

## 2017 NATIONAL PLATFORM FOR ROMA INTEGRATION IN MONTENEGRO

05 July 2017, Podgorica

### :: POLICY RECOMMENDATIONS ::

The Roma Integration 2020 project is implemented by the Regional Cooperation Council and funded by the European Union and the Open Society Foundation. It aims at contributing to the reduction of the socio-economic gaps between Roma and non-Roma and strengthening the institutional obligation of the enlargement governments to integrate Roma. One of the key activities of the project is the National Platforms on Roma Integration.

The second National Platform on Roma Integration in Montenegro was held on 05 July 2017 in Podgorica, jointly organized with the National Roma Contact Point of Montenegro. The platform gathered over 60 participants, including relevant officials from the line ministries and other institutions, Roma and pro-Roma civil society organizations, representatives of international organizations and media. The National Platform provided for a wide public dialogue with the relevant institutions, civil society, media, and others concerned with the issues of Roma integration, at the same time ensuring transparency of Roma integration policies, participation in the decision making process and accountability of the implementing institutions.

During the second platform meeting, the representatives of the institutions presented the [2016 annual report](#) on the implementation of the Roma integration policy in Montenegro ([Montenegro's internal annual report](#)), followed by the civil society view on the issue. This paper reflects the discussions at the National Platform and highlights the **recommendations** emerging from the discussions towards the institutions, with a view to contribute to more effective and efficient implementation of the Roma integration policy. The National Platform on Roma Integration 2017 in Montenegro was opened by key note speakers and was organized by priority areas: education, employment, housing, health and legal status. The paper is organized in the same way.

### OPENING REMARKS

#### *Leon GJOKAJ, National Roma Contact Point of Montenegro*

Following the participation in the Decade of Roma Inclusion 2005-2015 and the implementation of 2 previous strategic documents, Montenegro adopted the [Strategy for Social Inclusion of Roma and Egyptians 2016-2020](#), implemented through annual plans ([2017](#)) containing indicators and budget.

The Commission for monitoring the implementation of the Strategy and the Operational Conclusions continues to operate. This Commission includes representatives of all relevant institutions and the civil society, and is led by the Ministry of Human and Minority Rights. The monitoring is supported by the international partners, particularly the Regional Cooperation Council's Roma Integration 2020, which also has an observer role in the Commission.

The issue of Roma integration is an issue of the whole Montenegrin society, and institutions are increasingly getting engaged.

#### *Orhan USEIN, RCC's Roma Integration 2020 Action Team Leader*

With the National Platform Montenegro is a step closer to the European Union as it reflects similar consultative processes as in the European Union Member States.

The monitoring process using the regionally adopted monitoring standards has been applied for the first time and this exercise should be **further** used to **improve the monitoring process and standards**, and to ensure both **one-stop-shop type of monitoring system contributing to all the reporting requirements** and **harmonized regional system** reflecting the one used by the European Commission.



**Barbara ROTOVNIK, Adviser for European Integration and rule of law, EU Delegation**

The support by the general public of over 70% for government's affirmative actions for social inclusion of Roma, as reported at the Regional Cooperation Council's Balkan Barometer, is commendable and clear sign for the governments.

The European Union has its Framework for National Roma Integration Strategies up to 2020, as well as the racial equality directive, to deal with the challenges faced by the 10-12 million Roma throughout Europe, in the Member States and the enlargement countries. Thus, **Montenegrin efforts to improve its non-discrimination legislation and align it with the EU are welcomed.**

The 2016 EU progress report on Montenegro identifies **Roma exclusion and discrimination as the key fundamental rights concern.** Despite the adoption of the new Strategy and action plan, **lack of budget for proper implementation, horizontal coordination among responsible institutions and proper result oriented monitoring and reporting** of the implementation remain the concerns.

The resulting Operational Conclusions from the 2016 Roma Seminar should be thoroughly implemented and monitored, including through **coordination with the local authorities and civil society**, with a view to achieve real change on the ground in the living conditions and social inclusion of Roma.

In education, the level of **inclusion of Roma students at all levels of education continues to improve but remains low overall**, including in compulsory primary education where drop-out rates remain high. Roma teaching assistants are ought to be included in the system by the end of 2017. **Roma continue to face obstacles in accessing health services and employment.** According to the RCC's Balkan Barometer, Montenegro has the lowest percentage of companies employing Roma in the region - only 3%, which is an area requiring significant improvement. Progress is achieved in housing through the regional EU funded programme, but **progress needs to be made in the housing of domicile Roma.** In certain municipalities the situation is critical and requires continuous monitoring to prevent forced evictions.

**Roma civil society should be supported to increase its capacities** for meaningful participation in the EU and other donors' programmes and the state official policies. The EU is devoted to further support Roma integration process, but the ownership and responsibility rests within Montenegro.

**Samir JAHA, Roma civil society representative, NGO Young Roma**

The Roma civil society in Montenegro prepared for this meeting by discussing all relevant issues, and preparing recommendations that will be submitted in written form to the relevant institutions.

Some progress has been made in all the priority areas, however mainly because of the resources provided by international donors, although the civil society and some individuals from relevant institutions have been highly dedicated and active. **The country should allocate adequate funds from the state budget for implementation of its Action Plan.**

**Better coordination is much needed**, particularly in order to distribute fairly assistance for Roma integration to all municipalities where Roma live. For example, in Niksic the health mediators are supported by two programmes, while in some other municipalities there are none.

It is a fact that the Roma community is going through a substantial change in this process, but at the same time it is evident that the **attitude towards Roma by non-Roma is not changing**, having the largest ethnic distance towards Roma. This requires strategic shift in the policy in order to direct the efforts towards changing the non-Roma. As a first step, programmes for Roma integration may serve non-Roma in similar situation as Roma, such is the case with the civil society project for economic engagement of women that includes both Roma and non-Roma women.

**Sustainability and continuation of programmes dealing with Roma integration are needed. Partnership with the civil society and support to their capacity** in such programmes are also needed. **Roma should also be represented in the responsible institutions**, including on the local level, where currently there are no representatives.





## EDUCATION

The rate of Roma within the school population is continuously increasing at all levels of education, although there are still challenges. Currently the rate of Roma among the school population is 2.38% in primary, 0.55% in preschool, and 0.40% in secondary education.

The number of Roma in preschool programmes in the beginning of the current school year was 104, and at the end 170. This is the result of the affirmative action towards Roma and the preparatory preschool programme. The preschool preparatory programme, attended by 87 children at the age of 5-6, has been prolonged to two weeks, 23 teachers have been trained to deliver the programme and the Bureau for Education has published a manual. 57 Roma children are enrolled in the regular preschool programmes. The law on preschool education awaiting adoption proposes release from the fee for preschool education for all enrolled Roma children.

In primary education the number of Roma enrolled in the beginning of the school year was 1 622, out of which 621 came from camp Konik. 1 600 completed the year and thus the drop-out number is 22 pupils. There is a range of measures to support primary education of Roma. 304 children are transported every day to 7 schools, for which 2 000 EUR per month are spent. This measure covers 62 Roma children from camp Konik enrolled in 8 different schools in Podgorica, by which segregated education of the children from the camp has been eliminated. Desegregation has been promoted also in Berane, where 13 children have been enrolled in one of the mainstream schools. All Roma children in primary education receive textbooks free of charge. Funds for the academic year 2016/2017 were secured through the Ministry of Human and Minority Rights for pupils from first to third grade in the amount of 38.600 EUR, and through the Ministry of Education for the rest of the children in the amount of around 65.000 EUR.

In the secondary education, 125 Roma students were included in the beginning of the year, 104 of which completed the year. The completion number is not final, since there is still time to take correctional exams. 17 children have requested release from fees for taking final secondary school exams, which has been initiated with the given schools. The Ministry of Education is issuing recommendations to schools on the desired schools of the Roma candidates when enrolling.

Additionally, the mentoring programme services 104 children, the tutoring programme 15 children, open workshops are held for 110 children, 2 children attend musical classes, 70 children and 30 pupils attend children's workshops, 40 young Roma attend youth clubs and 60 children attend computer skills classes. Mixed teams for drop-out prevention operate for three years in Podgorica, from the beginning of the school-year in Niksic and from February in Berane, and the Ministry of Education is currently working on a protocol for prevention of early school drop-out.

As for the adult education, the Centre for Vocational Training delivers programme (for both completing primary education and acquiring job skills) for 119 Roma.

The Ministry also has the obligation to standardize the job of teaching assistants, according to the action plan. This has been done, but the obligation to actually employ and pay the teaching assistants depends on the adoption of the set of laws proposed by the Ministry to the Parliament. The teaching assistants are currently working. For instance, in April they implemented a campaign on the importance of education and enrolment of children into schools - Podgorica, Berane, Niksic and Herzeg Novi. Roma teaching assistants were implementing the campaign through the door-to-door method and thus identified all school-age children. The campaign included brochures in 3 languages.

All activities by the Ministry are conducted in cooperation with the civil society, and particular the Roma Education Fund.

### *Recommendations from the discussions*

- Roma should be able to choose their vocation when enrolling to secondary school and choose between enrolling into four or three year school.
- While textbooks are supplied through the measures, it should be ensured that all children receive them; other school materials needed in education are not supplied to socially deprived children, and this should be considered. It might happen that some children are not on the list for textbook as the list is made before the enrolment is completed, which should be fixed.
- The measure providing free textbooks to children in primary school should cover all Roma children, but is currently providing textbooks only to those from families receiving social





- assistance. Full implementation of the measure as planned is needed. The Ministry of Education has to improve the coordination and management of the programme.
- If the idea of school uniforms is implemented, uniforms should be provided free of charge to Roma children. Currently it is piloted in one school to test the reduction of visibility of social differences. Surely, if uniforms are obligatory by law, those have to be free.
  - In Niksic secondary school students complaint that the mentor is threatening them with expulsion and acts inappropriately, thus there is a demand for better selection and monitoring of the work of the mentors.
  - Some secondary school students complaint that they do not receive scholarships in the first year, and this should be solved.
  - The number of Roma children included in preschool programmes, particularly in the regular ones, has to be increased significantly through various measures in order to achieve the aim of 40% inclusion, which stands currently at half.
  - Children included in preschool programmes should be also offered systematic health exam as part of the programme.
  - Significant problem is that the aim for drop-out reduction has negative effects on teachers allowing pupils to pass the school year without the acquired knowledge. There is a positive example from a school in Niksic that has a rulebook both preventing such pass-through without the adequate knowledge and at the same time preventing drop-out by working with parents. This case should be considered when preparing the mentioned guidelines. The Ministry of Education has started working on the quality of education of Roma. It should be continued in consultation with Roma and should be properly monitored.
  - Language barrier should be tackled properly in order to overcome learning barriers.
  - The programme for teaching assistants should be further developed. As the number of qualified secondary school Roma graduates is limited, the criteria for teaching assistants should be lowered to primary school graduates. It is highly important to engage Roma. The programme should cover all the local communities where Roma live.
  - Transportation of children should take into account extracurricular and additional classes that children take in order to provide timely service.

## EMPLOYMENT

The number of registered unemployed Roma, declaring voluntarily their ethnicity when registering, in Montenegro by the end of May 2017 is 1847, of which 815 are Romani women.

With the changes of the law on health insurance, registering unemployment is no longer condition for health insurance. The unemployment services work on clearing the register from passive unemployed persons by deleting from the register those that refuses participation in an employment programme or actual employment.

The budget for the active employment measures for 2017 is the same as for 2016, around 2.8 million EUR, out of which 50.000 EUR for measures for Roma. Measures for employment of Roma include vocational training and education and public works. In 2017 the Employment Agency implements the IPA funded project "Step closer to the labour market" in the amount of around 85.000 EUR, aiming at social inclusion and employability of Roma through vocational training for first employment.

To increase the participation of Roma in the active employment measures, the employment services are providing information on the rights and obligation of unemployed persons on the labour market and on the methods of job seeking. Individual employment plan is also formulated for each unemployed person, including plan for participation in the existing employment or employability measures. 154 Roma, 47% of which women, have registered as unemployed in 2016, and 72 Roma registered in the first half of 2017. They all received the mentioned services. To motivate participation of vulnerable groups in the active employment measures, different methods are used, such as transportation, small fee covering daily subsistence, ensuring likelihood of acquiring job after the training, providing tool-kits for business start-up and similar. The National Employment Agency also offers career guidance and advice for secondary school students.

Only one vocational and adult education programme in 2016 included 4 Romani women in hairdressers training. The programme funded from IPA in 2017 is ongoing and it is expected that 50 Roma shall acquire qualification for first employment, 5 of which to be employed after completion.





Direct employment of Roma is tackled by 5 planned measures. One of the measures is inclusion of Roma in public works, in which 18 Roma, 4 of which women, participated in 2016. 62 Roma (27 of which women) in 2016 and 35 Roma (21 of which women) in the first half of 2017 have participated in the measure for inclusion of Roma in seasonal works. The measure of 1 month training followed by 3 month subsidised employment have been implemented in 2016, but Roma are specified as a particular target group from 2017. The Employment Agency for self-employment, there is a demand to create specific credit lines and support programmes for Roma, but this has not been done so far.

To tackle employers' prejudice towards Roma, the National Employment Agency informs them about the benefits from the Roma employment measures and gathers information on their needs for employees. The main programme for the benefit of employers is the programme of subsidised employment of Roma implemented from 2016-2017, with a possibility for extension.

The National Employment Agency is obliged to introduce the profession of Roma employment mediator. At the beginning of 2017 the training curriculum for this profession has been developed. It is expected that the position will be piloted with at least one person by the end of the year.

The Employment Agency is also building the capacities of its employees to work with Roma through IPA funded trainings, particularly for developing and implementing individual employment plans for unemployed. Inter-disciplinary teams are also formed to work on sufficient income securing for deprived beneficiaries.

### *Recommendations from the discussions*

- Programmes supporting Roma to start up business should be implemented.
- 50 000 EUR for programmes on employment of Roma is a very limited amount, and should be increased significantly to ensure achievement of the strategic aims. The responsible institutions also have to spend the planned budget (only 54% spent in 2016). Nevertheless, IPA funds for the upcoming years are planned, including for programmes on employment of Roma, and should be used appropriately. The National Agency for Employment expressed readiness to cooperate with the civil society on the projects.
- Vocational training for Roma should be designed to combine the needs of the labour market and the demands for skills and knowledge of Roma. For example, driving licence trainings and exams may be introduced.
- Removing someone from the unemployment registry for refusing to take a job offer or participate in an employment measure should be reconsidered. There may be justified reasons for refusal, such as job offer inadequate to the main qualification of the person or one that effectively lowers the income of the family if accepted.
- Affirmative measures, particularly subsidies for employment of Roma should last longer than 1 year, as it is the case currently.

## HEALTH

The legislative regulation in the field of health, according to the Ministry of Health is designed on the basis of the principle of equality of all citizens. The whole report in the area of health is available online. Therefore, the presentation at the National Platform focuses only on two obligations taken by the state with the Operational Conclusions from the 2016 Roma Seminar.

One of the obligations is to continue the development of the programme of Roma health mediators within the health system, including cooperation with the health facilities and civil society, informative campaigns, vaccination, workshops on reproductive health and other activities of the mediators. This obligation has been implemented fully. At the beginning of 2017 there were two Roma health mediators in Podgorica, while currently there are 3 mediators regularly employed by the health system and paid from the public budget. The aim is to increase the number of mediators. 2 mediators are engaged through a project of the international organization Help. A long-term aim is to develop this service into assistants for health and social inclusion. The mediator's service should be distinct from the translation service that has to be provided to all requiring health services and do not speak the official language(s). Five mediators have been qualified for the position and the plan was to engage them all, but some of them rejected the engagement.

The other obligation taken by the Ministry is to improve the care of Roma suffering from addictive abuse of narcotics or psychological difficulties. In this regard, the novelty is that current users of methadone therapy can transfer (if so determined by the responsible medical practitioner) to





buprenorphine therapy, which is far better for the health of the users. The buprenorphine can be used free of charge directly at the health facility, which reduces the abuse of prescriptions. The other novelty is the newly established commission for de-institutionalization of psychiatry patients that have the ability to live and be treated outside the institution.

With regards to preventive health exams, the Ministry is aware of challenges faced by Roma. Nevertheless, several group exams for Romani women have been undertaken during 2016 and 2017. Adolescent Romani girls have access to open counselling centres within medical facilities.

During 2016, 30 workshops have been implemented for awareness raising among the Roma population and the medical personnel.

Health insurance has been disconnected from the unemployment registry, thus all the persons now are directly acquiring health insurance from the Health Fund.

On the budgeting issues, the Ministry of Health is not allocating specific budget for programmes for Roma, but uses mainstream programmes to conduct activities targeting Roma among others.

### **Recommendations from the discussions**

- Significant number of Roma refugees and internally displaced persons are not able to renew their health insurance because the Health Fund is requiring official certificate from Kosovo\* confirming they are not insured there, which is impossible to obtain. This is affecting all those that have not regulated their status. Solution should be found to ensure health insurance to the affected persons.
- According to the law, elderly persons over 67 years of age that have never been officially employed are not entitled to health insurance, affecting disproportionately Roma. It is recommended that the provision is changed.
- Complaints about refused health services to some Roma, pregnant women in particular, still prevail. The Ministry is aware of the problem and have intervened with the Health Fund to ensure provision of health services to all, but there are still cases of refused health services, although no longer for pregnant women. This phenomenon should be discontinued fully.
- Complaints on lack of access to health insurance and/or health services should be analysed to determine if these are isolated cases that should be solved as such, or patterns of Roma exclusion in the area of health that would require strategic approach.
- Medical personnel at health facilities need to be informed about the situation of Roma and trained to provide appropriate services, taking into account their vulnerable and disadvantage position of exclusion. Furthermore, programmes and the involved medical personnel should reach out to Roma in order to ensure access and trust building.
- Within the preventive group health exams, other target groups among Roma besides women should be included, such as elderly people.
- Although the health system provides for translation when needed, it is important that Roma health mediators speak Romanes. According to the Ministry, the 2 mediators in Podgorica are not Roma, but all 3 mediators have certain knowledge of the language. Health mediators should be engaged in all the local communities where Roma live.

## **HOUSING**

The focus of the 2016 report on the implementation of Roma integration policies in the area of housing focuses on the regional IPA funded programme for securing housing to refugees and internally displaced persons from the collective camps. This measure is the responsibility of the Ministry of Labour and Social Welfare. So far, 62 housing units in Niksic have been built, half of which are inhabited by Roma. In Berane housing is provided for 94 families, 44 of which are Roma. 48 housing units have been built through IPA funded project and additional 120 are being built within the regional programme for camp Konik inhabitants. Savings within the project enable building of additional 50 housing units planned for the next period. It is expected that by the end of 2018 both camps Konik I and II will be completely closed and their inhabitants housed in 220 units.

Allocation of construction sites is an obligation and contribution of the local self-governments. It is noted that Roma have refused the offer to receive existing houses bought across the city or units in

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\* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.





high collective housing buildings, thus 130 000 square meters have been allocated by the city of Podgorica to build appropriate housing units as requested by the beneficiaries.

The criteria for the selection of beneficiaries of the secured social housing are determined by the law on social housing. In the case of the regional programme, additionally, the criteria for vulnerability of the UNHCR have been used. Beneficiaries of the social housing units are obliged to pay rental fee of 27 euro cents per square meter. According to the data, these fees are paid by 80% of the beneficiaries.

The representative Ministry of Labour and Social Welfare highlights that the neighbourly relations among Roma and non-Roma in the inhabited social housing buildings are good, by which the doubt at the beginning of the project that Roma would be able to live with others has been overcome.

Unfortunately, the program is not providing housing for domicile Roma. The Ministry is interested to negotiate with the donor community to fund housing for domicile Roma, in coordination and cooperation with the civil society and other relevant institutions.

According to the representatives of the Ministry of Sustainable Development and Tourism, the law on legalization of buildings entered into force in March 2017, but is not implemented because of the lack of full screening of the situation. Thus, the implementation of the law is postponed to 2018. The aim of the law, once implemented, is to legalize illegal building if possible, with a small fee for legalization to be used for urbanization of the space. The law also ensure that alternative housing is provided for all those whose dwellings are impossible to legalize and must be dismantled. The main responsibility for the implementation of the law is within the local governments.

### *Recommendations from the discussions*

- In Tivat 4 Roma families, 1 of which is refugee, received housing from the international organization Help. Such practice is commendable and should be extended. However, 2 families that have their own houses have received decisions for eviction, allegedly because of electricity issues. It is recommended that these and other houses in similar situation are legalized through a programme formulated according to the Strategy. There are still 30 Roma families in Tivat in difficult housing situation that needs to be solved urgently.
- Regarding the law on legalization that should be used for many illegal buildings, including those of Roma, it entered into force in 2016, but has not been implemented so far at all. The law has to be enforced. Favourable conditions for legalization have to be ensured for those buildings primarily used for living.
- It is appealed that the relevant institutions allocate sufficient funds and implement programmes independently from donor funding.
- The housing programmes implemented for Roma have to ensure sustainability of the solutions, meaning ensure possibility for the beneficiaries to cover their rental fee and communal services and ensure integral social services. It is also recommended that the housing programmes ensure desegregation of Roma and prevent forming of new ghettos. It is also highly important to properly monitor the impact of the programme, including collecting data disaggregated by ethnicity.
- The relevant institutions dealing with housing must be well prepared when negotiating with donors, aiming at ensuring the needs of the potential beneficiaries, both domicile and other Roma in Montenegro are addressed.
- Database on the situation of housing, including the legal status of the buildings is needed.
- A civil society research shows that along the coast line from Herceg Novi to Ulcinj there are 170 families at risk of forced evictions. These are 90% domicile Roma, citizens of Montenegro. This issue has to be raised urgently with the local self-governments.
- In Herceg Novi 6 housing units have been built by the international organization Help, but inhabitants still cannot move to these units. This is an urgent issue.

## LEGAL STATUS

The right to permanent or temporary residence for persons originating from the ex-Yugoslav territory, including Kosovo\*, is guaranteed since 2009. Regulating the right according to the law was possible for two years, but the deadline has been extended multiple times. The administrative fee for acquiring status has been reduced throughout the years, currently set at 10 EUR.





Documents required for the procedure are passport, birth certificate and citizenship certificate, needed primarily for establishing the identity of the persons (that entered the country during the refugee crisis only with verbal statement). The procedure is not requiring documents proving that applicants have resources for substance, residence address and health insurance.

The status of a permanently residing person means receiving an ID for foreigners and a range of socio-economic rights. A number of people faced difficulties accessing this right because of difficulties obtaining the required documents from the place of origin. It is considered that all interested Roma have submitted requests, and these shall be completed according to the law that was in force when the applications are submitted. All persons that failed to file requests are considered as illegally residing in Montenegro.

By mid-2017 the total number of requests for permanent or temporary residence is 14 371, 13 866 of which are solved, while 505 requests are in process. Teams from relevant institutions, as well as international and civil society organizations, have been providing legal assistance to 1 335 applicants from collective refugee camps, mainly Roma. International and civil society organizations have been providing awareness raising, para-legal assistance, coverage of administrative fees, and assistance in obtaining the required documents from the country of origin.

## GENERAL ISSUES

### *Recommendations from the discussions*

- Social care to be included in the Strategy and Action plan for Roma integration.
- Various institutions dealing with Roma to recruit qualified Roma as employees, particularly social care centres and police force.
- Civil servants responsible for the implementation of various measures from the Roma inclusion Strategy should be opened for cooperation and responsive to the civil society.
- The budget planned with the Action Plan is not realistic and insufficient to cover the measures planned. This is also a remark by the European Union and has to be tackled. Furthermore, it should be insured that the budget is actually spent and that the monitoring of spending is improved and made transparent.
- The consultative processes for strategic and action planning should adequately inform and involve the entire civil society.
- The implementation of the strategy and action plan has to engage local self-government more effectively.
- Horizontal coordination among relevant institutions responsible for the implementation of the Strategy has to be developed and improved. The role of the National Roma Contact Point should be recognized, acknowledged, respected and strengthened.
- It is paramount that Montenegro deals with the discrimination towards Roma using its new legislation aligned with the European Union. Furthermore, it should efficiently promote and apply the concept of affirmative measures enshrined in the law and the Constitution of Montenegro.

