



ROMA
INTEGRATION

Regional Cooperation Council

ANALYSIS OF
MAINSTREAM
POLICIES TARGETING
ROMA AND ASHKALI
INTEGRATION
IN KOSOVO*

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ANALYSIS OF MAINSTREAM POLICIES TARGETING ROMA AND ASHKALI INTEGRATION IN KOSOVO*

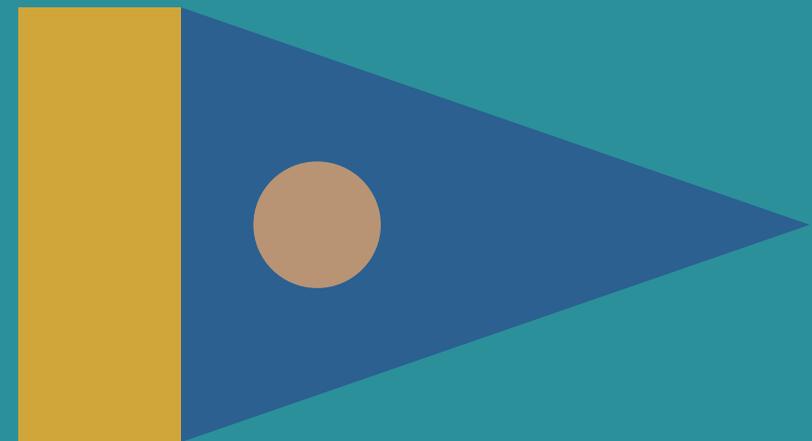
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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.



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Introduction

The purpose of these analyses is to provide an overview of Roma integration into government policies, programmes, projects and interventions and to identify mainstream central policies that may concern Roma and Ashkali communities. It is also intended to identify possible obstacles that prevent Roma and Ashkali from benefitting from mainstream policies, to identify successful or promising measures, experiences and methods aimed at making mainstream policies, projects and programmes inclusive of Roma and Ashkali and to provide input for constructive and evidence based discussion within the frame of the action.

Mainstream policies are strategies or action plans adopted by the central government in pursuit of objectives in different fields. These policies aim to improve the living conditions and well-being of all citizens. Despite the fact that they do not target any particular ethnic, social or marginalised group, nonetheless such documents concern the Roma, Ashkali and Egyptian communities as they also benefit from these policies. Improvement of the educational system and school infrastructure, a better healthcare system and services, economic development and increased living standards will inevitably lead to the well-being of all citizens, including marginalised groups. Yet those on the margins of society might not benefit as much as the more privileged groups.

Methodology

A qualitative research methodology was employed in order to carry out this assignment. It involved desk screening of analyses and an assessment of various documents relevant to Roma and Ashkali integration. The following documents, among others, were consulted: the legislation relevant to the Roma, Ashkali and Egyptian communities, the previous and the current Strategy for the inclusion of Roma and Ashkali and the accompanying action plans, the European Framework on National Strategies for the Integration of Roma, the National Development Strategy and the accompanying plan, various international and central policy papers on Roma integration, NGO reports and articles by journalist and academia.

This report is organised into three parts. The first part brings forward key elements and analyses on applicable legislation and mainstream policies that guarantee the rights and benefits of minority communities in Kosovo*, with specific focus on the Roma and Ashkali.

The second part provides an overview of the policies regulating the main sectors of employment, education, health and housing and the crosscutting issues of gender equality and civil registration, that have a direct effect on the status and well-being of the Roma and Ashkali in Kosovo*.

The third part explores the findings, provides examples of good practice and gives recommendations on how to proceed.

Executive Summary

The current situation of the Roma, and Ashkali communities in Kosovo*, much like in other economies in Eastern Europe, seek societal commitment for equality.

The Roma community in Kosovo* consists of three different ethnic groups, namely Roma, Ashkali and Egyptians. The three communities differ from each other in terms of religion, place of origin and language. Roma in Kosovo* are Christian Orthodox and Muslim and speak the Roma language (Romani), Albanian or Serbian as their first language. The Ashkali and Egyptian communities are mainly Muslim and speak Albanian. Roma are long believed to have originated in India whereas the Ashkali and Egyptians are allegedly of Syrian and Egyptian descent.¹ According to the 2011 census, 35,784 Roma, Ashkali and Egyptians (8,824 Roma, 15,436 Ashkali and 11,524 Egyptians) reside in Kosovo* or 2 per cent of the total population.²

The main policy for Roma integration is the Strategy and Action Plan for the Inclusion of Roma and Ashkali communities in Kosovo Society 2017-2021³ drafted and approved by the Government of Kosovo* in April 2017. The Strategy includes four important sectors: education, employment and social welfare, health, housing.

With the measures taken so far by the Government, the international donors and local NGOs, the situation of the Roma and Ashkali communities has improved. This is evidenced in the reports of the Government of Kosovo* and the OSCE (Organization for Security and Co-operation in Europe) *Overview report on Roma, Ashkali and Egyptian communities*⁴.

However, although there have been improvements, the gap between the Roma and Ashkali communities and the majority remains wide.

¹ World Bank Systematic Country Diagnostic Report, 2017. Available from <http://documents.worldbank.org/curated/en/282091494340650708/pdf/Kosovo-SCD-FINAL-May-5-C-05052017.pdf>.

² World Bank, p.16 report *Breaking the Cycle of Roma Exclusion in the Western Balkans*. Available from: <http://documents1.worldbank.org/curated/en/642861552321695392/pdf/Breaking-the-Cycle-of-Roma-Exclusion-in-the-Western-Balkans.pdf>.

³ https://kryeministri-ks.net/wp-content/uploads/docs/ANG-STRATEGJIA_PËR_PËRFSHIRJEN_E_KOMUNITETEVE_ROM_DHE_ASHKALI_NË_SHOQËRINË_KOSOVARE_2017-2021.pdf.

⁴ https://www.osce.org/files/f/documents/6/7/443587_1.pdf.



Legislation and Policies

The Government Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021 and the Action Plan for its implementation are the single most important policy documents for the inclusion of the aforesaid communities. The Strategy and Action Plans are being coordinated by the Office for Good Governance in the Office of the Prime Minister of Kosovo* that also coordinates the work of the policy implementing line ministries and the Inter-disciplinary Body on Roma integration. The strategy also sticks to the four priorities set by the European Framework on National Strategies for the Integration of Roma and has been harmonised with other relevant mainstream policies and in particular with the National Development Strategy⁵.

The following objectives relate to the four priority areas in the Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021:

1. Increase inclusion and provide opportunities for personal development, training and education for members of the Roma and Ashkali communities.
2. Improve the economic and social situation of the Roma and Ashkali communities.
3. Improve the health situation and quality of life among the members of the Roma and Ashkali communities.
4. Provide adequate and sustainable housing for the Roma and Ashkali communities in line with the effective legislation.

The strategy has defined outcomes for each strategic objective and identified activities and measures designed to achieve them.

This strategy addresses gender equality in a single paragraph wherein it stresses the situation of the Roma and Ashkali women who are subject to dual discrimination. The measures and actions to address their situation are vague. The issue of gender equality is treated as a cross-cutting issue both in the Strategy and in the Action Plan.

Kosovo* has a comprehensive and sophisticated legislation, which has been harmonised with the *acquis communautaire* of the European Union. The Constitution of Kosovo* provides for the protection and promotion of fundamental human rights and freedoms and guarantees the rights of its communities. The Constitution recognises the Roma, Ashkali and Egyptian communities as three distinct ethnic groups living in Kosovo* and guarantees them the use of the Romani language

⁵ https://kryeministri-ks.net/repository/docs/National_Development_Strategy_2016-2021_ENG.pdf

as an official language at the municipal level in respect of the Council of Europe Framework Convention for the Protection of National Minorities.

The Government of Kosovo* has developed an advanced legal framework and policies based on international standards and best practices for all communities. The Framework Convention for the Protection of National Minorities is applicable with its inclusion in the Constitution of Kosovo*. The Law on Protection and Promotion of the Rights of Communities (Article 9.2) in this article specifically refers to Roma, Ashkali and Egyptians. The Law on Protection from Discrimination guarantees and promotes the principles of equality, equitable representation and interethnic tolerance and it is important for the Roma, Ashkali and Egyptian communities.

Employment

Members of Roma, Ashkali and Egyptian communities are by all accounts the most disadvantaged groups in Kosovo* which is best illustrated by the table below.⁶

Per Capita Income	Extreme Poverty (1 USD a day)	Unemployment Rate
Roma, Ashkali and Egyptians: €397	Roma, Ashkali and Egyptians: 36.70 %	Roma, Ashkali and Egyptians: 58.32 %
Serbs: €1,282	Serbs: 3.94 %	Serbs: 30.18 %
Albanians: €1,051	Albanians: 12.87 %	Albanians: 45.85 %
Others: €866	Others: 16.82 %	Others: 42.96 %

In light of the above, it is obvious that 10 years after the Declaration of Independence, the international community, local and central government and civil society have a long way to go in addressing the needs and requirements of the Roma and Ashkali community.

Article 9.2 of the Law on the Protection and Promotion of the Rights of Communities stipulates that,

“The Republic of Kosovo shall develop public employment programmes and other initiatives, in addition to specially targeted measures, aimed at overcoming direct and indirect discrimination against persons belonging to communities. Special consideration shall be given to improving the situation of Roma, Ashkali and Egyptian communities.”⁷

⁶ <https://www.refworld.org/pdfid/5a8418dc4.pdf>

⁷ www.ecoi.net/en/file/local/1297112/1504_1261396548_law-on-the-protection-and-promotion-of-the-rights-of-communities-and-their-members-in-kosovo.pdf



Despite the fact that it is not mentioned specifically, the Anti-discrimination Law is also relevant to the Roma and Ashkali communities. This Law guarantees and promotes the principles of equality, fair representation and interethnic tolerance.

With a view to reducing poverty and soaring unemployment rates among the Roma and Ashkali, which to a large extent is the outcome of years of social exclusion, the Law on the Civil Service requires that all public institutions ensure that a minimum of 10 per cent of positions at the state level are reserved for members of minority communities. At the local level, employees should reflect the ethnic structure of a given municipality.

Yet the Law on the Civil Service, enacted in July 2010, has been abolished and replaced by the Law on Public Officials, which was promulgated in March 2019. The new Law on Public Officials retains the former provision of the 10 per cent employment quota for non-majority communities and aims at creating the legal basis for employment of public officials in the institutions.

In the absence of more creative ways to address this issue, legally binding quotas could prove to be a useful tool for the employment of the Roma and Ashkali communities. The data suggests that Roma and Ashkali are underrepresented in central and local institutions in relation to their share of the population. This could in part be attributed to their low level of education and the lack of qualifications. The lack of short-term courses or vocational training for members of the Roma and Ashkali communities could be another reason for their underrepresentation in the public institutions.

Article 11 of Regulation No. 04/2000 of the Ministry of Public Administration obliges public institutions to implement a variety of training programmes, known as ARMs (Active Recruitment Measures), with a view to equipping members of non-majority communities with the necessary skills to enable them to work in public institutions. Consequently, underrepresented communities should be able to meet the specified 10 per cent quota. Sometimes challenges such as lack of proficiency in English or a lack of basic computer literacy is an obstacle towards employment.

The National Development Strategy and the accompanying plan are considered the leading policy documents for economic growth and sustainable development. The National Development Strategy is divided into four thematic pillars: 1) human capital, 2) the rule of law and good governance, 3) development of competitive industries and 4) development of the infrastructure. While the document elaborates in detail on many issues of importance to economic development, which are of great concern to the minority population, it only makes specific reference to these communities in the section on strengthening the property rights system under the chapter on good governance and the rule of law.

The strategy states that, “The National Development Strategy aims to strengthen the property systems by focusing on strengthening the legal framework, promoting a land market, strengthening the capacities of the judiciary to adjudicate property rights cases and implement activities to ensure better protection of property rights for marginalised groups, such as non-majority communities as well as girls and women.”⁸

Reference to marginalised groups is made and the importance of their inclusion in economic development is recognised. The strategy stipulates the need to ensure social cohesion and inclusion parallel to economic growth through “means non-exclusive of certain groups from benefits deriving from economic growth.”⁹ The elaboration goes on to say that, “Inclusion is required not only as a prerequisite for social justice and cohesion but also because, as such, it drives larger and more sustainable economic growth.”¹⁰

Further on, the document identifies other challenges faced by marginalised groups, explains the underlying causes and proposes activities to address these issues. Some of the identified issues are undeclared employment in the informal economy and the ineffective judiciary that contributes to the social exclusion of marginalised groups.

This strategy document produced by the Office of the Prime Minister of Kosovo* focuses on the development of a list of priorities, the identification of barriers and assessment of the capacities for sustainable economic development and growth. It does not refer specifically to Roma and Ashkali communities, but clearly concerns them given the goals of this document.

Education

The evidence suggests that there is a positive correlation between education, income and health. A higher level of educational is associated with improved living standards, health, longevity and vice-versa. The lower the level of education the less likely it is that a person will find employment. Illiteracy translates into unemployment and unemployment translates into poverty, which in turn translates into poor health and increased mortality.

The Education Strategic Plan 2017–2021 is the main policy document for the development of the education system. This policy paper elaborates in detail on the problems of the Roma, Ashkali and Egyptian communities in the field of education, sets clear objectives and proposes actions on how to overcome the obstacles and alleviate these problems. The plan identifies seven strategic objectives relevant to the Kosovar education sector, most of which concern the Roma, Ashkali and Egyptian communities either directly or indirectly.

8 Ibid.

9 Ibid.

10 Ibid.



1. Participation and Inclusion
2. Management of the Education System
3. Quality Assurance
4. Teacher Development
5. Teaching and Learning
6. Vocational Education and Training and Adult Education
7. Higher Education

Strategic objective I aims to increase participation and ensure equal opportunities for the development, training and education of every individual in pre-university education. This is the most relevant objective concerning the Roma and Ashkali communities because the lack of inclusion affects them the most. The strategy sets tangible goals for the participation and inclusion of Roma and Ashkali children in pre-primary education (target 70%), in primary education (target 95%), in lower secondary education (target 85%) and in upper secondary education (target 50%).

With regard to this objective, the strategy foresees the following actions: harmonisation of learning centre programmes, drafting regulations to facilitate enrolment and attendance of Roma and Ashkali pupils in pre-university schools, the provision of scholarships for secondary school pupils and organisation of awareness raising campaigns on the importance of education.

It briefly mentions 'pupils who attend school in Serbian language' and the 'low levels of school attendance' of children from marginalised groups and Roma, Ashkali and Egyptian children in particular as the two main challenges in this sector.

The strategy mentions support for Roma and Ashkali and Egyptian pupils through various partners, including the European Union, the Swiss Agency for Development and Cooperation (SDC), Balkan Sunflowers, the Roma Education Fund and the German Government, with the Ministry of Education Science and Technology (MEST) coordinating different educational projects. MEST recently agreed to fund part of this programme.

The strategy identifies specific challenges and obstacles to Roma and Ashkali and Egyptian inclusion in and benefitting from the mainstream education system:

1. lack of municipal readiness to facilitate the conditions for enrolment and attendance for all children from Roma and Ashkali communities in preschool and secondary education;
2. the failure to engage teams to prevent early school-leaving at municipal level.

Primary and lower secondary education are compulsory, meaning that all children of compulsory school age must be enrolled in school (be it in public school or in a private school licensed by MEST) and attend regularly. Kosovar institutions have developed strategies aimed at tackling early school-leaving and non-enrolment. To this end, in October 2014, MEST adopted an Administrative Instruction that envisaged the creation or strengthening of teams to prevent and respond to the issue of abandonment and non-registration in compulsory education. Such teams, known as PRTANs (prevention and response teams to respond to abandonment and non-registration) were established throughout Kosovo* to operate at the school and municipal level. This Administrative Instruction is intended to promote and facilitate access to education for children from all communities, especially the most vulnerable ones with the highest rates of early school-leaving and non-enrolment. It is the duty of these teams to monitor, identify, react and report on cases of non-enrolment or early school-leaving. The team initially ascertains the specifics of the case in order to develop a plan and assign tasks to its members. Then they contact the child, his/her family, friends and other stakeholders in order to gain an understanding of the reasons for non-enrolment or early school-leaving and find ways to put the child back in school.

The National Development Strategy envisages interventions aimed at increasing enrolment in preschool and pre-primary education by increasing the number of public preschool facilities and through the inclusion of private institutions. Roma and Ashkali communities are eligible and can benefit from these activities and measures. The strategy suggests, among others, the building of 18 facilities for preschool children, especially in those municipalities that are in urgent need of and lacking public preschool facilities.

The inclusion of this age group in pre-primary education is crucial for their cognitive development. The analysis quite rightly refers to the discrepancies that exist between urban and rural areas in relation to the enrolment of children in pre-primary education. These discrepancies are even more noticeable when it comes to the preschool registration of children from the majority and the non-majority communities. This approach provides an opportunity for the integration of Roma inclusion policies into mainstream policies.

Namely, the integration of strategic objective I (education) of the Strategy for the Inclusion of Roma and Ashkali communities into Kosovo Society 2017–2021 into the National Development Strategy 2016–2021 aims to increase inclusion in pre-primary, primary and secondary education. Other aim is to provide opportunities for personal development, training and quality education for members of the Roma and Ashkali communities. This strategy aims to increase participation of children of Roma and Ashkali communities in pre-primary education from 53.9 per cent (baseline) to 70 per cent.



Similar to the National Development Strategy, the Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo Society 2017-2021 suggests opening pre-primary classes in schools and building preschool facilities in Roma and Ashkali neighbourhoods as measures for fulfilling this goal. Thus, implementation of the envisaged intervention in the field of education within the National Development Strategy will help in the implementation of strategic objective 1.

Health

The 63-page document titled ‘Health Sector Strategy 2017–2021’ touches briefly on the health problems of vulnerable groups, describing them superficially and in broad terms. This strategy only scratches the surface of the thick layer of problems surrounding marginalised groups in this field, fails to get to the root causes of ill health among members of these groups and does not propose any practical actions or measures to deal with this issue. The strategy aims to improve access to healthcare for vulnerable groups but does not elaborate further.

With a view to addressing the needs of vulnerable groups, the Ministry of Health states that it,

“is planning the development of specific services for children with special needs (autism and Down syndrome), infrastructure projects for hospices (providing services for terminal patients), corrections to allow physical access for persons with disabilities to public health institutions, the construction of ‘warm’ channels at the University Clinical Centre and the asylum for tetraplegics, addressing the issues of gender violence and human trafficking, and strengthening the integration of health services in prisons”, noting that the “failure to address the problems of vulnerable groups would have a negative impact on the overall health of the population.”

Kosovo* adopted the Law on Health Insurance in 2014, which gave all citizens the right and obligation to have the mandatory ‘basic package’ health insurance that covers emergency, pregnancy and childbirth as well as other essential healthcare services. To date, the health insurance system has not been implemented.¹¹

While the healthcare system in Kosovo* is free and open to all of its citizens, in practice this holds true mostly for the primary healthcare system that provides basic healthcare services, health education and promotes disease prevention. Yet access to secondary and tertiary healthcare facilities is riddled with problems. The public health system does not provide many medical services because of a lack of expertise and/or medical equipment. In addition, certain lab tests and medical imaging cannot be done in hospitals for various reasons, such as the very long waiting

¹¹ www.export.gov/article?id=Kosovo-Health-Industry#targetText=In%202014%20Kosovo%20adopted%20the,system%20has%20not%20been%20implemented.

lists, and therefore patients are forced to seek help from the private sector. This is costly and unaffordable for many, especially for members of the Roma and Ashkali communities.

Health indicators for Roma, Ashkali and Egyptian communities reflect with veracity the reality of their situation in society. The infant mortality rate among Roma, Ashkali and Egyptian children is estimated to be 41 per 1,000 live births compared to 12 per 1,000 live births for the general population.¹² One in seven children under the age of five belonging to Roma, Ashkali and Egyptian communities are too small for their age. According to the vaccination scheme, only 30 per cent of children from Roma, Ashkali and Egyptian communities are fully vaccinated, while this coverage for the rest of the population is as high as 80 per cent. Their life expectancy is 58.3 years, which is considerably below the average for the rest of the population.

According to the Ministry of Health, recent data from the National Institute of Public Health NIPH show that the immunization coverage of all children living in Kosovo* regardless of ethnicity is over 95%. 7,786 children from Roma, Ashkali and Egyptian communities were vaccinated according to NIPH data. The data related to vaccination are included in the analysis are from Multiple Indicator Cluster Survey (MICS) 2014.

The only comprehensive document on the health of Roma, Ashkali and Egyptian communities that addresses all areas of concern for these communities is the Strategy for the Inclusion of Roma and Ashkali Communities in the Kosovo society 2017–2021, which apparently is not aligned with the health sector strategy issued by the Ministry of Health.

Housing

The National Strategy on Property Rights (NSPR) aims to address, strengthen and secure property rights for all of Kosovo’s* citizens.

The NSPR’s purpose is to provide a strategic vision for securing rights. It prioritizes and sequences interventions to clearly define property rights in law and to provide accessible, efficient and affordable mechanisms through which people can obtain legal recognition of their rights and then formalize their rights through registration in cadastre. Rights formalized and registered in cadastre can then be more efficiently and consistently enforced by the courts and government agencies providing greater security. To provide secure rights for all, the NSPR recognizes the challenges faced by women, displaced persons (DPs) and members of non-majority communities to fully exercise in practice their rights to property and proposes specific measures to address these challenges.

¹² UNICEF, Kosovo Programme. Available from www.unicef.org/kosovoprogramme/children-kosovo.



According to the Strategy for the Inclusion of Roma and Ashkali Communities in the Kosovo society 2017–2021, the housing needs of the members of these communities are estimated at around 6,000. Given that according to the last census there were around 36,000 members of these three communities, it means that every sixth Roma, Ashkali and Egyptian needs some sort of social housing.

For this purpose, the Assembly of Kosovo* has promulgated the Law on Housing Financing for Specific Programmes¹³ with a view to, “create the possibilities for sustainable housing for those families or individuals that are not in an economic state to endure the offers for free market dwellings and determine the means for the provision and use of financial means for the development of housing specific programmes.”

This Law is inclusive for all economically vulnerable people. The provision of social housing is the responsibility of the municipalities, while the Ministry of Environment and Spatial Planning is responsible for monitoring and for the implementation of the Law. According to Article 25, the municipalities should develop three-year programmes and projects for housing.

The Law on Housing Financing for Specific Programmes is still in force. According to the audit report on the implementation of this Law at the local level during the period 2013–2017,¹⁴ a total of 444 social housing requests of Roma, Ashkali and Egyptian communities were supported from the municipalities.

According to the Governmental annual monitoring report of the Action Plan for Roma Integration, fifteen municipalities drafted the three-year programmes, nine approved them but only four actually worked on specific projects.

Although numerous sub legal acts have been enacted to support the implementation of this Law, the Government approved the Concept Document¹⁵ for Amending the Law on Social Housing for Financing Specifics Programmes in April 2015 because of legislative complexity, gaps and difficulties in its implementation. According to the Ministry of Environment and Spatial Planning the draft Law on Social Housing is drafted and has completed all processes and public discussion, the stalemate is in the financial implication of the Law that must be harmonized with the Ministry of Finance.

¹³ [https://mmph.rks-gov.net/assets/cms/uploads/files/Legjislacioni/pdf-test%20\(48\).pdf](https://mmph.rks-gov.net/assets/cms/uploads/files/Legjislacioni/pdf-test%20(48).pdf).

¹⁴ file:///C:/Users/PC/Documents/Downloads/RaportiAuditimit_PVB_Shqip.pdf.

¹⁵ file:///C:/Users/PC/Documents/ROMA%202/KD_Banim_Social_-_MMPH.pdf.

Findings

1. Policy makers and the relevant civil society organisations often overlook the 10 Common Basic Principles¹⁶ for the inclusion of Roma and Ashkali communities when designing and implementing policy papers, projects and programmes. This holds true especially with regard to principles 2 and 4 of the Common Basic Principles. Very rarely we see targeted policies or interventions aimed at Roma and Ashkali communities that extend beyond their intended target group to include other marginalised groups. This makes the plans and actions explicit and exclusive, which is contrary to the ‘spirit’ of principle 2 that requires them to be explicit but not exclusive. In addition, little effort has been made to ensure that Roma, Ashkali and Egyptian communities benefit from broader policy initiatives; meaning that the relevant stakeholders failed to aim for mainstreaming. Roma, Ashkali and Egyptian civil society organisations are occupied mainly with the targeted approach to the promotion of Roma inclusion and do not pay sufficient attention to the idea of making mainstream policies inclusive of Roma.

On the other side, Kosovo* has Laws that are inclusive. the Government of Kosovo* has drafted a comprehensive legislation as the Law on the Protection and Promotion of the Rights of Communities and their Members in Kosovo*, the Law for Protection Against Discrimination, the Law on the Use of Languages and other mechanisms such as the Community Consultative Council, the Quota for Inclusion in the Institutions of Kosovo*.

2. The 10 per cent quota which is upheld in the new Law on Public Officials makes it easier for members of minority communities to find a job in the public sector, particularly for those with higher education. While this form of positive affirmation has proven to be an effective tool for reducing unemployment and the empowerment of minority communities in general, contrary to expectations, the data reveals that members of the Roma and Ashkali communities do not benefit from the said quota.

3. The Assessment on the Employment of Members of Non-Majority Communities in the Civil Service and Publicly Owned Enterprises, published by the Office of the Prime Minister/Office for Community Affairs in May 2013, is the most comprehensive document on the employment of members of the Roma, Ashkali, and Egyptian communities. This in-depth analytical assessment of non-majority representation in the Civil Service was conducted in order to obtain an accurate picture of the representation of minority communities in the Civil Service and in publicly owned enterprises as well as to measure the level of implementation of the legally binding 10 per cent quota for minority communities. In addition to being analytical, the study is also comparative in that it compares the current situation with that of 2010. The employment of non-majority communities in central and local level institutions was at 7.7 per cent in 2013. Moreover, Roma, and

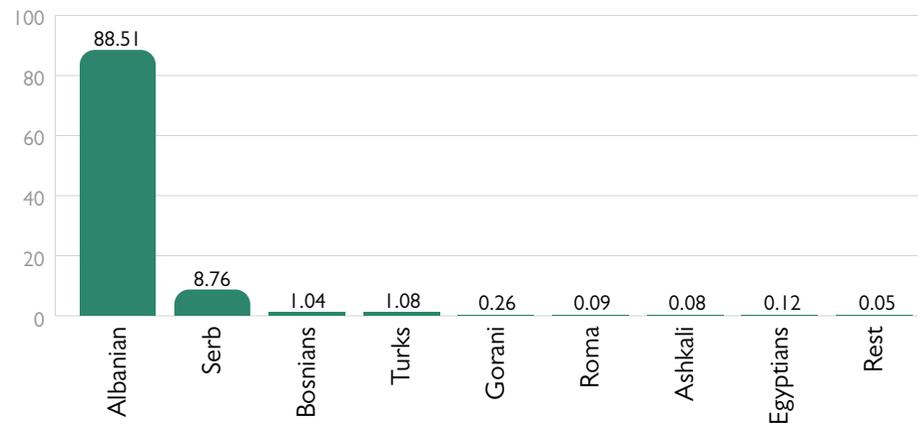
¹⁶ <https://op.europa.eu/en/publication-detail/-/publication/7573706d-e7c4-4ece-ae59-2b361246a7b0>



Ashkali are relatively underrepresented compared to their share of the population. The situation in publicly owned enterprises is not satisfactory (members from non-majority communities comprising is just 2.2 per cent of the employees in these companies). There was a slight negative trend in the data reported in 2010 on non-majority representation in publicly owned enterprises. However, the representation of non-majority communities in the local government civil service has improved compared to the 2010 report (from 5.5% to 8.8%).

Recent data suggests that while employment within minority communities has increased and exceeded the 10 per cent quota, this increase has been largely disproportionate. The 2018 Report on the Situation of the Civil Service prepared by the Department for Civil Service Administration revealed that minority communities made up more than 11 per cent of Civil Service employees at the local and central level in 2017.

The table below shows the composition of the Civil Service at the local and central level in 2017, sorted according to ethnicity. This table implies Roma, Ashkali and Egyptian communities have benefited the least from the 10 per cent quota policy.



herefore, **measures should be taken to ensure that the composition of the civil service reflects the diversity of the people and that the 10 per cent quota is shared fairly among the minority communities proportionate to their share of the population.**

4. Members of marginalised groups, including those from Roma and Ashkali and Egyptian communities, are more likely to end up working in the informal economy where they are underpaid, do not enjoy legal and health protection and are subject to unsafe working conditions. **Transformation of the undeclared work of Roma into a regular market economy should be introduced.**

5. Members of the Roma and Ashkali communities suffer from poorer health than the majority population. This holds true and is largely attributable to systematic exclusion. The low level of education, poor living conditions and lack of health education also play a role. Currently, there are no health programmes specifically targeting the Roma and Ashkali communities or other vulnerable groups. **The government should prepare specific programmes tailored to the needs of vulnerable groups. The strategy in the health sector needs to be aligned and harmonised with the Strategy for the Inclusion of Roma and Ashkali Communities in the Kosovo society.**

6. Civil registration and especially nonregistered children are serious challenge that is prevalent in many post-conflict places. This can last for years due to the destruction of civil registration documents.

Kosovo* has undertaken measures against statelessness in line with the most reputable international conventions on the prevention of statelessness. The institutions have undertaken to: improve the legislation and implementation of laws aimed at preventing statelessness among children, raising awareness on the importance of birth registration so that no child remain unregistered. **The Law on Citizenship contains provisions aimed at facilitating the acquisition of citizenship.**

The lack of awareness about the importance of registration and the inability to pay administrative fees are the main reasons for the high number of unregistered children among the Roma, Ashkali and Egyptian communities. An UNHCR report claims that 618 members of these communities, roughly 2.5 per cent, are at risk for statelessness. Of this number, 65 per cent were children.¹⁷ According to the Ministry of Local Government Administration, the Ministry every year sends a notification letter to the municipalities to declare the month of April as free of charge for the registration of persons and children born outside the health care system. The Ministry of Local Government Administration in cooperation with the Ministry of Internal Affairs are monitoring the civil status registration based on two Administrative Instructions no. 24/2015 and no. 17/2015 issued by the Ministry of Internal Affairs. **This information should be more visible and available among the Roma communities.**

7. Primary, secondary and tertiary healthcare services are open to all inhabitants (including unregistered children) and are free of charge. No person should be denied access to healthcare services but the challenge is that the public sector does not perform many diagnostic and therapeutic procedures. **Unregistered children can receive treatment and care at private hospitals but they have to pay for these services. The Government should introduce a system and bear the cost for the vulnerable groups who are not able to afford the services.**

¹⁷ www.unhcr.org/ibelong/kosovo-joint-strategy.



8. **Roma inclusion policies do not pay sufficient attention to public communication**, which can play a leading role in achieving greater acceptance within society.

9. When it comes to the gender dimension, mainstream policies fail to address the issue of child support and to a lesser extent domestic violence and human trafficking. While child support is not mentioned in the Strategy for the Inclusion of Roma and Ashkali Communities, **the issue of domestic violence and human trafficking is addressed in a single sentence under the 'information campaign on the welfare scheme and provision of social services'** wherein it states that, "NGOs should inform women and children of these communities about their rights and services available in cases of domestic violence."¹⁸

Good practices

1. Setting quotas as good practice: the policy on quotas did not prove to be an efficient tool for alleviating inequality and unemployment among members of the Roma and Ashkali communities although it has provided them with opportunities for employment. The quota policy is beneficial and should be continued, while the implementers should ensure representation proportionate to its share of the population for each minority.

2. A project of 40 community-based learning centres was established by civil society organisations with the financial support of foreign donors. They have been operational in 15 municipalities since 2000 with the aim of improving school performance, preventing early school-leaving, providing education on sexual and reproductive health as well as other measures. This project is explicit but not exclusive. It is explicit in the sense that it targets children from minority communities, primarily Roma, Ashkali and Egyptian, but non-exclusive in the sense that it is open to children from all communities who underperform or are at risk for abandoning school. Over the years, the learning centres have become a success story so much so that they are now being integrated into the education system. In order to support students from Roma, Ashkali and Egyptian communities to improve their performance, MEST has developed an Administrative Instruction 19/2018 that clarifies the definition of criteria and procedures for the establishment and operation of Learning Centres, through which additional education is provided for students of communities. The purpose of the Instruction is to assist civil society organizations or municipalities that wish to establish or continue to lead Learning Centres. To register a learning centre, the applicant must meet certain conditions and criteria which are set out in the Administrative Instruction.

3. Prevention and response teams to keep track of class attendance and early school-leaving and act accordingly.

4. The work of the respective municipal directorates for education and the work of the Municipal Committee for Reintegration of Repatriated Persons, coordinated by the Municipal Office for Communities and Return, enable all children of returnees to quickly and easily reintegrate into the education system.

5. The Municipality of Prizren is the first municipality to instigate classes within the primary education system in the Roma language and classes for learning about Roma history and culture.

Obstacles

1. A lack of education limits job opportunities. Education is important for individual and collective empowerment. Many children from vulnerable communities are in child labour in order to help their families.

2. The issue of the early marriage does not help the cause either. This sensitive issue calls for a holistic approach. Adequate measures and interventions could yield enormous results. Incentives from the government and municipalities in the form of grants for pupils and students, allowances for the families and work with community members on the importance of education and against early marriage are some of the measures/interventions to deal with this issue.

3. Most common obstacle for higher educated Roma to getting jobs in the private sector is a lack of previous experience. This is a situation that many young people (including those from the majority population) find themselves in. And sometimes this requirement is used as an excuse for not employing members of minority communities. However, the 10 per cent quota should make it easier for educated Roma and Ashkali to get a job in public institutions.

4. Most civil society organisations that deal with issues of interest to the Roma, Ashkali and Egyptian communities lack the necessary capacities and know-how to implement complex projects and to aim at mainstreaming.

¹⁸ http://kryeministri-ks.net/wp-content/uploads/docs/ANG-STRATEGJIA_P%C3%8BR_P%C3%8BRFSHIRJEN_E_KOMUNITETEVE_ROM_DHE_ASHKALI_N%C3%8B_SHOQ%C3%8BRIN%C3%8B_KOSOVARE_2017-2021.pdf.



Recommendations

1. Ensure better understanding and implementation of the Common Basic Principle on Roma Inclusion, paying special attention to the principle 2 'Aiming for the Mainstream'¹⁹.
2. In order to mainstream Roma inclusion into general programmes, projects and interventions, capacity development and exchange of practice interventions for stakeholders should be ensured.
3. Ensure that specific reference to Roma and other vulnerable groups is included in all mainstream policy papers that address the issue of social inclusion.
4. Undertake the necessary steps toward implementation of vocational training programmes and increase minority enrolment in these programmes.
5. Ensure that members of the Roma and Ashkali communities are informed about the available training and employment opportunities that are open to all citizens.
6. Transform the undeclared work of Roma into a declared work by making the conduct of declared work more beneficial and easier for employers and employees.
7. Fight dual discrimination against Roma and Ashkali women by setting quotas within employment and increasing the level and number of available grants and scholarship schemes.
8. The relevant authorities should undertake the necessary steps to ensure better alignment of Roma inclusion strategies with central policies on education, employment, public health and housing.
9. Housing policy experts should be led by the NSPR that provides secure rights and recognizes the challenges faced by women, displaced persons (DPs) and members of non-majority communities when planning housing measures for Roma and Ashkali communities.
10. Collecting data on housing, mapping the needs of the Roma settlements has to become a regular practice of the responsible institutions led by the line Ministry of Environment and Spatial Planning.
11. Developing programs, ensuring funds and providing social housing to be systematic responsibility of the municipalities.
12. The Ministry of Environment and Spatial Planning to establish monitoring for the implementation of the Law on Housing Financing for Specific Programmes.
13. The Agency for Civil Registration to facilitate the acquisition of citizenship for unregistered people and provide legal advice for issuing civil registration documents while raising awareness and promoting the above mentioned legislation.
14. The relevant authorities and civil society organizations should increase their activities to better inform the communities about the availability of health services such as vaccination, screening for various diseases, reproductive health for women and the work of the socio-medical counselling centres and mobile clinics.
15. Draft specific educational curricula on Roma and Ashkali culture and history and introduce it in the educational system. That will lead to promoting anti-discrimination and fighting prejudices as well.
16. The Ministry of Education, Science and Technology and the relevant municipalities should take ownership and jointly fund the learning centres. The Ministry should undertake steps as necessary to increase the number of learning centres in other municipalities.
17. Every mainstream policy can and should be used to push forward the integration of communities. Central policies have the potential (without the need to tailor them to specific targets for certain marginalised groups) of serving the cause of Roma integration as most of them intertwine with the Roma integration plans:
 - a. The National Development Strategy 2016–2021, which centres on human capital and education and envisages interventions aimed at increased enrolment in pre-primary and the enhanced quality of teaching in pre-university education;
 - b. Align sectorial strategies on healthcare, education, employment and housing with the Roma integration goals;
 - c. The Civil Sector should set quota policies to ensure that the Roma and Ashkali communities benefit from the 10 per cent policy proportionate to their share of the population.

¹⁹ ec.europa.eu *Substantive policies on Roma integration - Recommendations to Member States*



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