

## 2019 NATIONAL PLATFORM ON ROMA INTEGRATION IN SERBIA:

### “TRANSFORMATION OF UNDECLARED WORK AND LEGALISATION IN HOUSING”

18 September 2019, Palace Serbia, Belgrade

#### :: POLICY RECOMMENDATIONS ::

#### INTRODUCTION

The fourth National Platform on Roma Integration in Serbia, organised by the National Roma Contact Point of Serbia in cooperation with the Regional Cooperation Council's Roma Integration 2020 action, gathered over 60 participants from central and local institutions, civil society, international organisations, media and others.

The agenda of the National Platform, besides the opening statements of the National Roma Contact Point, the Roma Integration 2020 Team Leader and the representative of the Delegation of the European Union, included presentation of the [2018 annual report](#) of the Government of Serbia on the implementation of its Roma integration policy, and focused discussions on the:

- Transformation of undeclared work, and
- Legalisation in housing.

This document is firstly listing the conclusions and the recommendations from the National Platform on Roma Integration, followed by detailed notes from the discussions.

#### CONCLUSIONS AND RECOMMENDATIONS

- The Government should **urgently adopt** the due **Action Plan** for 2019-2020 (perhaps only for 2020, as 2019 is near its end).
- The regular **Seminar on social inclusion of Roma** shall be held on 23 October 2019. The **operational conclusions** should contribute to the **targets** set with the **Declaration**.
- Complete the **Roma responsive budgeting** pilot with two budgetary programmes and consequently apply it increasingly for other programmes.
- Build **capacities of municipalities** to access and properly manage the available **funding**.

#### Education

- The measures planned in the areas of education are implemented as systemic and institutionalised.
- Prioritise **adult education** for Roma by providing access nearby Roma settlements and additional support to Romani women to attend it.

#### Social Care

- Remove **unjust criteria limiting access** of Roma to certain social services (ex. child allowance conditioned with attending secondary education, which is not obligatory).
- Urgently establish a system for **data collection** with possibility for **ethnic disaggregation** in the area of **social care** through participation of all the relevant partners.

#### Health

- **Systematise and institutionalise Roma health mediators**.
- Establish **proper database** for the data collected by Roma health mediators and **link** it with the monitoring mechanism of the Strategy.

#### Employment

- Introduce active labour market **measures relevant and effective** for Roma.



- Effectively tackle **discrimination in employment**.
- **Employ Roma** in the **public institutions** at central and local level.
- **Employ more local coordinators** on Roma issues and resolve their **employment status**.
- Formulating and implementing a **comprehensive programme** to transform **undeclared work** into declared along with retaining **minimum social security**, according to the proposals and recommendations from the 2019 National Platform on Roma Integration in Serbia, should be the priority for the next period in the area of employment.

#### Housing

- **Update** and make the **GIS** on substandard Roma settlements **available** for policy formulation and programming of funding of institutions and other relevant stakeholders. Align it with the **regional housing mapping** methodology and provide linking the database.
- With Ministry of Finance, intervene in the Law on Public Property in order to introduce **exception for alienating public land** for **housing of poor citizens**.
- Ensure **access to housing assistance** for legalisation to poor Roma, according to the law.

#### OPENING STATEMENTS

Mr Nenad Ivanisevic, deputy president of the Coordination body for monitoring the implementation of the Strategy for social inclusion of Roma men and women, and National Roma Contact Point of the Republic of Serbia reiterated that the work on Roma integration is underlined by **partnership and cooperation** among all the relevant actors. The implementation is on track, but still faced with **some challenges**. The good news is that the **Ministry for Labour, Employment, Social and Veteran Issues is represented at the National Platform**, and should inform on the **expected date** of adoption of the **new Action Plan** for implementation of the Strategy for the upcoming period of two years, that is long due. The **Roma Seminar** organised by the Coordination Body, the Social Inclusion and Poverty Reduction Unit and the Office for Human and Minority Rights, in cooperation with the Delegation of the European Union was announced for 23 October 2019 in the Club of Members of Parliament in Belgrade, with the same format as the previous years. The monitoring and reporting template remains the same as adopted at regional level, and there is a need for some improvements in the **budgeting responsive to Roma** integration.

Mr Orhan Usein, Roma Integration 2020 Team Leader reminded on the aim of the National Platform, which includes reporting on the achievements, identification of remaining challenges and setting the priorities, which should also be accompanied with proper budget allocations. The key development at regional level is the adoption of the [Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process](#) (Declaration) as part of the so called Berlin process. The Berlin process focuses on economic prosperity, which is undoable without proper social inclusion of all, including the most vulnerable. The Declaration sets ambitious yet realistic **targets** to be achieved by the time each economy in the region becomes a member of the EU. The achievement of the targets is subject of **cooperation** among the relevant ministries, as well as the civil society and the international community. The Declaration is not yet another declarative document, but a statement of the governments by which the **readiness** for EU membership shall be **assessed**. The Roma Integration 2020 shall **support** the governments to achieve the targets of the declaration, including by focusing on the implementation of the **Roadmap** for 2019-2021 agreed with the government, to effectively tackle transformation of undeclared work and legalisation in housing. The team is thankful to the government of Serbia for keeping its office in Belgrade and remains ready for cooperation and support.

Ms Mirjana Maksimovic, representative of the Delegation of the European Union to Serbia noted that the National Platform is used to inform the **Roma Seminar** to be held on 23 October, which, now the **Declaration** is adopted, will define the baseline and orient the **operational conclusions** towards the **achievement of the targets** set within the Declaration. The targets set with the Declaration serve to assess the fulfilment of the priorities set with the Action Plan on the **Negotiation Chapter 23**. The topics of **employment and housing** are particularly important for the





EU, in terms of programming and allocating the funds available through the IPA. The funds currently being implemented for Roma inclusion are significant, thus it is important to discuss the reforms in these two sectors.

At the end of the opening remarks, Mr Ivanisevic underlined that proper budgeting of the Roma integration policy is extremely important, since the **reporting** of activities **without informing** on the **spent budget** often seems pointless and does not help assessing the need of resources to achieve the set aims. The Government of Serbia, in cooperation with the Roma Integration 2020, pilots the Roma responsive budgeting in the areas of employment and housing. The aim is to clearly define the expected effects and the budgetary allocations for Roma, currently for the two pilot programmes, and later across the whole budget. The allocations should be made within the **mainstream programmes** as much as possible, rather than focusing on exclusive programmes.

## PRESENTATION OF THE 2018 ANNUAL REPORT

### *Education*

Roma still have lower education status that consequently results in limited access to many other rights. In 2015 the results of the Multiple Indicator Cluster Survey showed, as **baseline data**, that only 6% of Roma were attending preschool, 12% had access to children's books, 69% Roma children at the adequate age were enrolling into preschool and only 64% complete it, 22% Roma children were attending secondary school, with only 15% Roma girls.

According to an adopted rulebook children from vulnerable groups, including Roma from poor families, have **priority for enrolment into preschool**. The coverage of Roma with the obligatory **preparatory preschool programme** of a year before starting primary school is steadily **increasing**. There is an IPA 2014 support to the preschool education, including 50 preschool institutions and municipalities that are developing professional competences of the teachers. The project "Inclusive Early Childhood Education and Care" implemented through a World Bank loan is ongoing. It provides **17.000 new places in the preschools** for children from vulnerable groups, including Roma, building competences of personnel in the preschools to include short and diversified programmes, campaign for parents of children at age from 0-6 and grant support to 35 municipalities.

**Examining children** is now done after they are enrolled in preschool, and where pedagogic assistants are engaged it can be done **in Romani language**. In the first year of primary school children are **evaluated descriptively**, which is also a measure to improve the education of Roma, because the evaluation is relative to their starting position and progress of each child is measured individually. Other measures include: individual education plan and individualisation, team for inclusive education.

**Scholarships, loans, accommodation and food** in the dormitories are also systemically provided. The criteria for scholarships are eased for vulnerable groups by removing the academic achievements criterion for Roma, children without parents and children with disabilities. In 2018/19 schoolyear 963 Roma secondary school students applied for scholarships, **544 of which received scholarships. 2.220 Roma (56% girls) are enrolled in secondary education through affirmative measure** in the 2018/19 schoolyear. Through affirmative measure in tertiary education 1.623 Roma (51% female) have been enrolled from the application of the measure. During 2018/19 **115 Roma students received scholarship and 17 received loans**. Affirmative enrolment is introduced in the legislation.

**175 pedagogic assistants** (59% females) are engaged in the system, 55 of which engaged in 2018. 191 persons are certified for this job and other conditions are increasingly fulfilled to **systematise** the job.

Two **rulebooks** regarding **discrimination** are in force, one for recognition of discrimination and the other on the procedure in case of discrimination. **Teams against discrimination and violence** are established in each school at the beginning of each schoolyear.





The number of Roma children choosing the subject “**Romani language with elements of culture**” has dropped from the previous schoolyear (from 2.459 students in 75 schools to 2.261 students in 63 schools). The civil society is urged to **encourage Roma** to attend **mother tongue classes**. **60 teachers** of this subject are engaged in the schools. Teacher training for this subject is ensured.

Besides these measures that are directly benefiting Roma, there are other measures, such as democratisation of schools, which are **mainstream**, but can positively affect Roma.

### **Social Care**

The Ministry of Labour, Employment, Social and Veteran Issues is the leading institution in Serbia for the Strategy, thus for the formulation of the accompanying action plan that has still not been adopted for the period 2019-2020. It is also responsible for the areas of social care, as well as employment, which is directly implemented by the National Employment Service.

In social care, one of the objectives is to provide systemic solution to improve the social care to children and families. In this sense, **assigned funding** has been transferred in 2018 to 111 **municipalities**, reaching over 20.000 beneficiaries. Two innovative social services are introduced: **temporary foster family** and **family associate**. The latter is a service piloted in 4 municipalities in cooperation with UNICEF. Majority beneficiaries are Roma. The service shall be institutionalised through law. Regulation on jobs strictly forbidden for children is adopted and the labour and social care inspections are enforcing the regulation in order to **prevent child labour abuse**. In 115 social centres internal teams are established to provide **special care to street children**. Services existing from the previous period, such as **financial social aid** and **children’s allowance** (provided for up to 4 children), have been improved to ease the access for Roma. In case of children at age of secondary school, children’s allowance is conditioned by regular attendance of secondary school. Additionally, **extra financial aid** shall be provided for **first-time parents** automatically. The new law on the social care is also improving **maternity support**. Financial aid is also provided to cover **preschool fee** for children from **poor families**.

**Data on Roma beneficiaries** from the social care services are **not provided at all**. The Strategy envisages legislative intervention that would allow collecting data disaggregated by ethnicity. However, because of the lack of ability to draft legal instrument that would accommodate the Constitutional provision for voluntary self-declaring, this strategic obligation has not been implemented. At the same time, the Statistical Office of Republic of Serbia is not collecting data relevant for the area of social care, thus there is no possibility to assess the effects and the impact of the implemented measures. The Ministry expresses readiness to **partner** with all the relevant actors **in order to overcome the data collection challenge**.

### **Health**

The legislation provides for health insurance equally for all, including Roma without permanent residence, and regulates non-discrimination in health. The Roma integration Strategy is based on human rights approach, which covers health care, as well as healthy lifestyle factors such as food, housing, drinking water, adequate sanitary conditions, healthy working conditions and healthy environment. More than **50% of Roma** are young - **below 25** years of age, but they have higher mortality rate and **12 years shorter life expectancy**. The baseline data from the Multiple Indicator Cluster Survey from 2014 show that Roma have double infant mortality rate of 13‰, 10% malnourished Roma children, 19% Roma children lagging in growth (5 times more than the general population, 13% of coverage of Roma children with all the vaccines for the first year of life (compared to the 71% of the general population). The fertility among Roma women was 3,1%. There is high rate of births among teenagers among Roma. 30,6% Roma women have abortion(s) at age 15-49, which is more than double compared to the women from the general population. Only 1,2% of Roma women use contraception pills.

Since 2009 the Ministry of Health is implementing the **health mediators programme** (based on the Law on Health Protection, Article 11), currently engaging **85 mediators in 60 municipalities**, all women speaking Romani language. The role of the health mediators is to **monitor the health status**





of the inhabitants of Roma substandard settlements, to **inform** them regarding health prevention and reproductive health, **facilitate access** to health protection.

By 2019 the health mediators have **registered 147.555 Roma** (30% men, 34% women, 36% children) and provided the following services:

- Registering at a primary medical practitioner: 11.948 beneficiaries
- Vaccination of children: 30.018 beneficiaries
- Accessing health insurance: 13.113 beneficiaries
- Accessing personal and health documents: 16.330 beneficiaries
- Systematic health exam and enrolment of children at school: 7.710 beneficiaries
- Visits to families: 170.278 families
- Information relevant for health: 31.808 beneficiaries
- Systematic health exam for women: 12.617 beneficiaries
- Registering at a primary gynaecologist: 11.177 beneficiaries
- Mammography exams: 1.144 beneficiaries

As a result, the infant **mortality rate has been halved** from 25‰ to 13‰, similarly as the probability for a child to die before 5 years of age. The **rate of vaccination** of Roma has also **increased**, particularly for certain vaccines scheduled for the first year of life, while for some other vaccines the gap is still significant. Nevertheless, there **were no outbreaks of child diseases or cases of death** from such diseases in the Roma settlements. **99% of births** of Roma women are done **in health facilities**, but early marriages are still high: 17% of girls marry before age of 15, and 57% before age of 18 (compared to 0,8% and 7% respectively for the girls from the general population).

Below are some of the data collected by the health mediators:

	Roma	Men	Women	Children	Total
Registered by health mediators		45.264	49.146	53.148	140.408
Older then 65					4,79%
Older then 80					0,60%
Registered at birth		98,59%	98,44%		96,28%
Personal documents		83,26%	84,65%		
Employed		17,64%	5,83%		
No primary education		16,59%	28,26%		
With secondary education		14,39 %	7,76%		
University students		62	59		
Older then 15			42.007		
Married (women, age 15-19)			2,27%		
Married (women, age 15-49)			52,52%		
Registered women at gynaecologist			66,08%		
Registered women at primary medical practitioner			82,19%		
Health insurance			88,07%		
Pregnancy overseeing			53,72%		
Systematic gynaecology exam			44,98%		
Chronic diseases - cardiovascular					11,81%
Chronic diseases - diabetes					2,56%
Chronic diseases - asthma					2,44%
Chronic diseases - malignant tumour					1,80%
Health prevention information					66,38%
<b>Housing of Roma</b>					
Road			Pavement	Dirt road	Gravel
			63,73%	27,18%	3,25%
Drinking water			Spring	Well	System
			10,07%	10,4%	68,61%
Indoors toilet (households)			58,2%		





Waste collection from households				63,42%	
House material	Solid material	Mud/adobe (window)	Mud/adobe (no window)	Wooden boards (window)	Wooden boards (no window)
	77,19%	14,04%	1,2%	2,97%	0,42%

The Ministry of Health is also distributing grants to civil society organisations for implementation of projects in the area of health according to the Action Plan on Roma inclusion.

### **Employment**

The Law on employment and insurance in case of unemployment contains provisions on non-discrimination and affirmative measures. Roma are prioritised in all the measures as one of the “hard-to-employ” groups. The implementation of measures and provision of services in employment are available in the [annual report for 2018](#), thus the presentation focused on the most recent summary data and the key challenges of Roma in the area of employment as identified by the National Employment Agency.

As of 31 December 2018:

- 25.605 Roma were registered as unemployed, of which 12.323 women
- Of the registered unemployed Roma, 22.285 are without or with low qualification, 2.493 are with completed secondary education and only 127 with completed tertiary education

Consequently the **key challenge** for employment of Roma is the lack of formal education and vocational qualification, as well as outdated vocational qualification for many long-term unemployed Roma. The National Employment Agency also considers that Roma unemployed are not motivated to participate in the active employment measures, as they rarely apply and often drop out. The reasons for such lack of interest are not identified by the institution, but may include engagement of many Roma in the informal sector as a survival strategy, thus lack of time to participate in the measures; inadequate measures for the real context or measures that have limited prospect to lead into employment; beneficiary criteria preventing many Roma to participate; lack of additional support that may be needed for participation (such as transportation, child care, etc.); lack of holistic approach to employment relating it to education, housing and health; lack of effective measures aiming at prevention of discrimination in employment and reducing prejudice among employers; etc.

The **services** of the National Employment Agency were provided to **6.175 Roma (2.781 women)** and led to **employment of 5.285 Roma (1.973 women)**, in 2018. 50 employment advisors are engaged in the local mobile teams.

In 2019, as of 1 September, 23.950 Roma (12.207 women) are registered as unemployed and 3.288 (1.491 women) participated in employment measures.

According to the National Roma Contact Point, the area of **employment deserves special attention** and should be prioritised.

### **Housing**

Much is achieved in housing, mainly due to the IPA funding. The 2013 IPA funding has been completed and the 2014 IPA funding is starting being implemented in the area of housing for Roma. There are certain activities planned with the Strategy for Roma inclusion in housing that have not been implemented, but with the upcoming IPA funding it is planned to implement those activities as well.

With the 2013 IPA funding there were three components:

1. **Planning and technical documentation:**
  - a. 10 detailed urban plans and 20 technical projects were created for 12 municipalities (with total funding requirement for realisation of 18 million EUR).





- b. 7 action plans adopted, 3 of which for relocation of substandard Roma settlements (Sumice - Sabac, Crvena Zvezda - Nis, 3 settlements - Bor) and 4 for urban development in the substandard Roma settlements (Dubrava - Lajkovac, Solunska 1 and 2 - Aleksinac, Didino - Kostolac, Avramica - Zajecar).
2. Functioning of (existing and new) **mobile teams** at local level:
  - a. 50 mobile teams functional (10 new) and capacity building.
  - b. Action planning guidelines prepared.
  - c. Identified budget lines to be used for improving housing of Roma at local level.
3. Grant schemes to municipalities for **building dwellings and infrastructure** (including individual connections):
  - a. 13 municipalities awarded: 11 implemented, 2 withdraw (unfortunately 2 large municipalities with 1.000 potential beneficiaries, 1 of which withdraw because of discrimination by the local community), with total of around 800 beneficiaries of housing and over 5.500 beneficiaries of infrastructure.
  - b. 126 housing units built (1 collective with 12 flats, 45 houses and 69 prefabricated houses), with a total of 2.211.950,03 EUR.
  - c. 62 reconstructed houses with a total of 303.545,74 EUR.
  - d. In 8 municipalities various infrastructure projects implemented (along with connections to individual dwellings, including in settlements where houses were built/reconstructed), such as water pipes, regular/atmosphere/vacuum sewerage, pavement, regulation of rivers/channels, electricity network, street lightning; with total amount of 2.707.012,83 EUR.

The **Geographic Information System (GIS) of substandard Roma settlements** established with the 2012 IPA has not been properly utilised and updated. With the 2014 IPA funding it shall be updated. One lesson learned is that besides preparing the project and technical documentation, the municipalities should prepare the community and work on promoting tolerance before starting any housing projects.

The National Roma Contact Point highlighted the need to further build the capacities at local level to access, but also to properly implement and manage funding.

#### ROADMAP 2019-2021 FOR SERBIA

The [Roadmap 2019-2021](#) is a document developed jointly by the Government of Republic of Serbia and the Roma Integration 2020 action of the Regional Cooperation Council, focusing on employment and housing where least progress is made and the data indicate precarious situation. The Roadmap serves to contextualise the targets of the Declaration, set intermediary milestones and direct the concrete actions to be undertaken jointly with technical support provided by the Roma Integration 2020 action.

The idea in both the areas is to **utilise the existing capacities among Roma** in the field, and simply put those capacities in the official mainstream system. In employment, the many Roma that are already working, but their **work is undeclared**, should be **formalised** within the system and thereby increase the employment rate. In housing, the **existing dwellings** where Roma live should be **legalised wherever possible**, including where improvements are needed to achieve the housing standards, in order to prevent double expenses in housing (for demolishing and social housing), secure the tenure, and create the preconditions to invest in housing/urban development.

#### **Employment**

According to the [2017 Regional Roma Survey](#), the employment rate of Roma is 21%, more than twice less than the national average. At the same time, 71% of the Roma are engaged in undeclared work, primarily in waste collection, seasonal agricultural and construction works, and house keepers and cleaners. Most of these people, by the official system, are recognised as **unemployed** although they are working, and usually also as **social aid beneficiaries**.





The **key characteristics** are that the mentioned sectors of employment are not providing for sufficient income (even when combined with the social aid), the jobs require the least qualification and thus attract workers that are not competitive for other jobs, the work is the least attractive for the workers (because of safety and other issues), and usually do not provide for long-term stable economic activity. The phenomenon of undeclared work is mostly present among the poorest.

In the **current context**, the formalisation of the undeclared work would **automatically cause loss** of social aid, as well significant percentage from the rest of the income that would have to be paid as employment related taxes and payments. This way the income of the family would be cut by estimated 70% of the already modest income that barely provides for survival. Therefore, interventions are needed in order to **make the system friendly** to such workers.

The proposal is to **register the poor undeclared workers** engaged in these sectors as workers, without automatic cutting of the **social aid**, but **gradual decreasing** according to the increase of the income, as well as **eased payment** of employment related taxes and other payments, potentially as a modest **lump contribution**. Furthermore, the work of such workers may be supported by helping in organising the work, providing legal and accounting services, etc. The solution should be developed in details as a comprehensive programme.

By implementing such a programme, the aim of the action is to increase the **employment rate** among Roma to **28%** and decrease the **undeclared work rate** to **50% by 2021**, and further increase the **employment rate** to **35%** and decrease the **undeclared work rate** to **25% by 2025**.

### **Housing**

The interventions by the Roma Integration 2020 in the area of housing shall be limited, because most of the interventions are already being covered through IPA and other international funding.

**Legalisation** in housing is identified as the most **cost-effective** solution and a **precondition** for housing and urban development. **Data** regarding this issue are **not readily available**.

The Ministry of Construction, Transport and Infrastructure provided the Roma Integration 2020 action with the data from the 2011 census, according to which there are 594 substandard Roma settlements in Serbia, with 20.477 dwelling objects. According to the estimation by the same institution “the majority of these dwellings are illegal”, which means at least 51% of the total number of dwellings, which is **10.443**. Starting from this estimated minimum number of dwellings in need of legalisation, the milestones are set to decreasing this number to **7.000 in 2021**, **4.000 in 2023** and **1.000 in 2025**. These targets should be revised once reliable data in housing are made available. This should contribute to the target set with the Declaration, which requires legalisation of all the dwellings that can be legalised.

The legislation required to work on this issue is in place, as well as significant support provided by IPA, particularly through the project implemented by the Standing Conference of Towns and Municipalities that is dealing exactly with legalisation.

The Roma Integration 2020 works on preparing a regional methodology for mapping housing and its piloting. The methodology should be applied throughout the region and regularly updated, thus proper monitoring is ensured. As needed, the action will also assist preparing funding proposals for locations not covered by the planned IPA and other support.

### **UNDECLARED WORK**

Ms Jelena Tadzic from **UNDP** presented results of the Regional Roma Surveys indicative to the statement made in the introduction of the Roadmap that employment is an area where least progress is noted. The comparison of the data from 2011 and 2017 show that the situation has even worsened in employment.

The **active labour force rate** and the **employment rate** are **worrisome** both for Roma and for their neighbours, but particularly for Roma. Furthermore, **Serbia** has the **highest rate of undeclared**





**Roma workers in the region**, mainly engaged on periodical, seasonal or temporary jobs, rather than long-term jobs, as well as jobs requiring least skills and supporting jobs.

Furthermore, interviewed Roma within the qualitative part of the survey believe that improving their **job qualifications** would **not suffice** to improve their situation regarding employment. They also do not consider **undeclared work** as work, but purely as a **way to survive**. Further aggravating factor is that Roma are often perceived as passive as people that prefer receiving different forms of social aid. However, most of the interviewed people state that they **prefer working over dependency** from social welfare.

**Programmes** that promote employment, including transformation of undeclared work, should allow for **individual management** and responding to **individual needs**. Any **vocational qualifications** provided to the beneficiaries should be designed in a **way to** actually provide **employment** after the period of training. The key institutions in this area - the **employment service** and the **social centres** - have to closely **cooperate** in order to utilise the **existing** and introducing **novelty services** that would activate social aid beneficiaries and result in formal employment, and provide for multiple chances for benefiting from services **until actual employment** is secured to the beneficiaries. The **taxes** and other payments related to employment should be **diversified** and **subsidies** should be **introduced** in order to make possible the formalisation of undeclared work. **Employment support** should be provided, prior and during employment, at least for the first year of employment, including mentorship, mediation and monitoring, that would work with Roma, as well as with the employers and colleagues.

The number of **Roma employed** in the **public institutions**, both central and local, is exceedingly low and largely inadequate to the rate of Roma in the general population. Employing Roma in the public institutions would serve as a **stepping stone** towards improving the situation of Roma in employment in many aspects, notwithstanding the direct benefit for those that would be employed, but also for breaking the prejudice among employers, providing public services to Roma in a more adequate way, etc. The Vice Prime Minister of Serbia responsible for Roma issues stated in several occasions that the employment of Roma in the public institution shall be **prioritised**.

**Specific attention** must be paid to **Roma women** in the area of employment. They are usually the **care givers** in the family, thus any employment or support measures should take this into consideration and aim towards sustainable solutions. **Multi-dimensional vulnerability** and, sometimes, **discrimination** should also be tackled for all Roma, but particularly women.

**Holistic approach** is needed to link any employment measures with measures in education, housing, health and non-discrimination, as often a number of the challenges in these areas are manifested through the area of employment (for example transition from education to work, health related conditions of the work, etc.).

Mr Dragan Knezevic from the **Ministry of Labour, Employment, Social and Veteran Issues** focused on the planned activities in the area of employment with the new **Action plan**, which has been **submitted to the Ministries for opinions** on 30 August, with response only from 1/3 of the Ministries. The Action plan is also still available on the website for [public consultation](#). The proposed Action plan follows the Strategy in the area of employment, and thus includes the following measures:

- Annual **analysis** of the situation of Roma in the area of **(un)employment**;
- **Outreach to Roma** not registered as unemployed and **capacity building** of **employment advisors** for work with Roma;
- **Enforcement** of the **non-discrimination** legislation in employment, by capacity building of relevant institutions and provision of free legal aid to alleged victims;
- **Raising awareness on discrimination and anti-gypsyism** in employment through capacity building and support of civil society activities;
- Promotion of **self-employment** through provision of **subsidies** and **long-term support** to start-ups, and informing potential beneficiaries, particularly young Roma;





- Increasing the **employability** of Roma by providing **functional elementary and vocational education** and training of adults and **internships for young Roma**;
- Building capacities of municipalities to implement **local action plans on employment** with incorporated measures for the **benefit of Roma**;
- **Employing Roma** in the **public sector** by engagement of more local coordinators, their capacity building, support to the mobile teams and sharing information on opportunities
- **Legalisation of informal work** through analysis of the situation and devising solutions;
- **Regulation of the legal status of informal waste collectors**, enforcing the ban on disposal of recyclable waste and establishing local waste management systems responsive to the interest of the individual waste collectors.

Unfortunately, the reports in the area of **legalising informal work**, including on the corresponding measure 3.8.2.32 from the Chapter 23 Action Plan, indicate that **nothing has been done** in this regard. The criticism regarding employment of Roma in the public sector is also justified, according to the representative of the Ministry of Labour, Employment, Social and Veteran Issues.

It was explained that the Roma Integration 2020 uses the official term used in the European Union, which is “undeclared work”. Other terms, such as illegal work, informal work, grey economy and similar are used in the region for the same phenomenon. The Regional Cooperation Council shall establish **regional intergovernmental network on undeclared work** that will hopefully have on the agenda the **issue of Roma undeclared workers** through the Roma Integration 2020 action. It was also highlighted that during the **past four years**, for which the Government prepared and submitted annual reports on the implementation of its Roma integration policy, in the area of employment only the data and the activities of the National Employment Agency are covered, while all the other envisaged measures from the Strategy, including in particular those dealing with **discrimination in employment and undeclared work** are continuously **not implemented** and thus not reported.

Mr Dusko Jovanovic, journalist at Vojvodina broadcasting service that served as regional coordinator for Roma inclusion and on the National Roma Council. In **2008 subsidised self-employment programme explicitly targeting Roma** was launched for the first time, with a concept somewhat different from the mainstream programme, adjusted to the reality of Roma. There were three times more applicants than planned beneficiaries, most of them applying with existing business that needs formalisation. The most **benefit** for interventions supporting and formalising small enterprises is **for the economy**.

Besides the support to the self-employment, tackling the issue of employment of Roma must also incorporate **employment of Roma in the public institution**. For years the **pretext** is the **ban on employment** in the public institutions, in the context of Roma always interpreted as total moratorium. However, even the recent statement of the Prime Minister confirms that the ban on employment means **strictly controlled employment**, which will **continue** although the **ban** on employment shall be **removed** from the beginning of next year. Effectively, there is **no obstacle** to the employment of Roma in the public institutions, which is primarily needed at local level. **Local coordinators for Roma issues** are very important and represent an efficient mechanism for Roma inclusion and implementation of the Strategy, but this is not necessarily recognised by the local leaders that usually use the mentioned pretext. Many international organisations including the EU are **recommending increasing** the number of Roma **local coordinators** and resolving their **employment status**. This is still a need, and it is usually a matter of good will. The Vice Prime Minister has been approached with the demand to employ more young educated Roma in the ministries implementing the Strategy for Roma, which she agreed and started by showing an example in her institution by employing two young Roma women, who also need resolving of their employment status. The 127 university educated registered unemployed Roma should be urgently engaged in the public institutions with regular, rather than temporary employment, which is also one of the Operational conclusions.

Ms Dragana Jovanovic-Arijas from the **Social Inclusion and Poverty Reduction Team** focused on the relation between the financial social aid and social transfers on one side and the transformation of the undeclared work on the other side. While the regional average income of a Roma family is





265 EUR, in Serbia, the average **financial social aid** (primary and additional allowances) to a family with two adults and two children is 22.522 RSD (approximately 190 EUR, according to the [2017 report](#)). This is **virtually the same as the minimum salary** of 22.530 RSD, which is offered for jobs not requiring qualified workers, and usually not attractive. The decision of many Roma to hold on to the social aid that allows them additionally to work in the informal sector in order to append to the modest income, from this perspectives, seems perfectly reasonable. It is good that in case **one adult** family member acquires **employment**, the **additional social aid** may be **retained**, but the **primary** financial social aid is **cut**. In such case the average **income** of the family is around 28.000 RSD in average, which is only **slightly higher** than the social aid. This demotivates many poor people to seek employment, primarily for families with higher number of members, single-parent families, and families with disabled children or elderly family members in need of care. Thus, the most vulnerable also the least motivated to enter the legal mainstream employment flows. Therefore, it is crucially important that the **formalisation of undeclared work** is done **along with** the **provision of financial social aid** and other social benefits to which the families are entitled because of their socio-economic status. The social aid may be retained for a particular time or may be gradually decreased over time - it is only important to provide social aid according to the **real situation of each individual family**.

Additional challenge is that the financial social aid is an “entry ticket” for **other forms of social benefits**, such as subsidies for utilities (electricity, common housing costs, etc.), which further demotivates formalisation of undeclared work, and should be considered in any potential programme for transformation of undeclared work. It should be further considered that the **employment** itself **results in increased expenses** for the family (for transport to work, food at work, etc.). The current situation is that only in rare cases when two Roma adults in the family can find employment at the same time or one adult family member can find better paid and more sustainable employment, the family would be more inclined towards the employment than the social aid. Furthermore, there are also cases where the undeclared workers, particularly waste collectors, are **not social aid beneficiaries** at all. Any programme for transforming undeclared work should make sure that poor undeclared workers participating in the programme are provided access to social aid, as the others included in such programme. In this sense, the programme to transform undeclared work should be a programme to **transform undeclared work along with ensuring minimum social security**.

It is encouraging that at local level there is opportunity to implement effective programmes within the existing legal framework, but it requires deep understanding of the Roma community. In this sense the role of the **local coordinators** and the **mobile teams** is very important as the initiatives prove to be most effective when taken up by the local level. Besides the mentioned services within the social aid, the **regulation for activation of social aid beneficiaries** and the **individual employment plans** may be utilised within a programme to transform undeclared work. Certain local practices exist and may be used when devising the programme.

A challenge for formulating a programme for transforming undeclared work is the lack of data. From the National Employment Service, there are data on registered unemployed Roma. Sporadically there are some other data as well, such as rates of employment and unemployment, and even rate of undeclared work. However **detailed data** on employed Roma and on Roma social aid beneficiaries are **lacking**. This makes the work in the area of employment based on trials and mistakes rather than on proper analytical work. The 2017 report on social inclusion and poverty reduction recommends quantitative and qualitative analysis of the social aid beneficiaries, in order to understand the range of different poor families, which would assist formulating adequate social aid measures and services. It is also recommended to assess the effectiveness and quality of the existing social aid measures and services, as there are some practices with possibly diverse effects (for example using “missed income” - assessment of how much an adult person might have earned if employed - as a criterion for calculating the financial social aid).

The Roma Integration 2020 action is providing **technical support** to the governments in the region aiming at **assessing the mainstream policies** in the priority areas in order to assess the possibility to mainstream **Roma issues** in those policies. The analysis will provide further insight in the





effectiveness of various mainstream measures for achieving the objectives set for the integration of Roma and will recommend interventions in order to improve the situation.

During the discussion on the topic of undeclared work, the National Roma Contact Point informed that **previous discussions** have been held in the Ministry of Labour, Employment, Social and Veteran issues, regarding the **demotivating effects of the social aid apropos stimulation of employment**. It is logical that potential income of some 40-50.000 RSD from social aid combined with informal income would be preferred over a job paid with minimum salary of some 25.000 RSD. One of the proposed solutions was introducing a **scale for decreasing the social aid**, corresponding to the socio-economic situation of a family whose member gains employment, instead of cutting the social aid altogether. This solution is again recommended. The additional social aid in the form of **children allowance should remain in any case**. Furthermore, calculating “lost income” does not make much sense, because a person would have gained that income if it was possible, but the problem with the “lost income” is that it does not exist. It is also highly important to **clearly define**, preferably within the legislation, the **range of beneficiaries** in order to avoid complains about Roma being privileged. Another proposal is to increase the minimum salary, but in such case the social aid is also adjusted, and remains demotivating. Therefore the previously mentioned solution should be preferred.

Information from any previous debates regarding the topic of transforming undeclared work should be taken into consideration when formulating a programme on this topic.

It was **noted and criticised** that the **representatives** from the Ministry of Labour, Employment, Social and Veteran Issues **left** the National Platform before hearing the important recommendations from the session on undeclared work, as well as that the **representatives were not relevant for formulating policies and making decisions**. In health, the Roma **mediators’ employment status is not solved for 9 years**. No one at the National Platform was surprised and asked why in 2014 only 330 Roma were in secondary schools, and in 2019 over 2.000. The reality is that the **affirmative measures are often abused by non-Roma**. Public policies must be formulated on the basis of **serious research and analysis**, rather than general data without possibility for ethnic disaggregation or data collected only among most deprived people. Both this **National Platform and the Coordination Body** need to work **more frequently** on monitoring and ensuring implementation, as the **results are not good**.

#### LEGALISATION IN HOUSING

The National Council of the Roma National Minority is regularly visiting **substandard Roma settlements** and has an overview of the situation. Majority of the settlements are substandard, not regulated with the urban plans, with many illegal dwellings and lack of the minimum communal infrastructure. It is commendable that IPA funded projects are implemented, contributing gradually to resolving these issues, although the challenges are still significant.

Ms Svetlana Ristic from the **Ministry of Construction, Transport and Infrastructure** informed firstly that the institution provided its opinion to the proposed Action plan in the form of amendments, for easier incorporation, and that the difficulties were faced because of the change of methodology for preparing action plans. The inputs from the Social Inclusion and Poverty Reduction Unit are valuable because **services in housing** are provided on the basis of **absolute poverty**, although the **relative poverty** is far **more relevant** to define the difference between beneficiaries of social housing under conditions of social protection, from those receiving regular housing services that beneficiaries pay for, not affordable even for those below the relative, and let alone to those below the absolute poverty line.

The approach to the legalisation was changed in 2015, when the responsibility to **start the procedure** transferred from the natural persons to the **public institutions**. Comparative data on the number of filed applications and solved cases for legalisation were provided for the general population. It is important to highlight that the housing **legalisation challenge is generally extraordinary**, which is evident from the 2.050.614 registered illegal objects, 975.822 of which for housing, and only 4,55% of which legalised so far. The **key obstacles** to legalisation are:





- Lack of regulatory urban plans;
- Unresolved ownership relations for the land;
- Lack of resources for communal equipment (connections to utilities).

It is impossible to legalise objects as in the Republic of North Macedonia, where legalisation fee is 1 EUR per square meter, because in such case legalisation is only declarative, but often still outside any regulation plans and without even a prospect to solve infrastructure.

The **procedure** applied in the legalisation of **Roma settlements** through the IPA funded project is **good**: adopting **regulatory plans, technical documentation, parcellation, solving land property rights**, after which the owners apply for **legalisation** themselves, and if they are poor and cannot pay for the legalisation fee, they can apply for **assistance** according to the Law on Housing.

According to the **law**, an object is either being **legalised** based on the request for legalisation according to the previous law, **or** is registered and a **demolishing decision** is issued, which is **not implemented** until it is **determined** whether the object **can or cannot be legalised**. The problem is that the register of objects is not a Geographic Information System (GIS), which it must be.

Fortunately there is **GIS database** for the **Roma settlements**, and the GIS technique should indeed be **supported in the region**. The available data regarding legalisation in Roma settlements are the following (out of the 594 registered settlements; from 2014-15):

- 50% are in the spatial plan of the municipality;
- 19% are in the general urban plan;
- 21% are in the general regulatory plan;
- 10% have detailed regulatory plan;
- 8% of the settlements have more than 70% objects in the process of legalisation;
- 12% of the settlements have between 30-70% of objects in the process of legalisation;
- 80% of the settlements have fewer than 70% of objects in the process of legalisation.

The League of Roma submitted to the government a proposal **Lex specialis on legalising sustainable informal Roma settlements**. Ms Ristic was tasked with assessing and formulating the **opinion** on that proposal, which was **negative** at the time because of the inadequate timeframe. Now those **deadlines** for filing legalisation requests are **not relevant any more**, as **all objects** are **subject** of the law according to the satellite snapshot.

The **key challenge** in the Roma settlements, which will probably prolong the legalisation, is **unresolved land ownership status**. Most of the land of the Roma settlements is public (central or local). The Law on Public Property is in the mandate of the Ministry of Finance, and it bans **alienating public land** under non-market conditions, except in case of natural disasters or maintaining good neighbourly relations with foreign countries. The **exception should also be made** for the **housing of poor people**, of course defining clearly the criteria and the procedure. The personal opinion of the representative of the Ministry is that donating the land should be avoided, and rather at list symbolic price should be paid (that is affordable for the beneficiaries) in order to experience and feel the ownership.

Regarding legalisation there are many good examples. The Ecumenical Humanitarian Organisation is doing fantastic work in legalisation, and the Standing Conference of Towns and Municipalities is currently implementing an important IPA funded project. There are also some good examples at local level, such as municipality of Sombor that had participatory process of parcellation. The **first step** is to **define the borders of the public space (road)**, after which the rest of the land is **parcellated**, which should be done with the **participation** of the affected persons.

After parcellation, the actual legalisation is processed. For persons unable to pay the **legalisation fee**, there is an opportunity for **assistance** envisaged with the Law on Housing and Managing Housing Objects. The assistance is available to poor people under certain conditions (income and land ownership relations), and includes **technical and geodetic documentation** for legalisation and **exemption** from paying legalisation fee.





The Law on Legalisation regulates the subject, but the Law on Housing and Managing Housing Objects covers certain aspects relevant for the process of legalisation, such as protection of the human rights in the process of relocation of households whose dwellings cannot be legalised.

Currently the **National Housing Strategy** of Serbia is **being drafted**, and the regulation of Roma settlements will be specifically included.

The representative of the National Council of the National Roma Minority noted that **building social housing** and displacing Roma is **expensive**, but **legalisation is also expensive**, including developing urban and regulatory plans, pacellation, preparing documents for legalisation and the fee. Furthermore, there is a need for teams with adequate capacities to implement the whole procedure and the participation of local coordinators, civil society and the Roma community.

Mr Boris Zerjav, *regional* consultant for *housing mapping methodology*, presented the draft methodology in order to solicit inputs from the participants. There are two key issues regarding the methodology:

1. The purpose of mapping - determining the type and quality of data and the range of mapping;
2. The subject of mapping (defining “Roma settlements”) - determining the processes of data gathering, matching and processing.

The purpose of the mapping is manifold, including **precise determining of the situation** in housing of Roma, including regarding legalisation (as a baseline, ongoing monitoring and impact assessment); **formulating** midterm and long-term urban development and improvement of living **programmes** (including for funding through IPA); **monitoring** of the realisation of the programmes - periodical replicability of the process with documenting the periodical and analysing trends; **comparing** the situation and the progress of different economies (comparability of data, preferably official, such as census or certain standard surveys).

The mapping should start with locating each settlement and determining exactly its geographical boundaries, preferably using vector geographic image (**ortophoto**). For each settlement data on **spatial and physical characteristics** should be obtained, including quality of buildings, coverage with infrastructure, coverage with spatial urban plans, etc. In this sense it is important to find the balance between having as many data relevant for planning programmes and funding on one hand, but also limiting the volume of data in order to have functionality, relatively easy management and updating, and limited resources to provide the data for the database.

The initial challenge is to define the scope of mapping, which is to define the so called “**Roma settlements**”. Besides the settlements that are considered Roma settlements by default (**majority of inhabitants are Roma and living conditions are poorer**), there are also settlements with majority of Roma where the conditions may be considered adequate, settlements recognised as Roma by the people outside the settlement, but according to the official data there is small number or no Roma (under-declaring during census), settlements that are not inhabited by Roma but are largely illegal (that should not be mapped). The definition of “settlement” itself in spatial sense should also be defined, and often defers from the legal, cadastral or statistical definitions.

The proposal would be to use the **UN definition of slams**, focusing on the **physical conditions** of the settlements rather than the ethnic affiliation of the inhabitants, which should also be taken into consideration to a lesser extent (in order to avoid certain informal settlements where the living conditions are adequate). The definition of settlement in that case is: **any group of objects or an object (used for housing) fulfilling at least one of the following conditions:**

- Inadequate access to drinking water;
- Inadequate access to sanitary and other infrastructure;
- Poor construction quality of the housing units (inadequate materials, building techniques, decayed units, units not safe for living, etc.);
- Overcrowding (of the settlement and of the units);
- Unresolved legal/ownership status of the housing units and the land.





The process starts by the central geodetic institution providing the **satellite screenshots** (ortophoto) for each municipality as a base for the mapping, followed by the **municipalities plotting the boundaries of each settlement** on their territory and fulfilling a **detailed questionnaire on the characteristics of each settlement** (data as explained earlier, gathered from different local sources/institutions, such as institutions responsible for legalisation, communal enterprises, etc.). The data gathered by the municipalities are then combined with **statistical data** from the census (on demographic characteristics and data on the dwellings), and data from the **cadastre** regarding legal status and ownership of the objects and parcels.

It is important to make a **difference between informal and substandard settlements**, because there are many settlements that are informal, but with adequate living conditions and construction standards, often not inhabited by Roma. All those are the subject of the mainstream legalisation process. The substandard settlements are determined by the housing conditions that require intervention, not necessarily limited but including legalisation.

Some of the participants expressed criticism for the short time allocated to discuss details for each topic, but were encouraged with the fact that the Roma Integration 2020 will follow up on the topics, and thus provide more opportunities to discuss in details. The criticism for the absence of persons from the various Ministries that are relevant for policy formulation and decision making was reiterated. Considering the fact that some representatives of the Ministries only recently figured out that on some very important issues nothing has been done for years, and that the targets set with the Declaration and the Roadmap are ambitious, it is crucial to have much more serious approach and really focus on implementation. The Roma Integration 2020 is doing a great job and its resources and capacities are not adequately utilised by the Governments. The Coordination Body should act much more energetically, and the governance of the Strategy should be much more improved. The Ministries should take the responsibility to organise topical discussions, and discussions should be much more frequent.

