on the Rights of a Child and receive necessary training in its significance, meaning and implementation. In this context particularly important issue is prevention of Roma child and girls trafficking, especially for the purpose of sexual harassment and prostitution, begging and other inappropriate abuse. Apart from the authorities listed above, the Council for Children of BiH is tasked with the implementation of this measure. To this end it should start and improve cooperation with UNICEF and other international organizations from this field, as well as with the Office of State Coordinator for Prevention of Trafficking and Illegal Immigration. The implementation of these measures should be started immediately without waiting for making some special action plans. These measures cannot be realised at once, they are long-term process.

14. Non – discrimination of Roma and awareness raising about necessity of Roma inclusion in all social processes in BiH

This chapter represents one kind of substitution for conclusion. Value and imperative of non-discrimination as one of the fundamental human right sanctioned by the Constitution of BiH is emphasised in this chapter. Hence, it is the obligation of authorities in BiH, at all levels of its hierarchy, to permanently and optimally realise measures and activities aimed at and which will result by reducing of discrimination of Roma national minorities in BiH in public and everyday life, till final elimination of discrimination as politically and socially unacceptable treatment of Roma. Do we indirectly confess by this sentence that discrimination of persons belonging to Roma national minorities still exists in BiH? Yes! But, as it was confirmed many times, that discrimination is not planned, is not “ with premeditation”, is not organised, systematic, is not the matter of state and its institutions and organs or policy led by them, it is not legal or legalised. It is the consequence of not understanding individuals, lack of education and unqualified administration clerks and some other public servants, lack of financial means, that state organs operate with, for meeting some needs of Roma national minorities, then sporadic and unconscious being slave to stereotypes and prejudices concerning Roma. In other words, discrimination and segregation of Roma national minorities mostly is not obvious at first sight. Because of that the governmental representatives, i.e. persons belonging to constitutive peoples or, even, media representatives, do not always recognise it, but they are informed only when persons, who are discriminated, i.e. Roma, react. That is why social action and political moves which are aimed at eliminating discrimination from its roots, i.e. decreasing ethnical distance and prejudice towards Roma and mitigate negative effects of stereotypes and segregation which Roma sometimes are exposed to, is not simple and with one meaning. On the contrary!

What is the best barrier to prejudices and ethnical distance towards Roma national minorities? No doubt, it is complete inclusion of Roma in all streams of social, political, cultural, economic, educational, sports etc. life in which they exist. The

supposition of starting this process is meeting requirements mentioned in the previous paragraphs. That means that general requirement for emancipation of Roma national minorities, superseding ethnical distance towards them and eliminating discrimination which Roma in BiH are periodically and here and there exposed to is realisation of Strategy of BiH for solving problems of Roma. This Strategy shall be realised faster, simpler and more efficiently only if it is the obligation of all: state institutions and organs, NGOs – particularly Roma NGOs – medias and other subjects that influence the public opinion. In a way the circle is being closed. Correct: There is not significant improvement of social position of Roma national minorities until public awareness in whole is not changed, until the fact of existing of Roma communities in BiH is not appreciated with all its specificness and needs of persons belonging to it and until their human rights which they have as national minorities are not recognized, guaranteed and exercised. That is the obligation that cannot be fulfilled in a month or year, even if there is not public or hidden challenging of their rights. The fulfilment of obligation is a matter of process, matter of raising and ripening of public awareness about equality of peoples and citizens without any kind of discrimination on the ground of racial, ethnical, religious, gender, age, political, ideological, geographic or any other kind of affiliation, i.e. origin. State authorities, no matter how organised, must guarantee these rights to all citizens. The Council of Ministers of BiH, as the highest executive power in BiH, is totally aware of this imperative, of its role and responsibility, and because of that it has so detailed approach to the obligation of making and realising the Strategy of BiH for solving Roma issue.

Also, the Council of Ministers of BiH is aware that this strategic document could not be implemented in complete by itself nor just because it is well written, nor because all fields were mentioned in it and all measures which should be undertaken listed, nor even if the good campaign was made and led for it. In other words, integral, constituent “part” of the implementation of the Strategy is monitoring itself. Apart from institutions, organs and other subjects already mentioned and nominated as monitors in the process of implementation of the Strategy, the Council of Ministers of BiH nominates the Ministry for Human Rights and Refugees of BiH, the Council of Ministers Roma Advisory Board and the Council of National Minorities within the Parliamentary Assembly of BiH as the most important and responsible subjects for monitoring the process of the implementation of the Strategy and obligates them to do detailed monitoring of the implementation of strategy, individually, at least once a year and give written report.

Naturally, this does not grant amnesty to any other institution, organ or NGO in BiH from obligation and responsibility of the implementation of the Strategy and supervising the same in the field of their competences.