



ROMA
INTEGRATION

Regional Cooperation Council

ANALYSIS OF
MAINSTREAM
POLICIES TARGETING
ROMA AND EGYPTIANS
INTEGRATION
IN MONTENEGRO



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Publisher: Regional Cooperation Council Roma Integration Action team
Ruzveltova 61, 11 000 Belgrade, Serbia
Tel: +381 (11) 4046 891
Fax: +381 (11) 4046 894
E-mail: romaintegration2020@rcc.int
Website: rcc.int/romaintegration2020/

Author: Sanja Elezovic

Editor: Orhan Usein

Consulting editors: Shejla Fidani

Design: Samir Dedić

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ANALYSIS OF MAINSTREAM POLICIES TARGETING ROMA AND EGYPTIANS INTEGRATION IN MONTENEGRO

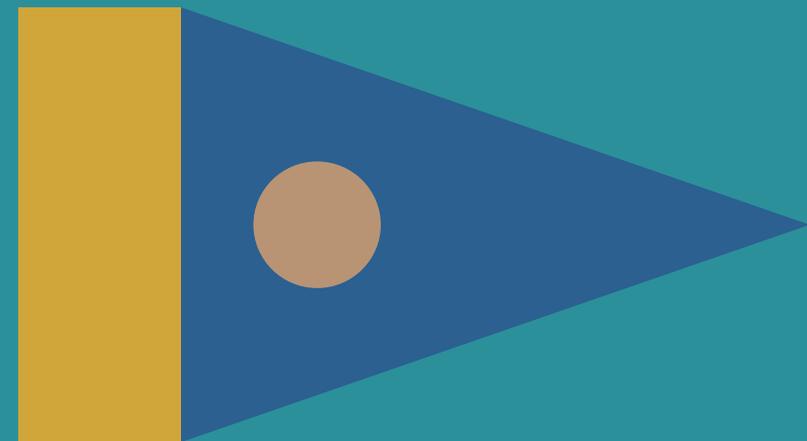
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INTRODUCTION





The purpose of the analyses is to provide input for constructive and evidence based discussion on effective ways to incorporate Roma integration into the mainstream policies. This will serve as a starting point for the development of key central and regional interventions and policies for Roma integration in education, employment, housing and health within the existing mainstream policies.

Methodology

I. Desk review

This encompassed the following legislation, standards and policies important to the improvement of the position of Roma and Egyptians:

- › The set of central laws in the area of, among others, education, health, employment, housing, culture and anti-discrimination;
- › international standards, including European Union, Council of Europe, OSCE and United Nations declarations and conventions;
- › the Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, which sets the goals and measures in the areas of education, housing, employment, health, social protection, registration and culture;
- › the Action Plan for Social Integration of Roma and Egyptians in Montenegro for 2019;
- › the Action Plan for Implementation of Obligations within Chapter 23 of the Acquis;
- › the Economic Reform Programme 2015–2017 for accelerated and sustainable economic growth, which defines the measures for implementation of service contracts and grant schemes to increase employability and access to the labour market for hard-to-employ persons;
- › the Employment and Social Reform Programme 2015–2020, which covers policies and measures related to the labour market, employment, skills and knowledge development, social justice and social inclusion;
- › the Strategy for Sustainable Development by 2030;
- › Key European and regional development documents, including 'Europe 2020', 'SEE 2020', Regional Cooperation Council policy papers, conclusions and recommendations from Roma seminars (organised by the EU Delegation Montenegro) and conclusions and recommendations of public policy forums on the social integration of Roma held in Montenegro;
- › Key international research, such as the Regional Cooperation Council Balkan Barometer, UNICEF/Directorate of Statistics MONSTAT, Multi-Indicative Cluster Survey and the World Bank research 'Breaking the Circle of Roma Exclusion in the Western Balkans'.

2. Meetings with key stakeholders

This included members of the Commission for Monitoring Implementation of the Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016 – 2020 and representatives of civil society organizations and Roma activists. The purpose of the meetings was to identify and discuss weak points and areas for improvement regarding the policy framework and mainstreaming of Roma inclusion policies. A comprehensive list of the interlocutors is presented at the end of this document.

3. Development of the analysis

This was based on the desk review and input received from the interlocutors. The final document was developed and recommendations for enhanced mainstreaming for each of the relevant policies defined and presented.

The analysis of mainstream policies on Roma in Montenegro comprises the sections listed below.

1. The context provides an overview of the situation of Roma in Montenegro and explains the policy and institutional framework for the social inclusion of this minority.
2. Four chapters, each dedicated to one of the areas addressed by the research (education, employment, housing and health). All of the chapters are designed in accordance with the structure agreed with the Roma Integration Action Team:
 - › legislation in the respective field (a review of the legal provisions contained in mainstream policies related to social inclusion, diversity and non-discrimination);
 - › strategies (a review of mainstreaming measures for the implementation of social inclusion, diversity and non-discrimination as well as targeted measures for Roma);
 - › the annual plans of the institutions (the plans of the main institutions responsible for the implementation of mainstreaming and targeted measures for 2019);
 - › examples of successful or promising measures (experiences and methodologies for mainstreaming policies in the respective areas inclusive of Roma);
 - › the existing obstacles to benefitting from mainstream policies;¹
 - › recommendations.
3. Conclusions
4. List of interlocutors
5. Annex 1. International Standards
6. Annex 2. Trends in Social Integration of Roma: A comparative review of the results for Montenegro in 2011 and 2017 (based on the regional research 'Breaking the Cycle of Roma Exclusion in the Western Balkans')
7. Literature

¹ In addition, the obstacles to Roma benefitting from targeted policies are pinpointed in the area of education.



Context

According to data² from the census on the population, households and apartments in Montenegro, 6,251 persons or 1.01 per cent of the total population declared that they belong to the Roma minority and 5,169 persons declared that they use the Romani language as their mother language. The largest number of Roma live in the territory of Podgorica (3,988), followed by Berane (531), Nikšić (483), Bijelo Polje (334) and Herceg Novi (258). The majority of those of Egyptian descent live in Podgorica (685), Nikšić (446), Tivat (335) and Berane (170). The majority of Roma speak the official language (Montenegrin) or the Gurbet dialect of the Romani language. The majority of those of Egyptian descent speak the Albanian language.

By signing the Charter on Regional and Minority Languages, Montenegro committed itself to include the Romani language in the education system in order to enable Roma and all other interested children to study in the Romani language. However, the Romani language has yet to be standardised in Montenegro. The Government has to resolve this issue in order to comply with the obligations deriving from the Charter.

The results of the latest research indicate that Roma continue to face difficulty in integrating into society in Montenegro and in the region in general. According to the Balkan Barometer 2019 survey³ conducted in the economies of South East Europe, Roma remain victims of deep rooted prejudice in both the social and professional settings and receive significantly less support in terms of affirmative action compared to other vulnerable groups.

More than a quarter of the population of South East Europe are unwilling to work or do business with Roma. The results of the research conducted by the Center for Democracy and Human Rights CEDEM in Montenegro in June 2019⁴ shows that Montenegrins appear to maintain the highest level of ethnic distance toward Roma and that this is a trend that has applied to each measurement of distance in Montenegro since 2007. These results show that despite all of the efforts to improve the position of Roma in general further efforts are required in order to achieve equality and respect for the rights guaranteed through the central and international legislation. Local policies and local government should also invest additional effort to implement central and international anti-discrimination policies and to contribute to a narrowing of the gap

2 Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, p. 7. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=236962&rType=2&file=The%20Strategy%20for%20Social%20Inclusion%20of%20Roma%20and%20Egyptians%20in%20Montenegro%202016-2020%20and%20AP%20for%202016.pdf

3 Balkan Barometer 2019, an analytical public opinion survey by the Regional Cooperation Council. Available from www.rcc.int/pubs/89/balkan-barometer-2019-public-opinion-survey

4 The Centre for Democracy and Human Rights, Međuetnički odnosi i etnička distanca u Crnoj Gori (Interethnic relations and ethnic distance in Montenegro), Montenegro, 2019. Available from www.cedem.me/publikacije/studije-i-javne-politike/send/69-studije-i-javne-politike/1946-analiticki-izvjestaj-etnicka-distanca-u-crnoj-gori-2019

between Roma and non-Roma citizens. One example of a positive step taken in this direction is the Municipality of Tivat. This municipality is one of the 122 municipalities and regions from 34 economies that have signed the Declaration against Antigypsyism⁵ since 2016.

The most recent report⁶ of the European Commission indicates that strong efforts are needed from the Montenegrin authorities in order to strengthen the institutional framework and implement effective protection of human rights. Montenegro needs to ensure that adequate institutional mechanisms are in place to protect vulnerable groups from discrimination. Implementation of the legislation remains weak and the institutional capacity for human rights needs to be increased. The Roma remain the most vulnerable and most discriminated community in Montenegro.

Gender-based violence and violence against children remain issues of serious concern within the population.⁷ According to reports by the United Nations CEDAW Committee⁸ and the Council of Europe experts (GREVIO),⁹ all types of discrimination and social deprivation continue to have a significant effect on Roma women. This includes, among others, their non-regulated legal status, poverty, unemployment, low education rate, high risk of infectious and chronic diseases, violence and exposure to environmental hazards.

Through the introduction of the SOS Line for Victims of Domestic Violence (NSOSL)¹⁰ and NGO outreach services for vulnerable groups and Roma settlements, women are now in a better position to report violence. Illegal child marriages are still present among this population. This practice exposes girls to the worst forms of violation of their basic human rights, diminishes their prospects for education, employment and social integration, destroys their health and negatively affects all aspects of their life.

5 The Congress of Local and Regional Authorities of the Council of Europe officially endorsed the Declaration against Antigypsyism during its 32nd Congress Session that took place from 28 to 30 March 2017. By November 2019, 122 municipalities and regions from 34 economies had signed the Declaration. By signing, the signatories expressed their willingness to reject all forms of discrimination, violence or incitement to hate speech against Roma in their municipalities or regions. They refuse to display, publish or distribute in any way shape or form views and positions that could stir or incite anti-Roma sentiment. They declared their commitment to refrain from any political alliance building or co-operation with political parties that incite racial or ethnic prejudice. Rather they encourage members of the Roma and 'traveller' communities to become active themselves in political representation and to represent ethnic minority groups as an integral part of the democratic process.

6 Communication on EU Enlargement Policy, Commission staff working document on Montenegro 2019, Brussels, 2019, p. 24. Available from <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>.

7 According to data received from the SOS line, 51 Roma women and women of Egyptian descent reported violence during the period March 2018 to August 2019.

8 United Nations Committee for Monitoring Implementation of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

9 A group of experts established under the Council of Europe Convention against Violence against Women and Domestic Violence that is mandated to monitor implementation of the Convention by the signatory parties.

10 The Government financed the SOS Line, managed by the NGO the SOS Hotline for Women and Child Victims of Violence.



Montenegro has the legal framework in place to fight the practice of illegal child marriages but the institutional framework is not yet prepared to effectively and efficiently prevent or legally process existing cases or protect the victims. Although the relevant institutions cooperate with women's NGOs on raising awareness about the need to prevent illegal child marriages, none of the 50 cases reported by the NGO the Centre for Roma Initiatives have been processed by the courts in the last six years.

In order to address the aforementioned shortcomings Montenegro should in particular further strengthen the human rights institutions and the Ministry for Human and Minority Rights (MHMR) to ensure effective implementation of fundamental rights policies on gender equality, child rights, minority rights and the rights of persons with disabilities by securing a sufficient budget allocation for implementation and improvement of the capacities of the relevant institutions as well as inter-institutional coordination.¹¹

Policy and institutional framework for the social inclusion of Roma and Egyptians

The legal and strategic framework is adjusted to key European policies related to Roma integration. The core document in this regard is the EU Framework for Roma Integration Strategies,¹² which encourages governments to adopt and/or further develop a comprehensive approach to Roma integration. To ensure that effective policies are in place, the Commission proposes that Roma integration strategies be designed or where they already exist be adapted to meet the goals of EU Roma integration, with targeted actions and sufficient funding (national, EU and other) to deliver them.

The framework proposes solutions to address the current barriers to the more effective use of EU funds and lays the foundation for a robust monitoring mechanism aimed at ensuring concrete results for Roma.¹³ It emphasises the key areas of education, employment, housing and health and calls on the Government to focus on measures that will be efficient, measurable, sustainable and capable of achieving tangible measurable results through the adequate allocation of funds and

¹¹ Communication on EU Enlargement Policy, Commission staff working document on Montenegro 2019, Brussels, 2019, p. 32. Available from <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>

¹² European Commission, European Union Framework for Roma Integration Strategies up to 2020, Brussels. Available from https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-and-eu/roma-integration-eu_en#nationalromaintegrationstrategies; <https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX%3A52011DC0173>

¹³ Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, p. 5. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=236962&rType=2&file=The%20Strategy%20for%20Social%20Inclusion%20of%20Roma%20and%20Egyptians%20in%20Montenegro%202016-2020%20and%20AP%20for%202016.pdf

quality monitoring when developing strategies. The final aim is to reduce as far as possible the gap that exists between Roma and Egyptians and the general population.

Currently, targeted measures aimed at the social integration have been developed and implemented under the Strategy for Social Inclusion of Roma and Egyptians 2016–2020 and its action plans. Roma and Egyptians are recognised as indirect beneficiaries of other central multi-sectorial strategies that target specific social groups such as youth and people with disabilities. In addition to the central legislation, international treaties ratified by the government of Montenegro¹⁴ also guarantee respect for fundamental human rights and freedoms and the rights of minorities.

The Government of Montenegro maintains regional cooperation in regard to Roma integration and signed the Roma Integration Declaration during the Western Balkans Summit in Poznan in July 2019. The Declaration emphasises in particular the importance of achieving the targeted policies for Roma and calls for the development of regional standards for the inclusion of Roma into mainstreaming policies.¹⁵

¹⁴ The international standards and documents are available in annex to this document.

¹⁵ Declaration of Western Balkans partners on Roma Integration within the European Union enlargement process, Poznan, July 2019. Available from www.rcc.int/docs/464/declaration-of-western-balkans-partners-on-roma-integration-within-the-eu-enlargement-process.



I. EDUCATION

I.1 Legislation

Article 75 of the Constitution of guarantees the right to education under equal conditions and stipulates that primary education is obligatory and free of charge. The education system is defined through a set of laws that cover all aspects of education, ranging from early preschool education to adults education. A separate law regulates university education. The laws, regulations and strategic documents are in line with international conventions and European policies related to the Roma community. The legislation includes the¹⁶ General Law on Education, the Law on Preschool Education, the Law on Primary Education, the Law on Education of Children with Special Educational Needs, the Law on Gymnasium, the Law on Higher Education, the Law on Vocational Education and the Law on Adult Education, while certain provisions are also contained in the Law on Minority Rights and Freedoms.

Article 2 of the Law on General Education¹⁷ states that education is intended to provide the possibility for complete individual development regardless of sex, age, social and cultural background, national and religious affiliations and of physical and psychological structure. It further states that it is intended to develop awareness on the need and the capabilities to maintain and improve human rights, the legal state of the natural and social environment and multi-ethnicity and diversity.

In line with Article 4 of the Law on Primary Education,¹⁸ primary education is compulsory and free of any tuition fees for all children from the age of 6 to 15 and parents or tutors must ensure that their children abide to complete primary education. Article 9 of this Law states that the education of children with learning difficulties shall be conducted by the school in a manner adjusted to the methods and forms of work that enable learning through remedial teaching and other forms of individual and group help. The Law on Primary Education defines penal

¹⁶ Radović, M. and Međedović, K., Analysis of legal and institutional mechanisms for provision of social integration services of Roma and Egyptian in Montenegro with analysis of uncovered competencies and missing support services, Podgorica, 2019, p. 27. (This Study was developed within the ROMACTED Regional Programme of the Council of Europe and the EU).

¹⁷ Law on General Education, Official Gazette of Montenegro, No. 064/02, dated 28 November 2002, No. 031/05, dated 18 May 2005, No. 049/07, dated 10 August 2007, No. 004/08, dated 17 January 2008, No. 021/09, dated 20 March 2009, No. 045/10, dated 04 August 2010, No. 073/10, dated 10 December 2010, No. 040/11, dated 08 August 2011, No. 045/11, dated 09 September 2011, No. 036/13, dated 26 July 2013, No. 039/13, dated 07 August 2013, No. 044/13, dated 20 September 2013 and No. 047/17, dated 19 July 2017. Available from www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=200926&rType=2&file=Op%C5%A1ti%20zakon%20o%20vaspitanju%20i%20obrazovanju.docx.

¹⁸ Law on Primary Education, Official Gazette of Montenegro, No. 064/02, dated 28 November 2002, No. 049/07, dated 10 August 2007, No. 045/10, dated 04 August 2010, No. 040/11, dated 08 August 2011, No. 039/13, dated 07 August 2013 and No. 047/17, dated 19 July 2017. Available from

www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=317777&rType=2&file=Zakon%20o%20osnovnom%20obrazovanju%20i%20vaspitanju.doc.docx.



provisions¹⁹ according to which parents can be punished by a fine ranging from one half to ten times the amount of the minimum wage in Montenegro for the violation of this Law. Namely, if the child is not enrolled into school or the child has not been attending school.

According to data collected in 2018 through the Multiple Indicator Cluster Survey,²⁰ 16 per cent of children aged 36–59 months from Roma Settlements in Montenegro attended early childhood education. This figure was higher among female, urban and the richest populations. When it came to primary education, 77 per cent of children of primary school age (as of the beginning of the school year) attended primary or secondary school. At the same time, 7 per cent of children of secondary school age (as of the beginning of school year) from Roma settlements attended secondary school or higher. The completion rate for primary school was 56 per cent, but the completion rate for secondary school was significantly lower at just 3 per cent.

According to official data from the MEIS application, obtained from the Ministry of Education, these data improved significantly in 2019 and 2020:

- › 2018/19 the number of Roma and Egyptian children in preschool was 191 while in 2019/20 is 208;
- › 2018/19 the number of children enrolled in primary schools was 1799, and in 2019/20 that number is 1830 children;
- › In 2018/19, the number of high school students was 135, in 2019/20, the number is 142;
- › Furthermore, out of a total of 1799 primary school students in the 2018/19 school year, 1596 of them successfully completed the class that the student attended (about 88%).
- › The ninth grade, out of a total of 97 students, 88 of them successfully completed the grade (about 90%) and out of that number, 55 enrolled in the first grade of high school (more than 62%).

2018/19 out of 135 students enrolled in a high school class, 105 of them successfully completed the class, (about 77%) and of that number, 19 students completed the high school final grade with success.

Article 6 of the Law on Higher Education stipulates the creation of the conditions for unrestricted access to higher education as one of the main objective of higher education. Higher education shall be available to all persons and must not be restricted directly or indirectly on the basis of gender, race, marital status, skin colour, language, religion, political or other affiliation, national,

¹⁹ Ibid.

²⁰ UNICEF Montenegro and the Montenegrin Statistical Bureau (MONSTAT) developed the Multiple Indicator Cluster Survey in 2018. Available from www.unicef.org/montenegro/en/statistical-snapshot-roma-population.

ethnic or other aspect of origin, financial status, disability or any other similar grounds, position or circumstances, in compliance with the specifics of the Law.²¹

The Law on Adult Education regulates adult education and learning. According to Article 3, adult education²² is aimed at the attainment of at least primary education and the first qualification for all citizens, raising the level of education, i.e. the functional literacy of citizens; inclusion of the most vulnerable groups of the population through different forms of education and learning with a view to their integration. The Law also prescribes that an adult shall not have to pay for the acquisition of primary education or training for the first qualification.

1.2 Strategies

Measures to ensure education for Roma are defined through the Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020. The action plans are under implementation of the Ministry of Education, the Ministry for Human and Minority Rights and schools as well as non-governmental organisations that are often partners in the implementation of such measures.

The Ministry for Human and Minority Rights prepares annual reports on the implementation of the Strategy. According to the report for 2018,²³ in the school year 2018/19 there were 191 Roma and Egyptian children enrolled in preschool education. The number of pupils included in primary education was 1,799 or 2.66 per cent of the total number of children enrolled in primary schools in Montenegro.

In cases where parents did not have the necessary documentation or resolved legal status to enrol their children in primary school these children were allowed to enrol but the parents were obliged to submit the necessary documentation during the course of the school year. In secondary school education, in the 2018/19 school year there were 137 pupils (75 male and 62 female) from the Roma and Egyptian minorities who regularly attended the classes, which

²¹ Law on Higher Education, Official Gazette of Montenegro, No. 044/14, dated 21 October 2014, No. 052/14, dated 16 December 2014, No. 047/15, dated 18 August 2015, No. 040/16, dated 30 June 2016, No. 042/17, dated 30 June 2017, No. 071/17, dated 31 October 2017, No. 055/18, dated 01 August 2018 and No. 003/19, dated 15 January 2019. Available from www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=282638&rType=2&file=Zakon%20o%20visokom%20obrazovanju%20-%20jul%202017.pdf.

²² Decree promulgating the Law on Adult Education, Official Gazette of Montenegro, No. 20/11 from 2011. Available from www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=282602&rType=2&file=Zakon%20odrasli.pdf.

²³ Report on the Implementation of the Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020 for 2018. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=357564&rType=2&file=lzvje%20o%20spov%20C4%91enju%20Strategije%20za%20sociojalnu%20inkluziju%20Roma%20i%20Egip%20C4%87ana%20u%20CG%202016-2020%20za%202018.pdf.



in percentage terms represented 0.48 per cent of the total number of children enrolled in secondary schools in Montenegro.²⁴

A system to identify those at risk of early school-leaving is now in place and a protocol on the prevention of and action in response to children leaving school prior to its completion has been adopted. An important subject in the education process relates to mediators/associates for education. As from the school year 2018/2019, associates have been included as part of the official education structure within the Ministry of Education. Each school decides on the number of associates for social inclusion and announces an open call based on the number of Roma and Egyptian pupils.

The action plans of the Strategy for Social Inclusion of Roma and Egyptians²⁵ emphasises a number of measures and activities in the field of education. These include increased enrolment and a reduction in early school leaving at all levels of education, permanent employment of associates for the social inclusion of Roma and Egyptian children in the field of education, the purchase and distribution of textbooks in grades I, II and III.

It also stresses the need for affirmative action and set quotas for enrolment in secondary schools of different orientation, scholarships to secondary school for Roma and Egyptian pupils and the organisation of a secondary school enrolment campaign with particular focus on girls and their parents. It further emphasises the need to prepare a rulebook on the criteria and conditions for the award of scholarships, the award of scholarships to university students and the provision of free accommodation in the student dormitories.

It advocates for a campaign aimed at encouraging enrolment in kindergarten, primary, secondary and higher education and the establishment of an adult education programme on elementary literacy and education for Roma and Egyptians, organisation of winter and summer excursions and camps, education and training for parents, measures aimed at reducing the number of early school leaving through the provision of transportation and tutoring classes.

All of these measures are of a continuous nature and have been included in each action plan since 2016 in relation to the Strategy for Social Inclusion of Roma and Egyptians in Montenegro and a few measures are partly covered and elaborated within the strategies and documents in the field of education.

²⁴ Ibid.

²⁵ Action Plan for the Implementation of the Strategy for Social Inclusion of Roma and Egyptians in Montenegro for 2019.

The Inclusive Education Strategy (2019–2025) sets out directions for the development of education for children with special educational needs.²⁶ This strategy²⁷ allows sufficient room for school management to engage teachers and assistants to use their capacities to develop classes and programmes that will provide additional support for Roma children in the process of education. Individual Transition Plan I (ITPI) was developed for children with additional educational needs in order to facilitate their transition from primary to secondary education.

In line with measures from the Inclusive Education Strategy, schools dedicate special attention to antidiscrimination. According to the strategy, antidiscrimination activities at the school level are organised once a year and involve pupils and teachers with the aim to jointly strengthen attitudes of acceptance and reduce discrimination.²⁸

The Strategy for Early and Preschool Education 2016–2020²⁹ highlights key areas, tasks and activities and suggests a combination of services and activities intended to make them actionable and measurable for short and long-term implementation. The strategy recognises Roma children as a vulnerable group for whom the failure to attend the preschool programme can create even greater barriers to their linguistic and cultural participation in primary school.

The Strategy for the Development of Higher Education (2016–2020) defines measures related to the provision of scholarships for the students.³⁰ Within the domain of indirect funding, the Ministry of Education offers a comprehensive package of support for students that comprises of scholarships for the best students and student loans.³¹

²⁶ Pursuant to the Law on Upbringing and the Education of Children with Special Educational Needs (Official Gazette of Montenegro, nos. 80/2004, 45/2010 and 47/2017) the term 'children with special educational needs' includes children with disabilities, physical, intellectual, sensory, combined and autism spectrum disorders, speech and language disorders, severe chronic illness, long-term ill children and other children with learning disabilities and other difficulties that are caused by emotional, social, linguistic and cultural barriers. Available from www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=200941&rType=2&file=Zakon%20o%20vaspitanju%20i%20obrazovanju%20djece%20sa%20posebnim%20obrazovnim%20potrebama.docx

²⁷ The Inclusive Education Strategy (2019-2025), Ministry of Education of Montenegro, UNICEF Montenegro, Podgorica, 2019. p. 3. Available from www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=325543&rType=2&file=Nacrt%20Strategije%20inkluzivnog%20obrazovanja%202019%20-%202025%20za%20javnu%20raspravu.pdf

²⁸ Ibid. Page 9.

²⁹ Ministry of Education, UNICEF Montenegro, Strategy for Early and Preschool Education 2016–2020, Podgorica, February 2016. Available from [www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=221458&rType=2&file=Strategija%20ranog%20i%20pred%20C5%20Al%20kolskog%20vaspitanja%20i%20obrazovanja%20u%20Crnoj%20Gori%20\(2016-2020\).pdf](http://www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=221458&rType=2&file=Strategija%20ranog%20i%20pred%20C5%20Al%20kolskog%20vaspitanja%20i%20obrazovanja%20u%20Crnoj%20Gori%20(2016-2020).pdf)

³⁰ According to the Report on the Implementation of the Action plan for 2018, in the second semester of the academic year 2017/18 Roma students and 17 students of Egyptian descent (11 female and 6 Male) were awarded scholarships. In the first I semester of the academic year 2018/19 14 Roma students and students of Egyptian descent (7 female and 7 male) were awarded scholarships

³¹ Ministry of Education, Strategy for the Development of Higher Education in the Montenegro (2016-2020), Government of Montenegro, Podgorica, July 2016, p. 12. Available from www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=244534&rType=2&file=Strategija%20razvoja%20visokog%20obrazovanja%20u%20Crnoj%20Gori%202016-2020.doc



A specific recommendation to decision makers in this regard is to take the necessary steps to increase the impact that the material status of students has on the award of scholarships, the right to accommodation in student dormitories, student loans and other instruments of support and the determination of tuition fees. This would help students that experience material hardship in terms of their gaining equal conditions for education and equal opportunities to complete their education successful.³² The Strategy for Social Inclusion of Roma and Egyptians also defines measure related to scholarships.

The Youth Strategy³³ defines measures aimed at preventing or reducing the early school-leaving rate at the community level. According to the Strategy, over the course of its development, only 7 per cent of young Roma and Egyptians completed secondary school compared with 86 per cent of the general population. The fact that this issue is not getting the attention it deserves is supported by the claim that 93 per cent of Roma parents and 83 per cent of other parents whose children early left school were not contacted. Legislation provides for certain penalties against parents whose children do not attend school regularly or leave school early. The protocol on the procedure and prevention of early school-leaving envisages the steps that schools should take in order to monitor irregular attendance and prevent early school leaving.

The Strategy for the Development of Vocational Education 2015–2020³⁴ emphasises the necessity to operationalize cooperation between primary and secondary schools and between secondary schools and the labour market in order to monitor continuously the professional orientation of pupils with special educational needs. Therefore, all schools should implement an ‘individual transition plan’, which is also predicted in the Inclusive Education Strategy. This would help to develop a culture of data gathering that would give an insight into how many children are employed in the field of education/qualification and the number of those continuing their education at university within same sphere. This is of great importance in terms of gaining a broader perspective on social inclusion.

Information should be provided to employers in order to sensitise and encourage them to employ persons who have completed part of the education programme, i.e. those that have acquired certificates of professional qualification or certificates of completion of an educational programme. In relation to the Roma community, it is necessary to apply transitional activities and mentoring programmes aimed at monitoring the success and to cooperate with parents and other relevant individuals or institutions.

32 Ibid. Page 35.

33 The Ministry of education and the Ministry of sports, Youth Strategy 2017-2021, Podgorica, Montenegro, 2016. Available from www.un.org.me/Library/Youth-Empowerment/1a%20Youth%20Strategy%202017-2021.pdf

34 Strategy for Development of Vocational Education in Montenegro 2015-2020, Available from [www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=207298&rType=2&file=Strategija%20razvoja%20strucnog%20obrazovanja%20u%20Crnoj%20Gori%20\(2015-2020\)%20ap.doc](http://www.mps.gov.me/ResourceManager/FileDownload.aspx?rid=207298&rType=2&file=Strategija%20razvoja%20strucnog%20obrazovanja%20u%20Crnoj%20Gori%20(2015-2020)%20ap.doc)

1.3 Annual plans of the institutions

Through its annual plans, the Ministry of Education emphasises the need for constant monitoring and improvement of the quality of the educational process at all levels of education in order to provide opportunities for all involved to develop the key professional competencies required for continuing their education or for inclusion in the labour market and active citizenship. There are few measures within the annual plans³⁵ that are linked to Roma. This relates to work on the development of the Action plan for the Strategy for Development of Vocational Education in Montenegro. More specifically, the part on support for Roma and Egyptian children in transitional activities, monitoring the success of pupils and cooperation with parents and others relevant individuals and institutions. Another activity is the distribution of free sets of textbooks for children. The number of sets of textbooks is not included in the plan.³⁶ The process is that schools send a list of students from marginalized groups and in a state of social need, so textbooks are awarded accordingly. In the school year 2019/2020, textbooks were awarded to all students from the above category in primary schools from I to IX grade.

The Ministry for Human and Minority Rights has as one of its main activities the improvement of the position of Roma and Egyptians and their integration into all aspects of social life. The Directorate for Promotion and Protection of Roma and Egyptian Minority Rights is responsible for the implementation of the activities.

The work plan of the Ministry for Human and Minority Rights covers numerous measures from the Roma Integration Strategy, including the report on the implementation of the action plan for the Strategy for Social Inclusion of Roma and Egyptians in Montenegro. The work plan covers measures to arrange summer and winter schools for Roma and Egyptian pupils, implementation of the regional project Roma Integration 2020, the campaign ‘All to School’, the celebration of World Roma Day and World Roma Language Day, education on and campaigns related to discrimination and the formation of teams for the prohibition of discrimination.

It also raises public awareness on the need to combat discrimination, education for Roma youth with a focus on leadership, organisation of field trips and excursions for pupils with the best achievements, measures to improve health condition through preventive examinations, measures to eliminate stereotypes and prejudice about persons with disabilities as well as harmful actions that discriminate against these persons based on gender and age. It also covers the establishment of a register of persons with disabilities.

35 Annual Work Plan of the Ministry of Education for 2019. Available from file:///C:/Users/User/Downloads/Program%20rada%20Ministarstva%20prosvjete%20za%202019.%20godinu.pdf.

36 In terms of previous years, 716 sets of textbook were provided for Roma children and children of Egyptian descent for the first three grades of primary school in 2017. These 716 sets of textbook were in Montenegrin, while 17 sets were in Albanian language. The report for 2018 does not divide the data into categories and therefore it was not possible to ascertain the number of textbooks delivered to Roma children.



The work plan contains measures on the education of parents, children, activists, civil servants, ensuring protection against domestic violence and juvenile and forced marriages among the Roma community. It covers the organisation of campaigns in Roma settlements on domestic violence and the forced marriage of girls and measures to educate employees in the competent institutions about early identification of child marriages. It covers the organisation of training for young members of minorities with a focus on Roma women in order to empower them to engage in politics, cooperation with civil society organisations and the need to become active in the field of Roma integration. The plan also covers the translation of legal regulations into the Romani language and their publication, cooperation with local self-government in the field of drafting and implementing local action plans, organisation of thematic roundtables with the NGO sector, informing Roma through the realisation of information campaigns about the possibilities for resolving their legal status and informing parents about the registration of children in the birth registry.

1.4 Existing obstacles

- a. *The inadequate level of transparency and the timing of open calls as well as the length of employment for associates for social inclusion in education can prevent Roma from applying and limit the effectiveness of this position*

By October 2019, primary schools in Montenegro had engaged 18 associates for social inclusion in education yet only a small number of them were from the Roma minority. Some of the reasons for this relate to inadequate transparency and the timing of the open calls as well as to the length of employment of associates. Open calls are not promoted sufficiently. The Ministry of Education initiates schools to inform stakeholders through students, NGOs and initiates to inform community stakeholders.

Schools usually publish such calls in their daily newspapers but there are no additional activities aimed at informing Roma, which reduces their chance to apply for this position. Exceptions are the activities of NGOs that on their own initiative promote such calls among the Roma community.

According to the information received from the Ministry of Education, the associates are hired until the end of June, and then they have the right to use paid annual leave (in accordance with the law). Since they have paid annual leave for part of July, they do not receive a salary only for part of July and August. Associates are hired every year from September 1 and receive a work permit later (in accordance with the legal obligation of schools to obtain the prior consent of the Ministry for the open call). The fact that associates are employed only from September to June means that the summer months are not used adequately for preparation for the next school year -

neither for establishing contacts, nor for encouraging children and parents by associates to enrol and continue their education, nor for their support to students studying for a make-up exam to correct negative grades. On the other hand, due to the break from mid-July to September, associates do not have adequate means of subsistence, which forces them to look for other, more sustainable solutions in employment.

- b. *The introduction of the requirement to be a Montenegrin citizen as a condition of employment for associates limits the utilisation of the existing human resources in the Roma community for the transition from donor-funded programmes to sustainable solutions for Roma and Egyptians in the area of education*

Before explaining why the condition of citizenship is seen as an obstacle to the employment of Roma and Egyptians it is necessary to emphasise the difference³⁷ between mediators for education and associates for social inclusion of Roma and Egyptians in the field of education, because this is unclear to many stakeholders. Many stakeholders do not understand that donor funded programmes for mediators are only temporary measures intended to fill the gap until the government is ready to implement the long-term sustainable solution of employing associates in schools, as provided for in the legislation and strategies.

Namely, donor funded programmes trained a number of Roma and Egyptians to work with the community and children in order to enrol and keep these children in education. The work of mediators also includes the empowerment of parents to better understand the value of education and the long-term benefits it can bring to children in terms of access to employment and a better chance to live a decent life. The job description for associates is very similar to that of mediators. The vast majority of mediators have completed the third level of secondary school (which is also one of the conditions for associates) and therefore it seems logical that the government should count on them as a human resource pool that could speed up the process of the social inclusion of Roma into the system by employing mediators as associates.

Instead, the criterion of Montenegrin citizenship continues to hamper their chances of continuing their work for their community within the regular school system. The legal basis for this criterion remains unclear since all of the legislation pertaining to education states that foreigners with permanent residence in Montenegro can be employed in schools.

- c. *The challenges of inefficient monitoring of the success of pupils and the need to prevent early school-leaving*

³⁷ The position of Mediators was introduced as a project component of donor funded organisations such as the Roma Education Fund and other organisations like Hilfe Zur Sebschilfe (HELP). After this practice showed to be very productive, the government decided to standardise this function through the introduction of the position of Associate for Social Inclusion in the four mentioned areas.



The report of the European Commission for Montenegro indicates that there has been an increase in the enrolment of Roma pupils into preschool and compulsory levels of education but not in the completion rate. The enrolment (62%) and completion rates (34%) for compulsory education remain the lowest in the Western Balkans. According to the Youth Strategy 2017–2021,³⁸ during the course of the development of the Strategy only 7 per cent of young Roma and youth of Egyptian descent completed secondary school compared with 86 per cent of the general population.

The fact that this issue does not receive the attention it deserves, is underlined by the claim that 93 per cent of Roma parents and 83 per cent of other parents whose children had left school early stated that they had not been contacted by anyone afterwards. Furthermore, it is clear that school departments have only limited capacities to apply an individual approach to each child. This applies in particular to their ability to address the issues of preventing early school-leaving, the development of violent and delinquent behaviour and the development of bad health habits.

Schools are improving their capacity when it comes to these topics. Teachers are obliged by law to improve their professional development - this is a condition for extending the license, as well as for promotion to teaching titles. Special trainings are organized for teachers who work with Roma and Egyptian students. The protocol on the prevention of early school-leaving clearly envisages the steps to be taken in the school, from the moment of recognizing the risk that there could be early school-leaving. A Protocol on the treatment of children victims of abuse and neglect in the relationship between schools and a multidisciplinary operational team was also adopted.

d. The challenging transition to the different levels of education and between education and employment

It is necessary to emphasise the importance of developing a holistic approach to support youth during their education when making the transition from one level of school to the next and when making the transition from school to employment. This issue connects closely with the early school-leaving that occurs when transitioning to the next level of education and in particular the high dropout rate in the eighth and ninth grades of primary school. A large percentage of unemployed youth and adult Roma and Egyptian belong to the latter category.

Associates in education and employment play a very important role in this regard, but it is necessary to develop additional measures in school to stimulate completion of primary education, enrolment in secondary school and then either enrolment in university or job search. According to NGOs, the most alarming situation exists in Berane where no Roma or Egyptians were enrolled in secondary education in the school years 2018/2019 and 2019/2020.

³⁸ The data presented in the Strategy was extrapolated from the Multiple Indicator Cluster Survey (MICS) 2018, developed by UNICEF Montenegro and MONSTAT.

When it comes to Roma adults who did not finish primary school and those that started but failed to finish the secondary level, the Report of the EU Commission for 2019 notes that insufficient attention is given to adult education³⁹ and that it is necessary to take more serious measures in this direction.

e. There is insufficient coverage of preschool education and preparatory preschools

Within the preschool education programme, preparatory preschools for Roma children are run in Podgorica, Nikšić, Berane, Tivat, Herceg Novi, Ulcinj, Bar and Bijelo Polje. Important actors in this process are Roma and Egyptian families and the communities, local self-governments, local Red Cross organisations, the centres for social welfare, mediators and the schools in which children are to enrol. Civil society organisations continuously emphasise the importance of a prolonged preparatory period prior to enrolment in school.

Recommendations from the seminar 'From words to deeds towards Roma integration' held in 2016 and the seminar 'Inclusive Society: Improving the socioeconomic position of Roma and Egyptians in Montenegro' held in 2018 indicate the need for a longer preparatory period for Roma and Egyptian children in each municipality where Roma live. The territorial coverage and participation of girls remains a challenge. As the World Bank research 'Breaking the Circle of Roma Exclusion'⁴⁰ shows, the majority of children attending preschool education are boys that live in urban areas. The recommendation has been implemented since 2018 and the preparatory preschool has been extended from two to four weeks.

f. Criteria linked to time limits should be development for the award of scholarships

One of the important activities planned within the Strategy for Social Inclusion of Roma and Egyptians was the development of a rulebook⁴¹ to define the criteria and the terms of assignment for scholarship for students from the Roma and Egyptian descent. Production of the rulebook was planned for 2018 but its production was postponed until December 2019. Namely, it was decided in 2018 that the realisation of scholarship payments would come under the jurisdiction of the Ministry of Education and it was for this reason that the Ministry for Human and Minority Rights did not draft the rulebook. This meant that all Roma and Egyptian students who requested a scholarship were awarded one.

³⁹ Commission staff working document Montenegro 2019, Communication on EU Enlargement Policy, Brussels, 2019, p. 31. Available from <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf>.

⁴⁰ Monica Robayo-Abril and Natalia Millán, Breaking the Cycle of Roma Exclusion in the Western Balkans, International Bank for Reconstruction and Development/World Bank, 2019. Available from <http://documents.worldbank.org/curated/en/642861552321695392/pdf/Breaking-the-Cycle-of-Roma-Exclusion-in-the-Western-Balkans.pdf>, page 106.

⁴¹ Report on Implementation of the Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016-2020 for 2018, p. 37. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=357564&rType=2&file=lzvje%20A%20taj%20o%20sprov%20C4%9I%20enju%20Strategije%20za%20sociojalnu%20inkluziju%20Roma%20i%20Egip%20C4%87ana%20u%20CG%202016-2020%20za%202018.pdf.



The development of additional criteria for the award of scholarships is important as a means of stimulating Roma and other students to complete their studies within a reasonable timeframe. According to the Ministry of Education, the rulebook will contain provisions restricting the time for studies, i.e. it will stipulate that all Roma and Egyptian students can be granted a scholarship but only for each year of study that is not repeated more than once. So far, each student who applied to the Ministry was granted a scholarship regardless of how many times he/she had repeated the same year of study.

- g. *The level of social integration of Roma and Egyptian children through education remains insufficient*

Although the level of enrolment of Roma children has risen in the last decade, the education system still faces the serious challenge of overcoming this and it remains instrumental to the social integration of the Roma community. As noted in the World Bank research *Breaking the Circle of Roma Exclusion*,⁴² “Compulsory education is not the great equaliser; there are still significant gaps in enrolments in compulsory schools, mostly driven by discrimination and restrictive social norms.” In Montenegro, it notes that, “a large share of the gap is explained by living conditions and demographics.”⁴³ This refers primarily to the language spoken at home, the level of education of the head of household, the employment status of the mother and the living conditions. These findings appear to be in line with the low level of self-reported discrimination at school.⁴⁴

The research shows that the gap between Roma and their non-Roma neighbours in terms of enrolment in compulsory education in Montenegro was 29 percentage points, which means that at least a third of Roma children aged 7–15 was left outside the school system in 2017.⁴⁵

The Education system is still not sufficiently prepared to target the existing gap between minority and majority populations through concrete measures that would address challenges like, for example, the low level of participation of Roma pupils and their parents in school life. Extracurricular activities and participation in cultural events for primary school pupils usually takes place after school hours and Roma children (who have regular school transport organised by the Ministry of Education, but only during school hours) are not in a position to participate. Parents have to pay for certain extracurricular activities and children are usually left out because of poverty.

42 Monica Robayo-Abril and Natalia Millán, *Breaking the Cycle of Roma Exclusion in the Western Balkans*, International Bank for Reconstruction and Development/World Bank, 2019. Available from <http://documents.worldbank.org/curated/en/642861552321695392/pdf/Breaking-the-Cycle-of-Roma-Exclusion-in-the-Western-Balkans.pdf>, page 3.

43 The full list of the factors includes gender, household income, household characteristics and household living conditions. Household characteristics include whether the language is spoken within the household, the educational attainment of the head of the household and whether the mother works. The mother can be the proxy head of the household. Living conditions include whether the household has at least 30 books, has access to piped water inside the dwelling, is overcrowded or located in an area with a population that is more than 40 per cent Roma.

44 *Ibid.*, page 35.

45 *Ibid.*, page 34.

This hampers the full social integration of children through the education system and deepens the social gap between minority and children from the majority population. Roma and Egyptian parents are not adequately involved in school life and very rarely participate in parents' councils.

1.5 Successful or promising measures, experiences and methods to make mainstream policies in education more inclusive of Roma and Egyptians

- a. *Teachers should exchange experiences on the implementation of the targeted measures*

Introduction of the Protocol on prevention of early -school leaving was an important first step in the monitoring and the prevention of this challenge. However, there is a lack of precise data on the effect the work of the multi-disciplinary teams that ensure compliance with the Protocol has had on the treatment and prevention of early school leaving, which is necessary in order to interpret the results achieved in this field.⁴⁶ The Ministry of Education took the first step toward closer monitoring of the effect of the Protocol when it conducted research among 262 school principals, teachers, psychologists and pedagogues in 2019. In the report⁴⁷ of the Ministry of Education issued in March 2019, it explains that although the research was conducted no results were published. A representative of the Ministry also informed our consultant that a series of workshops took place in order to familiarise schools with the results of the research and to discuss possible solutions. According to subsequent information received from the Ministry of Education, in 2020 an initiative was sent to all involved schools to propose changes to the Protocol, in order to improve the measures it envisages. The schools gave a unanimous answer, that the Protocol greatly facilitated their work and created measures that are specific to a particular school.

- b. *Anti-discrimination programmes at the school level*

The primary school Božidar Vuković Podgoričanin, located near the former refugee camp Konik on the outskirts of Podgorica, has the largest number of Roma and Egyptian pupils among all primary schools in Montenegro and implements continuous activities aimed at reducing and ultimately removing discrimination. The school has developed a set of presentations and voluntary activities

46 Radović, M. and Međedović, K., *Analysis of legal and institutional mechanisms for provision of social integration services of Roma and Egyptian in Montenegro with analysis of uncovered competencies and missing support services*, Podgorica, 2019, p. 31.

47 Ministry of Education, *Report on the work and situation in administrative areas within the competence of the Ministry of Education in 2018*, Podgorica, Montenegro, 2019, p. 9. Available from www.mpin.gov.me/ResourceManager/FileDownload.aspx?rld=377637&rType=2.



that include Roma and Egyptian children. Some of the activities relate specifically to Roma, such as the promotion on the importance of further education for Roma pupils.⁴⁸ Representatives of governmental and non-governmental organisations visited the school to promote the enrolment of ninth grade Roma pupils into secondary school. Pupils were informed about the importance of education and the enrolment procedures and facilities that society provides for them. Activities at the school Božidar Vuković Podgoričanin offer a positive example of good practice that other schools where Roma and Egyptian children are enrolled can use as a model.

1.6 Recommendations

- ✳ Develop tailor-made programmes to stimulate more Roma and Egyptians to participate in preschool education (ideally in mainstream preschool institutions) in order to enable their social inclusion and to overcome possible barriers to their linguistic and cultural participation in primary school.
- ✳ Organise language courses for preschool and first grade Roma and Egyptian children. It is necessary to design an additional part of the language course aimed at gathering together children and parents in order to stimulate greater participation of parents in the education process of their children.
- ✳ Knowing that early school-leaving among Roma and Egyptian children is highest after primary education and later on after finished secondary school; each school should develop an Individual Transition Plan (ITP) for Roma pupils.⁴⁹ Through careful monitoring of school achievements, teachers and assistants should identify children at risk of early school-leaving and then provide an appropriate level of support for these children together with their parents. The goal of the plan would be to first identify the capacities and skills of children and then for a team within the school to work with these children at a later stage based on their assessment. In this phase, cooperation between primary and secondary schools would be more than welcome. According to the information received from the Ministry of Education, this measure is already being implemented in accordance with the improved Montenegrin Education Information System - MEIS application, as well as with the Protocol. A child who is at risk is recognized very early, so the school is obliged to implement precisely defined measures with the child, depending on the causes that led to the risk.
- ✳ Make a comprehensive list of all Roma and Egyptian mediators, mentors and tutors engaged in donor-funded programmes. The list should contain data related to their level of education, completion of certified training for mediators/associates, relevant experience and language skills as well as information on their legal status, place of residence and gender. They should be informed regularly about calls for the employment of associates.
- ✳ In order to assist all primary schools in Montenegro that have Roma and Egyptian pupils in attendance it is necessary to review the standard for associates (defined standards for the engagement of associates). Currently, associates can only be engaged in schools that have more than 70 Roma and Egyptian pupils. A solution could be to have one associate cover two or three schools or cover primary and preschool education. The latter option would also address the issue transition from preschool to primary school. According to the information received from the Ministry of Education, in several schools in Podgorica and other cities, the needs for an associate in two or more schools at the municipal level are merged, so the associate is hired accordingly.
- ✳ Reconsider the criteria for employment of associates in terms of the requirement to have Montenegrin citizenship and find a sustainable solution for the better utilisation of the existing human resources in the Roma community. Reconsider the terms of employment for associates in education and enable their permanent employment. In the case of those persons who have gained adequate experience by working as mediators in donor funded programmes but do not fulfil the criteria for employment as associates in terms of the necessary level of education (secondary school) develop more favourable employment criteria. This could include, for example, conditional employment for a period of one year subject to the obligation to complete secondary education during that period. Once the criterion on education has been fulfilled, this form of conditional employment could then be changed to permanent employment.
- ✳ It is important to secure additional mentorship and tutorship support in order to enable the transition from primary to secondary school and from secondary school to university. At the beginning, IPA funds would be instrumental in this direction; however, it is necessary to plan long-term sustainable solutions strategically at the school level.
- ✳ In order to facilitate the transition to the labour market for secondary school pupils and university students it is necessary to develop Individual Transition Plan 2 (ITP-2), which links education and employment. Roma pupils at vocational secondary schools who are about to graduate and are more interested in gaining employment than in applying to university should be properly informed about the possibilities available within the labour market and supported in school through the ITP-2.

48 NOdiscrimination in practice in Primary School Božidar Vuković Podgoričanin, report for the Bureau for the education, April 2019. Available from www.skolskiportal.edu.me/Primjeri%20dobre%20prakse/Forms/DispForm.aspx?ID=34.

49 In accordance with the measures proposed within the Youth Strategy.



- ✳ Organise regular annual research into the effect that the Protocol for the monitoring and prevention of early school leaving has in this respect and present the results and make recommendations on fine-tuning of the measures to schools, institutions and the public. The Ministry of Education has already taken initial steps in this regard in 2018, when the effects of the Protocol were analysed and the results presented to schools. However, it is very important that this type of analysis is also presented to the public, so that interested representatives of the Roma and Egyptian communities, civil society and other actors can engage in a discussion that would lead to the best solutions.
- ✳ Organise monitoring/assessment of the effect of other measures within education, including those related to the introduction of associates, the organisation of campaigns, work with Roma parents, etc.
- ✳ It is necessary the NGOs and community representatives to ensure the presence of parents of children who do not go to school or have left school early at workshops for parents organized by the Centre for Vocational Education in cooperation with educational institutions.
- ✳ At the school level, motivate children to continue their education by developing their sense of belonging within a group that includes peers from the majority population.
- ✳ Secure transportation and other means that allows participation in extracurricular activities and social events, such as the graduation celebration. Promote stories of friendship and good practice in terms of socialising through conventional media and social media.⁵⁰
- ✳ In the Law on General Education, 20 per cent of the curriculum is 'open content' that concerns 'affirming the value of local culture.' According to the authorities, this 'open content' could be used for education on the history and culture of persons belonging to national minorities. Although the Ministry of Education has little oversight in terms of how this 20 per cent is used in practice, it acknowledges that efforts are needed in order to ensure that this time is used effectively. Therefore, once standardised, this time can be used to promote Roma culture and learn about the Romani language.
- ✳ In accordance with Article 79⁵¹ of the Constitution of Montenegro and the Charter on Minority Languages, standardise Romani language and introduce it as a subject in schools.

⁵⁰ It is important to mention the story of a Roma girl who participated in the graduation ceremony at the primary school in Bijelo Polje. The story, produced by RTV Montenegro in May 2019, was more than welcomed by the local Roma community and attracted significant attention through social media where it had more than 5,000 hits and was shared 57 times. The video is available from www.facebook.com/RomactedMNE/videos/2092820344177185/.

⁵¹ Article 79 of the Constitution stipulates the following: 1) the right to use their own language and alphabet in private, public and official use; 2) the right to education in their own language and alphabet in public institutions and 3) the right to have included in the curricula the history and culture of the persons belonging to minority nations and other minority communities.

- ✳ The implementation of the program of elementary literacy and basic adult education in terms of dates and, if possible, venues should be adjusted according to the needs and possibilities of the majority of program participants so that they can attend classes regularly.
- ✳ Organize a campaign for adults' involvement in the program of elementary literacy and primary education for adults, as well as in vocational education and training programs. Roma and Egyptian NGOs and representatives need to organize activities to motivate and support adults to engage in adult literacy and primary education programs and various forms of vocational education and training.
- ✳ For Roma and Egyptians who acquire a professional qualification, it is necessary to provide an internship (preferably paid) with an employer, which would provide greater opportunities for their employment. In this way, those who are educated and achieve good learning outcomes would be good examples in their community and would encourage others to learn.
- ✳ Note: The Center for Vocational Education and Training has prepared a large number of educational programs for acquiring professional qualifications for simple / auxiliary occupations, which may include those who complete the program of elementary functional literacy. In this case, a measure of positive affirmation was applied in order to enable the people to acquire a professional qualification at the II level of the qualification framework even before completing the complete primary education, in order to include them in the employment relationship as soon as possible.
- ✳ Encourage parents to be more active in parents' councils and school life, it is necessary to organise programmes for parents and provide guidance on the functioning of parents' councils based on an integrative approach. Roma and non-Roma parents should be given the skills and positive stimulation to work together for the benefit of their children.
- ✳ It is necessary to take additional measures to include Roma at the university level. In addition to the existing measures that include additional points for Roma for university enrolment and scholarships, it is necessary to provide mentorship support to Roma students in order to encourage them to follow lectures regularly and to pass exams. Additional measures should be developed to motivate Roma and Egyptians to enrol at the Pedagogical Faculty in order to create a base of Roma teachers.
- ✳ It is necessary to analyse data related to children attending schools for children with special needs. It is also necessary to include Roma and Egyptians in decision-making commissions and to ensure that testing be conducted in a understandable language.



2. EMPLOYMENT



2.1 Legislation

Besides the constitutional right of minorities to proportional representation in public services, the state authorities and local self-government bodies⁵² mainstreaming employment policies include a set of laws such as the Labour Law, the Law on Employment and Exercising Rights from Unemployment Insurance, the Law on Occupational Health and Safety and the Regulation on Subsidies for Employment of certain Categories of Unemployed Persons.

Article 5 of the Labour Law⁵³ stipulates the prohibition of discrimination based on gender, birth, language, race, religion, skin colour, age, pregnancy, health or disability, nationality, marital status, family responsibilities, sexual orientation, political or other beliefs, social background, property, membership of political or trade union organisations or any other personal trait.

The Law on Employment and Exercising Rights from Unemployment Insurance⁵⁴ defines unemployed person as a person from 15 to 67 years of age who is a Montenegrin citizen or a foreigner with approved permanent residence, with recognised refugee status or approved additional protection measure who is registered at the Employment Office of Montenegro, capable to work or partially disabled, who has not entered into an employment contract and is actively seeking employment.

According to Article 5, exercising rights with respect to unemployment shall be based on the principle of the prohibition of discrimination and affirmative action directed toward hard-to-employ unemployed persons.

The Law on Safety and Health at Work⁵⁵ defines the obligation of an employer as providing working conditions that do not pose a risk of injury at work or occupational or work related diseases, while also creating the conditions for the full physical and psychological safety of employees. Roma are mostly engaged in the most difficult working positions and thus regularly exposed to risks related to health and safety. This relates in particular to persons employed by public utility companies dealing with rubbish that could contain different and possibly dangerous materials and expose employees to the risk posed by traffic when standing above the wheel of public utility vehicles.

⁵² Article 79 of the Constitution. Available from www.wipo.int/edocs/lexdocs/laws/en/me/me004en.pdf.

⁵³ Labour Law, Official Gazette of Montenegro, nos. 49/2008, 26/2009, 88/2009, 26/2010, 59/2011, 66/2012, 31/2014, 53/2014 and 4/2018. Available from www.paragraf.me/propisi-crnegore/zakon-o-radu.html.

⁵⁴ Law on Employment and the Law on Exercising Rights from Unemployment Insurance (Official Gazette of Montenegro, No. 14/2010, dated 17 March 2010, No. 45/2012, dated 17 August 2012, No. 40/2011, dated 8 August 2011, No. 61/2013, dated 30 December 2013, No. 20/2015, dated 24 April 2015, No. 52/2016, dated 9 August 2016. Article 1. Available from www.zzzcg.me/wp-content/uploads/2015/05/Zakon-o-zaposljavanju-i-ostvarivanju-prava-iz-osiguranja-od-nezaposlenosti.pdf.

⁵⁵ The Law on Safety and Health at Work, Official Gazette of Montenegro, nos. 34/2014 and 44/2018. Available from www.paragraf.me/propisi-crnegore/zakon-o-zastiti-i-zdravlju-na-radu.html.



2.2 Strategies

The objectives and measures envisaged by the Strategy for Social Inclusion of Roma and Egyptians⁵⁶ are aimed at achieving the following objectives: increased participation of Roma and Egyptians in the measures of the active employment policy, an increase in the level of qualifications among Roma and Egyptians, direct measures aimed at the employment of Roma and Egyptians and strengthened capacities of the institutions of the system.

These objectives are being accomplished through implementation of active policy measures, grant schemes, projects, public works, vocational education training, training programmes for employers and training programmes for the self-employed. The target value for 2019 was the involvement of 25 Roma and Egyptians in educational programmes for adults in order for them to gain their first qualification and become more competitive in the labour market. In order to improve the educational offer, the action plan envisages the development of new vocational education training programmes specially adapted to the needs of Roma and Egyptians as well as the development of individual plans.

When it comes to operational documents for employment, the strategic framework is based on the Employment and Human Resources Development Strategy 2016–2020.⁵⁷ The Strategy states that the promotion of social inclusion, better coverage and activation of vulnerable groups and their integration into education as well as the employment of persons with disabilities and the involvement of members of vulnerable groups in the labour market as priorities.

The National Strategy for Employment and Human Resources Development 2016–2020⁵⁸ notes the importance of active employment policy measures for persons that are hard-to-employ, including beneficiaries of material support and Roma. Analysis⁵⁹ conducted earlier in 2019, highlighted the absence of multi-sectorial cooperation and the lack of harmonisation of measures with the needs of beneficiaries from the Roma community as obstacles to the implementation of the active employment measures.

56 The Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020. P. 52. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=236962&rType=2&file=The%20Strategy%20for%20Social%20Inclusion%20of%20Roma%20and%20Egyptians%20in%20Montenegro%202016-2020%20and%20AP%20for%202016.pdf.

57 The Strategy for Employment and Human Resources Development 2016–2020, Labour market in the European path, p. 12. Available from www.gov.me/ResourceManager/FileDownload.aspx?rid=224091&rType=2.

58 The Strategy for Employment and Human Resources Development 2016–2020, Labour market in the European path, p. 42. Available from www.gov.me/ResourceManager/FileDownload.aspx?rid=224091&rType=2.

59 Radović, M. and Međedović K., Analysis of legal and institutional mechanisms for the provision of social integration services for Roma and Egyptians in Montenegro with analysis of uncovered competencies and missing support services, Podgorica, 2019, p. 44.

2.3 Annual plans of the institutions

The Ministry of Labour and Social Welfare⁶⁰ developed the Action Plan for Employment and the Human Resources Development Strategy for 2020 as part of its measures for 2019. In the process of preparing the Action Plan, an analysis of measures implemented in relation to Roma as well as a listing of unimplemented measures was prepared. This was important because it was the last annual plan before the Strategy period expired. The lessons learned from the previous three years should be prepared and used when drafting the plan for 2020 in order to have the highest level of effectiveness of measures. The Annual Plan for 2019 envisaged the development of an integral information system for the exchange of information among institutions that would ensure the effectiveness of the work of these institutions and shorten procedures for obtaining rights and services granted under the law.

The Employment Agency of Montenegro is a legal entity that has the status of a state fund and performs activities related to employment as established by the Law. Within its annual work plan, the Agency includes active measures on employment focused on the vocational education and training programmes, public works and mediation on seasonal employment. The engagement of these persons depends on their level of education, the knowledge needed in labour market, their attitude toward work and employment and their abilities and skills. It also depends on how they use their knowledge and abilities as well as the social context in which they live.

The Agency is one of the carriers of the Strategy for Social Inclusion of Roma and Egyptians in Montenegro. In its annual work plan for 2019⁶¹ the Agency envisaged the following measures: the inclusion of socially vulnerable groups in the labour market, implementation of measures aimed at social inclusion for working age beneficiaries of material security, implementation of educational programmes intended to help Roma and Egyptians obtain professional qualifications, the realisation of public works programmes for the Roma minority and Egyptians and the provision of support for the introduction of associates on social inclusion in schools and assistance in the field of employment.

The Centre for Vocational Education is also one of the institutions responsible for stimulating employment. According to the annual work plan for 2019,⁶² the Centre implements continuous activities on the organisation of educational workshops for parents of Roma and Egyptian children. The annual work plan does not elaborate on the topics of the workshops.

60 Available from www.mrs.gov.me/ResourceManager/FileDownload.aspx?rid=351720&rType=2.

61 Annual work plan of the Employment Agency of Montenegro for 2019. Available from www.zzzcg.me/wp-content/uploads/2019/01/Program-rada-za-2019.-godinu.docx.

62 Work plan of the Centre for Vocational Education for 2019. Available from www.cso.gov.me/ResourceManager/FileDownload.aspx?rid=364635&rType=2&file=Plan%20rada%20za%202019.pdf.



2.4 Existing obstacles

a) Lack of cooperation between institutions

There are around 1,000 persons on average per year in the record of the Employment Agency of Montenegro who identify themselves as Roma or persons of Egyptian descent⁶³. The share of women among them is around 40 per cent. Over 90 per cent of registered members of the Roma minority are persons with no occupation or qualifications and they spend longer seeking employment.

The legal framework provides mechanisms for cooperation between the centres for social welfare and the employment bureaus. This means that the centre for social welfare is obliged to submit a notice on the recognised right to material support for an unemployed working age beneficiary to the employment bureau within eight days from the day of issuing the decision on the recognition of his/her rights. Conversely, in the event that the employment bureau finds out that a beneficiary of financial support is either employed, has refused to accept an offer of employment or vocational training, has begun retraining or further training aimed at obtaining a qualification it is obliged within eight days from the day of finding this out to inform the centre for social welfare. For this purpose, the legal framework also defines an activation process for employable persons who are in receipt of financial support granted in accordance with the Law on Social and Child Protection.⁶⁴

According to the action plan of the National Strategy for Employment and Human Resources Development 2016–2020 for 2019, the Working Group for amendments to the Rulebook on the Content and form of the Individual Activation Plan and the implementation of social inclusion measures for beneficiaries of financial support has agreed on a form for two-way data exchange between the centres for social welfare and the employment bureaus.⁶⁵ The goal of the activation measures is to increase employment of Roma and Egyptians as well as to reduce their dependence on social care income. From 2015 to 2019, new information software for the exchange of information was developed⁶⁶ and was to become operational in 25 locations in

63 The Strategy for Employment and Human Resources Development 2016-2020, Labour market in the European path, p. 42. Available from www.mek.gov.me/ResourceManager/FileDownload.aspx?rid=331868&rType=2&file=National%20Strategy%20for%20Employment%20and%20Human%20Resources%20Development%202016-2020.pdf.

64 The Law on Social and Child Protection, Official Gazette of Montenegro, nos. 27/2013, 1/2015, 42/2015 and 47/2015. Available from www.zzzcg.me/wp-content/uploads/2015/05/Zakon-o-socijalnoj-i-djecjoj-zastiti.pdf.

65 Report on Implementation of the Action Plan for Employment and Human Resources Development for 2018. Available from www.gov.me/ResourceManager/FileDownload.aspx?rid=358147&rType=2.

66 The Information System of Social Security (ISSS) (the so-called 'social card') has collected information from the databases of nine institutions since 2019: Employment Agency, Ministry of Education, Ministry of Health, Ministry of Agriculture and Rural Development (Directorate for Veterinary Affairs), Tax Authority, Ministry of Interior (Central Register of Vehicles and the Central Register of Citizens), the Health Fund, the Pension Fund, the Authority for Immovable Property. The ISSS also gives an insight into the list of subsidies for electric energy, which is maintained by the public enterprise 'Elektroprivreda'.

Montenegro in 2019.⁶⁷ According to the available information, the system is functioning and has increased the effectiveness of the centres for social welfare.

However, the positive outcome of activation measures remains lacking. Due to uncoordinated work of institutions, the activation period does not offer sustainable solutions that provide stable income. Furthermore, the process for renewing documents in order to reapply for social care income is not conducted automatically. This means that people are still expected to go to the relevant institution and to apply for social care income, which depending on possibilities of each individual to reach the institution can sometimes last for months. Mediators for social inclusion in the area of employment facilitate this process but have limited outreach, because they are only engaged in Podgorica and Nikšić.

Although public works are not a durable or long-term solution for employment, people covered by this measure have a level of security and safety at work and through their engagement have a better chance of being selected for the same measure again compared to those who have not participated in public works.

Yet only a limited number of Roma are included in these Employment Agency measures. In 2018, for example, only 33 persons, seven of them women, were included in public works.⁶⁸ The reasons for this relate to the lack of multi-sectorial cooperation and the inadequate dissemination of information on programmes among the population. Namely, they are published in newspapers only a week or two before the programme starts and displayed in the premises of the employment bureaus.

b) The chance of finding employment through grant schemes remains weak

An additional tool for the inclusion of hard-to-employ persons in the labour market is the funding supplied through grant schemes aimed at encouraging employment. These schemes help motivate employers to develop and provide training and education and to organise programmes aimed at acquiring their first occupational qualification for persons who have no qualifications in order to improve their chances of gaining employment. All of these measures are positive but without any long-term effect. In practice, even with these developed measures and given efforts, the lack of their sustainability means that the situation is still not favourable for Roma and Egyptians.

67 In all centres for social work as well as in the institutions for social and child protection: The home for the elderly 'Grabovac' in Risan and 'Bijelo Polje' in Bijelo Polje, the children's home 'Youth' Bijela, institute 'Komanski bridge' and the Centre for children and youth 'Ljubovic'.

68 The Report on the Implementation of the Action Plan for Employment and Human Resources Developments for 2018. Available from www.gov.me/ResourceManager/FileDownload.aspx?rid=358147&rType=2.



c) The status of collectors of raw materials remains unregulated

According to research by non-governmental organisations, about 70 per cent of the Roma community in Montenegro collect and sell secondary raw materials as their primary source of income. The vast majority of collectors did not complete their primary education. This kind of job puts them at continuous risk of injury, disease and without any possibility to enjoy the rights granted by positive legislation. It also affects their families, which are usually included in the work and consequently move from one location to another. Children often follow their parents and this leads to early school-leaving or irregular school attendance. This job also involves the accumulation of materials around their place of residence and the whole family is exposed constantly to metals and other harmful substances.

Based on an initiative by Young Roma NGO,⁶⁹ the need to standardise this occupation was planned as one of the measures within the Strategy for the Social Inclusion of Roma 2016–2020 as a first step toward regulating the status of people working in this field. However, this process remains ongoing and many aspects besides standardisation need to be considered in order to regulate the status of raw material collectors. Above all, it is necessary to develop comprehensive measures to regulate their working conditions, safety, security and transport as well as the purchasing of materials and the storage of potentially harmful materials.

d) The Decree on Subsidies for Employment of certain Categories of Unemployed Persons was abolished in 2018⁷⁰

This measure proved to be successful in the period 2012–2018 as a broader measure of active employment policy. It provided subsidies for legal entities and entrepreneurs to employ certain categories of unemployed persons, including members of the Roma community, registered at the employment bureaus as employment seekers. Pursuant to the Regulation, the employer did not have to pay the compulsory social security contribution on wages or the contribution to the Labour Fund or personal income tax for those persons. It was a great employment opportunity, but because of inadequate communication between employers and the Roma community it was underutilised. According to the Report on the Implementation of Action Plan for Employment and Human Resources Developments for 2018,⁷¹ the Decree was not to apply in 2019. The engagement of mediators and later of associates for employment would have provided a good opportunity to reinstate the use of this measure for the benefit of the Roma community.

⁶⁹ The NGO 'Young Roma'.

⁷⁰ The Decree on Subsidies for the Employment of certain Categories of Unemployed persons, Official Gazette of Montenegro, No. 11/2012. Available from www.bizniszona.me/en/subsidies-for-employment/.

⁷¹ Report on Implementation of the Action Plan for Employment and Human Resources Developments for 2018. Available from www.gov.me/ResourceManager/FileDownload.aspx?rld=358147&rType=2.

2.5 Successful or promising measures, experiences and methods to make mainstream policies in employment more inclusive of Roma

a) The occupation of Associate in Social Inclusion should be introduced for Roma in the area of employment

The measure to introduce the occupation of 'Associate in social inclusion' for Roma and Egyptians in the area of employment was prepared within the framework of the Strategy for the Social Inclusion of Roma and Egyptians 2016–2020. This process involved several steps. The first step was the standardisation of the aforementioned occupation, which was conducted by the Centre for vocational education. The next step was to train potential candidates and then select the final candidates. Up until now, Roma and Egyptian mediators for employment engaged in donor funded projects have proven to be a very important link in establishing and maintaining the connection between the Roma community and other vulnerable groups and the relevant institutions as well for overcoming the language barriers and for increased understanding of employment procedures in the Roma community.

b) The media should promote the active employment measures of the Employment Agency

The Employment Agency conducted a presentation of its activities in 2018 through the programme 'Pokreni se', which was presented by the public service broadcaster RTCG twice a month. Starting from 29 November 2018, the Employment Agency launched the programme 'PutokaZZZ' that was scheduled for broadcast on the aforementioned programme in the following year. These TV shows represent good practice and should be included as part of the shows broadcast in the Romani language, both on television as well as on Radio via Roma Voice (Glas Roma) and on social media.

c) Roma women should be included in programmes for the employment of long-term unemployed women.

The NGOs HELP and Young Roma in cooperation with local employment bureaus conducted this programme in 2015–2017. It proved to be a success in terms of income generation and the development of skills and widening of future employment possibilities but also as a measure for the successful social integration and empowerment of women.



2.6 Recommendations

- ✳ As in the case of associates in education, it is important to take into consideration the human resources developed within the Roma community in the form of mediators that participated in donor-funded programmes. It is also important not to hamper their chances of employment through the criterion of citizenship, which is not rooted in the legislation.
- ✳ Create a more comprehensive job description for the work of associates in terms of their participation in the process of drafting the annual plans of the Employment Agency, because they have the best insight into the situation in the field. Roma NGOs should be included in the consultation process related to the annual plan and in sharing information about available jobs. The Employment Agency has many years of comprehensive and quality cooperation with all relevant organizations dealing with issues of social inclusion of Roma and Egyptians. It develops its cooperation with non-governmental organizations by supporting all activities related to improving the employability and employment of Roma and Egyptians and by attending events in their organization (meetings, conferences, panel discussions, round tables). Representatives of the Employment Agency, through the exchange of information, knowledge and experiences with the non-governmental sector, receive inputs that improve the quantity, quality, availability and inclusiveness of the services and at the same time present the role and activities of the Institute. In order to further improve cooperation and joint action in the process of inclusion of the Roma and Egyptian populations, in 2019, the Employment Agency concluded a memorandum of cooperation with the Roma Council.
- ✳ Make better use of the existing Information System for Social Security and develop measures for multi-sectorial cooperation that is more effective and above all cooperation between the centres for social welfare, the employment bureaus, non-governmental organisations, employers and the community itself. Measures should be harmonised with the needs of the beneficiaries.
- ✳ Automate the process for the transition from temporary employment (public works and seasonal work) to social care income within the Information System for Social Security.
- ✳ Organise more programmes such as the one mentioned above on women who suffer long-term unemployment and in this way stimulate both employment and social integration simultaneously.
- ✳ Reconsider the decision to abolish the Decree on Subsidies for Employment of certain Categories of Unemployed Persons and develop a plan for the better inclusion of Roma as beneficiaries of this measure.

- ✳ Develop a comprehensive plan for the legalisation of the profession of collectors of raw materials and for their integration in the waste management market. Include waste material collectors in projects aimed at the development of entrepreneurial skills.
- ✳ Reconsider the criteria for employment through grant schemes in terms of widening the possibilities for Roma to become beneficiaries of this measure. Within the grant scheme, combine programmes on raising the skills and competencies of participants, mentorship and support for opening and running a business for a certain period of time (minimum one year). Support the networking of new entrepreneurs through a chain of suppliers and support them in building of their own markets. Secure funds to support participants financially during the programme (in the form of small travel grants and per diems to help cover the cost of living during the training).
- ✳ Secure micro-credits or grants for the opening of businesses. Include NGOs, associates and mentors in the planning process and make sure that gender-sensitive considerations are built into the programme at the design stage (for example, introduce flexible hours for mothers attending the programme and organise support services for babysitting, etc.).
- ✳ In order to make public works and seasonal employment programmes instrumental to the development of the skills of workers, introduce an on-the-job training programme for participants and ensure that it is linked to the national qualification framework. Make sure that gender considerations are taken into consideration during the planning process.
- ✳ Develop a plan for the inclusion of Roma and Egyptians of all age groups into adult education programmes. This should be a cooperative effort by the Employment Bureau, the Vocational Education Centre, the providers of adult education, NGOs and associates and mentors in employment, social protection and education.
- ✳ Develop a plan to facilitate the transition from education to employment, including extended mentorship, development of work-based learning systems and apprenticeship schemes. Make sure that Roma and Egyptians benefit from programmes and grant schemes for youth employment.



3. HEALTH



3.1 Legislation

The legal framework for exercising the right to healthcare is defined by the Law on Health Protection and the Law on Health Insurance. Article 13 of the Law on Health Protection⁷² prescribes healthcare for foreigners: asylum seekers, refugees and displaced persons, persons granted additional protection and persons granted temporary protection in Montenegro in accordance with the Law and international treaties.

The Law on Health Insurance⁷³ regulates the rights related to compulsory health insurance and the exercise of those rights, the financing of compulsory health insurance, supplementary health insurance, the contracting of healthcare providers as well as other issues of importance to the exercising of the right to health insurance. The Law stipulates that the rights of an insured person must be proven through the presentation of the health booklet issued by the Health Fund. Socially vulnerable categories of the population are exempt from the obligation to pay the cost of medical services.

3.2 Strategies

The Master Plan for the Development of the Health System in Montenegro 2015–2020⁷⁴ considers the healthcare of especially vulnerable and threatened groups of the population. Namely, the plan defines the improvement and preservation of the health of socially endangered and marginalised groups as one of its objectives. The plan recognises Roma as an example of a socially endangered and marginalised group. The main priority related to this objective is the introduction of health mediators per population group (starting with the Roma minority) to provide easier access to healthcare for these groups.

The Strategy for the Social Inclusion of Roma and Egyptians in Montenegro for 2016–2020⁷⁵ envisages the realisation of three key objectives: 1) increased use of and access to healthcare, 2) preventive actions and 3) field campaigns and information and awareness raising campaigns.

⁷² The Law on Health Protection, Official Gazette of Montenegro, nos. 3/2016, 39/2016, 2/2017, 44/2018 and 24/2019. Available from www.mzdravlja.gov.me/ResourceManager/FileDownload.aspx?rid=227183&rType=2&file=Zakon%20o%20zdravstvenoj%20zastiti.pdf.

⁷³ The Law on Health Insurance, Official Gazette of Montenegro, nos. 6/2016, 2/2017, 22/2017 and 13/2018. Available from www.paragraf.me/propisi-crnegore/zakon-o-zdravstvenom-osiguranju.html.

⁷⁴ Ministry of Health, The Master Plan for the Development of the Health System in Montenegro 2015–2020, Podgorica, August 2015, p. 28. Available from www.mzdravlja.gov.me/ResourceManager/FileDownload.aspx?rid=216169&rType=2&file=MASTER%20PLAN%20RAZVOJA%20ZDRAVSTVA%20CRNE%20GORE%202015-2020.pdf.

⁷⁵ The Strategy for the Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, p. 45. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=236962&rType=2&file=The%20Strategy%20for%20Social%20Inclusion%20of%20Roma%20and%20Egyptians%20in%20Montenegro%202016-2020%20and%20AP%20for%202016.pdf.



The National Youth Strategy 2017–2021 envisages psychological counselling for the youth at counselling offices within the primary healthcare centres. The Strategy recognises the most vulnerable groups of young people in this respect, which includes, among others, Roma and Egyptians.⁷⁶

3.3 Annual plans of the institutions

Within the annual plans, the Ministry for Human and Minority Rights in coordination with the Ministry of Health continuously organise informative sessions and actions aimed at educating members of the Roma community on the importance of prevention and protection of health and preventive health examinations. These examinations involve employees at public utility companies, women and campaigns and field vaccinations of children in Roma communities.

3.4 Existing obstacles

a) *There is a lack of statistical data and a methodology for monitoring access to healthcare*

Health care institutions in Montenegro treat all citizens as “users of the health care system”. More precisely, the health care system of Montenegro does not differentiate according to ethnicity, and health care is equally available to all citizens of Montenegro, including members of the Roma and Egyptians. As statistics are not disaggregated by ethnicity, it is not possible to follow targeted policy measures for Roma and Egyptians. Institutions continue to solve cases on an ad-hoc basis for the group of people who are still in the procedure of obtaining documents aimed at regulating their legal status. This lack of access to an identity card greatly affects their chances of obtaining health insurance, as noted in the report ‘Bridging the Gap in Social Integration of Roma in the Western Balkans’⁷⁷ and places this group in a very difficult position.

Based on research conducted by the Ministry for Human and Minority Rights in February 2016⁷⁸, around 40 per cent of the sampled Roma and Egyptians assessed their own health status as bad or very bad. Roma households had at least one person who suffered from a serious health conditions or disability in 26 per cent of cases, while 6 per cent of this number had more than one person with a serious health condition in their family. The life expectancy of a member of the

76 Ministry of Education and the Ministry of Sports, The Youth Strategy 2017–2021, Podgorica, Montenegro, 2016, p. 42. Available from www.un.org.me/Library/Youth-Empowerment/1a%20Youth%20Strategy%202017-2021.pdf

77 Monica Robayo-Abril and Natalia Millán, Breaking the Cycle of Roma Exclusion in the Western Balkans, International Bank for Reconstruction and Development/World Bank, 2019. Available from <http://documents.worldbank.org/curated/en/642861552321695392/pdf/Breaking-the-Cycle-of-Roma-Exclusion-in-the-Western-Balkans.pdf>, page 8.

78 The Strategy for the Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, p. 45. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=236962&rType=2&file=The%20Strategy%20for%20Social%20Inclusion%20of%20Roma%20and%20Egyptians%20in%20Montenegro%202016-2020%20and%20AP%20for%202016.pdf

Roma community is 55 years compared to the 76 for the majority population, which represents a difference of 21 years.

Monitoring the implementation of the measures contained within the Strategy for Social Inclusion of Roma and Egyptians does not follow the proposed indicators and reporting requirements and is usually reduced to a list of particular health services extended to Roma and Egyptians in their settlements. Due to lack of data and statistics it is impossible to follow the systemic response of the health institutions to the specific and complex needs of these minority groups. This includes data on the accessibility of the health service⁷⁹ as well as data on the affordability of treatments and medication.

b) *Inadequate sectoral cooperation*

As previously mentioned, socioeconomic and demographic factors influence the state of health of Roma and Egyptians. Consequently, the ‘business as usual’ approach by the health system is not sufficient to develop the required level of support, prevention and health services for this community. A proper social anamnesis of patients would, for example, provide the doctor with a lot of information and help him/her to decide on the most appropriate form to treatment for the health condition of the patient. This is especially important in cases of domestic violence, forced marriage, pregnancy among minors and such like. The social anamnesis depends on the information provided by the patient, so that the doctor provides services in the most adequate way and it is necessary to collect additional data also from the health associates.

c) *Lack of effective cooperation among the sectors of education, social care, health and the police on the prevention of and ensuring protection from violence for women and girls and on illegal child marriages*

According to the Multiple Indicator Cluster Survey 2018,⁸⁰ 22 per cent of women aged 22-24 years were married before the age of 15 compared to 6 per cent of men of this age group and 55 per cent of women and 25 per cent of men aged 20–49 years were married before the age of 18. There is a negative association between the level of education and marriage prior to the age of 18 among women aged 20-49 years with 59 per cent of women in this age range having either no education or just pre-primary education and this figure decreased to just 25 per cent when it came to secondary or higher education.

79 As explained on page 47 of the research, “the accessibility of health services depends on a multitude of factors related to the health system. On the supply side, the design of statutory health care coverage and public benefits packages, the volume and distribution of human resources, waiting times, how individuals are treated within the system (the continuity of care), and the quality of care can affect accessibility.” Allin and Masseria 2009.

80 The Multiple Indicator Cluster Survey (MICS) is conducted periodically by the Montenegrin Statistical Bureau (MONSTAT) and UNICEF. Available from www.unicef.org/montenegro/en/media/8426/file.



d) There is a shortage of implementation of the measure 'associates in social inclusion' for Roma and Egyptians within the healthcare system

Associates for social inclusion in the area of health were introduced in order to overcome the aforementioned obstacles in all sectors covered by the Strategy for Social Inclusion of Roma and Egyptians. After the standardisation of this position, training was provided for future associates in cooperation with the NGO Hilfe zur Selbsthilfe e.V. (Help). Three associates were employed at the health centre in Podgorica in 2017 and one mediator was hired at the health centre in Nikšić, while HELP engaged one in Berane on a project basis by until the end of January 2019. In cooperation with the public health sector and the Municipality of Nikšić, 15 members of the Roma community received training at health institutions in the city. The training lasted for nine months and ended in April 2018; however, no follow-up programmes were developed in order to sustain the results.

The main role of associates is to initiate and maintain active communication with the Roma community and Egyptians and to ensure their inclusion in the healthcare system. Unlike the associates for education who are employed for the period October to June, health associates are employed on a permanent basis. However, the same aspects have to be taken into account if this human potential is to be properly used in the implementation of policies, as elaborated in the case of associates for education. Initiatives at the local level (as in the case of Nikšić) also need to be well coordinated at the national level in order to achieve more sustainable results and to serve as a supportive measure in overcoming the challenges for Roma and Egyptians when accessing health services.

An analysis of the challenges faced by the Roma community in Montenegro⁸¹ conducted in August 2019 listed the following lessons learned from municipalities that have associates: 1) associates are far more effective if they belong to the Roma community and 2) there is a need for more gender balance among associates, especially considering the importance of reproductive awareness among women.

e) Existing youth counselling services, including the services for psychological counselling, sexual and reproductive health and the prevention of communicable diseases and addiction are not adequately promoted among young Roma

Services provided by psychologists are accessible in local health institutions. Yet this service is not promoted sufficiently among the youth and could be improved by cooperation between the doctors, the nurses and the mediators. Various constraints, including insecurity, fear, language barriers, a lack of information and support from family and peers, very often mean that young

⁸¹ The situation analyses conducted in 2019 identified and mapped the relevant challenges faced by the Roma community in Montenegro; De Facto Consultancy was developed under the Council of Europe and the EU ROMACTED Programme.

Roma seek solutions to their challenges through inadequate sources. This means that compared to their peers in the majority population they are far more exposed to addiction and disease. Programmes and projects for youth engagement in public life and social inclusion conducted by NGOs and funded by donors usually include the vulnerable and marginalised groups of young Roma and Egyptians. Their participation in those programmes allows them to use the acquired knowledge and awareness to inform and encourage their friends to use the existing services.

According to the results of the Multiple-Indicator Cluster Survey published in 2019,⁸² the level of awareness and information about HIV among young Roma and Egyptians has worsened over the years. In 2013, 6 per cent of young Roma aged 15-24 knew how to prevent the transmission of HIV; this percentage was twice lower in 2018. No women in Roma settlements in Montenegro received HIV testing during prenatal care in 2018. The same report states that the percentage of women aged 15-24 years in Roma settlements who were sexually active was 45 per cent, while among men aged 15-24 it was 62 per cent. As many as 87 per cent of married or unmarried women did not use any form of contraception, 6 per cent used traditional methods and 8 per cent used modern methods.

3.5 Successful or promising measures, experiences and methods to make mainstream policies in health more inclusive of Roma

a) The Screening Programmes for the Prevention of specific types of Cancer

In recent years, the health system in Montenegro has undertaken the systemic screening of people in the targeted categories and age groups in order to prevent the most frequent types of cancer. General practitioners in local health centres provide information on screening, which is highly recommended but not compulsory. A lack of disaggregated data made it impossible to obtain information on the users of this action in relation to Roma. Health centres receive a list of insured persons, which is previously formed by the Institute of Public Health in cooperation with the Health Insurance Fund, and which is compiled according to the age structure and gender of the insured. Yet it is certain that Roma and Egyptians who are not in possession of an identity card are not covered by this measure. Because the health system already organises field visits and

⁸² The Multiple Indicator Cluster Survey (MICS), which is conducted by MONSTAT and UNICEF, represents the second largest survey after the population census. It is conducted every five years, with the aim to collect statistically reliable and internationally comparable data on a range of indicators in the areas of health, education, child development and the living conditions of children and families. Additional information is available from www.unicef.org/montenegro/en/stories/mics-roadmap-improving-state-child-rights-montenegro.



examinations in Roma settlements it offers the possibility to include more Roma and Egyptians in the screening programme. According to the 2018 Report⁸³ on the Implementation of the Strategy for the Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, during 2018 a total of 34 workshops were organised for Roma and Egyptians on specific topics related to health prevention and health education. Workshops were also organised on healthy lifestyles and health prevention and protection, the need to prevent early marriages and the importance of maintaining personal health hygiene. In addition to these workshops, leaflets were distributed in order to assist in the implementation of health education activities.

The existing programmes of the Ministry for Human and Minority Rights on preventative health examinations for pregnant women conducted in cooperation with Roma and Egyptian women's NGOs also represent a good opportunity to spread information about the screening programme aimed at the prevention of cancer.

b) Courses were organised for parents and pregnant women in local health centres

As reported by a representative of the Ministry of Health, the incidence of minor pregnancy and abortion has been reduced among Roma and Egyptians since they began to attend courses together with the majority population. Such courses have been available in Podgorica (where most Roma live) for the last four years and in Bar during the last year, while courses have recently been introduced in Nikšić. It is also important to note that in health centres there are counselling centres for reproductive health, which is available to all citizens equally.

3.6 Recommendations

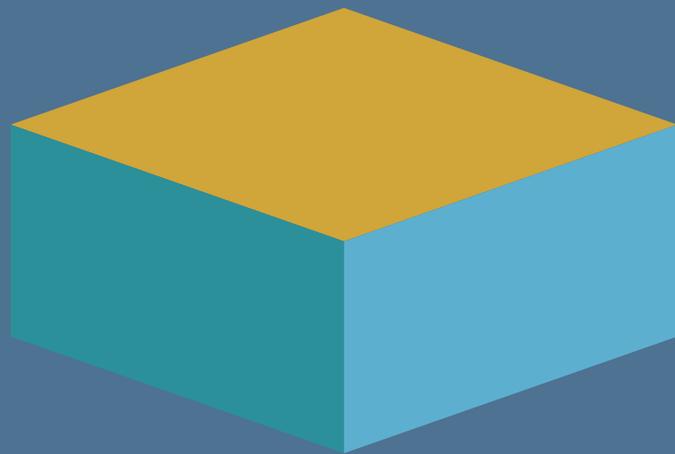
- ✳ Collect relevant statistics and sex-disaggregated data and design an appropriate methodology for monitoring the accessibility of the health services for Roma and Egyptians, including the affordability of treatments and medication, preventive measures, etc.
- ✳ Strengthen cooperation between the centres for social welfare and the health sector in order to enable development of a more effective and efficient response in both sectors.
- ✳ In the process of engaging Roma and Egyptian associates in social inclusion in the area of healthcare, respect the gender balance and involve female associates/mediators to work intensively with girls and women with the focus on sexual and reproductive health.

- ✳ Establish bridging health services (like paramedics) to widen the possibilities for employment of Roma and Egyptians trained as mediators for health and do not apply the criteria for associates (in terms of having secondary education).
- ✳ As is the case concerning associates in education, it is important to consider the human resources developed among the Roma community through donor-funded programmes for mediators. Reconsider the criteria for the employment of associates in terms of the requirement of Montenegrin citizenship and find a sustainable solution for the better use of existing human resources within the Roma community. Reconsider the terms of employment for associates in relation to education and enable their permanent employment. Develop additional and more favourable criteria for employment for those persons who have gained adequate experience as mediators through donor programmes but do not fulfil the criteria for employment as associates in terms of the required level of education (secondary school). This could include, for example, conditional employment for a period of one year subject to the obligation to complete secondary education over the course of the year. After fulfilling the criteria related to the level of education the conditional employment could become permanent.
- ✳ Given the number of young Roma and Egyptians who have attended different courses, education and participated in NGO programmes, establish a network of people and utilise social media to distribute information about preventive programmes for youth within the health centres. Organise monitoring of the implementation of programmes and develop additional measures within the new Strategy for Social Inclusion of Roma and Egyptians related to health among the youth.
- ✳ Include associates within the health sector in the campaign for the screening for prevention of cancer programme and develop additional segments for the existing field campaigns in order to make the Roma community aware of this measure and to include them in the screening programme.

⁸³ Page 17 of the Report on the Implementation of the Action Plan for the Strategy for the Social Inclusion of Roma and Egyptians in Montenegro 2016-2020 for 2018. Available from www.rcc.int/romaintegration2020/download/docs/Akcioni%20plan%20CG2019.pdf/49f9a70f1565e3ce126fdb9e19b93141.pdf.



4. HOUSING



4.1 Legislation

The legal framework in the area of housing is based on the Law on Social Housing and the Law on Spatial Planning and the Construction of Structures. The Law on Social Housing⁸⁴ regulates the conditions and manner of exercising the right to social housing. Persons without a housing facility and those whose housing facility does not meet the set standard and who cannot obtain a housing facility from the income they generate can exercise the right to social housing. This applies to Montenegrin citizens with residence in the territory of Montenegro and foreigners and stateless persons whose status has been resolved in accordance with the Law or international treaties.

This Law gives priority to, among other groups, the Roma community, displaced persons, internally displaced persons, foreigners with permanent residence or temporary residence and persons with the status of displaced or internally displaced person.

The Law on Spatial Planning and the Construction of Structures⁸⁵ regulates the system of spatial planning, the manner and condition for the construction of buildings, the legalisation of illegal objects and other issues of importance to spatial planning and the construction of buildings. When it comes to the removal of structures, Article 12 of the Law defines that the competent inspection authority shall ex officio or at the request of an interested party order the removal of a structure whose stability is found to be threatened through dilapidation, deficiencies or major damage and as such poses an immediate threat to the life and health of people, to the adjacent structures and the safety of traffic.

The process of legalisation is supported by NGOs active in the field. Inhabitants are informed about the procedures, the required documentation and the relevant deadlines, which significantly relieved this process. The most difficult situation exists among families who live in housing in unregistered settlements and for those whose units do not meet the basic standards defined by the Law, such as, for example, temporary objects and objects without electricity or a drainage system.

The Law on Protection and Rescue⁸⁶ includes a set of measures and actions to be taken in order to detect and prevent natural disasters, fires, technical and technological disasters, chemical,

⁸⁴ The Law on Social Housing, Official Gazette of Montenegro, No. 35/13, dated 23 July 2013. Available from www.paragraf.me/propisi-crnegore/zakon-o-socijalnom-stanovanju.html.

⁸⁵ Law on Spatial Planning and Construction of Structures, Official Gazette of Montenegro, No. 064/17, dated 06 October 2017, No. 044/18, dated 06 June 2018, No. 063/18, dated 28 September 2018, No. 011/19, dated 19 February 2019. Available from www.mrt.gov.me/ResourceManager/FileDownload.aspx?rid=290023&rType=2&file=Zakon%20o%20planiranju%20prostora%20i%20izgradnji%20objekata.pdf.

⁸⁶ The Law on Protection and Rescue, Official Gazette of Montenegro, No. 054/16, dated 15 August 2016. Available from www.mup.gov.me/biblioteka/direktorat_VS/zakoni.



biological, nuclear and radiological contamination resulting from war destruction and terrorism, epidemics or other disasters as well for saving citizens and material goods endangered by their activities.

4.2 Strategies

The objectives and measures envisaged within the Strategy for Social Inclusion of Roma and Egyptians⁸⁷ when it comes to housing include the construction of social housing in Podgorica, Nikšić and Berane; improvement of the housing conditions of the Roma community, the legalisation of Roma settlements and/or structures, resettlement (reallocation) of Roma settlements and/or structures and application of so-called ad hoc measures to improve housing conditions. In this respect and in line with EU and the Strategy recommendations, the local self-governments are encouraged to deliver local action plans with the support of the responsible ministries and the Government.

The Strategy for Sustainable Development by 2030⁸⁸ (NSSD) is the long-term development strategy of Montenegro that sets out solutions for the sustainable management of four groups of resources: human, social, natural and economic. These are set as priorities for the overall sustainable development of the society. The Strategy emphasises the importance of the integration of the Roma community into Montenegrin society through various measures. These include adequate regulation of their legal status, enabling the conditions for integration of children into the educational system at all levels, stimulation of employment, ensuring the conditions for healthcare and the social protection of the Roma community, creation of normative and factual conditions for Roma community participation in political life at the state and local level.

When it comes to housing the strategy highlights the need to improve the management of construction land in cities, resolve the challenge of the imbalance between the offer and demand for housing that is particularly expressed through the construction of apartments for rent in the coastal zone and to plan, regulate and manage urban areas with particular reference to groups with special needs such as women, the elderly, the Roma community, refugees and displaced persons and persons with disabilities.

87 The Strategy for the Social Inclusion of Roma and Egyptians in Montenegro 2016–2020, p. 17. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=236962&rType=2&file=The%20Strategy%20for%20Social%20Inclusion%20of%20Roma%20and%20Egyptians%20in%20Montenegro%202016-2020%20and%20AP%20for%202016.pdf.

88 The Strategy for Sustainable Development by 2030. Available from www.mrt.gov.me/en/ministry/174209/National-Strategy-for-Sustainable-Development-by-2030-NSSD.html.

4.3 Annual plans of the institutions

The annual work programme of the Ministry of Sustainable Development and Tourism for 2019–2021⁸⁹ prescribes measures related to social housing and the process of legalisation of housing units. When it comes to social housing, one measure in this regard is to strengthen the capacities of local self-government to plan and implement social housing programmes at the local level in accordance with the Social Housing Programme. Regarding the legalisation, the plan for 2019 was to implement the procedure to legalise informal objects and provide the construction infrastructure to ensure a decent life for citizens in settlements and to create better living conditions.

The Government of Montenegro prepared the Social Housing Programme for 2017–2020⁹⁰ in 2017. This programme stipulates that housing be primarily within the competence of local authorities, because the very nature of housing relates to a specific area and local community. The local community more easily recognises the needs of the population and thus the housing issues faced by its citizens. Spatial planning and spatial development, ensuring the availability of the housing stock, land, infrastructure and related services as well as the allocation of dwellings in the social lease sector and the distribution of housing subsidies all fall within the competency of local government.

The main obstacle to the implementation of local housing programmes is the financial position of individual municipalities as well as the capacities of municipalities in this field, which makes housing unequal in the municipalities. Local government units should create a database on the number of settlements inhabited by Roma and based on the findings develop plans and housing programmes that will provide for desegregation.

The Report⁹¹ of the Ministry for Human and Minority Rights emphasises the Regional Housing Programme, which envisages the provision of funds for resolving the housing issues of 6,063 persons (1,177 households) belonging to the most vulnerable categories (persons housed in informal collective centres and vulnerable persons in private accommodation, with special reference to Camp Konik).

89 The Work Plan of the Ministry of Sustainable Development and Tourism for 2019–2021, p. 9. Available from www.mrt.gov.me/ResourceManager/FileDownload.aspx?rid=369221&rType=2.

90 Ministry of Tourism and Sustainable Development, Social Housing Programme 2017–2020, Podgorica, 2017, p. 5. Available from www.mrt.gov.me/ResourceManager/FileDownload.aspx?rid=291107&rType=2.

91 Ministry for Human and Minority Rights, Report on Implementation of the Strategy for Social Inclusion of Roma and Egyptians in Montenegro for 2018, Podgorica, 2019. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=357564&rType=2&file=lzvjje%20o%20sprovoc%20C4%99I%20enju%20Strategije%20za%20socioj%20inkluziju%20Roma%20i%20Egip%20C4%87ana%20u%20CG%202016-2020%20za%202018.pdf.



In the capital Podgorica, which is home to the majority of Roma in Montenegro, the Housing Agency⁹² within the local government structure has within its jurisdiction the maintenance of the facilities within housing units built under the programme of social housing. Thus, the Agency continuously works to maintain housing units built for Roma and Egyptians at the camp Konik.

The Ministry of Labour and Social Welfare has developed guidelines for the management of objects for social housing. According to these guidelines, a tenant is obliged to arrange and bear the cost of repairs to his/her apartment, part of the apartment or other parts of the building or devices, installations and equipment, malfunctions that he/she caused intentionally or through negligence or that were caused by members of his/her family household or persons present in his/her apartment and building with the consent of the other tenants. In addition to the obligations of tenants, the guidelines define the obligations of the local self-government as well as the lessor.

In 2019 the Ministry of Economy launched an Energy Efficient Home Programme aimed at reducing heating costs and increasing household comfort, achieving a significant reduction in CO₂ emissions in the household sector and developing the market for biomass heating systems in Montenegro. The programme involves an attractive and sustainable financial mechanism for the implementation of energy efficiency measures in households. This includes the purchase and installation of heating systems for modern forms of biomass (pellet and briquette), installation of thermal insulation on the facade of a residential building and the installation of energy efficient facade joinery. The programme attracted significant interest among citizens and the Ministry planned to continue this programme in 2020.

4.4 Existing obstacles

a) Segregation

According to a survey conducted by the Ministry for Human and Minority Rights in 2016, the largest number of Roma and persons of Egyptian descent (around 77%) live in segregated settlements predominantly in three municipalities: Podgorica (57% of the total number of Roma and Egyptians), Niksic (11 %) and Berane (9%). Of the total number of housing facilities used by Roma and Egyptians, around 60 per cent of households were legalised facilities owned by one of the family members. The survey also states that the regional internal mobility of Roma and Egyptians led to the formation of new segregated settlements for Roma and Egyptians in the municipalities of Tivat, Ulcinj and Herceg Novi.⁹³

⁹² Annual work Programme of the Housing Agency in Podgorica. Available from https://drive.google.com/open?id=15Rklrua5-jHyIZ2L8H2jtW_RNvUM3j7D.

⁹³ Radović, M. and Mededović, K., Analysis of legal and institutional mechanisms for the provision of social integration services of Roma and Egyptians in Montenegro with analysis of uncovered competencies and missing support services, Podgorica, 2019.

The Regional Housing Programme is being implemented in more than 13 Montenegrin municipalities: Berane, Andrijevica, Podgorica, Ulcinj, Niksic, Budva, Rozaje, Plav, Herceg Novi, Bar, Danilovgrad, Tivat and Pljevlja. Currently, 62 housing units have been built in Nikšić and 170 at Konik in Podgorica for IDPs and a further 94 housing units are in the final phase of construction in Berane.⁹⁴

This programme contributed to the closure of the Konik Camp (the largest collective camp for displaced persons in Montenegro) as well as to closure of other collective centres for the accommodation of displaced and internally displaced persons. Despite the fact that the new housing units significantly improved the living conditions, the fact that segregation was still present could not be ignored. Housing units at Konik, for example, were built on the land where the camp is located and in this way contributed to the continued segregation of the settlement. The new settlements lacked the proper services and the area was not integrated properly into the wider urban area.

Government and line ministries should develop better spatial plans and provide land for the construction of housing units at different geographic areas in each municipality in order to avoid segregation. Parallel to the construction of housing, it is important to educate the inhabitants about proper maintenance of the housing units and communal areas. Special focus should be placed on behaviour during emergency circumstances such as fire, flood and earthquake.

b) Lack of statistical and other data required for monitoring the implementation of housing policies for Roma and Egyptians and the inclusion of targeted measures for the minorities within the existing programmes on disaster risk reduction

As in the area of health, the lack of statistical and other relevant data hampers informed and evidence-based planning and monitoring of Roma housing policies. This includes a lack of systematised data on the beneficiaries of the Regional Housing Programme, the social housing programmes and the Legalisation programme. Similarly, a lack of data on the territorial dispersion of Roma settlements endangers the security and safety of this vulnerable group in regard to natural and other disasters.

The lack of data, relevant central and local programmes for disaster risk reduction (DRR) do not take into account the specific needs of Roma when it comes to early warning and information.

c) Lack of legal counselling and other support services for Roma within the process of legalising their property

⁹⁴ Action Plan of the Strategy for the Social Inclusion of Roma and Egyptians 2016–2020 for 2019. Available from www.rcc.int/romaintegration2020/download/docs/Akcioni%20plan%20CG2019.pdf/49f9a70f1565e3ce126fdb9e19b93141.pdf.



The process for the legalisation of property is both complex and demanding in terms of collecting necessary documentation and completing administrative procedures. NGOs offer support to families through ad-hoc projects, but there is no systemic support offered by the government or the municipalities.

4.5 Successful or promising measures, experiences and methods to make mainstream policies in housing more inclusive of Roma

a) *The Energy Efficient Home Programme*

In 2020, the Ministry of Economy planned to secure additional funds that will enable an additional number of households to implement some of the energy efficiency measures under more favourable conditions. Roma and Egyptians who are beneficiaries of the Regional Housing Programme and local social housing programmes were supposed to qualify as beneficiaries. In line with the recommendation below, it is necessary to develop an additional component for the dissemination of information about this programme within the Roma community in order to enable their participation in the programme.

4.6 Recommendations

- ✳ Develop holistic policies for the de-segregation of Roma settlements, including proper housing and integration plans for Roma families focused on, among others, education for children and adults, employment programmes and regular information on the possibilities to participate in various central and local programmes. Using the existing resources within the Information System for Social Security, develop comprehensive social anamnesis for Roma and Egyptian families and organise regular consultations with institutions about the obstacles to and opportunities for better social integration of this minority.
- ✳ In cooperation with MONSTAT, the Ministry for Human and Minority Rights and the Ministry of Labour and Social Welfare should conduct a survey among Roma and Egyptians to assess their number and territorial dispersion and level of coverage by local social housing programmes and the Regional Housing Programme as well as the number and percentage covered by the Legalisation Programme. The data should be disaggregated

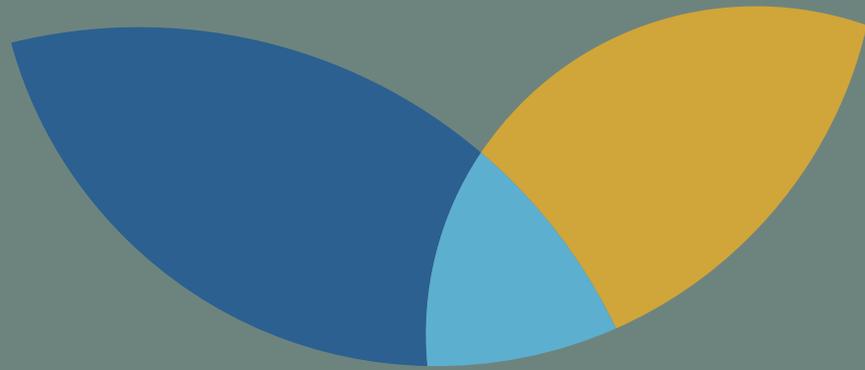
according to age, gender, place of residence, number of family members and other relevant information. Complement this survey with data available within the Information System for Social Security (social card) and census data and produce estimates/proxy data that can improve the design process for the new Strategy for Social Inclusion of Roma and Egyptians in Montenegro as well as in the process for the development of local plans for proper social housing.

- ✳ Within the preparations for the next census, make certain that Roma and Egyptians are included in the MONSTAT training for assessors, because it proved to be a good practice when encouraging self-declaration among the population during the preparatory period for the census in 2011.⁹⁵
- ✳ Make a comprehensive map of Roma settlements and develop specific sections of the existing disaster risk reduction programmes at the central and local level aimed at the better protection of Roma settlements. Include Roma and Egyptian women and men in the development of disaster risk reduction programmes. Create a tailor-made system of early warning and information share during disasters. Make sure that young people that use social media are included in the early warning/information share.
- ✳ In cooperation with NGOs, include Roma and Egyptian women in the Energy Efficient Home Programme. Develop additional ways to communicate the conditions and benefits for users of this programme to the population and above all to the beneficiaries of the Regional Housing Programme and the social housing programmes at the local level. Make sure that women, who are the main carriers of domestic work, are meaningfully included in the programme.
- ✳ Provide legal counselling and other support services for Roma and Egyptians in the process for the legalisation of their property. Secure funds for Roma and Egyptian NGOs to participate in this process.

⁹⁵ In 2010, as part of the preparations for the 2011 census, the Open Society Foundation in Montenegro supported a group of 20 Roma and Egyptians to attend the training for census assessors. Their presence was very important for encouraging Roma and Egyptians to self-declare.



CONCLUSIONS AND CROSSCUTTING RECOMMENDATIONS



Montenegro has developed a solid policy framework for the social inclusion of Roma and Egyptians. Targeted and mainstream policies are incorporated into the areas of antidiscrimination, education, employment, health, housing, legal status, social protection, culture and information. There are also some sector specific policies such as energy and environment, youth protection, and disaster risk reduction that contain mainstreaming measures that can be implemented complementary to the targeted measures already defined in the areas of interest to this analysis: education, employment, health and housing.

Montenegro is still struggling to implement targeted and mainstream measures properly mainly for the two reasons. The first is that the institutions are still not adequately prepared to introduce a multi-sectorial approach to the social inclusion of Roma and Egyptians. The second is that proper planning and monitoring of policies is not possible because of a lack of ethnically disaggregated data, geospatial and population specific socioeconomic data as well as a lack of measure specific budget.

This analysis has identified the obstacles and opportunities for Roma and Egyptians to benefit from the mainstream policies described below.

I. Education

Existing obstacles to Roma benefitting from the mainstream and targeted education policies:

- › inadequate transparency and the timing of open calls as well as the length of employment for associates in social inclusion within education
- › introducing the criterion of Montenegrin citizenship as a condition of employment for associates contributes to the underutilisation of the existing Roma human resources for the transition from donor funded programmes to sustainable solutions in the area of education
- › inefficient monitoring of student success and prevention of early school leaving (dropout)
- › challenging transition between education levels and between education and employment
- › insufficient coverage of preschool education and preparatory preschools
- › the need to develop criteria in relation to time restrictions linked to the award of scholarships
- › insufficient level of social integration of children through education.



Successful or promising measures, experiences and methods to make mainstream policies in education more inclusive of Roma:

- › exchange of experiences among teachers on the implementation of the targeted measures
- › anti-discrimination programmes at the school level.

2. Employment

Existing obstacles to benefit from the mainstream employment policies:

- › the lack of cooperation between institutions
- › limited chances for employment of Roma and Egyptians through grant schemes
- › unregulated status of collectors of raw materials
- › the abolition of the Decree on Subsidies for Employment for certain Categories of Unemployed Persons in 2018.⁹⁶

Successful or promising measures, experiences and methods to make mainstream policies in employment more inclusive of Roma:

- › the introduction of the occupation of 'Associate in social inclusion' for Roma and Egyptians in the area of employment
- › employment programmes for long-term unemployed women, including women from the Roma communities and majority population.

3. Health

Existing obstacles to Roma benefitting from the mainstream health policies:

- › the lack of statistical data and a methodology for monitoring healthcare for Roma and Egyptians
- › inadequate cooperation between the social care sector and the health sector
- › shortages in the implementation of the measure 'associates in social inclusion' for Roma in the system of healthcare'.

⁹⁶ The Decree on Subsidies for Employment of certain Categories of Unemployed persons, Official Gazette of Montenegro, No. 11/2012. Available from www.biznisona.me/en/subsidies-for-employment/.

Successful or promising measures, experiences and methods to make mainstream policies in health more inclusive of Roma:

- › the Screening Programme for the Prevention of Specific types of Cancer
- › courses for parents and pregnant women organised at local health centres.

4. Housing

Existing obstacles to Roma benefitting from the mainstream housing policies:

- › segregation
- › the lack of statistical and other data for monitoring the implementation of housing policies for Roma and the need to incorporate targeted measures for the Roma community within the existing programmes for disaster risk reduction.

Successful or promising measures, experiences and methods to make mainstream policies in housing more inclusive of Roma:

- › Energy Efficient Home Programme.

Specific recommendations have been provided for all sectors covered by this analysis and for each of the identified obstacles and promising measures.

Summary

1. To produce sustainable solutions for the social integration of the Roma community and to empower people to find a way out of poverty and economic dependence it is necessary to introduce a holistic approach to the implementation of policies and to develop more structured institutional practices within education, employment, housing and health. The gender dimension should be integrated thoroughly into all policies.
2. The design of the system of data collection, monitoring and reporting needs to be improved and standardised.
3. The existing human resources in terms of Roma and Egyptians who gained experience and developed skills and knowledge through various donor funded programmes and



projects on social inclusion needs to be used meaningfully in the implementation of the targeted and mainstream measures.

4. The existing networks within civil society and social media need to be included in the dissemination of relevant information and the information needs to be more tailored.

Crosscutting recommendations for the next Strategy on the Social Inclusion of Roma and Egyptians

1. The next strategy needs to be developed over a one-year period and incorporate all relevant mainstream strategies and activities based on the needs of Roma and Egyptians. The Ministry for Human and Minority Rights and the line ministries should adopt a combination of the targeted and mainstream approach in order to increase ownership and to enable better coordination when implementing targeted and mainstream policies for the social inclusion of Roma. The ministry has already begun the process of drafting the new strategy.
2. A specific set of goals and activities should be developed in all areas covered by the Declaration⁹⁷ of Western Balkans partners on Roma integration within the European Union enlargement process. In accordance with the Declaration, enable an appropriate institutional framework and leadership for the implementation of policies and

97 "Increase of the employment rate of Roma in the public sector to the rate proportional of the participation of Roma in the overall population; increase the employment rate among Roma to at least 25 per cent; wherever possible, legalize all informal settlements where Roma live; or provide permanent, decent, affordable and desegregated housing for Roma currently living in informal settlements that cannot be legalised for justified reasons; increase the enrolment and completion rate of Roma in primary education to 90 per cent and the enrolment and completion rate of Roma in secondary education to 50 per cent; ensure universal health insurance coverage among Roma of at least 95 per cent or to the rate equal to the rest of the population; ensure all Roma are registered in the civil registries; strengthen the government structures to protect against discrimination and establish a specific sub-division for non-discrimination of Roma within the formal non-discrimination bodies to process complaints by Roma, provide legal support to alleged victims and identify discrimination schemes, including institutional and hidden discrimination; undertake to use the available data to formulate evidence-based policies for integration of Roma; commit to establish proper mechanism for monitoring and reporting on the implementation of the Roma policies, including data relevant to measure the achievements of the objectives set forth in this Declaration, by designating the statistical offices as key responsible institutions for data collection in accordance with their programs; ensure to strengthen and support the National Roma Contact Points as a comprehensive mechanism for coordination and implementation of the objectives agreed within this Declaration and for ensuring synergies among line ministries responsible for Roma integration; agree to develop, adopt and implement regional standards on public budgeting related to Roma integration for mainstream and targeted policies, use and increase the public budgeting, both central and local, reaching Roma communities to achieve the abovementioned objectives, use available donor funding, including Instrument for Pre-Accession Assistance, to advance the status of Roma; commit to establish formal channels and mechanisms for joint involvement of the local governments and the Roma communities in the formulation of policy, decision making, implementation and monitoring of the efforts undertaken to achieve the objectives of this Declaration."

strengthening and supporting the National Roma Contact Points as a comprehensive mechanism for coordination and implementation of the objectives agreed within the Declaration and for ensuring synergy among the line ministries responsible for Roma integration.

3. The monitoring mechanism of the new strategy needs strengthening in terms of its capacities, responsibilities and level of decision-making as well as in terms of its composition whereby at least 20 per cent of its members from the Roma and Egyptian community. The procedure and composition of the Commission for monitoring any strategic document at the Government level is regulated by the Decree of the Government of Montenegro. According to the information received from the Ministry of Human and Minority Rights, there is a readiness to comply with this recommendation. In the previous procedure, although there was a willingness to involve more than one representative of the Roma and Egyptian population, there were no applicants who followed the procedures. There are currently three members of the Roma population in the Commission.
4. Within the obligations deriving from the Declaration related to budgeting, the programmes and projects of Roma NGOs as well as other NGOs that work on mainstreaming policies relevant to the needs of Roma should be supported strategically through the new strategy. State and local budgets need to finance these programmes in order to enable the sustainability of their results, which should be monitored regularly. The issue of funding NGOs is already regulated at the state level in accordance with the Law on NGO Financing, so it is necessary to conduct additional consultations with civil society on the possibilities of greater utilization of existing funds and sustainability of projects, in accordance with the Declaration.
5. In accordance with the Declaration against antigypsyism, a specific set of goals and activities should be developed within the new strategy in order to address the negative perceptions of Roma. Those goals and activities need to be implemented at both the central and local level and include central and local governments, civil society, the media and local Roma groups as well as business.
6. The annual action plans are to be prepared and adopted in the last quarter of the previous year and should include activities that are both implementable and agreed by the responsible institutions. Newly targeted activities are to be included when necessary.
7. Coordinate development, implementation and monitoring of measures developed under the Strategy against Domestic Violence and the new Strategy for the Social Inclusion of Roma and Egyptians in the area of the prevention of and protection from violence against women and girls, domestic violence and illegal child marriage.



List of interlocutors

1. Nevena Šuković, Employment Bureau of Montenegro, member of the Commission for monitoring implementation of the Strategy for the Social Inclusion of Roma and Egyptians
2. Samir Jaha, NGO Young Roma, member of the Commission
3. Natalija Milović, NGO Young Roma
4. Budimirka Đukanović, Ministry of Labour and Social Welfare, member of the Commission (16 October)
5. Milica Pajović, Ministry of Education, member of the Commission
6. Radmila Lainović, Ministry of Sustainable Development and Tourism, member of the Commission
7. Dijana Anđelić, NGO HELP
8. Ibrahim Tatari, mediator for employment
9. David Šalja, mediator for health
10. Dijamant Pajazitaj, mediator for social protection
11. Senka Klikovac, Ministry of Health, member of the Commission
12. Leon Đokaj, Ministry for Human and Minority Rights, National Roma Contact Point and Chairman of the Commission

Annex I. International Treaties on the Protection of Minorities ratified by the Montenegro

In addition to the legislation that guarantees respect for fundamental human rights and freedoms and the rights of minorities, Montenegro determines under the provisions of Article 9 of the Constitution that the international treaties it has ratified along with the generally accepted rules and standards of international law are an integral part of the domestic legal order.

Article 2 of the United Nations Universal Declaration of Human Rights⁹⁸ prescribes that, “Everyone is entitled to all the rights and freedoms set forth in the Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”

Article 26 defines obligations in the field of education and stipulates that, “everyone has the right to education that will be free and compulsory.” Furthermore, it states that, “education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.”

The United Nations Declaration on the Rights of Members of Ethnic, Religious and Linguistic Minorities (1992) is the most important universal international document in this field. Article 1 of the Declaration establishes the obligation of the States Parties to protect the existence and national or ethnic, cultural, religious and linguistic identity of minorities in their territories, to encourage conditions for promoting that identity and the adoption of appropriate legislative and other measures to achieve this objective.⁹⁹

In addition, racial/ethnic discrimination is prohibited in specialised treaties: the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), the Convention on the Rights of the Child (CRC) and the Convention on the Rights of Persons with Disabilities (CRPD).

⁹⁸ United Nations Universal Declaration of Human Rights, 1948. Available from www.un.org/en/universal-declaration-human-rights.

⁹⁹ Radović, M. and Mededović, K., Analysis of legal and institutional mechanisms for provision of social integration services of Roma and Egyptian in Montenegro with analysis of uncovered competencies and missing support services, Podgorica, 2019, p. 9.



Article 2 of the International Convention on Civil and Political Rights¹⁰⁰ obliges each State Party to this Covenant to respect and ensure for all individuals in its territory the rights recognised in the Convention, regardless of differences such as those of race, colour, sex, language, religion, political or other opinion, national or social origin, gender or any other circumstance.

Article 27 of Convention defines that, “those States in which ethnic, religious or linguistic minorities exist will not deny the right to persons belonging to those minorities to enjoy their own culture, to profess and practice their own religion or to use their own language.”

Article 14 of the Convention for the Protection of Human Rights and Fundamental Freedoms¹⁰¹ prescribes that, “the enjoyment of the rights and freedoms set forth in the Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.”

Protocol No. 12¹⁰² to the Convention prescribes that the enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

The Framework Convention for the Protection of National Minorities, adopted by the Committee of Ministers of the Council of Europe in 1994, was the first legally binding multilateral instrument devoted to the protection of national minorities in general. Its aim is to specify the legal principles that States Parties must undertake in order to ensure respect for the protection of minorities. According to the provisions of the Convention, the governments are obliged to submit reports on their level of implementation of the provisions of the Convention.

The third report¹⁰³ submitted by Montenegro points out that there has been significant improvement of the legislative framework regulating the prohibition of discrimination in all aspects, including the rights of minorities. In that regard, the Ministry for Human and Minority Rights prepared the Draft Law on Amendments to the Law on the Prohibition of Discrimination.

100 The International Covenant on Civil and Political Rights was adopted and opened for signature and ratification for accession by General Assembly resolution 2200A (XXI) of 16 December 1966. It entered into force on 23 March 1976, in accordance with Article 49. Available from www.ohchr.org/en/professionalinterest/pages/ccpr.aspx.

101 Council of Europe, European Convention on Human Rights, European Court of Human Rights, Rome, 4 November 1950. Available from www.echr.coe.int/Documents/Convention_ENG.pdf

102 Convention for the Protection of Human Rights and Fundamental Freedoms Rome, 4 November 2000. Available from <https://rm.coe.int/1680063765>.

103 Ministry for Human and Minority Rights, The third Report of Montenegro on the Implementation of the Framework Convention for the Protection of National Minorities, Podgorica, Montenegro, June 2017. Available from www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=277800&rType=2&file=The%20Third%20Report%20on%20the%20Implementation%20of%20the%20Framework%20Convention.pdf

The adoption of the Draft Law was planned for 2018 but it remains pending. The amendments to the Law relate to European Union recommendations and reports and in particular to those related to racism and intolerance toward minorities.

Annex 2. Breaking the Cycle of Roma Exclusion in the Western Balkans: A comparative overview for Montenegro for 2011 and 2017¹⁰⁴

| Priority area | Indicator | 2011. | | 2017 | |
|---------------|--|-------|----------|------|----------|
| | | Roma | Non-Roma | Roma | Non-Roma |
| Education | Net pre-primary enrolment rate (ages 3–5) | 9 | 15 | 21 | 36 |
| | Adjusted net compulsory education enrolment rate (ages 7–15) (a) | 56 | 95 | 62 | 92 |
| | Compulsory education completion rate (ages 18–21) (a) | 34 | 94 | 34 | 97 |
| | Upper secondary education completion rate (ages 22–25) | 6 | 89 | 3 | 79 |
| | Tertiary education completion rate (ages 26–29) | 0 | 15 | 0 | 25 |
| | Percentage of pupils attending majority Roma schools (ages 7–15) (b) | 8 | 1 | 15 | 13 |
| | Percentage of pupils attending special schools (ages 7–15) (b) | 6 | 3 | 1 | 2 |
| | Labour force participation rate (ages 15–64) | 49 | 61 | 19 | 41 |
| Labour market | Employment to population ratio (ages 15–64) | 28 | 43 | 15 | 38 |
| | Unemployment rate (% of the total labour force, ages 15–64) (b) | 43 | 29 | 23 | 7 |

¹⁰⁴ Monica Robayo-Abril, Natalia Millán, Breaking the Cycle of Roma Exclusion in the Western Balkans, International Bank for Reconstruction and Development / World Bank, 2019. Available from <http://documents.worldbank.org/curated/en/642861552321695392/pdf/Breaking-the-Cycle-of-Roma-Exclusion-in-the-Western-Balkans.pdf>.

| | | | | | | |
|---------|---|---|-----|-----|-----|-----|
| | Informal employment (% of total employment) (b) | 55 | 15 | 58 | 29 | |
| | Not in employment, education, or training (NEET) (ages 15–24) (b) | 69 | 42 | 78 | 33 | |
| Health | Health insurance coverage (ages 16+) | 89 | 99 | 80 | 98 | |
| | Self-reported unmet need for medical care (% of population ages 16+)(b) | 11 | 5 | 22 | 9 | |
| | Self-perceived health (% of the population ages 16+ reporting 'good' or 'very good' health) | 78 | 78 | 63 | 69 | |
| | Use of preventive healthcare services (% of the population ages 16+) | 39 | 61 | 48 | 79 | |
| Housing | Electricity (% of the population) | 91 | 99 | 92 | 98 | |
| | Piped water inside the dwelling (% of the population) | 79 | 94 | 73 | 95 | |
| | Connection to public sewerage or a waste water tank (% of the population) | 66 | 94 | 55 | 84 | |
| | Waste never collected (% of the population) (b) | 18 | 28 | 21 | 19 | |
| | Rooms per household member (c) | 0.6 | 1.1 | 0.5 | 1.2 | |
| | Overcrowding rate (% of the population) (b) | 72 | 37 | 78 | 40 | |
| | Documen-tation | Birth certificate (% of the population) | 95 | 98 | 96 | 100 |
| | | Identity card (% of the population, ages 16+) | 81 | 95 | 83 | 96 |

- Compulsory education refers to the International Standard Classification of Education (ISCED)
- Lower coverage for this indicator is desirable.
- This indicator is calculated at the head of household level.



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Roma Integration 2020 Action Team Office

Ruzveltova 61, 11000 Belgrade, Serbia
T: +381 (11) 4046 891 F: +381 (11) 4046 894



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RegionalCooperationCouncil

Regional Cooperation Council Secretariat

Trg Bosne i Hercegovine 1/V
71000 Sarajevo, Bosnia and Herzegovina
T +387 33 561 700 F +387 33 561 701 E rcc@rcc.int



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