



**ROMA**  
INTEGRATION

Regional Cooperation Council

**ANALYSIS  
OF MAINSTREAM  
POLICIES TARGETING  
ROMA INTEGRATION  
IN SERBIA**



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# ANALYSIS OF MAINSTREAM POLICIES TARGETING ROMA INTEGRATION IN SERBIA

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## I. Executive summary

**Education** policy in Serbia covers the integration of Roma into the education system at all levels. Yet significantly more effort is required if the level of education of the Roma minority is to be brought closer to that of the Serbian average. The overall education policy of Serbia is to improve the percentage of literate citizens and improve education at all levels. Efforts targeting Roma as the most sensitive group in this respect will therefore create a significant improvement in the overall average. One aspect of this is the need to encourage efforts to incorporate Roma in adult education as well as to provide additional education opportunities for children affected by early school dropout. Obstacles to the implementation of the education policies relate to the general poverty of the Roma minority as reflected in their overall position in society. Existing legislation and policies (such as affirmative measures) should be applied consistently in order to avoid any potential discrimination and segregation and significant sustainable resources should be secured in order to support the education of the most vulnerable Roma families living in substandard settlements.

Policies that are relevant to the improvement of the **housing** conditions of Roma are fostered through strategies that cover different areas relevant to the housing such as social housing, spatial development and sustainable urban development. These are all synchronised with the Strategy for the Social Inclusion of Roma, which is the umbrella strategy for the improvement of the situation of Roma in Serbia. Policies relevant to Roma housing are defined within the legislative framework, regulations and procedures. The largest bottlenecks appear in relation to available capacities. The lack of relevant institutions and finance are the most common challenges in implementation of the housing programmes and projects.

In the area of **employment**, three policy streams can be distinguished: (i) an increase in the number of Roma persons in the labour market, (ii) prevention of discrimination against Roma within the labour market and (iii) efforts to formalise undeclared Roma workers. There is an environment of strategic documents in areas such as employment, discrimination, poverty reduction, public administration reform and gender equality that address aspects relevant to improved access to the labour market for Roma. The situation is similar in the area of the legal framework in the sense that there are numerous laws regulating aspects important to Roma employment. Bottlenecks exist in the fact that regulations are sometimes complex and in some cases mutually conflicting or conflict with the strategies. One example is when strategies prioritise greater employment for Roma representatives within public administration but the laws prescribe a ban on employment in the public sector. This is the main reason why the position of Roma Coordinator is not systematised in a large number of cases.



Within the main strategic and legal framework of Serbia that deals with **healthcare** the Roma minority is recognised as a particularly vulnerable group with corresponding high priority mainstreaming measures. However, as the overall position of the Roma minority is still very low, there are a number of issues within the mainstream policies that require improvement.

The Laws dealing with healthcare issues requires an amendment to ensure the sustainability of the position of health mediators or to enable existing medical staff to work with the most vulnerable sections of the population living in poverty. Additional changes to the laws are required in order to avoid potential discriminatory terminology. The existing capacities of medical staff and health practitioners are insufficient for addressing all of the needs of the Roma community. Roma should be represented within the composition of local health councils; however, these bodies are still not adequately supported by local self-government. Further improvement of the implementation of affirmative measures aimed at increased employment of Roma within the health system is required, while institutions and civil society organisations should prioritise the issue of early marriage within the Roma community.

## 2. Introduction

### 2.1 Purpose

This study was commissioned in order to provide input for constructive evidence based discussion on effective ways to incorporate Roma integration into mainstream policies for Roma integration in terms of education, employment, housing and health within the existing mainstream policies.

### 2.2 Methodology and constraints

The policies analysed in this study are those defined in the *Strategy for Social Inclusion of Roma in the Republic of Serbia for the period from 2016 to 2025*. The strategy defines four strategic areas for the inclusion of Roma: **education, employment, healthcare and housing**. It also defines six to eight operational goals for each area. For the purposes of this analysis, the operational goals in each area were systematised into two to three policy streams: 1) groups of goals, 2) activities and 3) measures that together define one distinctive policy with regard to Roma inclusion in a specific area.

In order to determine if a policy is effective or not the authors took the stance that a policy can be implemented only if it is well defined in strategic documents relevant to a particular area or sector, supported or positively regulated by the relevant laws and normative acts and the capacities are in place to implement it.

Therefore, each policy was analysed through the triangle of (a) sector strategies, (b) the legislative framework that regulates each sector and (c) the institutional, financial and human capacities needed to implement it.

This meant that the study had to include the following:

1. A review of the existing strategic framework relevant to Roma inclusion in the four strategic areas of education, employment, healthcare and housing.
2. Review of the existing legislative framework (laws, regulations, bylaws, normative acts, etc.) relevant to these four areas.
3. An analysis of the existing institutional, financial and human capacities to implement the policies defined by the Strategy and regulated by the relevant laws based on interviews conducted with personnel from the relevant institutions.

The analysed policies were discussed with the relevant line ministries for implementation of the Strategy for Roma inclusion and their feedback is incorporated in this document.

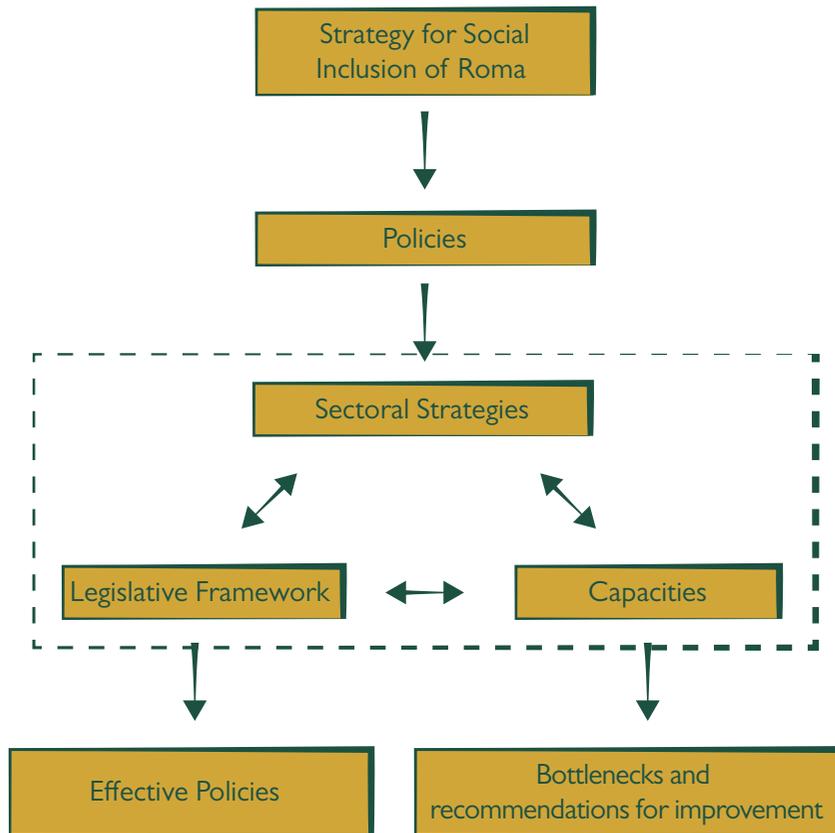


Figure 1. Research methodology overview

## 3. Baseline

### 3.1 Strategic and institutional framework

The main strategic framework for the integration of Roma in Serbia is provided for within the **Strategy for Social Inclusion of Roma in the Republic of Serbia for the period from 2016 to 2025**, adopted in 2016.

A number of other strategies are of importance for the substantial inclusion of the Roma community in Serbia. The **Strategy for Development of Education up until 2020** provides the main framework for education reform and greater inclusion of Roma pupils in preschool, primary and secondary schools as well as Roma university students. The **National Employment Strategy for 2011–2020** also recognises the need to address policies aimed at the Roma community. The **Public Health Strategy** is highly relevant to the Roma community as it provides a number of measures aimed at improving the health of poor sections of the population and Roma in particular as one of the most vulnerable groups. The **National Strategy for Social Housing** provides guidelines on housing upgrades and development.

Other relevant strategies that directly influence Roma inclusion in Serbia are the Strategy for Prevention of and Protection from Discrimination that provides a framework for suppressing discrimination targeted at vulnerable groups, the National Strategy for Gender Equality (2016–2020), the National Youth Strategy, the Strategy to Combat Trafficking in Human Beings and all other sector strategies in the area of health, employment, housing and education.

The main governmental body in charge of the implementation of the Strategy for Social Inclusion of Roma is the **coordination body** in charge of monitoring the implementation of the Strategy and the Office of the Deputy Prime Minister. The **Deputy Prime Minister** is currently the Minister for Construction, Transport and Infrastructure, which is the main governmental institution designated to coordinate the implementation of Roma inclusion activities in Serbia. The **Office for Human and Minority Rights** is the administrative body of the Government of Serbia in charge of human and minority rights and therefore is often seen as the coordinator of various Roma projects. However, this Office does not possess executive power and only serves as a tool for communication between government and civil society and for streamlining various interventions led by international organisations.

**The National Council of the Roma National Minority (NMC)** is a minority self-government body with a four-year mandate in the field of minority education, culture, information and the official use of minority languages.



**The Commissioner for Protection of Equality** deals with monitoring and individual cases of discrimination, and **Protector of Citizens** are in charge of monitoring the work of the public administration in line with human rights standards.

## 3.2 The relevant legal framework

**The Law on Protection of Rights and Freedoms of National Minorities** provides a general legal framework for the legal status of the Roma in Serbia and efforts targeted at improving the position of the Roma minority. The **Law on National Minority Councils** provides a legal framework for the Roma community to elect minority self-government in charge of minority education, culture, information and official use of the minority language. The **Law against Discrimination** provides a legal mechanism for the suppression of discrimination.

A number of relevant laws ensure the inclusion of Roma in education: the Law on Foundations of Educational System, the **Law on Preschool Education**, the **Law on Textbooks**, the **Law on Primary Education**, the **Law on Secondary Education**, the **Law on Higher Education** and the **Law on Student Standards**.

**The Law on Social Protection** is of paramount importance for ensuring the provision of the minimum living standard for individuals and families. The **Law on Financial support to Families with Children** provides additional assistance in that respect.

**The Law on Employment and Insurance for Unemployment** provides the basis for implementation of affirmative measures that could be of importance to the Roma community. In its actions and measures, the Action Plan for Employment prioritises hard-to-employ groups of the population. The **Law on Public Administration** prescribes that the structure of the local population should be considered during employment procedures, which should have an effect on the employment of Roma.

**The Law on Health Protection** provides for equal treatment of Roma within the health system. **The Law on Health Insurance** prescribes additional support for Roma in gaining health insurance. The **Law on Rights of Patients** provides for equal treatment for all without discrimination, while the **Law on Public Health** prescribes additional activities on health protection for vulnerable groups.

**The Law on Spatial Planning of the Republic of Serbia** emphasises Roma settlements as most vulnerable and prescribes models for their improvement and integration. The **Law on Planning and Construction** further manages urban planning and construction. The **Law on Housing and Building Maintenance from 2016**, (together with the Law on Social

Protection) recognise Roma as a particularly vulnerable group that should be prioritised in terms of social housing.

## 3.3 Key priority areas

This analysis deals with the four key priority areas of education, employment, health and housing and at the same time addresses a number of issues identified as important crosscutting issues. The key preconditions for implementation of other integration policies relate to activities and policies on legal registration and the provision of personal documentation for members of the Roma community as well as policies that target this issue at a broader level such as the introduction of Roma coordinators and Mobile Team Units at the local level as well as other formal or informal means for covering issues of relevance to this analysis.

Significant efforts by the government and various international institutions and civil society organisations in recent years have led to a decrease in the number of unregistered and undocumented Roma at risk of statelessness down from 30,000 to less than 1,000. According to current estimates, no more than 700 Roma are without birth certificates. Having in mind that registration and identity documents are a precondition for access to many public services and social benefits, this progress has resulted in a major improvement in the living conditions of newly registered Roma. This was made possible by a significant commitment on the part of the government to adjust a number of legal documents in order to enable easier modalities for registration and for obtaining personal documents.

Significant efforts by the government and civil society have had a positive impact on many areas of Roma integration in recent years, including an increase in the number of Roma children vaccinated and enrolled in preschool and the number of Roma with health insurance cards. The activities implemented so far by the Ministry of Education, Science and Technological Development lead to visible results.

Yet it is evident that without a clear structure and commitment among the relevant authorities to monitor implementation of the Strategy and ensure the allocation of sufficient financial resources it is hard to achieve most of the measures.



## 4. EDUCATION

Education has been identified as one of the key priorities for Roma inclusion. Having in mind the position of the Roma community in Serbia and based on previous findings and reports it is clear that the Roma community faces a serious threat of poverty. Yet despite the recognition that education is a key precondition for improvement of the general position of Roma in public life and the fact that preparatory preschool programmes and primary education are obligatory, Roma children continue to face serious challenges to their gaining a proper education. Besides facing discrimination in the education system, Roma enrolment of children in preschool programmes is significantly lower than that of the general population. Only 9 per cent of Roma children aged three to five and a half years of age enroll in preschool education compared to around 28 per cent of non-Roma in the same area, while only 63 per cent of Roma children enrol in the subsequent compulsory preparatory preschool programme. Furthermore, Roma children do not attend regularly and often dropout early from these programmes. Children that use the Roma language as their mother tongue face even greater challenges because the programme is too short for them to acquire sufficient mastery of Serbian or other languages of instruction.

Although some improvements were noted, the primary school attendance rate for Roma children in comparison with the total population remains low. Only 67 per cent of all Roma children complete the eight-year primary education compared to 96 per cent of the total population. Despite the fact that the number of Roma pupils in secondary education has doubled in recent years it remains very low, particularly for Roma girls. The percentage of Roma that complete tertiary education is only 1 per cent compared to 16 per cent of the total population. Around 7 per cent of Roma children are affected by school segregation and Roma are still overrepresented in special education, which can often be attributed to their insufficient mastery of the language of instruction. The situation is even worse for those living in substandard settlements. Also, parents of children are an important factor in the educational success of the child for regular attendance, which is, after all, defined by the *Law on the Fundamentals of the Education System*.

Various relevant strategies and plans recognise the need to address these issues. However, there are obvious discrepancies between the strategic frameworks and the relevant legal solutions and implementation in practice.

The *Education Strategy and the Action Plan* clearly emphasise the need to ensure instruction in the minority language and the learning of minority languages in order to develop education for the minorities. The Strategy further emphasises the need for implementation of relevant laws in order to ensure the full realisation of its education goals. In relation to the education of adults, the Strategy recognises the necessity to address the needs of vulnerable groups and in particular through programmes for Roma.

A number of obstacles prevent the state from implementing the goals of the Strategy to integrate the Roma community. Besides the systemic discrimination that the Roma community experiences



within the institutions, their segregated way of life in substandard settlements, general poverty and tendency for early dropout from the education system as well as the language barrier and lack of money for schoolbooks, clothes and similar mean that the legal solutions do not appear sufficient in order to create significantly better preconditions for their equality and education.

Although the laws prescribe the prioritisation of children from vulnerable groups in preschool enrolment and the compulsory preparatory preschool programme and primary education the number of Roma children enrolled and regularly present at school and in kindergartens shows that this is not enough. However, it should be noted that the introduction of mandatory preschool education has had a positive effect and increased enrolment of Roma children in preschool and primary school. Yet the main issue remains the fact that **there are not enough facilities close to Roma settlements, inadequate transportation and an insufficient number of quality staff to work with vulnerable groups of children.**

Another significant obstacle is that Roma children living in poor conditions, usually in substandard settlements, have an unsatisfactory knowledge of the majority language used for instruction. This has led to the practice of placing a number of Roma children (30% of Roma children) in classes with children with disabilities. These children's poor knowledge of the Serbian language can be compounded by insufficient efforts on the part of teachers and specialised language educators. Additionally, some elements in textbooks still contain stereotypes about the Roma community. This reinforces stereotypes and leads to increased stigmatisation of Roma children in school that in turn affects their ability to gain adequate skills and reach learning objectives planned for their age group. Another problem that has become noticeable in recent years (in very rare cases) is the creation of segregated groups of children in kindergartens and schools caused by many parents of non-Roma children sending their children to different schools in order to avoid mixed groups with a majority of Roma pupils.

The Law prescribes instruction in minority languages and specifies one subject on minority language and culture the execution of this measure in relation to the Roma minority remains relatively poor: 75 schools in Serbia. This can be attributed to a lack of professional teachers for this subject and the limited capacities of the education institutions. The subject Roma language and culture only exists in 22 schools in Serbia. Further efforts are needed in order to train new teachers that speak the Roma language in this subject.

The Ministry of Education, Science and Technological Development has satisfactory cooperation with the current convocation of the National Council of the Roma Minority. In addition to the Ministry, the Council has not fully used its authority to inform and encourage parents to include children in the Roma language election program with elements of culture. Also, the education of the staff that teaches this election program is solved through the Centre for Professional Development and Evaluation of the Faculty of Philology, University of Belgrade.



Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 1:</b> Provide equal treatment for Roma children from birth to ensure their early development and learning and to prepare them for compulsory education.</p>	<p><b>The Strategy for Development of Education up until 2020</b> prescribes a number of tasks for the development of education for minorities. These include instruction in and learning about the minority language and a number of measures for all stages of the education process.</p>	<p><b>The Law on Pre-school Education</b> prescribes education on the minority language and culture and defines the role of pedagogical assistants.</p> <p><b>The Law on Foundations of Educational System</b> prescribes the conditions for certification of knowledge of the Roma language and if education is in the minority language prescribes mandatory Serbian lessons. It forbids any form of discrimination and regulates minority education and participation of representatives in the National Minority Councils (NMCs).</p>	<p>The <b>Group for Minority Education, Social Inclusion and Protection Against Violence and Discrimination</b> (7 staff members) exists within the Ministry of Education, Science and Technological Development.</p> <p><b>The position Pedagogical Assistant</b> is systematised but still not fully sustainable because of unclear work status and job description (The Ministry of Education, Science and Technological Development is working on this issue).</p> <p>The lack of adequate staff (teachers) and a number of kindergartens that can provide preschool programmes close to Roma settlements remains an obstacle.</p>
<p><b>Operational goal 2:</b> Enable proper primary and secondary education for Roma children, effective prevention of early dropout and additional support up until the end of their secondary education.</p>		<p><b>The Law on Primary Education</b> prescribes mandatory preschool and primary education for all and defines education on minority language and culture.</p>	<p>Making preschool and primary school mandatory has had a positive impact on the number of Roma children enrolled. Yet there is a need for more persistent efforts by schools, local self-government, social services, health mediators and pedagogical assistants to ensure transport and financial support when needed.</p>



Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
		<p><b>The Law on Text-books</b> regulates the publication of textbooks on minority languages and the role of the national minority councils (NMCs).</p> <p><b>The Law on Secondary Education</b> regulates education on minority language and culture and the role of the NMCs.</p> <p>The Ministry of Education, Science and Technological Development adopted the <b>Rulebook for Enrolment in Secondary School</b>, which includes a procedure for implementation of affirmative measures for Roma.</p> <p><b>The Law on Dual Education</b> prescribes the obligation on the part of the employer to provide education/work in the minority language.</p>	<p>The distribution of <b>Free textbooks</b> for Roma children was a good initiative, which now depends on local self-government.</p> <p>Textbooks are printed and used, but only 10 per cent of Roma children have had the chance to participate in the subject 'Romani language with elements of culture'.</p> <p><b>Affirmative measures</b> have been introduced for Roma when applying for secondary school. <b>The Office for Human and Minority Rights</b> approved the lists created by the National Council of the Roma National Minority prior to their being submitted to the Ministry of Education, Science and Technological Development.</p> <p><b>Scholarships</b> for Roma pupils at secondary school are a good idea but are dependent on funding from local self-government, donors, Civil Society Organizations (CSOs), etc.</p> <p><b>School Inspectors</b> should act promptly in cases of absenteeism.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
		<p><b>The Law on the Prohibition of Discrimination in the Republic of Serbia</b> regulates general discrimination.</p> <p><b>The Law on Free Legal Aid</b> prescribes free legal aid for, among others, children, victims of domestic violence, trafficking in human beings (THB) victims, refugees and IDPs, disabled, evicted and institutionalised persons.</p> <p>The Ministry of Education, Science and Technological Development adopted the <b>Rulebook for Procedures in case of Discrimination in Schools</b> in 2018. It stipulates actions against discrimination and segregation.</p>	<p><b>The Commissioner for Protection of Equality</b> deals with cases of discrimination.</p> <p>The central and local ombudspersons (<b>Protector of Citizens</b>) deal with the protection of rights of minorities and children through oversight of public services.</p> <p><b>The Roma National Minority Council (NMC)</b> deals with issues pertaining to the education of the Roma minority.</p>
	<p><b>Operational goal 3:</b> Provide an effective and efficient mechanism for recognising discrimination against Roma and for prevention and intervention.</p>	<p><b>The Strategy on Prevention of and Protection from Discrimination</b> recognises Roma as a vulnerable group and prescribes corresponding actions.</p> <p><b>The Strategy on Gender Equality 2016–2020</b>, recognises Roma women and girls as potential victims of multiple discrimination.</p>	
	<p><b>Operational goal 4:</b> Provide the conditions for expression of identity, protection of minority language and culture and the achievement of all minority rights within education for Roma.</p>	<p><b>The Law on Protection of Rights and Freedoms of National Minorities</b> protects national minorities from any form of discrimination, regulates education on minority language, instruction on minority culture and the role of the NMCs in education programmes.</p> <p><b>The Decision on the Standardisation of the Roma Language</b> was adopted by the Roma NMC in 2014.</p>	<p>Classes in the Roma language have still not been organised in schools because of a lack of adequate staff and literature (textbooks).</p> <p>Courses on the Roma language were opened at the Belgrade Faculty of Philology, where 50 persons gained language certificates. However, the course closed because of budget constraints. The Higher School for Teachers in Vrsac still organises a course on Roma language.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
		<p><b>The Law on National Minority Councils</b> more clearly defines the role and mandate of NMCs in education, culture and official use of minority language.</p> <p><b>The Law on Employees in Public Service</b> gives advantage to Roma candidates with the same level of qualifications.</p>	<p>A course on Roma Studies was temporarily included at Novi Sad University.</p> <p><b>The Roma NMC</b> has the mandate to promote and protect Roma culture and language.</p> <p>There is still an insufficient number of Roma teachers within the education system.</p> <p>A few Roma CSOs work on the promotion of Roma education, culture and language.</p> <p>The Ministry of Culture funds projects for minorities.</p>
<p><b>Operational goal 5:</b> Increase the number of Roma in education in areas of particular importance to the Roma community.</p>		<p><b>The Law on Higher Education</b> regulates higher education in minority language and the role of the NMCs.</p> <p><b>The Law on Student Standards</b> prescribes easier requirements for Roma students as members of a vulnerable community to receive accommodation and meals at university facilities as well as for student loans.</p>	<p>Faculties are introducing <b>affirmative measures for the enrolment</b> of Roma students.</p> <p>The Ministry of Education, Science and Technological Development provides easier terms for Roma students to receive scholarships, student loans, student meals and accommodation.</p> <p>Local self-government, the Roma Education Fund and other donors provide a number of scholarships for Roma students.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 6:</b> Provide proper primary and secondary education for young and adult Roma without any previous education as well as for those who prematurely left the education system and provide adequate support to enable them to complete their secondary education and obtain qualifications for employment.</p>	<p><b>The Career Guidance and Counseling Strategy in the Republic of Serbia</b> does not emphasise Roma or any other vulnerable group.</p> <p><b>The Adult Education Development Strategy in the Republic of Serbia</b> underlines the necessity to develop special programmes for Roma.</p>	<p><b>The Law on Adult Education</b> regulates education in minority languages and the role of the NMCs in monitoring.</p>	<p>The existing network of primary and secondary schools is still insufficient to provide education for a great number of adult Roma.</p> <p><b>Andragogical assistants</b>, the same as pedagogical assistants, have been engaged and legally defined but a greater number of educated staff is still required and job requirement needs to be better defined.</p> <p><b>The National Employment Agency</b> organises courses for employment but there is no data on the level of Roma participation.</p>

## Analysis of existing mainstreaming policies

The Education policies cover the integration of Roma into the education system at all levels. However, there is still a lot of room for improvement in terms of bringing the education level of the Roma minority closer to that of the Serbian average. The overall education policy of Serbia is to improve the percentage of literate citizens and improve education at all levels. Efforts targeting the Roma population as the most sensitive group in this respect have achieved a significant improvement in the overall average. In that respect, **there is a need to encourage efforts in adult education as well as in additional education opportunities for children affected by early school dropout.**

It is possible to define three main policies within the overall policies related to education in Serbia: 1) improvement of the overall level of education and literacy of the population, 2) protection of minority language and culture, and 3) equality and non-discrimination within the education system.



As previously mentioned, improvement of the overall level of education and literacy of the population is closely related to the improvement of literacy and education of the Roma population. Significant results have been achieved in this respect, both by the government and through the support provided by civil society and international organisations. The Ministry of Education, Science and Technological Development, along with the Group for Minority Education, Social Inclusion and Protection against Violence and Discrimination that exists within the Ministry, is the key central institution in charge of this policy.

The Strategy for Development of Education up until 2020 prescribes a number of tasks for the development of education in relation to the minorities, which include instructions in the minority language and learning the minority language as well as a number of measures designed for each stage of education. One of the key results and policy changes created through the Law on Primary Education is its stipulation that the preschool programme and primary education is mandatory for all. This had a significant influence in the form of increasing the number of Roma children in preschool education and a general increase in enrolment of Roma children in primary school as well as a general improvement in the level of education. Concerning secondary education, the Ministry adopted the Rulebook on Enrolment in Secondary School that contains procedures for the implementation of affirmative measures for Roma and provides a better legal framework for implementation of this measure. The Rulebook that defines the affirmative measure of enrolment in secondary school was adopted in 2016 and then became part of the general Rulebook that deals with issues of enrolment in secondary school. This measure of support dates back to 2005.

Yet it is noteworthy that a series of measures still need to be addressed. One of the obstacles for the implementation of the education policies relates to the general level of poverty among the Roma minority, which is reflected in their overall position in society. There are many risk factors for early dropout such as poor living conditions, early marriage and child labour, while on the side of public policy there is lack of financial and human resources to implement successfully all of the necessary activities. Although the work of pedagogical assistants has been systematised and publicly recognised as essential for the Roma community unclear work status and job descriptions mean that it is still not sustainable. In regard to preschool education, it is clear that there is a lack of adequate staff (teachers) and a lack of premises for preschool programmes to be provided close to Roma settlements. In addition to the financial resources provided by the government and local self-government it is necessary to provide transport, books, scholarships, meals and school materials for children. Procedures for implementation of affirmative measures on the enrolment of Roma in secondary school and university could be improved if the process were more transparent and impartial. School inspectors and other authorities should act promptly in response to cases of absenteeism. Similarly, within adult education, there is a need for additional staff, andragogic assistants, more schools for adult learning and additional funding.

**The protection of minority language and culture** depends on successful implementation of the existing strategic and legal framework in relation to minorities. It provides a good basis for the implementation of education on the Roma language and the Roma culture. All of the laws related to education prescribe education on minority language and elements of minority culture. On initiative of the Roma National Minority Council, the precondition of the systematisation of the Roma language has been provided.

Yet a series of obstacles continue to prevent the full implementation of existing policies. Because of unsustainable programmes at the university level, there continues to be an insufficient number of certified teachers of the Roma language and elements of culture. The problem of the lack of funds for such programmes and the engagement of teachers in schools where it is possible to organise such classes persists. Even with printed textbooks, in reality only 10 per cent of Roma children have the chance to participate in the subject 'Romani language with elements of culture'.

**Equality and non-discrimination within the education system** is the general policy of the Government of Serbia. The Law on Foundations of Educational System as well as other legal documents forbid any form of discrimination in Serbia. Yet despite this public policy, in reality there are challenges to implement this measure in full. As mentioned previously, there are cases where the unintentional segregation of Roma children in school can occur despite the existence of the legal framework, which is actually trying to prevent this from happening. The existing antidiscrimination institutions need to react promptly and warn the authorities about possible segregation or discrimination. All relevant central and local institutions need to increase their efforts to improve the existing conditions within education institutions (facilities, staff, programmes, accessibility, etc.).

### Successful mainstreaming activities

There are a number of examples of good practice within education that are worthy of further exploration and promotion. Having in mind the particularly poor living standards of the majority of Roma, even small material support for schoolchildren, usually provided by donors, has been of great importance in preventing early school dropout. In cooperation with the Ministry of Education, Science and Technological Development, civil society and international organisations provide **scholarships** to pupils that enable them to attend school classes regularly. This kind of support has proven essential for a lot of Roma students. This kind of support needs to be strategic and procedures need to be clear and short in order to reach the target group in time.

The Ministry of Education, Science and Technological Development provides criteria that is more lenient for Roma students and allows them to apply for scholarships as members of a vulnerable social group, based on confirmation from the National Council of the Roma Minority or the Office for Roma Inclusion. Roma students can have the same benefits when applying for student



loans, meals and accommodation at student institutions. However, there is a need to monitor students who receive such forms of assistance continuously in order to justify their scholarships and ensure that they continue to attend throughout their education. Additional assistance is required in terms of mentoring and monitoring for Roma children enrolled in secondary school.

**Free textbooks** and school materials are a precondition for pupils to be able to achieve their planned learning objectives. Having in mind their material status, free textbooks and basic school utilities provided by the local self-government are an essential form of support. Free textbooks were introduced years back as a form of support for Roma children, but over time this intervention has been broadened to include all children with a need for this kind of support. Support provided by donations for school materials and equipment can in some cases prove crucial in preventing early school dropout. This kind of support needs to be explored further and planned strategically at both the central and local level.

**Pedagogical assistants** are a good example of support for the enrolment of Roma children in school. In the 2018/2019 school year there were 261 pedagogical assistants engaged throughout Serbia. In practice, they are recognised as being the most important form of support and link between the Roma community and the education system. Even with the existing legal precondition for the introduction of pedagogical assistants into the preschool and primary school system (Law on Foundations of the Education System) their status as employees remains unresolved (systematised) and unsustainable, because the criteria for their selection is not defined and their job description remains vague. Even without these obstacles, there is still the issue of the existing prohibition on employment of public officials (which despite being a temporary measure remains in place).

**Affirmative measures** were introduced into the education system in order to increase the number of Roma in secondary schools and universities. Yet although this form of support is legally grounded in the Constitution and a number of relevant laws there is a need to define clearly the criteria for selection and to promote measures for the proper monitoring of the success of enrolled Roma. Roma can apply for selected secondary schools through this measure; the Ministry of Education, Science and Technological Development together with the Office for Human and Minority Rights and the National Council of the Roma Minority conduct the selection process. Universities and other relevant institutions of higher education conduct the enrolment process for state universities. The National Council of the Roma Minority provides certificates for members of the Roma minority, which is legally questionable.

## 5. HOUSING





As the data provided in the Strategy for Social Inclusion of Roma shows, there is a significant difference between the housing conditions of Roma and the general population in terms of the quality and safety of housing units, including the use of space, the quality of connection to the basic infrastructure and access to public services such as transport, education and health facilities. A large percentage of the Roma minority lives in segregated settlements in inadequate housing conditions, namely such settlements do not provide an adequate living environment primarily from the perspective of basic health and safety standards. A mapping of substandard Roma settlements in Serbia ascertained that there are 583 settlements that lack some of the basic standards for adequate housing. This includes access to drinking water, sanitation and other basic infrastructures such as electricity and roads, the inadequate structural quality of the housing units, inadequate density of the inhabitant of the settlements and issues in relation to security of tenure and legal/property rights. More than 65,000 Roma live in such settlements, which represents close to half of the total minority population that declared themselves as Roma during the 2011 census.<sup>1</sup>

Without adequate housing and living conditions, it is very difficult to make progress in the other three priority areas: health, education and employment. Therefore, housing should be seen as a pillar of social inclusion for the Roma community in Serbia. As can be seen from the following analysis, in recent years relevant strategic as well as legal and regulatory documents have recognised this fact at the policy level.

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<b>Operational goal I</b> Ensure the programmatic and information related preconditions for improving housing conditions for Roma men and women.	<b>Social Housing Strategy (expired in 2015)</b> <i>(Note: The Strategy is programmed to last until 2015, but remains in force as a valid document until the official adoption of a new strategic document - the National Housing Strategy, which is currently being drafted)</i>	<b>Law on Planning and Construction</b> The Law prescribes the creation of a central register of planning documents, which would ensure that all spatial and urban plans are publicly available online.	<b>Central Level</b> The Republic Housing Agency was dismantled in 2016 in compliance with the Law on Housing and Building Maintenance.  Within the Ministry of Construction, Planning and Infrastructure, the Department for Housing Policy has only 4 staff.

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
	<p>Goal 1: Improve existing and develop new instruments for social housing, including stable sources of financing, an efficient legal and normative framework and the formation of new and improvement of existing institutions.</p> <p>Measure 1.1.2 prescribes the development of a research and information for housing in general.</p> <p><b>National Housing Strategy</b> <i>(A draft strategy has been drafted during 2018 and 2019, and official adoption is pending. Until the adoption, the Social Housing Strategy is still in force as an umbrella strategic document for housing policy in the Republic of Serbia)</i></p> <p><b>Sustainable Urban Development Strategy of Serbia</b></p> <p><b>Spatial Development Strategy of Serbia 2009– 2020</b></p>		<p>Systematisation and institutional reorganisation are very frequent in the Ministry of Construction, Transport and Infrastructure (MCTI), which includes frequent changes to the housing unit in terms of personnel, the number of staff and their scope of responsibility (changing from department, to unit, team, etc.).</p> <p>The Social Housing Strategy (expired in 2015) had a very low implementation rate.</p> <p>The Geographic information system (GIS) for Monitoring the Situation in Substandard Roma Settlements was developed during 2015 and 2016. It mapped all substandard Roma settlements in Serbia. The system remains functional and is owned by the Ministry of Construction, Transport and Infrastructure and installed at the premises of the Housing Team. However, due to frequent changes in staff, team members are not trained adequately in the use of the GIS.</p>

<sup>1</sup> Djordjevic, A. 2017. *Substandard Roma Settlements in Serbia: An Overview from Geographic Information System for 2016*, OSCE: Belgrade.

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 2:</b> Create the preconditions for spatial planning to improve housing conditions in sustainable Roma settlements.</p>	<p><b>Sustainable Urban Development Strategy of Serbia</b></p> <p><b>Spatial Development Strategy of Serbia 2009– 2020</b></p> <p><b>Social Housing Strategy (expired in 2015)</b> Goal 7: Improve housing conditions for residents of substandard settlements.</p> <p>Measure 7.1: Planning regulations for substandard settlements.</p> <p><b>National Housing Strategy</b></p>	<p><b>Law on Planning and Construction</b> The Law prescribes the development of Detailed Urban Plans for informal settlements and zones of urban renewal (both could be relevant for substandard Roma settlements).</p> <p><b>Law on Legalisation</b></p>	<p><b>Local Level</b> The system of local housing agencies is also shrinking. They currently exist in around 10 municipalities. Several agencies were dismantled and several were transformed into local public companies.</p> <p>Law on Housing and Building Maintenance prescribes capacity building for dealing with housing policy at the local level. This is to be done through the formation of specialised housing organisations (housing agencies or other organisations) and the development of local housing strategies. This should have a positive influence on Roma housing policies.</p>
<p><b>Operational goal 3:</b> Create the normative preconditions for resolving property issues, the legal status of lots and facilities in sustainable Roma settlements, with the final aim of legalisation and improvement of housing facilities in these settlements.</p>			<p>The capacities for housing policy in local administrations remain very limited. In most cases, housing policy is the responsibility of departments that also have to deal with communal issues, infrastructure, urban planning, etc. In larger cities, local administrations have housing departments; however, in most cases they only have a small number of employees, not enough to deal comprehensively with housing issues at the city level.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 4:</b> Improve the public infrastructure in Roma settlements.</p>	<p><b>Social Housing Strategy (expired in 2015)</b> Goal 7: Improve housing conditions for residents of substandard settlements.</p> <p>Measure 7.2: Improve the infrastructure in substandard settlements.</p>		
<p><b>Operational goal 5:</b> Improve housing standards.</p>	<p><b>Social Housing Strategy (expired in 2015)</b> Measure 7.3: Improve housing conditions in substandard settlements</p>	<p><b>Law on Housing and Building Maintenance</b> The Law defines adequate housing standards.</p>	<p>In terms of ‘hard’ capacities at the local level, the number of public housing units is negligible and can cover on average around 1 per cent of the total housing stock. It is hard for local government to lead an effective and efficient housing policy and resolve the housing problems of vulnerable groups, among which there are a large number of Roma families, without a significant number of public housing units.</p>
<p><b>Operational goal 6:</b> Implement social housing unit construction programmes.</p>	<p><b>Social Housing Strategy (expired in 2015)</b></p> <p><b>National Housing Strategy</b></p>	<p><b>Law on Housing and Building Maintenance</b> The Law defines different types of housing support programmes, ranging from improvement of existing substandard houses to various social housing programmes.</p>	
<p><b>Operational goal 7:</b> Define and implement relevant international standards regarding eviction from unsustainable sub-standard settlements.</p>		<p><b>Law on Housing and Building Maintenance</b> The Law provides the conditions for the resettlement of substandard settlements in line with international standards.</p>	



Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 8:</b> Elevate the cultural standards, economic empowerment and preserve the ethnic and cultural identity of the Roma community.</p>			

## Analysis of existing mainstreaming policies

In the area of housing policy for the Roma community, three distinctive policy streams are present:

- › improvement of existing substandard Roma settlements in order to meet in full the general standards of housing;
- › resettlement for those settlements that are unsustainable, in accordance with international procedures, and the inclusion of Roma in public housing programmes;
- › building an information base on Roma housing as well as the specificities of Roma cultural standards.

Each of the policies related to housing prescribed in the Roma Inclusion Strategy has achieved progress over recent years, although each has certain bottlenecks.

Over the last five to ten years, positive changes have been made to the framework for strategies and the legislative framework, which means that each strategic goal and policy related to housing prescribed by the Roma Inclusion Strategy is relatively well covered by strategies dealing with specific areas relevant to housing as well as the relevant laws and other legal documents.

Bottlenecks in relation to housing appear mostly in the area of institutional, human and financial capacities, which are areas that definitely require improvement if housing policies related to Roma and other vulnerable groups are to be efficient and effective.

The **Improvement of substandard Roma settlements** policy stream relates to the creation of the preconditions for spatial planning, normative preconditions to solve the issue of the legal status of property and property rights, improvement of the public infrastructure and general improvement of housing standards for Roma residing in substandard settlements.

This policy stream is accommodated by strategies. The expired *Social Housing Strategy and the new National Housing Strategy, the Spatial Development Strategy and the Sustainable Urban Development Strategy* all address the regularisation/upgrading/improvement of substandard Roma settlements and the resolution of legal and property rights as important issues.

Concerning the development of urban/spatial plans for substandard settlements, the *Law on Planning and Construction*, as the main legal document for spatial and urban planning, prescribes the development of Detailed Urban Plans (DUPs) for informal settlements and zones of urban renewal, which also relates to a large number of substandard Roma settlements. One possible bottleneck here is that the development of DUPs is often very expensive and requires a very lengthy and complex procedure. Practical experience from numerous IPA (Instrument for Pre-Accession Assistance) funded programmes shows that they are not always necessary and that Plans of General Regulation (which are cheaper, less complex and easier to develop and implement) are adequate for many settlements.<sup>2</sup>

In terms of institutional capacities, since urban plans come fully under the responsibility of local level administrations they are the key actors. The three main issues that frequently create bottlenecks in the implementation of this policy stream are a lack of finance, lack of institutional capacity (local urban planning companies or institutes) and a lack of adequately trained personnel.

The lack of finance is underlined by the fact that financing urban plans through IPA projects, which usually cost around EUR 10,000 per plan, represents a significant contribution for local governments even in medium-sized cities in Serbia. Many of the municipalities would not be able to develop these plans without external financing.

Regarding institutional capacities, in line with the amendments to the *Law on Planning and Construction*, the majority of local public urban planning companies were dismantled. Now, only Urban Planning Institutes (in Serbian, 'Zavod za Urbanizam') in large cities such as Belgrade, Novi Sad, Nis and Kragujevac remain. Municipalities now have to contract commercial urban planning companies through tenders. Since the development of urban plans for substandard settlements is a very complex process and differs significantly from the 'usual' urban plans for residential or business districts of cities the demands are much greater in terms of time, a significant level of fieldwork and greater participation of the local community compared to the usual procedure where they are asked merely to comment on the proposed plan during its official display. Therefore, it is usually not attractive for commercial planning companies and very often proves to be more expensive for local administrations to contract.

<sup>2</sup> Carpino, L., Zerjav, B., Divjak, L. and Nikolic, P. (eds.) 2016. *Urban Plans for Substandard Roma Settlements*. OSCE: Belgrade.



The **specific requirements for development of an urban plan for a substandard settlement** demand that urban planners have a special set of skills, which the majority of planners lack. This represents a serious problem at the project implementation level in the field, since only a few urban planners and architects in Serbia have the required experience to deal with this issue. **In recent years, there has been a gradual improvement in the implementation of IPA projects** in response to the growing number of urban plans developed and adopted for substandard Roma settlements. Yet it appears necessary to create an appropriate institutional setup for these planners in the form of non-profit urban planning companies, similar to the local urban planning companies that existed until recently.

**Solving the legal issue of property rights and legalisation is the slowest of the group of activities to be implemented.** The main reason for this is that it comes at the end of a long stream of activities that have to be implemented before the legal issues for individual housing units can be addressed.

The first bottleneck appears at the level of the legislative framework. One of the first paragraphs of the *Law on Legalisation* states that housing units constructed without the use of adequate materials or building techniques and which fail to provide safety for the inhabitants cannot be legalised. This means that the majority of houses of the most vulnerable Roma communities are effectively excluded by the legalisation. This implies that the legalisation of individual housing units in substandard Roma settlements can only take place after adequate urban plans have been adopted, followed by land subdivision plans and after all of the necessary infrastructure has been constructed and finally after the individual housing units have been upgraded to meet the prescribed construction standards. This already complex procedure is made even more complicated by the fact that there are countless different cases in substandard settlements related to land ownership, the location of settlements, land zoning, etc., which means that virtually every settlement represents a unique case that demands different procedures for solving land and property issues.

The Law does not include different procedures and costs for legalisation by those who built out of necessity (poor families, refugees, IDPs, Roma, etc.) and those who built for 'opportunistic' reasons. This hits Roma families that cannot afford the cost of legalisation even when their houses are suitable to be legalised.

**Amendments to the Law on Legalisation made in 2018 prescribe that houses that have not been legalised cannot be connected to any public infrastructure** (water, sanitation, electric network, district heating, etc.). Previously, informal/illegal houses were able to connect to the infrastructure once they had provided proof that they had submitted a claim for legalisation and were therefore in the process of obtaining legalisation. Currently, it is necessary to submit proof that the house has been legalised and that the process of legalisation was completed

successfully. This can cause problems in substandard Roma settlements since the vast majority of houses do not fulfil the criteria related to the physical/structural quality of buildings. This means that **it is necessary to first upgrade the individual house to the officially prescribed standard and only then to connect it to the infrastructure.**

The resettlement of **unsustainable substandard Roma settlements** policy stream focuses on two areas that need to be improved: development of social/public housing construction programmes and respect for relevant international standards on eviction.

The first area is part of general public housing policy, which so far in Serbia recognises Roma, refugees and internally displaced persons as the most vulnerable groups and main beneficiaries of public housing programmes.

The *National Housing Strategy* is a strategic document adopted for the period from 2012-2022 and is valid until the adoption of the new National Housing Strategy.

**Two components are a key to any successful housing policy at the local level: 'soft' capacities (institutions, finance, human resources, etc.) and 'hard' capacities (public housing stock).** At present, the majority of municipalities in Serbia lack both of these. The public housing stock is below or around 1 per cent in the vast majority of municipalities, while specialised housing institutions (local housing agencies or similar organisations) exist in only a few municipalities.

**The Law on Housing and Building Maintenance stipulates that the capacities for housing policy at the local level need to be built and the development of housing policy instruments at the local level made mandatory for all municipalities in Serbia** (through either the formation of non-profit housing agencies or the provision of adequate capacities within local administrations and the development and adoption of local housing strategies). **This process is currently underway but it entails a lengthy and demanding procedure.**

Concerning resettlement and eviction, the Law on Housing and Building Maintenance defines the process of resettlement in accordance with international standards and prevents forced eviction. The articles dealing with resettlement were developed in cooperation with international organisations, including, among others, the OSCE, United Nations and Amnesty International. The articles define the cases where resettlement is permitted and the process of resettlement, including the provision of adequate housing.

The capacity of local self-government to implement resettlement projects properly in accordance with the procedure prescribed under the Law, which includes ensuring the full participation of



beneficiary families, devising and implementing adequate housing for resettlement, etc., remains an issue.

**Building an information and knowledge base on Roma housing** is the area that has achieved the greatest level of progress. All of the relevant strategies stress the necessity to develop a research, knowledge and information base for dealing with the issue of Roma housing. Measure 1.1.2 of the Social Housing Strategy prescribes “the development of research and information basis for housing in general”, which inevitably includes Roma housing. Similarly, the new National Housing Strategy will cover this issue. **The Spatial Development Strategy and the Sustainable Urban Development Strategy also stress the importance of research and the collection of information on informal and substandard settlements.**

This measure is supported within the frame of legal documents by the *Law on Planning and Construction*, which prescribes the formation of digital databases for urban plans at both the central and local level. The Central Register of Planning Documents should make all spatial and urban plans publicly available at one place. This is important for Roma housing because most of the substandard Roma settlements are not covered by urban plans and therefore it is not legally possible to improve living conditions in these settlements. The *Law on Legalisation* also prescribes the development of a database on illegal/informal buildings, which includes a large number of Roma housing units.

At the programmatic level, development of a research, knowledge and information base is an important part of almost every project/programme that deals with Roma housing. For example, each IPA funded project in 2012, 2013, 2014 and 2016 contained these elements as a significant part of their activities. These projects were based predominantly on the significant experience, research and knowledge drawn from previous programmes and projects related to Roma housing in Serbia since 2005.

The definition of substandard Roma settlements was widely adopted by IPA funded projects and is currently used for the majority of programmes and in official documents. The **detailed assessment of settlements is now widely accepted as a necessary first step for all projects that involve the improvement of Roma housing conditions** (a detailed analysis of the physical and socio-economic situation in the settlement as the basis for any plans and activities). These assessments were implemented in numerous settlements significantly expanding the knowledge and information base that will support future Roma housing projects and activities.

All of the substandard Roma settlements were mapped for the first time in Serbia through IPA 2012 and this data was used to develop a Geographic Information System (GIS) that shows the situation pertaining to housing and living conditions in the most deprived settlements. The system

is used for evidence-based programming of further IPA funded projects and general economy-level planning with regard to the improvement of Roma housing conditions. Conceptual models of housing adequate for implementation in Roma settlements were also developed based on a detailed analysis of all models used thus far. These models cover many different situations and provide a wide range of housing options ranging from self-help construction and improvement of existing housing units to different models of public/social housing.<sup>3</sup>

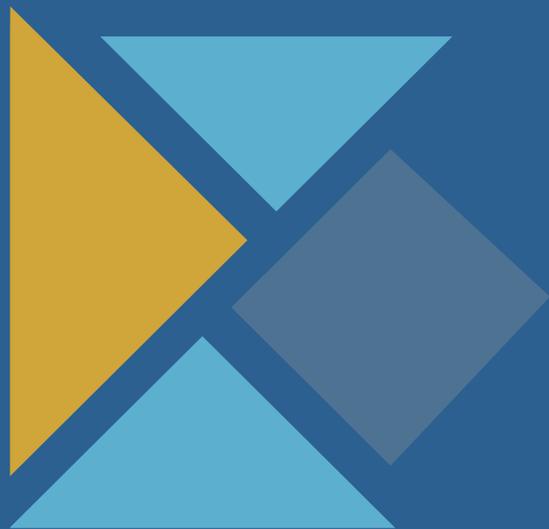
Yet there are certain bottlenecks in the area of institutional, human and financial capacities for this set of policies that limit their ability to be fully effective. In Serbia, the aforementioned GIS and data related to the mapping of substandard Roma settlements come under the ownership of the Ministry of Construction, Transport and Infrastructure (MCTI), with the Housing Department being directly responsible for its operation, maintenance and periodic updating. However, the Department undergoes frequent changes in personnel as well as changes in the number of staff and their responsibilities. It used to be the Sector for Housing before it became a department with a new systematisation underway. Therefore, the GIS is not being used effectively.

The system of local housing agencies at the local level that had been built gradually since 2005 has practically been abandoned, with the majority of agencies either dismantled or reconstituted as local public companies with significantly different responsibilities. Important for this policy area is the fact that the continuous collection of data, analysis and research related to housing were among the key duties of the agencies.

<sup>3</sup> Vuksanovic-Macura, Z. and Macura, V. 2014. *Housing Models for Roma Settlements*. OSCE: Belgrade.



## 6. EMPLOYMENT



Similar to other priority areas of Roma inclusion, the position of Roma in employment is also much worse than that of the general population. Since the general situation regarding employment in Serbia is difficult, Roma are hit worse by low access to the labour market. In the relevant strategies, the generally low level of education and necessary skills among the Roma minority is seen as one of the key obstacle to obtaining employment, which in turn requires policies that are closely related to education. Another serious obstacle is discrimination, which makes access to employment for the small number of Roma that are adequately educated and trained even more difficult.

This is why policies oriented toward increasing the level of inclusion of Roma in the labour market focus on improving the situation in these two segments, as shown in the following analysis. An additional policy stream is oriented toward efforts to legalise the undeclared work that low skilled Roma undertake, such as the collection and recycling of waste material, house cleaning etc., in order to help them enter the official employment system and thus gain access to pension and health insurance and provide them with at least a basic level security.

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 1:</b> Increase the number of working age Roma men and women declared in the labour market.</p>	<p><b>Poverty Reduction Strategy</b></p> <p><b>The National Employment Strategy for the period 2011–2020</b> recognises the Roma minority as a particularly sensitive or vulnerable group within the labour market.</p> <p><b>The National Employment Action Plan</b> gives priority to hard-to-employ unemployed persons involved in active employment policy programmes and measures or for specific categories of special active employment policy programmes and measures.</p>	<p><b>The Law on Employment and Insurance in case of Unemployment</b> recognises the category of 'difficult-to-employ unemployed persons' who face difficulty in finding employment due to health conditions, insufficient or inadequate education, socio-demographic characteristics, regional or professional mismatches between supply and demand on the labour market, and other such circumstances through <b>affirmative action</b>.</p> <p><b>The Law on Labour Records</b> provides guidelines for keeping records on employed and unemployed persons.</p>	<p><b>The Sector for Anti-Discrimination Policy and Promotion of Gender Equality formed in 2017 within the Ministry of Labour is in charge of monitoring the Strategy for Social Inclusion of Roma Men and Women in Serbia.</b></p> <p>The National Employment Agency and the Ministry of Labour, Employment and Social Issues are in charge of a number of measures on the employment of vulnerable and 'hard-to-employ' persons.</p> <p>The annually adopted Employment Action Plans set active labour policy measures aimed at improving the employability and encouraging employment of members of the Roma minority.</p>



Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
		<p>The Labour Law is the key legal document in the employment sector and contains instructions on the rights and obligations of employers and employees.</p> <p><b>The Law on the Social Economic Council</b> describes the constitution and work of the Council.</p>	<p>The National Employment Agency conducts activities in accordance with the National Employment Action Plan and the goal is to include a larger number of persons who are recognized as a category of hard-to-employ, including Roma.</p>
<p><b>Operational goal 2:</b> Prevent and reduce discrimination against Roma men and women in the labour market.</p>	<p><b>The Strategy on Prevention of and Protection from Discrimination</b> recognises Roma as a vulnerable group and prescribes corresponding actions.</p> <p><b>The Strategy on Gender Equality 2016–2020</b> recognises Roma women and girls as potential victims of multiple discrimination.</p>	<p><b>The Law on Peaceful Settlement of Disputes</b> and the <b>Law on Volunteering</b> forbid any form of discrimination in the organisation of voluntary work.</p> <p><b>Law on Prevention of Harassment At Work</b></p>	<p><b>The Sector for Anti-Discrimination Policy and Promotion of Gender Equality</b> within the Ministry of Labour is in charge of policies and measures in this area (The focus of this Sector so far has been on gender equality).</p> <p><b>The Labour Inspectorate</b> is in charge of oversight.</p> <p><b>The Commissioner for Protection of Equality</b> deals with cases of discrimination.</p> <p><b>The central and local ombudspersons</b> (Protector of Citizens) deal with the protection of the rights of minorities through oversight of public services.</p> <p><b>The Agency for Peaceful Settlement of Disputes</b> is in charge of mediation and implementation of the Law.</p> <p>Employees of the National Employment Service, when working with service users, inform about the Law on Prohibition of Discrimination.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 3:</b> Increase the competitiveness of members of the Roma minority in the labour market.</p>			<p>The Adult Education System provides opportunities for undereducated Roma to obtain secondary education as well as professional training. The National Employment Agency supports professional training on various topics. There are no reports on Roma participation.</p> <p>Within the framework of active employment policy, the National Employment Agency organizes several different educational programs, which primarily include hard-to-employ categories, and which are defined annually in the National Employment Action Plan (among others, Roma, women, over 50, young people, persons without qualifications or with low qualifications). Roma, as a hard-to-employ category, are mostly included in the Functional Primary Adult Education program because they do not have a certificate of completed primary school. To a lesser extent, Roma also participate in other educational programs, such as training for the labour market, training for the needs of the employer, professional practice, trainees, acquisition of practical knowledge.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
			Which type of program they can specifically participate in depends primarily on the level and type of existing qualification as well as motivation and interest in the same.
<b>Operational goal 4:</b> Promote employment and economic empowerment of Roma men and women, with special focus on categories of persons vulnerable at multiple levels.		<b>The Law on Professional Rehabilitation and Employment of Persons with Disabilities</b> prescribes affirmative measures for the working engagement of persons with disabilities.	Affirmative measures exist for hard-to-employ persons, but are not used as required. Persons with disabilities are particularly vulnerable and employers are obliged to employ them and by so doing gain support.  The National Employment Agency has continuously promoted active policy measures aimed at reducing unemployment and increasing employment, as well as the integration of persons with disabilities and all other categories of the hard-to-employ into the labour market.
<b>Operational goal 5:</b> Employment policy on Roma men and women is an integral part of local economic development policy.		<b>Local action plans and local budgets</b> contain no systematic data at the central level on the implementation of this goal.	Existing Local Plans for Economic Development do not mention Roma employment. The promotion of this goal is necessary. Bearing in mind that the Local Employment Council is formed by the president of the local self-government and the members of the local council represent all actors at the local level who measure in order to reduce unemployment at the local level.

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
			The National Service participates in local councils through its representatives.
<b>Operational goal 6:</b> Increase the number of Roma men and women employed by public authorities.	<b>Strategy on Public Administration Reform</b> The drafting process of the new Strategy on Public Administration Reform from 2021 has just begun.	<b>The Law on Protection of Rights and Freedoms of National Minorities and the Law on Public Administration</b> guarantees equal access to jobs to citizens by prescribing that the employees in state bodies should to the fullest extent possible match ethnic composition, gender representation and number of persons with disabilities, in the structure of the entire population.	There is a lack of adequate representation of Roma in the public sector. The engagement of Roma coordinators is a good effort aimed at directly encouraging the employment of Roma in local self-government but it faces serious obstacles. The Government's decision to impose a temporary ban on employment in the public sector prevents any additional efforts to encourage employment of Roma.
<b>Operational goal 7:</b> Formalise the work of undeclared Roma men and women in employment and especially individual collectors of secondary raw materials and include them in the waste management system at the local self-government level.		<b>The Law on Simplified Work Engagement in Seasonal Jobs in certain activities</b> provides simplified modalities for employers for the certain types of work that do not require permanent engagement.	There are no systematic efforts to achieve this objective.

In the area of employment, three policy streams can be distinguished: (i) an increase in the number of Roma persons in the labour market, (ii) prevention of discrimination against Roma in the labour market and (iii) efforts to formalise the work of Roma currently in undeclared employment. Each policy stream is covered by one or several operational goals under the Strategy for Social Inclusion of Roma.

All three of the policy streams are in line with the **National Employment Strategy 2011–2020** as the main strategic document. The Strategy defines ten priorities for achieving a general



increase in employment in Serbia, among which the following are especially relevant to Roma employment policies:

- › assistance in job seeking and prevention of long term unemployment,
- › promotion of adaptability to changes for both workers and companies,
- › an increase in the amount and quality of investment in human capital,
- › the fight against discrimination against specifically vulnerable groups,
- › a significant decrease in undeclared work,
- › support for professional and geographical mobility.

The National Employment Strategy recognises the Roma population as a specifically vulnerable group with regard to access to the labour market and defines Roma as a hard-to-employ category that requires special assistance and support in order to enter the labour market.

**An increase in the number of Roma in the labour market** is covered by the *Strategy for Social Inclusion of Roma* through goals that focus on achieving a higher percentage of working age Roma in the labour market in general. Its implementation is based on three groups of activities: building an information base on unemployed Roma at the central level (in order to obtain reliable data on the extent of the problem and be able to devise an appropriate response), increasing the competitiveness and employability of Roma through training and education (which relates closely to the education policies) and promotion of the employment of Roma through various affirmative measures aimed at Roma entrepreneurship and employers that employ Roma.

The *National Employment Strategy 2011–2020* has the employment of Roma as a separate goal and prescribes an “increased number of Roma included in active employment policies” and “increased number of Roma employed” as the expected results.

The Ministry of Human and Minority Rights, the Ministry of Public Administration and Local Self-Government, the Ministry of Economics and Regional Development and the National Employment Agency are the institutions responsible for implementation of this goal.

Aside from the National Employment Strategy, the *National Poverty Reduction Strategy* also supports these policies. This Strategy categorises Roma among the groups for which access to the labour market is very hard because of their generally low level of education. It prescribes measures of support for continuous education and pre-qualification in order to improve their employability.

The existing legal framework that covers these policies is described in the table above. The Labour Law is the key legal document that defines the rights and obligations of employees and those entering the labour market. Aside from this, the Law on Labour Records is relevant to the building a database on unemployed Roma policy stream because it provides guidelines for keeping records on employed and unemployed persons.

The *Law on Employment and Insurance in case of Unemployment* is also relevant to this policy stream. It defines the category ‘difficult-to-employ’ as those persons for whom it is hard to find employment due to health issues, education, social-demographic characteristics, regional or professional mismatch in the labour market and other objective circumstances. **The Law explicitly states that unemployed persons that belong to the difficult-to-employ category have an advantage and special rights in terms of implementation of programmes and affirmative measures and active employment policy.**

This policy stream also relates to operational goal 6 of the *Strategy for Social Inclusion of Roma*, which aims to increase the number of Roma employed by public authorities. Within these efforts, most notable is the role of local Roma coordinators.

*Roma coordinators* are local self-government officials engaged to deal with various aspects of Roma inclusion at the local level. Their engagement differs greatly from place to place, but their role is often crucial to the provision of support to the most vulnerable groups of Roma living in substandard settlements. Roma Coordinators monitor and report to local self-government on the overall situation of Roma and follow the implemented measures for their inclusion. This makes them vital to the successful monitoring and planning of further interventions. However, there is no clear systematisation of this position within the legal system and the current ban on the engagement of new public officials makes this position even more unsustainable. The Law on Determination of Maximal Number of Employees in Public Administration has ceased to be valid, but the consent of the Commission for New Employment is still required.

As the main strategy, the *National Employment Strategy* fosters **the prevention of discrimination against Roma in the labour market.** The Strategy deals explicitly with the prevention of any form of discrimination in employment through its operational goal 2.4.3. Equal opportunities in the labour market for all.

**The Law on Employment strictly forbids any form of discrimination,** especially discrimination based on race, nationality, social background or gender.

The Ministry of Labour established the *Sector for Anti-Discrimination Policy and Promotion of Gender Equality* in 2017, the focus of which is on the development and monitoring of policies and measures in order to prevent discrimination. This Sector is also in charge of monitoring the implementation



of the Strategy for Social Inclusion of Roma Men and Women in Serbia. However, so far, the Sector has focused mostly on gender equality.

Oversight over the implementation of the *Law on Labour* rests with the Labour Inspectorate. Even though the focus is not on anti-discrimination, inspectors should possess the skills to recognise and monitor discrimination in the labour market. **The Agency for Peaceful Settlement of Disputes has special authority in individual cases of disputes between an employer and employees.** Although the Agency is in charge of mediation it can also deal with disputes based on complaints about discrimination. The Agency would benefit from antidiscrimination training.

At the central level, the Commissioner for Protection of Equality deals with individual cases of discrimination and can act based on reports. Additionally, the central protector of citizens and local ombudspersons can react in cases where human and minority rights within the public services have occurred.

Goals and measures of the *National Employment Strategy* call for the **formalisation of undeclared Roma employment.** One of the goals in this Strategy is to “decrease the volume of informal economy” in general, but it fails to make specific reference to undeclared employment within the Roma minority. Another goal that is relevant to this policy stream is the “*restructuring employment by the type of work*”, which should result in a “*decrease in vulnerable employment*” (self-employed persons and supporting household members). This result would have a positive effect on many Roma working part-time in low skilled jobs.

## 7. HEALTHCARE



Adequate healthcare is of primary importance to the Roma minority, which continues to face serious challenges to achieving the goals prescribed within the Strategy for Social Inclusion of Roma. Despite it being a very young population the life expectancy of Roma is much shorter than that of the majority population, which can be attributed to poor living standards, unsatisfactory healthcare and their general unhealthy way of life. Child mortality is still higher among Roma and early marriage is a practice that needs addressing. Reproductive health is of high importance particularly for young Roma women/girls, who often lack adequate knowledge as well as a choice and support from within the family. Reports on discrimination within the health system against Roma and miscommunication between patients and medical staff should be addressed through the system for the protection of patient rights and through the Commissioner for Protection of Equality as well as through other legal instruments.

The Key strategic document in this area is the *Strategy of Public Health in the Republic of Serbia (2018–2026)* and the accompanying *Action Plan* that prescribe a number of measures for the improvement of health among poor sections of the population and in particular Roma as one of the most vulnerable groups, in line with the *National Strategy for Social Inclusion of Roma*.

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 1:</b> Establish a supporting environment for the development and health of Roma women and men.</p>	<p><b>The Poverty Reduction Strategy</b> recognises Roma as a vulnerable group and contains measures targeted at Roma in particular.</p> <p><b>The Public Health Strategy</b> in the Republic of Serbia for 2018–2026 contains disaggregated data on the health of Roma and prescribes selective measures for vulnerable groups.</p> <p><b>The Strategy on Permanent Improvement of Quality of Health Protection and Safety of Patients</b> prescribes better cooperation between the Roma minority and the Ministry of Social Care.</p>	<p><b>The Law on Health Protection</b> provides for the equal treatment of Roma within the health system and recognises Roma without legal residence as a vulnerable group in relation to healthcare. However, the Law does not recognise the institute of Roma mediators.</p> <p><b>The Law on Health Insurance</b> prescribes additional support to assist Roma in gaining health insurance (affirmative measure).</p> <p><b>The Law on Public Health</b> prescribes additional activities on health protection for vulnerable groups.</p>	<p><b>Only one person</b> (advisor) within the Ministry of Health is in charge of health protection programmes and the projects for vulnerable groups, including monitoring the work of health mediators.</p> <p>Mandatory immunisation efforts need to be constant and health mediators are of great help in this regard.</p> <p>Improvement of living conditions in settlements is a precondition for health yet progress has been slow because of a lack of funds and legal obstacles.</p> <p><b>Affirmative measures</b> enable all Roma, even those without residence, to obtain health insurance.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 2:</b> Improve the development and health of Roma children.</p>	<p><b>The Strategy on Development of Health for Youth</b> dates from 2006 and has yet to be updated.</p> <p><b>The National Strategy for Youth</b> 2015–2025 emphasises Roma youth as a group at particular health risk.</p>	<p><b>The Draft Law on Protection of Rights of Children</b> should include particular care and protection of vulnerable children (not adopted).</p> <p><b>The Law on Youth</b> defines measures for youth engagement, but nothing particularly relevant to Roma or any other vulnerable group.</p> <p><b>The Criminal Code</b> protects children from domestic violence, sexual harassment, etc. Early marriage, however, remains a challenge for institutions because of the strength of patriarchal attitudes within society.</p>	<p>The work of <b>Health mediators</b> seems to be the most efficient operational mechanism to assist families and children in early development, education, cooperation with the health sector, etc.</p> <p>Achieving a reduction in the number of early marriages through the education and empowerment of women depends on CSOs and requires stronger institutional support.</p> <p>Education Programmes for young mothers on reproductive health are project based.</p>
<p><b>Operational goal 3:</b> Improve the health of Roma women and men in the area of chronic and non-communicable diseases (NCD) and reproductive health.</p>	<p><b>The Strategy on Prevention and Control of Chronic and non-Communicable Diseases</b> does not stipulate special measures for Roma but recognises poverty as the most important risk factor and prescribes relevant measures.</p> <p><b>The National Programme for Improvement of Sexual and Reproductive Health</b> (2017) proposes measures targeted at Roma as a vulnerable group.</p> <p><b>The Strategy for the Encouragement of childbirth</b>, adopted in 2018, does not recognise the needs of Roma as a vulnerable group.</p>	<p><b>The Law on Procedures for Termination of Pregnancy</b> regulates the abortion procedure.</p> <p><b>Protocol for Procedures and Protection of Female Victims of Violence</b> (Ministry of Health)</p>	<p>No specific programmes are performed in a systematic manner at the institutional level to prevent non-communicable diseases (NCD). Only sporadic actions dependent on projects and initiatives exist. The NCD average is similar in the general population. Poverty increases the risk of contracting a NCD.</p>



Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
<p><b>Operational goal 4:</b> Improve access to good healthcare without discrimination.</p>	<p><b>The Strategy on Prevention of and Protection from Discrimination</b> defines Roma as a vulnerable group targeted by discrimination.</p> <p><b>The Strategy on Gender Equality (2016–2020)</b> recognises Roma women as potential victims of multiple discrimination and prescribes a number of activities for the promotion of the health of women.</p>	<p><b>The Law on Rights of Patients</b> provides for the equal treatment for all without discrimination.</p> <p><b>The Law on the Prohibition of Discrimination in the Republic of Serbia</b> regulates the issue of general discrimination.</p> <p><b>The Law on Protection of Rights and Freedoms of Minorities</b> protects minorities from any form of discrimination.</p> <p><b>The Law on Free Legal Aid</b> prescribes free legal aid for children, victims of domestic violence, THB victims, refugees and IDPs, disabled, evicted, institutionalised persons, etc.</p> <p><b>The Law on Gender Equality</b> regulates equal rights in health-care, family planning and the provision of information for pregnant women.</p> <p><b>The Law on Public Service Employees</b> prescribes affirmative measures for Roma in cases where candidates for the same position have the same qualifications.</p>	<p><b>Advisors for the Protection of Patients</b> as well as <b>Health Councils</b> should be appointed and financed through local self-government, but work in health institutions. (To date, only 9 LSGs have established health councils and only one has a Roma representative).</p> <p>The Commissioner for Protection of Equality deals with cases of discrimination.</p> <p>The central and local ombudspersons (Protector of Citizens) deal with protection of the rights of minorities through oversight of public services.</p> <p>Free Legal Aid is provided by CSOs and special legal services in particular cases.</p> <p>Health mediators are present in a number of local self-government units, but their status is not systematised.</p> <p><b>Affirmative measures for employment</b> of Roma within the health system exist but appears insufficient.</p>
<p><b>Operational goal 5:</b> Promote healthy lifestyles and increase prevention activities aimed at improving the health of Roma men and women.</p>	<p><b>The Strategy on Prevention and Control of HIV and AIDS in the Republic of Serbia for 2018–2025</b> recognises poverty and social exclusion as risk factors.</p>		<p>Local healthcare institutions need to develop programmes for regular health education and protection of health targeted at the Roma community.</p>

Roma Inclusion Strategy	Strategies	Legal framework	Institutional, human and financial resources
	<p><b>The Strategy on Development of Mental Health Protection</b> recognises poverty as a risk factor as well as the status of refugees.</p>		<p>To date, this activity has been random and implemented by CSOs and donor programmes.</p> <p>There are either poor or non-existent actions to improve waste management in Roma settlements, water and sanitation in most cases.</p>

## Analysis of existing mainstreaming policies

The main public policy is to improve and maintain public health for Serbian citizens, including all citizens without discrimination. At the strategic level and through corresponding legal documents dealing with the health sector the Roma minority is recognised as a particularly vulnerable group with corresponding measures that assign them a high priority in that respect. It is possible to group public health policies related to Roma into those focused more on prevention and policies related to the protection of health as well as the third group of policies relating to equal access to health without discrimination.

**Preventive public health policies** cover the general population, but in most cases emphasise Roma as a vulnerable group and include poverty as a special risk factor that further endangers their health. Unfortunately, within the Ministry of Health, there is only one person directly in charge of health protection programmes and projects for vulnerable groups as well as monitoring the work of health mediators. The most important efforts in prevention, such as mandatory immunisation and regular examination, have made had a major influence on and improved the general health of the Roma minority. However, greater commitment and stronger efforts by all relevant health providers are needed in order to make these policies more effective in the future. Having in mind that the poor living conditions of the majority of Roma living in substandard settlements is considered a major risk factor for many diseases it is obvious that improvement of living condition is the main prerequisite for successful implementation of preventive measures. This relates to significant efforts by all relevant institutions and significant funding from the government and local self-government as well as from other resources (significant EU IPA funding allocated for this purpose). One particularly successful Government policy reflected in the corresponding laws was to help all citizens to obtain health insurance. In this respect, the affirmative measure that enabled all Roma, even those without residence, to gain health insurance was of particular importance.



**Public health protection policies** fight against different chronic and non-communicable diseases that affect the general population in Serbia as well as mental health, improvement of sexual and reproductive health and so on. Many of these strategies include Roma as a vulnerable group, but there is a serious gap in implementation in relation to Roma as well as in the approach to the Strategy for the Encouragement of childbirth. Namely, the Strategy that was adopted in 2018 does not recognise the needs of Roma as a vulnerable group. There is no specific encouragement for families with more than four children and this puts the whole Strategy in question regarding the aim to fight the demographic decline in the general population in Serbia. In addition, most initiatives that could help young mothers and promote reproductive health are often project based and therefore not a permanent activity of health practitioners.

Poverty and social exclusion are recognised as risk factors in most of the health related policies and it is evident that they affect Roma the most and especially Roma living in substandard settlements. It is clear that in order to avoid this vicious cycle efforts to improve the general living conditions, as well as education of Roma, are a key precondition for improving the health of Roma.

**Policies on equal access to health without discrimination** are in place and cover Roma as a vulnerable group that requires additional protection. A number of strategies that deal with discrimination and the corresponding laws highlight this fact and provide for various measures that address potential discrimination and preserve the concept of equal treatment for all patients. However, all relevant institutions need to work on full implementation of the existing health policies in order to achieve equal treatment for Roma. Most local self-governments, for example, have not established health councils and there is only one such council where the Roma community is represented. This practice should change, because it could be the most important and efficient mechanism for addressing the needs of Roma. A relevant bylaw needs to ensure regular financing and proper functioning of health councils with respect to minority representation.

Independent institutions often deal with individual complaints and reports about discrimination and the relevant institutions need to respect their recommendations and decisions and make additional efforts to improve the position of Roma within the health system. More importantly, even though the Law prescribes affirmative measures for the employment of Roma within the health system it requires more than the mere existence of these legal solutions to achieve the set goal. The entire public health system needs to be more sensitive toward the inclusion of Roma and to provide greater support for the employment of educated Roma within the health sector, because they could potentially prove crucial for improving health protection for the Roma community and especially those living in poverty and substandard settlements.

## Successful mainstreaming activities

**Health mediators** represent the most efficient and important mechanism for improving the general health status of the Roma community. They are engaged by the Ministry of Health to support medical assistance in substandard Roma settlements. Their main task is to raise awareness among Roma about their rights, provide support and act as the link between Roma and the healthcare system and to help ensure the provision of personal documentation and medical insurance cards. They also play an important role in increasing the level of vaccination among Roma children. Around 85 health mediators are engaged in 60 municipalities in Serbia. However, the position of health mediator is not systematised in the Law on Health Protection and this fact makes this position unsustainable and uncertain in the long run.

**Mobile team units** are an additional model of support developed through the support of the international community. Mobile teams have been created in municipalities with a significant percentage of Roma and are comprised of Roma coordinators, health mediators, pedagogical assistants and representatives of the National Employment Agency. The project was piloted in 20 municipalities in Serbia with the intention to expand this number of teams to more municipalities throughout the economy.

The advantage of creating mobile team units at the local level is their improved efficiency and better coordination and cooperation with different agencies on issues of importance to Roma and in particular those living in substandard settlements. The provision of personal documentation and improved health protection were among the issues set for the mobile teams. Yet there is no legal framework for the successful implementation and sustainability of the model despite the recognition that it is a good concept that does not require particular funding. The only basis for its existence comes from the Law on Local Self-Government that prescribes coordination among various sectors on particular issues of public interest.

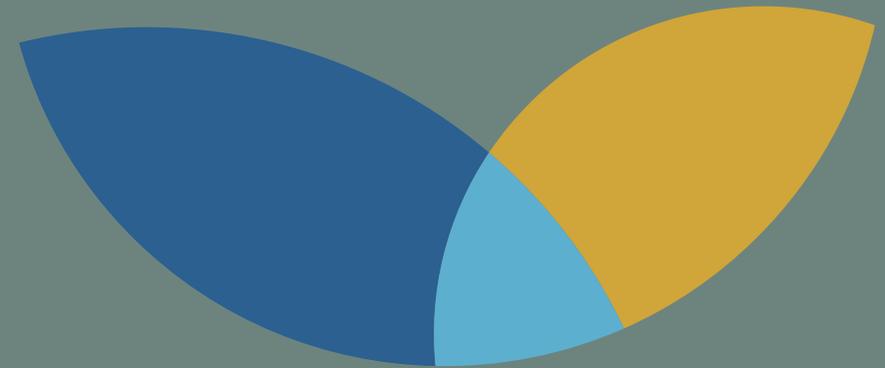
The Ministry of Health together with various international and domestic civil society organisations have initiated a number of **promotional activities** aimed at raising awareness on health protection, reproductive health and the need for vaccinations and immunisation. Health protection, vaccination and immunisation are obligatory according to the Law.

Public health officials organise **free vaccinations and immunisation** as well as free medical visits to Roma settlements occasionally, having in mind the importance of preventive healthcare. Counselling for young Roma women on reproductive health is an occasional action that has had a very important impact.



Roma civil society organisations have opened **SOS telephone lines for women** in several municipalities and they are an important measure that supports Roma women in reporting incidents of domestic violence and obtaining the advice and psychological support they need. Yet these activities are mainly project based and dependent on donations and volunteerism among activists.

## 8. CONCLUSIONS AND RECOMMENDATIONS





## Recommendations in the area of education

1. There is a need for the respective local self-governments and relevant ministries to make additional efforts to enlarge the capacities of existing and open new kindergartens in close vicinity to substandard Roma settlements and to provide greater opportunity for children to attend mandatory preschool programmes. The relevant local self-governments and potentially other state sources should ensure funding to help open a sufficient number of facilities that can accommodate Roma children in preschool programmes. Local self-governments should ensure the prioritisation of Roma children living in substandard settlements for enrolment into preschool programmes.
2. The Ministry of Education, Science and Technological Development should develop concrete measures and procedures including the obligatory requirement for preschool institutions providing preparatory preschool programmes to engage an adequate number of pedagogical assistants and teachers that can provide classes in the Roma language in accordance with the number of Roma children enrolled. Although the Ministry has made significant efforts to systematise pedagogical assistants there should be clearer guidance on the requirements and the number of assistants to be engaged in each local self-government with a significant number of Roma children attending preschool programmes. According to the needs of the local self-governments, an appropriate number of trained staff that possesses the required certification confirming their knowledge of the Roma language should be engaged to provide education in the minority language in primary schools. The Government needs to change the Decision on Suspension of Engagement of New Public Officials in order to enable the engagement of new staff to work with vulnerable groups on permanent working contracts, which would ensure the sustainability of the intervention.
3. Wherever needed, efforts to teach the language of the majority community (Serbian) to Roma children should be strengthened. Additionally and particularly during the first cycle of primary education, it is important to ensure support for Roma children to learn the Serbian language properly with support from pedagogical assistants or additional language classes. Testing of language skills for children should be recommended within the preschool programmes in order to provide adequate training and preparation for those children most in need. The results of the test would help in the development, scope and shape of future assistance to children.
4. The governmental mechanism for systematic monitoring of the success of Roma children in education still needs to be developed. The Ministry of Education, Science and Technological Development should ensure that the relevant education institutions monitor and reporting on the level of progress of Roma pupils in order to ensure that

any potential issues that could prevent successful implementation of the education goals are addressed early on.

5. Avoid segregation through strategic planning and distribution of children in classes with mixed groups composed of children belonging to minority and majority communities, with the exception of language classes. Additional funding for mixed schools is necessary in order to improve the quality of education and motivate parents to keep their children in mixed classes and schools.
6. Provide strategic social support for parents with preschool and schoolchildren living in substandard settlements with poor living standards. This should be free of charge for certain cases in social need. Scholarships and financial support should target younger pupils in order to prevent early dropout and to older ones with good results as a measure of encouragement. Schools and local self-governments should ensure the provision of financial support for the transport of pupils when needed as well as free textbooks and school materials for vulnerable groups.
7. The Ministry of Education, Science and Technological Development should ensure the introduction of positive representation of Roma in textbooks through the inclusion of Roma literature and/or narratives that represent Roma in a positive context. The relevant institutions should ensure a mapping of all children of the required age not included in the education system. School authorities should ensure full inclusion of Roma children in preschool and primary education and swiftly implement the related measures to increase enrolment and completion rates among Roma. Potential amendments to the Law on Secondary Education should include modalities for quick intervention in cases of absenteeism and school inspectors should be responsible for monitoring and implementing such a measure.
8. Explore the potential for amending the dual education model in order to provide particular encouragement for potential employers to engage persons belonging to vulnerable groups, including Roma.
9. Strictly implement affirmative measures for the enrolment of Roma in a secondary school in order to avoid any potential misuse. In addition to the requirement of having the simple certificate of belonging to the Roma minority that is issued by the Roma Minority Council (albeit unconstitutional and of questionable legality), the Ministry for Education should prescribe unbiased preconditions for and prioritise applications by persons of poor material status living in unsuitable conditions.
10. The Government with the support of the Roma Minority Council, civil society and international donors should support the creation of permanent programmes of certified Roma language in public universities, because this is a precondition for newly certified teachers capable of giving instruction in the Roma language to be engaged in schools.



Efforts should also be made to ensure additional support for Roma studies (Romology). The Government should provide the budget for this purpose in order to ensure the sustainability of the course.

11. The Ministry of Education, Science and Technological Development should better define the job requirements for andragogic assistants and support the engagement of additional staff to work on adult education. The Ministry of Education, Science and Technological Development the Ministry of Social Care and the National Employment Agency should provide the necessary funding.

## Recommendations in the area of housing

1. The absence of adequate institutional, human and financial capacities, in general, is the biggest bottleneck for the implementation of policies related to Roma housing, both at the central and local level. Institutions and individual professionals at the local and central level deal with Roma housing programmes on an ad-hoc basis, from case to case, and only through projects that include external technical and financial assistance. Stable and long-term institutional and financial frameworks are required if the improvement of Roma housing is to become sustainable and programmes implementable without external assistance.
2. Institutional and financial capacities at the central level should be made available to deal with housing policy in general and within this the issue of Roma housing in particular. The teams working on the housing issue should have an appropriate number and profile of personnel. They should be stable and have a clear list of responsibilities in order to ensure that programmes aimed at improving Roma housing are designed, implemented and monitored in an appropriate manner and information and data on Roma housing collected, systematised and updated on a regular basis.
3. Increased institutional, financial and human capacities for improving the housing conditions of Roma and regularisation of substandard Roma settlements is necessary at the local level. Rather than occasionally or on an ad-hoc basis via projects, local urban planning departments, for example, should be kept in place and given the opportunity to work continuously on urban plans for substandard settlements. This would enhance the institutional experience in relation to this issue. It is necessary to train and educate a greater number of urban planners in the specific skills and knowledge necessary for the development of plans for such settlements.
4. Capacities for housing policy at the local level should gradually be developed in terms of both institutions (local housing agencies or other forms of non-profit housing

organisations) and the public housing stock. This would allow local self-governments to implement efficient and effective programmes aimed at improving Roma housing conditions.

5. It is necessary to increase the capacities to implement appropriate resettlement programmes at the local level and to train and equip local administrative staff with the necessary skills and knowledge, including among others the areas of participation, negotiation, mediation, action planning, application of a multi-sector approach to housing and urban planning.
6. *Owners of illegally constructed buildings intended for the housing applicant and members of his family household, who are persons with a disability, single parents or beneficiaries of social assistance are exempt from paying the legalization fee in the legalization procedure.* The Law on Legalisation should be amended to incorporate different procedural requirements and costs for vulnerable groups who built out of necessity and wish to legalise informal housing units. Procedures cannot be the same for all informal builders, those that build informally as an investment and those that have no other option (Roma, refugees, IDPs, the poor, etc.).
7. The Law on Legalisation should also be amended to allow for temporary connection to the infrastructure in substandard Roma settlements or at least for those where the infrastructure was built through state sponsored programmes or through IPA and other regularisation projects.

## Recommendations in the area of employment

1. It is necessary to improve the programmes that support the continuous education of Roma in order to enable them to enter the labour market. The relevant laws do not prescribe specific measures for the continuous education for hard-to-employ Roma, even though their position with regard to the labour market is very specific and recognised by the relevant strategic documents.
2. Within affirmative measures, aside from the measures directed solely at Roma employees, it is recommended that additional measures be devised to support employers willing to employ Roma.
3. In order to increase the number of Roma employed in public administration it is necessary to systematise positions such as Roma coordinators in both local and central administrations and to make an exception to the ban on the engagement of new public officials for such positions, which are oriented toward increasing employment



among vulnerable groups in general and Roma in particular. Additional strategic and legal frameworks need to be developed to ensure the engagement of a representative number of Roma employed in public institutions.

4. Staff of the Labour inspectorate and the Agency for Peaceful Settlement of Disputes should be provided with training and education on antidiscrimination in order to enable them to deal with cases of discrimination against Roma at the workplace.
5. The Sector for Anti-Discrimination Policy and Promotion of Gender Equality within the Ministry of Labour should increase its efforts and commitment to developing and implementing policies that will prevent discrimination against Roma in the labour market, in line with the Strategy for Social Inclusion of Roma Men and Women.
6. The formalisation of undeclared Roma employment should be addressed separately to general efforts aimed at tackling the issue of the grey economy. Roma in undeclared employment are among the most economically vulnerable groups in Serbia. Many of them are in receipt of social aid and accept undeclared low skilled and low paid jobs in order to survive. The application of measures aimed at fighting the grey economy would merely push these workers even deeper into poverty because under current regulations they would either lose their right to social aid if their work were formalised or they would have to stop working in order to remain eligible for social aid, which does not provide for the basic living costs for a family.

## Recommendations in the area of health

1. Amendments to the Law on Health Protection are required in order to include the position of health mediator, which is a basic requirement for their systematisation, budgeting and engagement in the future. The other option would be to task existing staff with the performance of the work usually done by health mediators. Both measures require additional resources and funding, which could be incorporated into local budgets based on local needs and objective criteria (Roma population, number of settlements and local health issues). Additionally, it is possible to organise training of medical staff in order to provide specific health support to vulnerable sections of the population.
2. Amend the wording of paragraph 12 of Article 11 of the Law on Health Protection where within the list of vulnerable groups Roma are referred to as “persons of Roma nationality without permanent or temporary residence, due to their **traditional way of life.**” The same formulation applies to paragraph 11 of Article 16 of the Law on Health Insurance. It is recommended that terminology such as “*traditional way of life*” be removed as it

fosters stereotypes in relation to the Roma community and infers that the entire Roma community is to the blame for the problem of residency.

3. The Ministry of Health needs to strengthen the capacities to implement the necessary requirements for improving the overall health of the Roma community. One person in charge of health protection programmes and projects for vulnerable groups, including monitoring the work of health mediators, is insufficient.
4. The Ministry of Health should continue to promote mandatory immunisation efforts within the Roma community and ask for support from all relevant interested parties to conduct this effort.
5. Health is closely related to poor living conditions in many substandard Roma settlements. Stronger efforts in the area of housing (budget and legal preconditions) would therefore have a positive impact on the overall health situation of Roma.
6. A reduction in the number of early marriages requires stronger effort on the part of all institutions and stricter implementation of the existing legal framework. Accepting stereotypes and the traditional patriarchal system as unchangeable within the Roma community will only further jeopardise the quality of life of young Roma women and men. Education programmes on reproductive health for young Roma should become regular, particularly within substandard Roma settlements. The Draft Law on Child Protection does not include any particular measures that would encourage protection of vulnerable groups, but there is still space to include a number of measures before the new Law enters the procedure for adoption by the Parliament.
7. Systematic efforts by local self-government are necessary to support the work of the local health councils. Local self-government should ensure regular financing and rules of procedures. It is recommended that a representative from the Roma community be included, particularly in municipalities with a large percentage of Roma or with a large number of substandard Roma settlements.
8. Existing affirmative employment measures of Roma within the health system appear insufficient and stronger commitment to their implementation is required. The health system should prioritise the engagement of qualitative staff from the Roma minority who could provide crucial support in approaching vulnerable communities in relation to their engagement in education and preventive healthcare.



## 9. LIST OF REFERENCES



### STRATEGIES<sup>4</sup>

- › Strategy for Social Inclusion of Roma in the Republic of Serbia for the period from 2016 to 2025 (The Action Plan was adopted a year later in 2017, but only covered the years 2017 to 2018)
- › Strategy for Development of Education up until 2020
- › Strategy on Prevention of and Protection from Discrimination
- › Strategy on Gender Equality 2016–2020
- › Career Guidance and Counselling Strategy in the Republic of Serbia
- › Adult Education Development Strategy in the Republic of Serbia
- › Social Housing Strategy (expired in 2015)
- › National Strategy for Social Housing (under preparation)
- › Sustainable Urban Development Strategy of Serbia
- › Spatial Development Strategy of Serbia 2009–2020
- › Sustainable Urban Development Strategy of Serbia
- › Poverty Reduction Strategy
- › National Employment Strategy for 2011–2020
- › National Employment Action Plan
- › Strategy on Public Administration Reform
- › Public Health Strategy
- › Strategy on Permanent Improvement of the Quality of Health Protection and Safety of Patients
- › Strategy on Development of Health for Youth (dates from 2006, but has not been updated)
- › National Strategy for Youth 2015–2025
- › Strategy on Prevention and Control of Chronic and non-Communicable Diseases
- › National Programme for Improvement of Sexual and Reproductive Health (2017)
- › Strategy for the Encouragement of childbirth
- › Strategy on Prevention and Control of HIV and AIDS in the Republic of Serbia for 2018 to 2025
- › Strategy on Development of Mental Health Protection

<sup>4</sup> [www.srbija.gov.rs/dokument/45678/strategije.php](http://www.srbija.gov.rs/dokument/45678/strategije.php)



## LAWS<sup>5</sup> AND BYLAWS

- › Law on Protection of Rights and Freedoms of National Minorities
- › Law on National Minority Councils
- › Law against Discrimination
- › Law on Foundations of the Education System
- › Law on Textbooks
- › Law on Primary Education
- › Law on Secondary Education
- › Rulebook on Enrolment in Secondary Schools
- › Law on Dual Education
- › Law on Higher Education
- › Law on Student Standards
- › Law on the Education of Adults
- › Law on the Prohibition of Discrimination in the Republic of Serbia
- › Rulebook for Procedures in cases of Discrimination in Schools<sup>6</sup>
- › Law on Free Legal Aid
- › Decision on the Standardisation of the Roma Language<sup>7</sup> (adopted by the Roma NMC in 2014)
- › Law on Social Protection
- › Law on Financial support to Families with Children
- › Law on Spatial Planning in Republic of Serbia
- › Law on Planning and Construction
- › Law on Legalisation
- › Law on Housing and Building Maintenance
- › Law on Social Housing
- › Labour Law
- › Law on the Social Economic Council
- › Law on Peaceful Settlement of Disputes
- › Law on Volunteerism
- › Law on Prevention of Harassment At Work

- › Law on Employment and Insurance for Unemployment
- › Law on Labour Records
- › Law on Public Administration
- › Law on Employees in Public Service
- › Law on Professional Rehabilitation and Employment of Persons with Disabilities
- › Law on Simplified Work Engagement in Seasonal Jobs in certain activities
- › Law on Health Protection
- › Law on Health Insurance
- › Law on Rights of Patients
- › Law on Public Health
- › Law on Youth
- › The Criminal Code
- › Law on Procedures for the Termination of Pregnancy
- › Protocol for Procedures and Protection of Female Victims of Violence<sup>8</sup>

5 [www.parlament.gov.rs/akti/doneti-zakoni/doneti-zakoni.1033.html](http://www.parlament.gov.rs/akti/doneti-zakoni/doneti-zakoni.1033.html)

6 [www.mpn.gov.rs/wp-content/uploads/2015/08/Pravilnik-diskriminacija.pdf](http://www.mpn.gov.rs/wp-content/uploads/2015/08/Pravilnik-diskriminacija.pdf)

7 [www.pravno-informacioni-sistem.rs/SIGlasnikPortal/eli/rep/sgrs/drugidrzavniorganizacije/ostalo/2014/27/1/reg](http://www.pravno-informacioni-sistem.rs/SIGlasnikPortal/eli/rep/sgrs/drugidrzavniorganizacije/ostalo/2014/27/1/reg)

8 [www.undp.org/content/dam/serbia/Publications%20and%20reports/Serbian/UNDP\\_SRB\\_LjubicastiTekst.pdf](http://www.undp.org/content/dam/serbia/Publications%20and%20reports/Serbian/UNDP_SRB_LjubicastiTekst.pdf)



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