



ROMA
INTEGRATION

Regional Cooperation Council

**MAINSTREAM
POLICIES
TARGETING ROMA
INTEGRATION
IN THE
WESTERN BALKANS**

Title: Mainstream Policies targeting Roma Integration in the Western Balkans

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Print: Kuća štampe, Belgrade

Circulation: 50

ISBN: ISBN-978-86-81358-09-2

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MAINSTREAM POLICIES TARGETING ROMA INTEGRATION IN THE WESTERN BALKANS

REGIONAL OVERVIEW

September, 2020

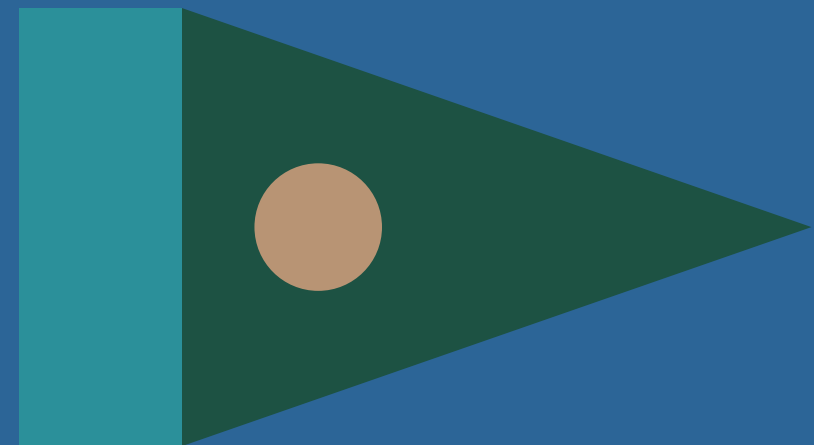


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* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

PURPOSE





The regional overview is a summary from the conducted mainstream policies targeting Roma integration analyses in the Western Balkans economies, performed by the Regional Cooperation Council Roma Integration in 2019/2020. The regional overview contains the main findings and gives a perspective for future planning and implementation of **mainstream policies that are relevant for Roma integration in education, employment, housing and health**, within the existing mainstream policies.

The concrete existing targeted policies on Roma integration are the strategies and action plans that have not been fully implemented in the last few years. These policy plans are not necessarily reflecting the newest developments in the relevant mainstream policies and budgets. Therefore, it is important to find a niche between the existing mainstream policies not directly targeting Roma as a vulnerable community on one side, and the strategies and action plans for Roma integration on the other side. The national mainstream analyses should foster further efforts to make appropriate use of existing complementary approaches so as to benefit and target Roma.

Incorporating the Roma integration policy plans in the relevant sectoral reforms is necessary to ensure more effective implementation of both the Roma integration policy and the mainstream policies.

In order to provide input for constructive and evidence-based discussion on effective ways to incorporate Roma integration into the Mainstream Policies the regional overview provides information for:

- › The key mainstream policies favourable for Roma integration in each economy;
- › The opportunities and constraints for their further implementation in each economy;
- › Recommendations for development and implementation of mainstream policies towards Roma integration in Albania, Bosnia and Herzegovina, Kosovo*, Republic of North Macedonia, Montenegro, and Serbia.

* The umbrella-term 'Roma' encompasses diverse groups, including Roma, Sinti, Kale, Romanichels, Boyash/Rudari, Ashkali, Egyptians, Yenish, Dom, Lom, Rom and Abdal, as well as Traveller populations (gens du voyage, Gypsies, Camminanti, etc.). EU policy documents and discussions commonly employ this terminology.

EDUCATION



Albania

Policy	Sector Strategies	Legal Framework	Key Institutions
Enrol Roma and Egyptian children in preschool and compulsory education	National Action Plan for Integration of Roma in the Republic of Albania 2016–2020	Order No. 2, dated 05.01.2015, “On the approval of the regulation on the implementation of the Cooperation Agreement dated 02.08.2013” on the identification and school enrolment of all children of school age.	<ul style="list-style-type: none"> - The Ministry of Education, Youth and Sports - Ministry of Interior - Local self-government - Regional Directorate of Education - Institute of Educational Development - Agency of the Quality Assurance of Pre-University Education - Ministry of Social Well-being and Youth - Civil society
		Decision of the Prime Minister VKM No. 59, dated 30.12.2015, “For the systematization of local taxes and tariffs in the city of Tirana.”	
Increase the number of Roma and Egyptians educators and teachers	National Action Plan for Integration of Roma in the Republic of Albania 2016–2020	Decisions of the Municipal Council VKB No. 393, dated 23.04.2018, “For the systematization of local taxes and tariffs in the city of Tirana.”	
		Official Order No. 25, dated 25.07.2018, “On the establishment and functioning of the board of the Educational Institution”, page 2, Chapter 3 ‘Board Composition’.	
		Decision of the Prime Minister VKM 51, dated 20.09.2013, the benefit of reimbursement for scholar textbooks when Roma are enrolled in vocational secondary schools.	
		Official order No. 38, dated 07.10.2014, “On the criteria for auxiliary positions for teachers for Students with Disabilities in Public Institutions of Pre-University Education.”	
		The ‘Document of Development Strategy of Pre-University Education 2014–2020’	
		Decision of the Prime Minister VKM No. 682, dated 29.7.2015, “On the use of public funds for transportation of education employees and students learning away from their residence.”	

Policy	Sector Strategies	Legal Framework	Key Institutions
Increase the number of Roma and Egyptians educators and teachers	National Action Plan for Integration of Roma in the Republic of Albania 2016–2020	Official Order No. 17, dated 09.05.2018, on “Compulsory school attendance procedures for students who have not attended at least two classes of basic education and for part-time education in basic education.”	
Promote tolerance and non-discrimination		Agreement on Cooperation between the Ministry of Education, Ministry of Interior, Ministry of Health and Ministry of Labour, Social Affairs and Equal Opportunities (dissolved in 2017 and merged with other ministries. Most of its functions are now performed by the Ministry of Health and Social Protection), civil society and other stakeholders on “Identifying and Enrolling in all schools children of school age”, and agreement on the duration in 2013–2017.	
		Law No. 18/2017 on the rights and protection of children, Article 3, “Child belonging to national minorities.”	
		Joint Order No. 292, dated 28.5.2019, on the approval of the regulation on implementation of the cooperation agreement between the three ministries, “On Identifying and Enrolling in all schools, children of school age.”	

Strategic framework

The main strategic framework is the Action Plan for Integration of Roma and Egyptians in Albania, which proposes a number of measures in the area of education. A number of measures are yet to be supported through the legal and institutional framework.

Legal framework

A number of legal decisions in Albania cover various issues of importance for the education of minorities, including Roma and Egyptians. However, the framework is rather generic, does not provide concrete measure for these particular minorities and fails to provide for an adequate response to their needs.



Key institutions

The main institution responsible for implementation of education reform and the majority of measures aimed at the integration of minorities is the Ministry of Education, Youth and Sports. Other institutions play a crucial role in particular activities, such as the Ministry of Interior in the registration of all school age children into the system and other line ministries, such as the Ministry of Health and Social Protection when the economic status of the person is in question (which in most cases is of crucial importance to Roma and Egyptian parents and children). When it comes to changes to the education curriculum and the implementation of concrete measures in the field, besides the Ministry of Education, the key institutions are the Institute of Educational Development, the Agency of the Quality Assurance of Pre-University Education and the Regional Directorate of Education.

Challenges/bottlenecks

- ❖ Joint Order No. 2 fails to provide a step-by-step process for children of school age that are not registered as Albanian citizens and therefore these children are unable to apply to enrol in any education institution in the economy.
- ❖ Joint Order No. 2 does not provide an action plan for identifying children of school age not enrolled in school.
- ❖ In Decisions of the Municipal Council VKB No. 393, dated 23 April 2018, Roma and Egyptian children are not included directly. Because of this, many parents do not take their children to a nursery or kindergarten.
- ❖ There is a lack of supportive policies/programmes for increasing the number of Roma and Egyptian teachers and educators in Albania.
- ❖ The Ministry of Education, Youth and Sports in collaboration with the Regional Directorate of Education should create a supportive policy/programme in order to increase the number of Roma and Egyptian graduates as teachers and educators in Albania.
- ❖ The above-mentioned institutions should create a supportive policy such as quotas in nurseries, kindergartens and primary education for Roma and Egyptian graduates in order for the ministry to achieve the goal for 2020 and onward, which is to increase the number of teachers and educators from these communities by 10 per cent.
- ❖ The reimbursement of scholar textbooks for beneficiaries is being realised, but is directly dependent on external donations (Action Plan 2016–2020). In order to add the Roma and Egyptian communities to this category, there is a need for fundraising.
- ❖ The provision of transport services often does not meet the needs of pupils/students and is therefore a factor for early school-leaving. Transport is not supported through public funds and so the Civil Society Organizations have taken it as a task, however, there is no record of any children benefiting from this action.
- ❖ Many Roma and Egyptian children are not registered in the civil registration system which automatically excludes them from benefiting of the governmental programmes.

Recommendations

- ❖ Further measures are required in order to identify all children of school age not enrolled in the education system and to ensure the right of these children to be involved at all levels of education and training without discrimination.

- ❖ Provide free transport for children attending preschool or primary school who reside in an area that is more than two kilometres away from the school or kindergarten (point I.b of the Decision “On the use of public funds for the transportation of working education staff and pupils study outside the settlement.”)
- ❖ Another beneficiary category should be added to Decisions of the Municipal Council VKB No. 393, dated 23.04.2018, under point I, in order for Roma and Egyptian children to benefit from the payment waiver. Decision of the Prime Minister VKM No. 59, dated 30.12.2015, “for the systematization of local taxes and tariffs in the city of Tirana” foresees the waiving of fees for nursery and kindergarten services. In principle, it is a promising measure that implies the alleviation of a financial burden on the families. Nevertheless, further regulation is required at the local decision-making level for the municipalities to consider including the Roma and Egyptians explicitly within this category.
- ❖ Decision of the Prime Minister VKM No. 59, dated 30 December 2015, “For the systematisation of local taxes and tariffs in the city of Tirana”, foresees fees for nursery and preschool services. In principle, it is a promising measure that implies the alleviation of the financial burden on families. However, further regulation is required at the local level for the municipalities to consider including Roma and Egyptians within the categories.
- ❖ The Ministry of Education Youth and Sport in collaboration with the Regional Directorate of Education should create a supportive policy/programme in order to increase the number of Roma and Egyptian graduates as teachers and educators in Albania.
- ❖ Create a supportive policy such as quota in nurseries, preschool and primary to increase the number of Roma and Egyptian teachers and educators in Albania by 10 per cent.
- ❖ The Ministry of Education Youth and Sport and the Institute of Educational Development should add mandatory extracurricular courses to all schools listed as ‘School as a community center’. Among others, Roma and Egyptian parents with education deficiencies could attend and benefit from these measures.
- ❖ The ASCAP (Agency of the Quality Assurance of Pre-University Education) taskforce should assure regular control groups to monitor and evaluate the authenticity and functionality of the school boards and to ensure the participation of Roma and Egyptian parents, given the fact they are socially excluded and hesitant to participate in such boards due to fear of discrimination.
- ❖ Roma and Egyptians to be included in addition to Decision of the Prime Minister VKM No. 51, dated 20 September 2013, as categories that can benefit from reimbursement of the cost of scholar textbooks for grades ten to twelve.
- ❖ The standard of the transport services should be increased and the infrastructure should be more developed. The municipalities according to al (education system and pre-university education) should create a database to monitor and evaluate the services provided by civil society organizations. Amendment should also be made to DCM (Decision of the Council of Ministers) No. 682, dated 29.7.2015, “On the use of public funds for transportation of education employees and pupils learning away from their residence”. Funds should be allocated from the budget of the Ministry of Education, Youth and Sports to also support the implementation of point I.11. of the Action Plan on Roma Integration.
- ❖ Raise the transport infrastructure standards and ensure access to rural areas where Roma and Egyptian pupils live and prevent the issue of difficult commuting to be a factor for early school-leaving.



- ✳ Review compulsory and secondary education curricula and textbooks to ensure they reflect tolerance and intercultural cooperation and include material on Roma and Egyptian identity.
- ✳ Conduct workshops on Intangible Cultural Heritage to help the targeted participants (professionals) to become better equipped to engage in designing and conducting community-based inventory in their respective communities.
- ✳ Instigate a follow-up plan for the post actions of the participants of workshops actually take in their communities.
- ✳ Envisage explicit policies within the National Strategy for Culture 2019–2020 that target the preservation of Roma cultural heritage, language and culture.
- ✳ Appoint Roma and Egyptian professionals in art, culture and anthropology to work on the collection and preservation of their own cultural heritage. The Ministry of Culture should make official announcements (if not official decisions) to fulfil this requirement.
- ✳ Allocate funds that would support recruitment of Roma and Egyptian experts to the central and regional institutions of the Ministry of Culture.
- ✳ Create a network of teachers and/or final year students to volunteer as mentors for Roma and Egyptian pupils in vocational schools. Teachers would receive academic credit and final year students could use it as their professional experience option during their studies.
- ✳ The Ministry of Culture in collaboration with the Ministry of Education Youth and Sport and the Higher Education Quality Assurance Agency (ASCAL) should take action to fulfil point 2.1 “Enriching the standard training curriculum for teachers at all levels of education with material on the management of multicultural classes, cooperation with parents from different cultural and socioeconomic backgrounds, promotion of tolerance, intercultural cooperation and equality.”
- ✳ The Ministry of Education Youth and Sport should provide funding for schools that have the status of ‘schools as a community centre’ and should undertake such initiatives focused on the International Day of Roma and rising awareness on the Roma identity.
- ✳ The Ministry of Education Youth and Sport should implement a review of the Second Chance Programme aimed at increasing its efficiency as a transitory system to mainstream education.
- ✳ Based on Law No. 10 221, dated 04 February 2010, on protection from discrimination, the responsible institutions, namely the Ministry of Education Youth and Sport and the Regional Educational Directorate, should take the necessary action to identify schools that are on the verge of segregation and to intervene in order to prevent these schools from becoming segregated by having a high percentage (almost 100% in the above-mentioned cases) of Roma and Egyptian pupils.
- ✳ Draft amendment to the existing Order No. 292, dated 28 May 2019 that foresee and regulate the process for the identification and enrolment of all Roma and Egyptian children of mandatory school age in school. This should be done through multi-sector working groups at the local level (including schools, healthcare institutions, the police and social administrators), considering the children without civil registration and in risk of statelessness.

- ✳ The Development Strategy of Pre-University Education 2014–2020 and the Orienting Guide on Schools to consider the schools in rural areas and schools with less than 250 pupils for creation of extracurricular classes as part of the project Schools as a Community Centres.
- ✳ The Handbook on the Early Prevention System - Training of basic education institutions to have an additional section tailored to Roma and Egyptian parents.

Bosnia and Herzegovina

Policy	Sector Strategies	Legal Framework	Key Institutions
Improve the educational attainment by preventing early school-leaving.	<ul style="list-style-type: none"> - Revised Action Plan on the Educational needs of Roma - Platform for the Development of Preschool Education in Bosnia and Herzegovina for the period 2017–2022 - Strategic Directions for the Development of Education in Bosnia and Herzegovina within the Implementation Plan 2008–2015 (expired) 	<ul style="list-style-type: none"> - The Framework Law on Preschool Education - The Framework Law on Primary and Secondary Education in Bosnia and Herzegovina 	Education institutions differ from canton to canton in the Federation of Bosnia and Herzegovina and in Republika Srpska.
Encourage completion of secondary education and continuation to tertiary education.			
Provide tuition, financial or other support to compensate children of war veterans, invalids and the holders of war honours for material disadvantage.			

Strategic framework

Implementation of the Revised Action Plan on the Educational Needs of Roma is fragmented, and has achieved only limited steps forward. Education policies differ from canton to canton and in different parts of Bosnia and Herzegovina reflecting the unequal implementation of the proposed measures. Adequate policies and programmes with allocated funds that would effectively address the issue of Roma and other vulnerable groups do not accompany strategic developed documents at the state level. The insufficient mainstreaming of Roma in education is also a consequence of the low level of commitment among policymakers.

The Strategic Directions for the Development of Education in Bosnia and Herzegovina along with the Implementation Plan 2008–2015 have expired, while the new strategic document for the field of education in Bosnia and Herzegovina does not exist.

Legal Framework

The Framework Law on Preschool Education in Bosnia and Herzegovina prohibits discrimination, provides the right to language, equal access and equal opportunities for education, respect for religious freedom, compulsory preschool education and equal access to public and private preschools institutions. In addition, Article 46 of the Framework Law on Preschool Education in



Bosnia and Herzegovina indicates that the founders' budget must provide funds for financing the education of Roma children in kindergartens. However, cantonal and regional level legislation does not necessarily reflect the Framework Law and does not prescribe obligatory preschool education (Una-Sana Canton, Central Bosnia Canton, Herzegovina-Neretva Canton, West Herzegovina Canton and Republika Srpska).

The most important document adopted at the level of Bosnia and Herzegovina relevant to the field of primary education is the Framework Law on Primary and Secondary Education in Bosnia and Herzegovina. The Framework Law stipulates through its provisions the need to ensure accessibility and the obligation of primary education for all children without discrimination on any basis. The cantons in the Federation of Bosnia and Herzegovina have the competence to adopt regulations that will ensure consistent implementation of the aforementioned provisions of the Framework Law as well as to implement them in educational practice.

Key institutions

The responsible key education institutions differ from canton to canton in the Federation of Bosnia and Herzegovina and in Republika Srpska. In Sarajevo Canton the Ministry of Education has the responsibility to finance the implementation of compulsory preschool education programmes in public institutions whereas in Una Sana Canton the Ministry of Education has no obligation to finance compulsory preschool education programmes, where the municipalities as the founders are entitled to finance private preschool institutions based on decisions brought by the municipal councils. Similar differences are reflected in different levels of government in Bosnia and Herzegovina.

Challenges/bottlenecks

- ✳ Efforts by some municipalities are praiseworthy and progress is visible, but these examples are rare and insufficient. There is no school in Bosnia and Herzegovina that teaches Roma language as an optional subject. In addition, no financial resources have been secured and nor is there a proposal for a solution for studying the Roma language.
- ✳ The Framework Law stipulates compulsory preschool education in Bosnia and Herzegovina for all children in the year preceding primary school, but in practice there is a lack of uniformity in the implementation of this legal provision. The situation on the ground differs significantly from that prescribed as an obligation by the Framework Law. This raises the question of whether the application of the Law is a choice or an obligation. It also raises the question of what constitutes the main obstacles to the consistent implementation of not only the Framework Law but also the laws proposed and adopted at the entity or cantonal level by the competent education authorities.
- ✳ There are a number of examples of good practice of support from international and domestic civil society organisations as well as local government institutions at different levels of government. It should be noted, however, that there is a lack of a systematic approach and commitment from all relevant (primarily domestic) institutions to engage in supporting the successful inclusion of Roma in pre-primary and primary education by providing financial support from their budgets to ensure free preschool and primary education for Roma children.
- ✳ Vocational education and training (VET) are not adapted to the needs of young Roma. Local communities and local civil society are rarely part of the advisory process for

creating VET programmes and coordinating the provision of services to young Roma. Existing training courses are not in alignment with the needs, conditions and plans for local employment and self-employment.

- ✳ Grants for educational needs of Roma are not allocated. The trend of reducing grant funds continues.
- ✳ Investing in the development of public preschool education, facilities, increased capacity, etc., is conditional to the level of development of the municipalities.

Recommendations

- ✳ The main recommendation is to foresee grant funds for corresponding activities aimed at implementation of the Framework Action Plan on Education.
- ✳ An expert group consisting of representatives of all relevant institutions, including Roma representatives, should be formed as soon as possible and tasked with drafting an implementation plan for the Education Action Plan with defined priorities, persons responsible for activities and the necessary funds and timeframes for the realisation of certain activities.
- ✳ A team should be established to supervise the realisation of the Framework Action Plan in order to provide suggestions on its efficient realisation and possible revision in order to harmonise it with the reality in the field.
- ✳ Early school-leaving demands a serious response and appropriate measures. Since this issue is closely connected to poverty and the lack of conditions for schooling of children it is necessary to work with parents. It is recommended that local communities where this problem is present devise plans together with specific measures. It is necessary to include Roma mediators for education in this effort.
- ✳ Specific focus needs the inclusion of Roma children into the system of preschool education. Experience shows that the obstacles on this path are numerous, ranging from resistance among the parents of non-Roma children to a lack of interest among kindergarten owners who might focused mostly on profit. These measures must include additional funding by the municipalities to finance additional staff in kindergartens, assistance with expanding capacities, financing excursions and similar measures.
- ✳ It is necessary extracurricular activities to be introduced in the primary schools to help Roma children to follow up with the educational material. Local communities should be more active when simulating Roma children to complete primary school.
- ✳ Scholarships should be provided for all Roma pupils attending secondary education.
- ✳ Efforts should be made to raise awareness among Roma parents about the importance and need to include their children in preschool education.
- ✳ Adopt an inter sectoral approach (health, education, social welfare, finance, etc.) to address education, including the financing of preschool education and the provision of free textbooks and school supplies, school meals and free transportation to and from school primary school pupils. Ensure uniform solutions throughout Bosnia and Herzegovina so that all Roma children can be included free of charge in quality preschool and primary education.
- ✳ Embed the goals and measures from the Framework Action Plan on Education into entity and cantonal strategic documents and action plans on Roma education.



- ✳ Develop a plan for teachers, parents and all children in preschools and primary schools with the aim to eliminate stereotypes and discrimination within education.
- ✳ Improve the use of parent teacher associations.
- ✳ Introduce the Roma language as an optional subject in primary school and learning about the culture and traditions of the Roma in accordance with existing legal regulations.
- ✳ Establish qualified Roma mediators within schools, municipalities and/or ministries of education to work on continuous cooperation with Roma communities in order to increase the level of enrolment of Roma and to monitor their attendance and completion of primary education.
- ✳ Develop programmes for adult Roma to enable them to complete their primary education.

Kosovo*

Policy	Sector Strategies	Legal Framework	Key Institutions
Inclusive education	<ul style="list-style-type: none"> - Strategy for Inclusion of Roma and Ashkali Communities in the Kosovo* Society 2017-2021 - Education Strategic Plan 2017–2021 - National Development Strategy 	<ul style="list-style-type: none"> - Law on the Protection and Promotion of the Rights of Communities - Anti-discrimination Law 	Ministry of Education Science and Technology Local self-government
Improvement of the education system at all levels			
Promotion of tolerance and antidiscrimination			

Strategic framework

The Constitution of Kosovo* recognises the Roma minority as a distinct ethnic group living in Kosovo* and guarantees the use of the Roma language as an official language at the municipal level as well as through the direct applicability of the Council of Europe Framework Convention for the Protection of National Minorities.

The Government Strategy for Inclusion of Roma and Ashkali Communities for the period 2017–2021, together with the Action Plan for its implementation, is the single-most important policy document for inclusion. The strategy has been harmonised with other relevant mainstream policies, specifically with the National Development Strategy.

The National Development Strategy and the corresponding plan are the leading policy documents for economic growth and sustainable development. They envisage interventions aimed at increasing enrolment in preschool and pre-primary education by increasing the number of public kindergartens and inclusion through private institutions. Among others, the National Development Strategy proposes building 18 kindergartens for preschool children, especially in those municipalities in urgent need of but lacking public kindergartens.

The Roma community would also benefit from other interventions in the education system such as enhanced quality of teaching in the pre-university education and better linkage between the education system and the labour market.

The Education Strategic Plan 2017–2021 is the main policy document for the development of the education system. This policy paper elaborates in detail the problems of the Roma community in the field of education, sets clear objectives and proposes actions to overcome the obstacles and alleviate these issues.

Legal Framework

Article 9.2 of the Law on the Protection and Promotion of the Rights of Communities stipulates, “The Republic of Kosovo shall develop public employment programs and other initiatives, in addition to specially targeted measures, aimed at overcoming direct and indirect discrimination against persons belonging to communities. Special consideration shall be given to improving the situation of Roma, Ashkali and Egyptian communities.”

The Antidiscrimination Law is also relevant to Roma and Ashkali communities, although they are not specifically mentioned. This Law guarantees and promotes the principles of equality, fair representation and interethnic tolerance.

Key institutions

In October 2014, the Ministry of Education, Science and Technology adopted an Administrative Instruction that foresaw the creation and strengthening of teams for the prevention and response to abandonment and non-registration in compulsory education. Such teams, known also as PRTANs (abbreviation for Prevention and Response Teams to Abandonment and Non-Registration) have been established and operate at the school and municipal level. This Administrative Instruction is aimed at promoting and facilitating access to education for children from all communities, especially the most vulnerable that have much higher early school-leaving and non-enrolment rates. Prizren is the first municipality to provide classes in the Roma language and to introduce Roma history and culture into the primary education system.

Challenges/bottlenecks

- ✳ Unregistered children are an acute problem that is particularly prevalent in post-conflict societies where this problem can persist for years even after the end of the conflict because of non-registration, destruction of civilian registration documents and other related problems. It is also prevalent in societies where early and illegal marriages and home births are commonplace.
- ✳ Low educational attainment is the biggest obstacle to Roma and Ashkali being able to benefit from mainstream policies linked to unemployment and poverty.

Recommendations

- ✳ Undertake the necessary steps to implement vocational training programmes and increase enrolment of minorities in these programmes.
- ✳ Overcome the double discrimination that women face by setting quotas and increasing grant and scholarship schemes for Roma and Ashkali women in employment.
- ✳ The respective authorities should undertake the necessary steps to ensure better alignment of Roma and Ashkali inclusion strategies with national policies on education, employment, public health and housing.



- ✳ The Ministry of Education, Science and Technology and the relevant municipalities should take ownership and jointly fund the learning centres. The Ministry should undertake steps as necessary in order to multiply the number of learning centres in other municipalities.
- ✳ Draft specific educational curricula on minority culture and history and introduce it in the educational system. That will lead to promoting anti-discrimination and fighting prejudices as well.
- ✳ The National Development Strategy 2016–2021, which centres on human capital and education and envisages interventions aimed at increased enrolment in pre-primary and the enhanced quality of teaching in pre-university education should be applied and related to the education of communities.

Montenegro

Policy	Sector Strategies	Legal Framework	Key Institutions
Improvement of overall education and literacy of the population	<ul style="list-style-type: none"> - Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020 - The Inclusive Education Strategy (2019–2025) - Strategy for Early and Preschool Education 2016–2020 	<ul style="list-style-type: none"> - The Constitution of Montenegro guarantees under Article 75 the right to education under equal circumstances and stipulates that primary education is obligatory and free of charge. - General Law on Education - Law on Preschool Education - Law on Primary Education - Law on Education of Children with Special Educational Needs - Law on Gymnasium - Law on Higher Education - Law on Vocational Education - Law on Adult Education - Certain provisions are also contained in the Law on Minority Rights and Freedoms. 	<ul style="list-style-type: none"> - Ministry of Education - schools - Ministry for Human and Minority Rights (MHMR) - Civil Society Organizations (CSOs)
Protection of minority language and culture in the education system	<ul style="list-style-type: none"> - Strategy for the Development of Higher Education in Montenegro (2016–2020) - National Youth Strategy - Strategy for Development of Vocational Education in Montenegro 2015–2020 		

Strategic framework

Measures for the education are defined through the Strategy for Social Inclusion of Roma and Egyptians in Montenegro. The Inclusive Education Strategy (2019–2025) sets out directions for the development of education for children with special education needs. The Strategy for Early and Preschool Education 2016–2020 is a document that highlights the key areas, tasks and activities and suggests combining services and activities with a focus on making them actionable and measurable for short and long-term implementation. The Strategy for the Development of Higher Education in Montenegro (2016–2020) defines measures related to the provision of scholarships for students. The National Youth Strategy defines measures for the prevention and reduction of early school-leaving at community level.

The Strategy for Development of Vocational Education in Montenegro 2015–2020 emphasises the necessity to operationalize cooperation between primary and secondary schools and secondary schools and the labour market in order to monitor continuously students with special education needs and their professional orientation. Therefore, an ‘individual transition plan’, which is also predicted in the Inclusive Education Strategy, should be implemented in all schools. This would develop a culture of information gathering in the field of education, how many gained qualifications and the number of those continuing their education at University within the same sphere, which is of great importance for gaining a broader perspective on social inclusion.

Legal Framework

The legal framework follows the developed strategic framework, which is in line with international standards regarding the inclusion of minorities. The main laws covering education that are of relevance to the inclusion of Roma are the General Law on Education, the Law on Preschool Education, the Law on Primary Education, the Law on Education of Children with Special Education Needs, the Law on Gymnasium, the Law on Higher Education, the Law on Vocational Education and the Law on Adult Education. Certain provisions are also contained in the Law on Minority Rights and Freedoms.

Key institutions

The key institutions within the education sector are the Ministry of Education, schools, the Ministry for Human and Minority Rights (MHMR) and the relevant civil society organisations.

Challenges/bottlenecks

- ✳ The inadequate level of transparency and the timing of open calls and the length of employment for associates within education.
- ✳ The requirement to be a Montenegrin citizenship as a condition of employment for associates hampers the use of existing Roma and Egyptian human resources for the transition from donor funded programmes to sustainable solutions in the area of the education.
- ✳ The transition between education levels and between education and employment is difficult.
- ✳ The monitoring of pupils success is inefficient and there is a need to prevent early-school leaving (dropout).
- ✳ Coverage of preschool education and preparatory preschools is insufficient.
- ✳ The prolongation of the development of criteria for the award of scholarships is challenging the whole process.

Recommendations

- ✳ Develop tailor-made programmes to stimulate the increased participation of Roma and Egyptian children in preschool education.
- ✳ Organise languages courses for Roma and Egyptian children of first grade and preschool age.
- ✳ Each school should continue to develop an individual transition plan (ITP) for Roma and Egyptian pupils. Through careful monitoring of school achievement by teachers and



assistants, identify children at risk of early school-leaving and then provide additional support to pupils and students as well as their parents.

- ✳ Make a comprehensive list of all Roma and Egyptian mediators/associates.
- ✳ Reconsider the occupation standard for associates. At present, associates can only be engaged in schools that have more than 70 Roma community pupils. A solution might be to have one associate covering to three schools or covering primary school and preschool education. The latter would also enable a higher level of transition from preschool to primary school. The need for associates at the municipal level should be merged and associates hired accordingly.
- ✳ Reconsider the criteria for the employment of associates in terms of the requirement to have Montenegrin citizenship and find a sustainable solution for achieving better use of the existing human resources among the Roma and Egyptian community. Reconsider the terms of employment for associates in education and enable their permanent employment.
- ✳ In order to enable the transition from primary to secondary school and from secondary to university level, it is important to secure additional mentorship and tutorship support.
- ✳ In order to facilitate the transition to the labour market for secondary school pupils and University students, it is necessary to develop an individual transition plan (ITP-2) linking education to employment.
- ✳ Organise regular annual monitoring on the prevention of early school leaving and present the results and recommendations on further fine-tuning of the measures to schools, institutions and the public.
- ✳ Organise monitoring/assessment of the effects of other measures within education, including those related to the introduction of associates, organisation of campaigns, work with parents, etc.
- ✳ Make sure that Roma and Egyptian children have secure transport and other means to be able to participate in extracurricular activities and social events, such as graduation celebrations.
- ✳ In the Law on General Education 20 per cent of the curriculum is 'open content', which concerns 'affirming the value of local culture'. According to the authorities, this could be used to incorporate education on the history and culture of persons belonging to national minorities. The Ministry of Education has little oversight into how this 20 per cent is used, but it acknowledges that efforts are needed in order to ensure that this time is being used effectively.
- ✳ In accordance with the Constitution of Montenegro (Article 79) and the Charter on Minority Languages, standardise the Romani language and introduce it as a subject in schools.
- ✳ Elementary literacy and education programmes for adults needs to be developed in a gender-sensitive way.
- ✳ In order to encourage Roma and Egyptian parents to be more actively involvement in parents' councils, it is necessary for schools to organise programmes for parents and provide guidance on the functioning of parents' councils based on an integrative approach.
- ✳ Provide mentorship support the pupils/students in order to encourage them to follow lectures regularly and to pass examinations. In order to create a base of teachers among

the minority population, motivate persons from the Roma community to enrol at the Pedagogical Faculty.

- ✳ It is necessary to analyse data related to children attending special schools. It is also necessary to include Roma and Egyptian members in decision-making commissions and to ensure that testing is conducted in a language understandable to children from this community.

The Republic of North Macedonia

Policy	Sector Strategies	Legal Framework	Key Institutions
Improve access to education (focus on returnees and street children)	<ul style="list-style-type: none"> - Education Strategy 2018–2025 - Strategy for the Roma 	<ul style="list-style-type: none"> - The Law on Education - The new Law on primary education - The Law on Prevention of and Protection from Discrimination classifies segregation as a form of discrimination - Law on Secondary Education 	<ul style="list-style-type: none"> - Ministry of Education and Science - Schools - Education institutions - Ministry of Labour and Social policy
Improve the quality of education (reduce the early school-leaving rate for Roma children)			

Strategic framework

The Government adopted the new Education Strategy 2018–2025 in 2018 as the key document for improving the quality and conditions in education. The Strategy for the Roma provides the framework for the development of mainstream policies within the education sector. Primary education in the Republic of North Macedonia is compulsory and represents a constitutionally guaranteed right under Article 44, which stipulates that education is accessible to everyone under equal conditions, compulsory and free.

Legal Framework

Several processes for increasing the quality of primary education in the Republic of North Macedonia have begun: preparation of the new Law on primary education, revision of the curricula for the first three grades and standards for achievement for each cycle of primary education based on learning outcomes and competencies defined by the European Commission. The Bureau for Development of Education has established a Learning Management System to support the training of teachers and their professional development. A draft Annual Programme for the Professional Development and Advancement of Teachers and Professional Associates in Primary and Secondary Schools has been prepared.

The amendments to the Law on Secondary Education, which introduced compulsory secondary education, also had a positive effect on increasing the number of pupils in secondary education.

Paragraph 3 of Article 12 of the new Law on primary education stipulates in relation to children who resided abroad but have returned to the Republic of North Macedonia and would like to start or continue their primary education that, "primary schools are obliged to provide them help



to learn their mother language and the language of instruction.” Paragraph 4 of the Law stipulates that in order to ensure successful inclusion in the educational process, “primary schools are obliged to organize individual and group additional classes for these children to learn their mother language and the language of instruction and catch up on the knowledge in certain subjects.” Paragraph 7 restricts this support to a maximum of one year.

Article 154 (recognition costs) of the Law on education stipulates that users of the guaranteed minimum assistance are exempted from the recognition costs for the verification of diplomas. Article 36 provides additional support (tutoring) for pupils in primary school for subjects that are part of the syllabus. Article 14 of the new Law on education stipulates that children that were not included in education and are over the age limit to be included in primary school be entitled to primary education under the same conditions as other children. The Bureau for Public Education is preparing an education programme for these children that will enable their inclusion in an appropriate grade of primary education.

The new legal changes to the Law on Prevention and Protection against Discrimination classify segregation as a form of discrimination. With these changes, civil society organizations and individuals can submit a lawsuit against schools for segregation. There were no legal grounds for submitting this kind of lawsuit and fighting against segregation through a legal mechanism under the previous Law.

Key institutions

The main institution in charge is the Ministry of Education and Science. On 28 December 2019, the Government adopted a Decision that recommends that municipalities should consider the possibility to exempt 450 Roma children, age three to six years, from financial participation in kindergarten for the period from 1 December 2018 to 31 December 2019.

The intention of the Ministry of Labour and Social policy in the future is not only to include Roma children who do not participate in preschool but also other families who will be beneficiaries of the minimum guaranteed assistance. The Ministry can engage education mediators for Roma pupils who come from socially disadvantaged families and/or have been out of the educational system for a long period.

The Law on Secondary Education envisions that the Ministry of Education and Science should provide additional classes for pupils in secondary education on subjects that are part of the curriculum in the school year in which the pupil is enrolled for those subjects for which he/she scored less than excellent (five) in the previous year.

Challenges/bottlenecks

- ✳ Roma pupils in primary education still face social stigma, discrimination and segregation. The segregation is based on language, culture and birthplace in certain localities. The quality of education in these schools is poorer, with limited resources and less qualified teaching staff. The economy has not put effort into finding a systematic solution to ensure that schools and teachers make increased efforts to help children master the language of instruction.
- ✳ Migration, a lack of personal documentation and segregation even at the earliest stages of education as well as a lack of organised or public transport to and from the kindergarten from Roma settlements (which are most often far away from education institutions) are all

factors that could positively influence better results in the education sector for the Roma community.

- ✳ Although the Law on Primary Education guarantees that the Romani language and culture can be taught as an optional subject, this regulation is ignored and often this option is not available. Roma pupils whose mother language is the Romani language have difficulty in schools where the language of instruction is different. There is also a lack of qualified Roma teaching staff in primary and secondary schools, while qualified Roma teachers with university education cannot find employment in primary and secondary schools.
- ✳ Affirmative action for enrolment in secondary education and university is not implemented adequately in practice and there is no official information on the number of pupils that used affirmative action, while its implementation is not defined precisely.

Recommendations

- ✳ Article 14 of the Law on Education is aimed at ensuring that all children are included in the education system. In order for children out of school to be included in the education process programmes for their inclusion should be prepared. The Bureau has not prepared a programme yet and in order to prepare it the municipalities must initiate a request to the Bureau for the preparation of such a programme.
- ✳ Ensure implementation of articles 11 and 12 of the Law on Inclusion of Children in School and extra catch up classes for repatriate children. Catch up classes were also envisaged in the previous Law yet in practice this type of class was not organised.
- ✳ Ensure full implementation of the right of pupils/students to learn their mother language (Roma language) as an optional subject as stipulated in the Law on Primary Education.
- ✳ Revise course materials and curricula in primary and secondary schools in order to ensure that they do not contain discriminatory or negative content. Where such content does exist, the Ministry should produce new material that promotes equal treatment in cooperation with civil society and parents.
- ✳ Schools and other institutions should establish a mechanism for keeping records on how many Roma children leave school because of migration and information from official institutions on when they return to the economy.
- ✳ Develop mechanisms to monitor and assess the knowledge of repatriate children so that they can be enrolled at a level of education that corresponds to their level of knowledge and age.
- ✳ Considering that secondary education is mandatory and that competition to enter into the labour market has increased in terms of the level of education, the state should provide free primary and secondary education for persons over 16 years of age so that they can be complete their education and be competitive in the labour market.
- ✳ Implement a revision of the course material and curricula in primary and secondary schools in order to ensure that textbooks do not contain any discriminatory or negative content. If such content is discovered then the Ministry should produce new material that promotes equal treatment. Practice shows that such content in textbooks is usually found by parents and not by those mandated to review textbooks prior to their use in schools.



Serbia

Policy	Sector Strategies	Legal Framework	Key Institutions
Improve overall education and the literacy of the population	<ul style="list-style-type: none"> - Strategy for Development of Education 2020, - Strategy on Prevention of and Protection from Discrimination - Adult Education Development Strategy in the Republic of Serbia 	<ul style="list-style-type: none"> - The legislation prescribes education on minority language and culture, the conditions for the certification of knowledge of the Romani language and regulates the publishing of textbooks in minority languages. - The Rulebook for Enrolment in Secondary Schools contains the procedure for implementation of affirmative measures for Roma. - The Law on Protection of Rights and Freedoms of National Minorities protects against discrimination, regulates education in minority languages and provides instruction on minority culture and the role of the national minority councils within education programmes. - The National Roma Minority Council adopted the Decision on the Standardisation of the Roma Language in 2014. - The Law on National Minority Councils defines the role of these councils within education. - The Law on Student Standards prescribes easier requirements for Roma pupils. 	<ul style="list-style-type: none"> - Ministry of Education, Science and Technological Development - Pedagogical Assistants - Roma National Minority Council - Office for Human and Minority Rights
Protection of minority language and culture			
Equality and non-discrimination within the education system			

Strategic framework

Almost all education related strategies in Serbia provide measures and a framework for the inclusion of minorities. The Strategy for Development of Education up until 2020 prescribes a number of tasks for the development of education for minorities. They include instruction in the minority language, learning the minority language and other measures for all stages of the education process. The Strategy on Prevention of and Protection from Discrimination recognises Roma as a vulnerable group and prescribes relevant actions. The Strategy on Gender Equality 2016–2020 recognises Roma women and girls as potential victims of multiple discrimination. The Adult Education Development Strategy stipulates the necessity to develop special programmes for Roma. However, the Career Guidance and Counselling Strategy in the Republic of Serbia does not emphasise the position of Roma or any other vulnerable groups.

Legal Framework

Education related legal provisions in most cases stipulate minority inclusion measure and solutions. The Law on Preschool Education prescribes minority education in the minority language as well as study materials of the minority culture and defines the role of pedagogical assistants. The Law on the Fundamentals of the Education System prescribes the conditions for the certification of knowledge of the Roma language and prescribes mandatory Serbian language if education is conducted in

a minority language, it forbids any form of discrimination, regulates minority education and the participation of national minority council representatives in the National Education Council. The Law on Primary Education prescribes mandatory preschool programmes and primary education for all and defines education on minority language and culture.

The Law on Textbooks regulates the publication of textbooks in minority languages and the role of the national minority councils. The Law on Secondary Education regulates education in minority language and the study of minority culture as well as the role of the national minority councils. The Ministry of Education, Science and Technological Development adopted the Rulebook for Enrolment in Secondary School and the procedure for implementation of affirmative measures for Roma. The Law on Dual Education prescribes the obligation on the part of an employer to provide education/work in a minority language.

The Law on the Prohibition of Discrimination in the Republic of Serbia regulates general discrimination. The Law on Free Legal Aid prescribes free legal aid for, among others, children, victims of domestic violence, trafficking in human beings (THB) victims, refugees and internally displaced persons (IDP) and disabled, evicted or institutionalised persons. The Ministry of Education, Science and Technological Development adopted a Rulebook on procedures in 2018 that stipulates actions against discrimination and segregation to be taken in the event of discrimination in schools.

The Law on Protection of Rights and Freedoms of National Minorities protects minorities from any kind of discrimination, regulates education on minority language and provides instruction on minority culture and the role of the national minority councils within education programmes. The Law on National Minority Councils defines the role and mandate of these councils within education more clearly as well as the study materials of minority culture and the official use of minority languages. The National Roma Minority Council adopted the Decision on the Standardisation of the Roma Language in 2014.

The Law on Employees in Public Service specifies advantage for Roma candidates that have the same level of required qualifications. The Law on Secondary Education regulates secondary education in minority language as well as the role of the National Roma Minority Council. The Law on Student Standards prescribes easier requirements for Roma students as a vulnerable community to receive accommodation and meals at university facilities as well as student loans. The Law on Education of Adults regulates education in minority language and role of the minority councils in monitoring.

Key institutions

Within the Ministry of Education, Science and Technological Development, there is the Group for Minority Education, Social Inclusion and Protection Against Violence and Discrimination. The Ministry is in charge of monitoring the work of pedagogical assistants, which is systematised but still not fully sustainable due to unclear work status and job descriptions. The Ministry of Education, Science and Technological Development is working to rectify this issue.

The Distribution of Free textbooks for Roma Children was a good initiative, which now depends on funding from local self-government. The Roma National Minority Council works to advance the education, culture and language of the Roma minority and has introduced affirmative measures for Roma when applying to secondary schools. The Office for Human and Minority Rights approves the lists created by the Roma National Minority Council prior to their submission to the Ministry of Education.



The Commissioner for Protection of Equality deals with cases of discrimination while the central and local ombudspersons (Protector of Citizens) deal with the protection of rights of national minorities and children through oversight of public services.

Courses on the Romani language were opened at the Belgrade Faculty of Philology, where 50 persons gained language certificates. However, because of budget constraints, the course is now closed. The secondary Higher School for Teachers in Vrsac continues to organise a course on Romani language and Romani Studies as a course was temporarily included at Novi Sad University yet there is still an insufficient number of Roma teachers within the education system.

A few Roma civil society organizations work to promote Roma education, culture and language and some faculties are introducing affirmative measures for the enrolment of Roma students. Local self-governments, the Roma Education Fund and other donors provide a number of scholarships for Roma students; however, the existing network of primary and secondary schools is still unable to provide education for a large number of adult Roma.

Although andragogic assistants, like pedagogical assistants, have been engaged and their positions legally defined, a greater number of educated staff is still required and the job requirements need to be better defined. The Employment Agency is organising courses for employment but there is no data on Roma participation.

Challenges/bottlenecks

- ⌘ Obstacles to the implementation of education policies can be linked to general poverty among the Roma population, which is reflected in their overall position in society. There are many risk factors related to early school-leaving, such as poor living conditions, early marriage and child labour, while on the side of public policy there is a lack of financial and human resources to implement all of the needed activities. Although the work of pedagogical assistants is systematised and publicly recognised as essential for the Roma community, it is still not fully sustainable because of unclear work status and job descriptions. In regard to preschool education, it is clear that there is a lack of adequate staff (teachers) and a lack of premises to provide preschool programmes close to Roma settlements. Government and local self-government needs to provide sufficient financial resources to cover the cost of transport, books, scholarships, meals and school materials for children. Procedures for implementation of affirmative measures for the enrolment of Roma pupils and students in secondary school and university should be improved in order to correct the process and make it more transparent and impartial. School inspectors and other authorities should also act promptly in the case of absenteeism. Concerning the education of adults, there is a need for additional staff, andragogic assistants, schools for adult learning and funding.
- ⌘ Because of the unsustainability of programmes at the university level, there are an insufficient number of certified teachers to cover Romani language and elements of the Roma culture. This issue relates to a lack of funds for such programmes and the engagement of teachers in schools where it is possible to organise those classes. Even with printed textbooks, in reality only 10 per cent of Roma children have the chance to study the subject 'Romani language with elements of culture'. The existing antidiscrimination institutions need to react promptly and to work to prevent the possibility of segregation and discrimination. All relevant central and local institutions need to increase their efforts

to improve the existing conditions in education institutions in terms of, amongst others, facilities, staff, programmes and accessibility.

Recommendations

- ⌘ Increase the capacities of existing and open new kindergartens in close proximity to substandard Roma settlements.
- ⌘ Make an obligatory instruction for education institutions to engage an adequate number of pedagogical assistants and teachers who can provide classes in Romani language.
- ⌘ Change of 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.
- ⌘ Teaching the language of the majority community (Serbian) to Roma children should be reinforced.
- ⌘ The governmental mechanism for systematic monitoring of the success of Roma children in education still needs to be developed.
- ⌘ Avoid segregation through strategic planning and distribution of children in classes with mixed groups.
- ⌘ Provide strategic social support at the central and local level for parents with preschool and schoolchildren living in substandard settlements.
- ⌘ Introduce positive representation of Roma in textbooks.
- ⌘ Identify all children that are out of the education system.
- ⌘ Amend the dual education model in order to provide specific encouragement for employers to engage students belonging to vulnerable groups, including Roma.
- ⌘ Strictly implement affirmative measures for the enrolment of Roma pupils in primary and secondary school.
- ⌘ Introduce permanent programmes of certified Romani language in universities.
- ⌘ Improve the definition of the job requirements for andragogic assistants.



Albania

Policy	Sector Strategies	Legal Framework	Key Institutions
Ensure universal health coverage	- Strategy for Universal Health Care and Health Care provision at the Community level		
Improve and promote the health and well-being of all	- The National Health Strategy 2016–2020 - National Programme of Cancer Control 2011–2020		- The Ministry of Health and Social Protection - Institute for Public Health
Promote healthy lifestyles	- Action Plan for Health Promotion 2017–2021 - Action Plan for the Integration of Roma and Egyptians 2016–2020		

HEALTH

Strategic framework

The Albanian National Health Strategy 2016–2020 has the mission to strengthen the Albanian health system by improving and promoting the health and well-being of all people. The Strategy also focuses on the promotion of healthy lifestyles and the prevention of disease throughout the life course. It also works on the improvement of health literacy and implementation of the strategic document the National Programme of Cancer Control 2011–2020.

The Health Promotion Action Plan 2017–2021 foresees nationwide training of health professionals in order to develop appropriate community work skills and the engagement of health mobilisers, leaders and mediators. In other words, the strategic objective envisages the creation of resilient communities to protect and promote health and welfare.

Key institutions

The main institution in charge of the implementation of healthcare policies is the Ministry of Health and Social Protection. A great responsibility lies with the Institute for Public Health as well as with the local health centres and the important role of health mediators.

Challenges/bottlenecks

- ⌘ There is a lack of statistical data and analysis on the health situation of the Roma community and the health status indicators for Roma and Egyptians are less accessible than the indicators for the general population. In most cases the Roma community does not benefit from mainstream policies and practices, while segregated Roma neighbourhoods are often neglected when it comes to planning and implementation of certain actions within the national health strategy.

Recommendations

- ⌘ Conduct geographically based studies at all Roma settlements and create a roadmap of their health status. Provide aggregate data on health trends and the related factors that



affect health as well as on the quality of the environment, including the living and housing conditions of these minorities.

- ✳ The health insurance should be accessible and provided by the Government free for all, including the people working in the areas of undeclared economy.
- ✳ Raise awareness, screen for health issues and prevent disease. It is essential that the Institute for Public Health in collaboration with the structure of health mediators initiate a widespread awareness raising campaign that covers all Roma settlements.
- ✳ Establish an ad-hoc coordination group that will work on screening the health challenges in remote neighbourhoods. At least one person from each of the beneficiary communities should be designated to take part in central consultations on the implementation of the National Health Strategy.
- ✳ Roma health mediators should be appointed in all 12 regions where there are predominantly Roma communities. It has been proven that the assistance provided by Roma health mediators greatly increases access to health services for the Roma community. This approach raises awareness and increases confidence in 'Roma friendly doctors' at health centres.
- ✳ Create and maintain a health mediator network in order to increase and improve access to healthcare services for the Roma and Egyptians and vulnerable groups in general.
- ✳ Organise awareness raising campaigns on the importance of health screening, on the importance of monitoring pregnancy and child care.
- ✳ The Ministry of Health and Social Protection should foresee exclusive activities for Roma and Egyptians in this area. The first awareness raising campaigns should be on healthcare literacy and advanced healthcare information, given the fact that epidemic diseases infect a considerable number of citizens.
- ✳ The creation of healthcare centres for first aid services at the local level would provide the capacity to ensure necessary services (blood pressure measurement, advice, diabetes measurement and similar) to community members.
- ✳ An important issue is the fact that numbers of Roma settlements are located in remote areas close to disused facilities that contain unrestrained waste dangerous to both health and the environment. The abandoned facilities are in a very close proximity to villages mainly populated with Roma such as Fier, is highly contaminated and polluted. It is from crucial meaning to screen the hazard prone areas, to diagnose and treat people through specialised health packages and most importantly to improve the environment.

Bosnia and Herzegovina

Policy	Sector Strategies	Legal Framework	Key Institutions
Reduce differences in the health status of the population	There is no health strategy at the state level.	<p>According to the constitutional provisions, healthcare comes under the jurisdiction of the entities and jurisdiction is devolved further at the cantonal and District level. Thus, there are three laws on healthcare and three laws on health insurance.</p> <p>The legislation needs to be harmonised between the different levels of government and with EU and other international standards.</p> <p>The regulations on health insurance should be amended to solve the problem of non-insured persons in a systematic and permanent way.</p>	<ul style="list-style-type: none"> - The Federal Ministry of Health - Ten cantonal ministries of Health in the Federation of Bosnia and Herzegovina - The Health Insurance and Reinsurance Institute of the Federation of Bosnia and Herzegovina - Ten cantonal health insurance institutes - Ministry of Health and Social Welfare of Republika Srpska - Health Insurance Fund of Republika Srpska - Department for Health and Other Services under the Government of the Brcko District - Health Insurance Fund of Brcko District

Strategic framework

There is no health strategy at the state level. In the Federation of Bosnia and Herzegovina at the entity level the Strategic Plan for Health Development expired in 2018. The Republika Srpska has a policy for improvement of the health of the population, which is valid until 2020. Three cantons (Zenica-Doboj, Sarajevo and Herzegovina-Neretva) have developed their own strategies. There is no harmonisation between the developed strategic documents. Except for the state level, the other levels of authority in Bosnia and Herzegovina have yet to develop policies, strategies, programmes or plans of action for managing these health priorities.

Legal Framework

According to the constitutional provisions, healthcare comes under the jurisdiction of the entities and this jurisdiction is devolved further at the cantonal and District level. Thus, there are three laws on healthcare and three laws on health insurance. The legislation needs to be harmonised between the different levels of government and with EU and other international standards. The regulations on health insurance should be amended in order to resolve the problem of non-insured persons in a systematic and permanent way.

Key institutions

Currently, there is the Federal Ministry of Health and ten cantonal ministries of health in the Federation of Bosnia and Herzegovina as well as the Health Insurance and Reinsurance Institute of the Federation of Bosnia and Herzegovina and ten cantonal health insurance institutes. Republika Srpska has the Ministry of Health and Social Welfare and a Health Insurance Fund, while Brcko District of Bosnia and Herzegovina (hereinafter Brcko district) has a Department for Health and



Other Services under the Government of Brcko District and the Health Insurance Fund of Brcko District. At the entity level, there are the agencies for health accreditation: the Agency for Quality and Accreditation in Health in the Federation of Bosnia and Herzegovina and the Agency for Certification, Accreditation and Quality improvement of Healthcare in Republika Srpska. At the state level, it is important to mention the Department of Health within the Ministry of Civil Affairs and the regulations that are applicable throughout the economy the most significant of which is the Law on Medicines and Medical Devices.

Challenges/bottlenecks

- ✳ The significant differences in the legal and institutional frameworks in Bosnia and Herzegovina result in the unequal treatment of patients and in the implementation of healthcare related measures throughout the economy. The main problems of the health sector in Bosnia and Herzegovina are inequitable access to healthcare, poor quality of healthcare services, inadequate transparency in the system of financing, obsolete technology and a lack of funds to invest in new equipment.
- ✳ The engagement of Roma mediators is neither sustainable nor systematised.
- ✳ There is lack of systematic monitoring and disaggregated data collection on healthcare.
- ✳ There is lack of funding for prevention campaigns and awareness raising on health issues.

Recommendations

- ✳ Start initiatives aimed at changing the regulations on health insurance in order to resolve the status of non-insured persons in a systematic and permanent way.
- ✳ Define precisely the obligations of the public health institutions for enforcing programme of health protection and establishing a unique manner of reporting on the spent funds in order to avoid non-dedicated expenditure.
- ✳ Try to stimulate programmes for the engagement of mobile teams that can implement measures of preventive health protection for Roma women and their children, especially in the environments where Roma live in large numbers in bad hygienic and sanitary conditions.
- ✳ Create measures that provide access to healthcare by providing accurate and up-to-date data on the number of members of the Roma minority.
- ✳ Ensure funding at all levels of government.
- ✳ Create information and educational campaigns in cooperation with representatives of the Roma population in Bosnia and Herzegovina. At the same time, organise periodic basic health testing in Roma communities (mobile teams).
- ✳ Establish a practice aimed at improving hygiene and epidemiological conditions in settlements through a partnership between health institutions and civil society organizations.
- ✳ Collect information on health systematically.
- ✳ Ensure a coordinated financial framework at all levels of government.
- ✳ Continue the engagement of Roma mediators.
- ✳ Strengthen voluntarism in local communities.
- ✳ Design apprenticeship programmes for medical faculty undergraduate students and graduate students of secondary medical schools in Roma communities.

Kosovo*

Policy	Sector Strategies	Legal Framework	Key Institutions
Improvement of overall health protection services	- Strategy for Inclusion of Roma and Ashkali communities for the period 2017–2021	There are no particular healthcare related legal framework supporting inclusion policies.	- Ministry of Health
Promote healthy lifestyles	- Health Sector Strategy 2017–2021		

Strategic framework

The Government Strategy for Inclusion of Roma and Ashkali communities for the period 2017–2021, as well as the Action Plan for its implementation, is the single most important policy document for inclusion of the said communities. The strategic goal that targets healthcare is intended to improve the health situation and quality of life among members of the Roma and Ashkali communities. Yet it is not in alignment with the Health Sector Strategy 2017–2021, that touches briefly on the health problems of vulnerable groups by describing them superficially and in broad terms.

Legal Framework

Despite the fact that the Law on Health Insurance prescribes that all citizens have the right and obligation to have mandatory ‘basic package’ health insurance coverage for emergencies, pregnancy and childbirth and other essential healthcare services, the health insurance system has yet to be implemented. There are no particular healthcare related legal frameworks supporting inclusion policies.

Challenges/bottlenecks

- ✳ The public health system does not provide many medical services due to a lack of expertise and/or medical equipment. Furthermore, hospitals cannot provide certain lab tests and medical imaging and therefore patients are forced to seek help through the private sector. This is costly and unaffordable for many, especially for members of Roma community.

Recommendations

- ✳ Ensure better alignment of Roma inclusion strategies with central policies on public health.
- ✳ Increase outreach actions to inform Roma and Ashkali about the availability of mainstream healthcare services.
- ✳ The Government should provide health insurance and free health access to services to marginalized groups including people without civil registration status who live in Kosovo* and people who work in the informal sector and not benefiting from the state health insurance.
- ✳ The relevant authorities and civil society organizations should increase their activities to better inform the communities about the availability of health services such as vaccination,



screening for various diseases, reproductive health for women and the work of the socio-medical counselling centres and mobile clinics.

- ✳ Increase awareness raising efforts on health and vaccination, screening for various diseases, socio-medical counselling centres and mobile clinics through targeted interventions. This would be especially useful in Roma settlements.

Montenegro

Policy	Sector Strategies	Legal Framework	Key Institutions
Increase the access to healthcare	<ul style="list-style-type: none"> - Strategy for social inclusion of Roma and Egyptians for 2016–2020 - Master Plan for Development of the Health System in Montenegro 2015–2020 - National Youth Strategy 2017–2021 	<ul style="list-style-type: none"> - Law on health protection - Law on health insurance 	<ul style="list-style-type: none"> - Ministry for Human and Minority Rights - Ministry of Health
Preventive health actions			
Information and awareness raising campaigns			

Strategic framework

The Master Plan of Development of the Health System in Montenegro 2015–2020 addresses the healthcare of particularly vulnerable and threatened population groups. One of the objectives of the plan specifically defines improvement and preservation of the health of socially endangered and marginalised population groups. The plan recognises the Roma and Egyptians as an example of socially endangered and marginalised groups. The main priority related to this objective is the introduction of health mediators for the minority population groups in order to provide easier access to healthcare for endangered and marginalised groups.

The Strategy for Social Inclusion of Roma and Egyptians for 2016–2020 envisages the realisation of three key objectives: 1) Increasing the level of usage of and access to healthcare, 2) preventive actions and field campaigns and 3) information and awareness raising campaigns.

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

Legal Framework

The legal framework for exercising the right to healthcare is defined by the Law on Health protection and the Law on health insurance. The Law on health protection prescribes healthcare for foreigners (asylum seekers, refugees, displaced persons, persons granted additional protection, and persons granted temporary protection in Montenegro) in accordance with the Law (Article

13) and international treaties.

The Law on health insurance regulates the right to compulsory health insurance and the right to exercise this right, the financing of compulsory health insurance, supplementary health insurance, the contracting of healthcare providers. The Law stipulates that a health booklet issued by the Health Fund is a property of an insured person. Socially vulnerable categories of the population are exempt from the obligation to pay the costs of medical services.

Key institutions

The main institution in charge of healthcare policy is the Ministry of Health. Within the Annual Plans, the Ministry for Human and Minority Rights in coordination with the Ministry of Health are required to organise regular informative sessions and actions aimed at educating members of the Roma population on the importance of prevention and protection of health and preventive health examinations. These examinations involve employees at public utility companies and women as well as campaigns and field vaccinations of children in Roma settlements.

Challenges/bottlenecks

- ✳ There is a lack of statistical data and a methodology for monitoring the healthcare of Roma and Egyptians.
- ✳ Cooperation between the sectors of social care and health is inadequate.
- ✳ There is a lack of effective cooperation between the sectors of education, social care, health and the police on protecting women and girls from violence and being subjected to illegal child marriage.
- ✳ There is a lack of implementation of the measure ‘associates of Roma and Egyptians in the system of health care’.
- ✳ The promotion of existing youth counselling services, including psychological counselling, reproductive health, and the prevention of communicable diseases and addiction, among young Roma and Egyptians is insufficient.

Recommendations

- ✳ Collect relevant statistics and sex-disaggregated data and design an appropriate methodology for monitoring the accessibility of health services for Roma and Egyptians, including the affordability of treatments and medication, preventive measures, etc.
- ✳ Strengthen cooperation between the social work and health sectors in order to enable development of a more effective and efficient response in both sectors.
- ✳ When engaging Roma and Egyptian associates in the area of healthcare, respect the gender balance among the associates and engage female mediators to work intensively with girls and women with focus on female and reproductive health.
- ✳ Develop bridging health services (like paramedics) that can widen the possibilities for employment of Roma and Egyptians trained as mediators for health but who do not fulfil the criteria for associates (in terms of secondary education).
- ✳ Reconsider the employment criteria for associates in terms of the requirement to have Montenegrin citizenship and find sustainable solutions to ensure better usage of the existing human resources among the Roma community. Reconsider the terms of employment



for associates in education and enable their permanent employment. For people who have gained adequate experience as mediators through donor programmes but do not fulfil the criteria for employment as associates in terms of the necessary education level (secondary school), develop additional favourable criteria for employment such as, for example, conditional employment for a period of one year with the obligation to complete secondary education in the meantime. After fulfilling the education level requirement, this conditional form of employment could then become permanent.

- ✳ Given the number of young Roma and Egyptians who attended different education courses and who participate in civil society organization programmes, establish a network of people and make use of social media to distribute information about the preventive programmes for youth that exist within health centres. Organise monitoring of the implementation of programmes and develop additional measures within the scope of the new Strategy for Social Inclusion in relation to youth health.
- ✳ In order to ensure that the Roma and Egyptians are included in screening for the prevention of cancer, include associates in the healthcare sector in the campaign and develop additional segments of existing field campaigns to increase awareness among the about this measure and to include them in the screening programme.

The Republic of North Macedonia

Policy	Sector Strategies	Legal Framework	Key Institutions
Access to health insurance without discrimination	- Programme of the Government 2017–2020 - Health Strategy of the Republic of Macedonia 2020	- Law on Unregistered Persons - Law on healthcare - Law on health insurance	- Ministry of Health - Health mediators
Access to information, services and medical supplies	- Strategy for Regional Development 2009–2019	- Law on patient protection	

Strategic framework

According to the Constitution of the Republic of North Macedonia, healthcare is guaranteed (Article 39). The Law on healthcare guarantees all citizens quality healthcare with respect for their moral, cultural, religious and philosophical beliefs and guarantees them the right to information necessary for the maintenance of their health.

The key strategic documents are the Programme of the Government 2017–2020, the Health Strategy of the Republic of Macedonia 2020 and the Strategy for Regional Development of the Republic of Macedonia 2009–2019.

Legal Framework

The main legal framework for healthcare policies targeting Roma are the Law on Unregistered Persons, the Law on healthcare, the Law on health insurance and the Law on patient protection.

The Law on Unregistered Persons enacted in February 2020 is an ad hoc solution for unregistered persons to provide this category with access to the rights to healthcare, social protection and education. It is ad hoc because it only targets a specific number of people (654 people out of which 423 are Roma) that have already initiated the procedure for additional registration of birth in the registry book and participated in the public call on registration issued by the Ministry of Justice during the period 1 April 2018 to 1 November 2018.

The Law on healthcare ensures that the health system is fully functional and regulated at the central and local level. The most important articles for Roma are Article 3, the right to healthcare, Article 9, the principle of equality, Article 10, the principle of inclusiveness and Article 16, ensuring the exercise of guaranteed rights, identified needs and the interests of the Republic of North Macedonia. Full implementation of these articles would have a significant impact on the health status of Roma. The Law on Health Insurance states under Article 2 that health insurance is compulsory for all citizens of the economy. The Law on Patient Protection includes a lot of useful information for both health workers and the Roma community. This Law can have an impact on the ability of Roma to access information and healthcare services and to gain patient rights and obligations.

Key institutions

In 2018, the quarterly report by the Ministry of Health reported that in total 12 mediators had been hired and that 8 of them were women and 4 men. Roma Health Mediators is a programme that engages Roma as mediators between the community and health institutions. They focus on a wide range of support but mainly on ensuring health services for the Roma community, personal documentation, health insurance, immunisation and social protection. Mediators operate in eight municipalities and cover different geographical areas of the economy.

Challenges/bottlenecks

- ✳ The context in relation to the health of Roma in the Republic of North Macedonia largely reflects the lack of health education and information, limited access to health services and discrimination in the provision of services. The critical socioeconomic living conditions combined with these limitations and the other obstacles that burden Roma demonstrate the unsatisfactory level of health among this population.
- ✳ Discrimination in health institutions is one of the main factors in the social exclusion and poor health condition of Roma.
- ✳ Access to medicine remains limited for all citizens and resources are allocated on a first come first serve basis.

Recommendations

- ✳ Apply sanctions on health professionals who act unequally when providing health services to Roma and non-Roma. This would increase the level of trust among Roma and the attitude among professionals toward vulnerable and the marginalised categories of the population.
- ✳ The adoption of normative acts on the provision of health insurance for persons without personal documentation is expected within the provisions of the new Law on Unregistered Persons.



- ✳ As a successful result in the health system, Roma health mediators are seen as the best means of connecting with the community. Although it is a project-based service, the Government needs to systematise and expand the programme of Roma health mediators to all cities.
- ✳ Monitoring and the evaluation of measures related to Roma lacks data and therefore it is difficult to establish the level of progress achieved. The Government needs to secure disaggregate data on Roma in order to provide a baseline for monitoring the situation of Roma as well as for tracking the level of progress of measures through indicators.
- ✳ The Government together with the Ministry of Health and other stakeholders must ensure full respect for the law in order to achieve an improvement in the health status of Roma in the economy.

Serbia

Policy	Sector Strategies	Legal Framework	Key Institutions
Preventive public health policies	<ul style="list-style-type: none"> - Poverty Reduction Strategy - Public Health Strategy in the Republic of Serbia for 2018 – 2026 - Strategy on Permanent Improvement of the Quality of the Health Protection and Safety of Patients 	<ul style="list-style-type: none"> - Law on Health Protection - Law on Health Insurance - Law on Public Health (amendments needed) 	<ul style="list-style-type: none"> - Ministry of Health - Health mediators - Advisors for the Protection of Patients - Health Councils
Public health protection policies (treatment)	<ul style="list-style-type: none"> - Strategy on Development of the Health of Youth - Strategy on Prevention and Control of Chronic and non-Communicable Diseases - National Programme for Improvement of Sexual and Reproductive Health (2017) 	<ul style="list-style-type: none"> - Law on Rights of Patients - Law on procedures for termination of pregnancy - Law on Rights of Patients 	
Policies on equal access to health without discrimination	<ul style="list-style-type: none"> - Strategy on Prevention and Control of HIV and AIDS in the Republic of Serbia for 2018–2025 - Strategy on Development of Mental Health Protection 	<ul style="list-style-type: none"> - Law on the Prohibition of Discrimination in the Republic of Serbia 	

Strategic framework

The Poverty Reduction Strategy recognises Roma as a vulnerable group and includes measures that should target Roma in particular. The Public Health Strategy in the Republic of Serbia for 2018–2026 includes disaggregated data on the health of Roma and envisages selective measures for vulnerable groups. The Strategy on Permanent Improvement of the Quality of Health Protection and Safety of Patients predicts better cooperation with the Ministry of Social Care in relation to the Roma minority. The Strategy on Development of the Health of Youth dates from 2006 but has not been updated.

The National Strategy for Youth 2015–2025 emphasises Roma youth as a group at particular health risk. The Strategy on Prevention and Control of chronic and non-communicable diseases does not predict special measures for Roma but recognises poverty as the most important risk factor and proposes relevant measures. The National Programme for Improvement of sexual and Reproductive Health (2017) proposes measures that target Roma as a vulnerable group. The Strategy for the Encouragement of childbirth that was adopted in 2018 does not recognise the needs of Roma as a vulnerable group.

The Strategy on the Prevention of and Protection from Discrimination defines Roma as a vulnerable group targeted by discrimination. The Strategy on Gender Equality (2016–2020) recognises Roma women as potential victims of multiple discrimination and prescribes a number of activities for the promotion of the health of women.

Legal Framework

The relevant legislation supports the health policies. The Law on Health Protection 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 role of Roma mediators. The Law on Health Insurance prescribes additional support for Roma in gaining access to health insurance (affirmative measure). The Law on Public Health prescribes additional activities on the health protection of vulnerable groups.

The draft Law on Protection of Rights of Children should include particular care and protection of vulnerable children (not adopted). The Law on Youth defines measures for youth engagement, but nothing specifically for Roma or any other vulnerable group. The Criminal Code protects children from domestic violence and sexual harassment yet early marriage remains a challenge for institutions because of the continued strength of patriarchal attitudes within society. The Law on Procedures for Termination of Pregnancy regulates the abortion procedure. There is also the Protocol for procedures and protection of female victims of violence (Ministry of Health).

The Law on Rights of Patients provides for equal treatment for all without discrimination, the Law on the Prohibition of Discrimination in the Republic of Serbia regulates general discrimination and the Law on Protection of Rights and Freedoms of National Minorities protects national minorities from any form of discrimination.

The Law on Free Legal Aid prescribes free legal aid for children, victims of domestic violence, trafficking in human beings (THB) victims, refugees and IDPs and disabled, evicted, institutionalised persons, etc. The Law on Gender Equality regulates equal rights in healthcare, family planning and access to information for pregnant women. The Law on Public Service Employees prescribes affirmative measures for Roma in cases where there are candidates for the same position with the same qualifications.

Key institutions

The Ministry of Health is the main institution dealing with healthcare policies. The Ministry is in charge of the engagement and monitoring of the work of health mediators as the most important link between the Roma population living in substandard settlements and health institutions. Health centres and civil society organisations often work on awareness raising and prevention activities.

Advisors for the protection of patients and health councils should deal with issues related to the rights of patients. The Commissioner for Protection of Equality deals with cases of discrimination,



while central or local ombudspersons (Protector of Citizens) deals with the issue of the protection of the rights of national minorities through the oversight of public services. Free Legal Aid is provided by civil society organizations and special legal services in particular cases.

Challenges/bottlenecks

- ⌘ There is only one person (advisor) within the Ministry of Health in charge of health protection programmes and projects for vulnerable groups. This includes monitoring the work of health mediators, which is clearly insufficient. Mandatory immunisation efforts need to be consistent. Improvement of living conditions in settlements as a precondition for good health has seen slow progress, because of a lack of funds and legal obstacles. A reduction in the number of early marriages depends on the education and empowerment of women, which requires greater institutional support. Education programmes for young mothers and on reproductive health continues to be project based.
- ⌘ To date, only nine health councils have been established and only one has a Roma representative. Health mediators are present in a number of municipalities, but not in a systematised manner.
- ⌘ Affirmative measures on the employment of Roma within the health system exist but appear to be insufficient.
- ⌘ Local healthcare institutions need to develop programmes that deliver regular education and protection that target health in Roma communities; however, to date, this activity has been random and implemented by civil society organizations and donors.
- ⌘ Actions to improve waste management in settlements, water and sanitation in most cases are either poor or non-existent.

Recommendations

- ⌘ Amend the Law on Health Protection to include the position of health mediators as a requirement that needs systematisation, budgeting and the engagement of health mediators. Additionally, organise training for medical staff to provide specific health support to vulnerable sections of the population.
- ⌘ Change the terminology in laws to remove phrases such as 'traditional way of life' (paragraph 12 of Article 11 of the Law on Health Protection and paragraph 11 of Article 16 of the Law on Health Insurance) because such phrases foster negative stereotypes in relation to the Roma community.
- ⌘ Increase the capacity of the Ministry of Health in order to alleviate situations where, as at present, one person is in charge of health protection programmes and projects for vulnerable groups, including monitoring the work of health mediators.
- ⌘ Promote mandatory immunisation efforts within the Roma community.
- ⌘ Improve housing initiatives (budget and legal preconditions) in order to have an impact on the overall health situation in the Roma community.
- ⌘ Education programmes on reproductive health for young Roma should become regular, especially in substandard Roma settlements.
- ⌘ Support the work of the local health councils, ensure regular financing and rules of procedure and include a representative from the Roma community.

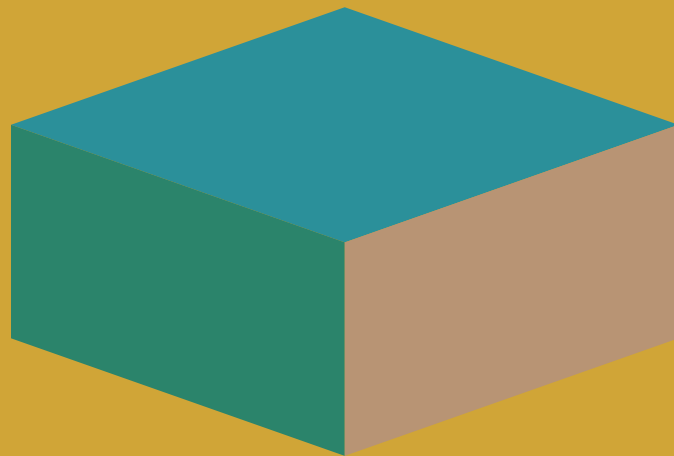
- ⌘ Existing affirmative measures for employment of Roma within the health system appear to be insufficient. The health system should prioritise the engagement of qualitative staff of Roma ethnicity because they could provide crucial support when approaching vulnerable communities for education and preventive engagement.



Albania

Policy	Sector Strategies	Legal Framework	Key Institutions
Develop social housing programmes	Strategy for Social Housing 2016–2026	Law on Social Housing	- Ministry of Finance and Economy - Local government
Improve existing settlements and houses		Law on Legalisation, Urbanisation and Integration of Irregular Constructions	- Local government
Legalise Roma settlements and structures			- Local government

HOUSING



Strategic framework

The Strategy for Social Housing 2016–2026 gives clear advantage to vulnerable groups in relation to access to social housing, including the Roma and Egyptian communities. More specifically, objective 1.4 explicitly prioritises the provision of assistance for Roma and Egyptians in accessing housing and objective 5.2 addresses the housing conditions and aims to decrease the number of families that live in inadequate housing conditions.

Legal Framework

The Law on Social Housing defines, amongst others, different housing programmes, subsidies and the financing of construction and maintenance. The Law was amended in 2019 to enable improved access to social housing for socially deprived groups, especially Roma communities, and to ban forced eviction. Special housing programmes such as the ‘rental subsidy’, ‘the reconstruction of housing programme’ and ‘temporary shelters’ are defined solely for the Roma communities.

The Law on Legalisation, Urbanisation and Integration of Irregular Constructions defines procedures for legalisation, but also the procedures for improvement of existing irregular/informal settlements (urbanisation) and land ownership issues.

Key institutions

The Law on Legalisation, Urbanisation and Integration of Irregular Constructions obliges **local governments** to define the housing needs in their jurisdiction and report to the **Ministry of Finance and Economy** in order to allocate the budget for the housing programmes. Programmes for the improvement of the living conditions of Roma and Egyptians that also foresee infrastructural and environmental development require the **involvement of the responsible local institutions** (infrastructure departments and public companies, etc.).

The key responsibility for legalisation rests with **local government**, which should make programmes for urbanisation, develop urban plans, etc. The Law obliges local authorities to provide transparent information on their planned activities and decisions regarding urbanisation and legalisation.



Challenges/bottlenecks

- * There is no reliable data on the housing situation and real housing needs of Roma and Egyptians, which is the basis for the development of adequate housing programmes.
- * Reports on housing needs that the municipalities send to the Ministry of Finance and Economy are affected by changes in staff at the local government level and therefore local housing policies are often short-term, ad-hoc and unsustainable.
- * Some of the housing programmes defined by the Law on Social Housing are not accessible for the poorest families because of the various restrictions and conditions a beneficiary need to fulfil in order to apply for a programme, which many Roma and Egyptian families cannot fulfil. The rental subsidy programme, for example, defines the minimum monthly income that a beneficiary needs to have, while the housing reconstruction programme is applicable only to those families that have legal proof of possession of the property in which they live.
- * The Law on Legalisation does not allow substandard structures (shacks, improvised houses, etc.) to be legalised, which leaves the Roma communities without the possibility to achieve security of tenure and consequently exposed to the risk of resettlement.
- * Many Roma and Egyptian families as well as other vulnerable groups are prone to a lack of access to information about plans for the land they occupy.
- * There is a lack of institutional capacity at the local level to implement housing programmes and poor investments and the expropriation of funds were reported in many cases.
- * Central government determines the budget for housing programmes, which is limited, operates on a year-to-year basis and is decreasing.
- * Municipalities rarely use their own budgets to finance housing programmes and mostly rely on finance from central government.

Recommendations

- * It is essential that a mapping of Roma settlements be undertaken in order to determine the precise housing needs of this population and in order to develop adequate housing policies and programmes.
- * Acknowledge or legalise non-formal objects. According to the Census of Housing and Population conducted in 2014, approximately 68 per cent of Roma and Egyptian lived under insecure tenure and 15 per cent lived in improvised houses. Based on the same census, 30 per cent of the houses were not connected to the sewage system, 23 per cent did not have access to the water supply and another 30 per cent lacked sanitary/hygiene properties.
- * The Ombudsperson and international organisations recommend the proactive inclusion of Roma and Egyptians in the decision-making process and the development of housing policies. This would also help in designing housing programmes that would be applicable to the poorest Roma families.
- * Municipalities should be obliged by law to develop medium and long-term housing policies (e.g. local housing strategies) that will not be affected by the change in the local administration.

- * Increase funding for the Temporary Shelter Programme. This programme will continue to address the need for emergency alternative housing until a permanent housing programme is available.
- * Each municipality in Albania should have and implement the program of temporary shelters.
- * Acquire more funding for the improving housing conditions programme. This successful programme was used to target the Roma community, yet under the new amendments to the Law this programme now includes more categories.
- * Increase funding for the Revitalisation of former State-owned Facilities into Social Housing Programme to help the municipalities to address the housing issue and improve the living conditions of their residents.
- * Capacity building of institutions relevant to housing at the local level is necessary.
- * Local and international organisations suggest the appointment of local transparency coordinators and the development of transparency programmes that would, in accordance with the Law on the Right to Information, target access to information for vulnerable groups.
- * Municipalities should be obliged by law to use their own budgets to finance housing programmes (co-finance, participate in the costs of construction, etc.) and not to rely solely on transfers from central government.
- * Budgets for housing programmes defined at the central level need to be increased in order to match real housing needs at the local level and programmed for a longer period in advance (medium or long-term budgets) so that municipalities can make sustainable longer-term housing plans.

Bosnia and Herzegovina

Policy	Sector Strategies	Legal Framework	Key Institutions
Social housing	There is no strategy at the central as well as local (regional) level.	Laws on social housing at the regional and cantonal level	- Government at the regional/cantonal, entity and district levels - Local government (municipalities)
Legalise illegally constructed houses		Regulations in some entities/cantons	- Local laws on social housing foresee the establishment of entity housing agencies

Strategic framework

The absence of a basic housing policy framework at the central level represents the main challenge. Currently, Bosnia and Herzegovina does not have a model or system of housing from which to define the goals, structure, techniques and the financial and human resources necessary for housing policy. Consequently, there are no formal procedures on housing adopted by the competent



authorities through policy documents, laws, regulations or quality standards. As for other areas, housing policy is the responsibility of local government in the entities, cantons and municipalities. Six municipalities (Srebrenica, Prijedor and Banja Luka in Republika Srpska and Tuzla, Gorazde and Mostar in the Federation of Bosnia and Herzegovina) have developed social housing strategies and achieved certain success in social housing, which could serve as an example of good practice for housing policies at higher levels.

Legal framework

There is no legal framework at the central level to regulate the housing sector in Bosnia and Herzegovina. Laws on social housing have been adopted in almost all regions/cantons. **The Law on Social Housing of Republika Srpska** does not target Roma explicitly but focuses on vulnerable groups in general. It imposes the obligation on the Government of Republika Srpska to develop a Strategy on Social Housing. **The Law on Social Housing of Zenica-Doboj Canton** specifically targets Roma and defines the conditions and priorities for addressing their housing needs. These local laws foresee the establishment of housing agencies at the entity level.

The Law on Residence prescribes that a person needs to submit proof of residence in order to obtain a legal document, which represents a serious problem for homeless persons and among other things denies them access to social housing programmes.

The Assembly of Zenica-Doboj Canton has adopted a **Decision on the legalisation of illegally constructed buildings**; however, settlements characterised as 'slums' are not covered by the Decision. In order to be legalised, objects need to meet the minimum requirements and building standards and therefore many of the poorest Roma cannot benefit from this legalisation campaign.

Key institutions

Since there are no strategies or regulations at the central level, all responsibility for housing policy centres on institutions at the **entity, cantonal, District, municipal and city** level. The **central government** issues instructions that set the criteria for the selection of projects and beneficiaries for housing programmes for Roma financed through IPA and Ministry for Human Rights and Refugees funds and by international donors. Due to the absence of an official housing policy, programmes are mostly ad-hoc and aimed mainly at responding to urgent housing needs without wider goals or any strategic coordination of individual programmes. They often result in the concentration of particularly vulnerable social groups in settlements, which leads to an increase in stigma and poverty. A **lack of data** prevents the measurement and monitoring of Roma housing needs in the economy, which would otherwise allow for evidence based policy response.

Challenges/bottlenecks

- ✳ There is an absence of clearly defined housing policy at the central level (goals, objectives, priorities, responsible institutions and resources), which means that there is no mechanism to coordinate lower level housing policies and individual housing programmes.
- ✳ At lower levels, in the entities and cantons, there are no strategic documents to define housing policy.
- ✳ Laws on social housing exist in the entities and all of the cantons and yet in the absence of an umbrella strategic document on housing their effectiveness should be assessed.
- ✳ Complex and restrictive regulations discourage local government from opting for social

housing programmes. These include, amongst others, a ban on disposing state property, restrictions on budgetary spending and local government borrowing and problems with outdated spatial and urban plans and construction land.

- ✳ There is a lack of finance for housing programmes, which are financed mainly through international funds and donors without any commitment from central or local budgets.
- ✳ In the absence of legal and strategic frameworks and stable funds from central and local budgets housing programmes are mainly ad-hoc and focused on solving urgent housing needs and therefore often have adverse effects such as improving the quality of housing but creating settlements occupied solely by vulnerable groups and thus increasing exclusion.
- ✳ There is no reliable data on the housing situation and actual housing needs of Roma on which to base the development of adequate housing programmes.

Recommendations

- ✳ It is necessary to define housing policy at the central level and to have clear strategic long-term objectives, goals and priorities. Institutional frameworks need to be developed and the necessary resources secured. This would provide an umbrella policy to guide the development of lower level policies. It would also enable lower level housing policies to be mutually coordinated.
- ✳ As prescribed by the laws on social housing, establish entity level housing agencies as the necessary institutional prerequisite for effective implementation of housing policies and programmes.
- ✳ Research and collect data on Roma housing in order to determine their actual needs and develop evidence based housing policy for the Roma population.
- ✳ Financial resources for housing programmes should come from state and entity budgets and should not be solely reliant on international funds and donor contributions.
- ✳ State financing should provide for independent evaluations of the quality of housing units constructed through programmes such as Ministry of Human Rights and Refugees (technical admission, attestation, etc.).
- ✳ Develop new models of housing assistance such as vouchers and other subsidies that would enable beneficiaries to solve their housing needs through both public housing programmes and/or the market. This would reduce the need for construction of social/public housing buildings and thus lower the burden on local budgets.
- ✳ Develop models for financing social housing through loans and public-private partnerships.



Kosovo*

Policy	Sector Strategies	Legal Framework	Key Institutions
Social housing	- National Strategy on Property Rights (NSPR)	- The Law on Housing and Financing Specific Programmes	- Ministry of Environment and Spatial Planning
Access to information, services and medical supplies	- Strategy for Inclusion of Roma and Ashkali		- Ministry of Justice - Local self-government

Strategic framework

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

Strategy for Inclusion of Roma and Ashkali envisage development of housing policies and actions.

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

Legal framework

The Law on Housing and Financing Specific Programmes obliges municipalities to develop three-year housing/social housing programmes and projects, but only a small number of local self-governments fulfil these obligations.

Key institutions

The Ministry of Environment and Spatial Planning is responsible for monitoring the implementation of the Law.

The **Ministry of Justice** is leading development of the National Strategy on Property Rights (NSPR) to address and to strengthen and secure property rights for all of Kosovo's citizens.

Challenges/bottlenecks

The Government approved a Concept Document for amending the Law on Social Housing for Financing Specifics Programmes in April 2015 because of legislative complexity, gaps and difficulties in its implementation. According to the Ministry of Environment and Spatial Planning the draft Law on Social Housing is drafted and has completed all processes and public discussion, the stalemate is in the financial implication of the Law that must be harmonized with the Ministry of Finance.

Recommendations

- ✳ The relevant authorities should undertake the necessary steps to ensure better alignment of Roma inclusion strategies with central policies on education, employment, public health and housing.
- ✳ Housing policy makers should be led by the National Strategy on Property Rights that provides secure rights and recognizes the challenges faced by women, displaced persons (DPs) and members of non-majority communities when planning housing measures for Roma and Ashkali communities.
- ✳ Collecting data on housing, mapping the needs of the Roma settlements has to become a regular practice of the responsible institutions led by the line Ministry of Environment and Spatial Planning.
- ✳ Developing programs, ensuring funds and providing social housing to be systematic responsibility of the municipalities.
- ✳ The Ministry of Environment and Spatial Planning to establish monitoring for the implementation of the Law on Housing Financing for Specific Programmes.
- ✳ The National Development Strategy 2016–2021, which centres on human capital and education and envisages interventions to align strategies on housing (beside healthcare, education, employment) with the Roma integration goals.

Montenegro

Policy	Sector Strategies	Legal Framework	Key Institutions
Improve housing conditions (improvement of existing settlements)	- National Housing Strategy 2011–2020 - Periodic social housing programmes - National Strategy for Sustainable Development	- The Law on Social Housing	- Ministry for Sustainable Development and Tourism - Ministry of Human and Minority Rights
Relocation of Roma settlements and construction of social housing		- Law on Spatial Planning and Construction of Structures	- Ministry of Labour and Social Welfare
Legalisation		- Law on Protection and Rescue	- Ministry of Economy - Local self-government

Strategic framework

The National Housing Strategy is an umbrella strategic document for the housing sector. The Government of Montenegro prepares **social housing programmes** in line with the National Housing Strategy, which defines the responsibilities of local government.



The **National Strategy for Sustainable Development** in relation to housing highlights the need to improve housing conditions through improved management of construction land in cities, resolving the problem of the imbalance between the offer and the demand for housing and planning, regulation and management of urban areas taking into consideration the needs of groups with special needs, including, amongst others, women, the elderly, Roma and Egyptians, refugees and displaced persons and persons with disabilities.

Legal framework

The Law on Social Housing regulates the conditions and manner of exercising the right to social housing for persons who do not have housing, persons whose housing does not meet the appropriate standards and/or persons who through the income they generate cannot afford housing. It gives priority to vulnerable groups, which includes Roma and Egyptians.

The Law on Spatial Planning and Construction of Structures regulates the system of spatial and urban planning, the conditions for construction, legalisation of illegal buildings and other relevant issues. **Article 12** of the Law defines that the competent inspection authority can at the request of an interested party or ex officio order the removal of a structure whose stability is found to be threatened due to dilapidation, deficiency or major damage and which poses an immediate threat to the life and health of people or threatens an adjacent structure or the safety of traffic.

The Law on Protection and Rescue includes a set of measures and actions to be taken to detect and prevent natural and human-made disasters and protect citizens and material goods endangered by such disasters.

Key institutions

The Ministry of Sustainable Development and Tourism prepares annual work programmes that contain measures on social housing and the legalisation of housing units.

The Ministry of Human and Minority Rights participates in the Regional Housing Programme, which provides funds to solve the housing issues of the most vulnerable categories.

The Ministry of Labour and Social Welfare has developed guidelines for social housing that define the obligations of tenants, local self-government and leaseholders.

The Ministry of Economy launched the **Energy Efficient Home Programme** aimed at reducing heating costs, increasing household comfort and achieving significant reductions in CO₂ emissions. As beneficiaries of the Regional Housing Programme, Roma and Egyptian families are potential beneficiaries of this programme.

Local self-governments are responsible for implementation of social housing programmes, regularisation of settlements and legalisation of informal housing units on their territory.

Challenges/bottlenecks

- ⌘ Segregation caused by many housing programmes – the majority of Roma and Egyptians live in segregated settlements – and programmes of improvement of housing conditions often fail to solve this issue. This was the case with the Konik Camp in Podgorica where new housing units were constructed and this inadvertently extended segregation.

- ⌘ There is a lack of statistical and other data needed for monitoring the implementation of housing policies for Roma and Egyptians and the inclusion of targeted measures for this population within existing disaster risk reduction programmes.
- ⌘ There is a lack of legal counselling and other support services for Roma and Egyptians in the process of legalising their property.

Recommendations

- ⌘ Develop holistic policies for de-segregation and for their proper housing. This should include integrated plans for families and the provision of, amongst others, education for children and adults, employment programmes, regular information on the possibilities for participation in various central and local programmes. Using the existing resources within the Information System for Social Security, develop comprehensive social anamnesis for Roma families and organise regular consultations among institutions on the obstacles and opportunities for better social integration of this population.
- ⌘ In cooperation with the Directorate of Statistics MONSTAT, the Ministry of Human and Minority Rights and the Ministry of Labour and Social Welfare should conduct a survey among the Roma community in order to assess their number and territorial dispersion and level of coverage by local social housing programmes and the Regional Housing Programme. It should also define the number and coverage/percentage of the population covered by the Legalisation Programme. The resulting data should be disaggregated according to age, gender, place of residence, number of family members and other relevant data. Complement this survey with data available within the Information System for Social Security (social card) and census data and produce estimates/proxy data that could be incorporated into the design process for the new strategy for social integration of Roma as well as the process for the development of local plans for proper social housing.
- ⌘ As part of the preparations for the next census, make sure that Roma and Egyptians are included in the MONSTAT training for assessors. This was proven to be a good practice when encouraging self-declaration among the population during the preparatory period for the census in 2011.
- ⌘ Make a comprehensive map of settlements and develop specific parts of the existing disaster risk reduction programmes at the central and local level aimed at better protection of settlements. Include Roma and Egyptian women and men within the development of disaster risk reduction programmes. Create a tailor-made system of early warning and information sharing for use during a disaster. Make sure that young people that use social media are included in early warning/information sharing.
- ⌘ In cooperation with civil society organizations, include Roma and Egyptians in the Energy Efficient Home Programme. Develop additional ways to communicate the conditions and benefits of this programme for users among the population and above all among beneficiaries of the Regional Housing Programme and social housing programmes at the local level. Make sure that women, who are the main carriers of domestic work, are included in a meaningful way in the project.
- ⌘ Develop legal counselling and other support services for Roma and Egyptians in the process for the legalisation of their property. Secure funds for Roma civil society organizations to participate in this process.



The Republic of North Macedonia

Policy	Sector Strategies	Legal Framework	Key Institutions
Provision of social housing for Roma families from socially vulnerable categories	- The National Strategy for Sustainable Development 2009–2030	- The Law on Housing	- The Ministry of Transport and Communications - Ministry of Labour and Social Policy - Local self-government
Improve existing Roma settlements through urban regeneration projects	- Strategy for Regional Development - Strategic Plan of the Ministry of Transport and Communications 2018–2020	- Law on Physical and Urban Planning	
Systematic registration in the Cadastre of property and land owned by Roma	- Action Plan for Implementation of the Sustainable Local Development - Decentralisation Programme 2015–2020	- Law on Legalisation of Illegally Constructed Buildings	

Strategic framework

The Strategic Plan of the Ministry of Transport and Communications is one of the key documents for social housing policy. It addresses the need for timely, transparent and objective planning of the processes, activities and projects within the Ministry. Another relevant document is the **Action Plan for Implementation of the Sustainable Local Development and Decentralisation Programme**. Both documents provide measures through which Roma could benefit in terms of access to social housing.

The Strategic Plan of the Ministry of Transport and Communications 2018–2020 foresees the preparation of new urban plans in municipalities and projects of water supply and wastewater management. **The National Strategy for Sustainable Development 2009–2030 foresees** improvement and construction of ecological and communal infrastructure (water supply system, wastewater system, wastewater treatment plants and integrated solid waste management).

Legal framework

The key housing legislation in Republic of North Macedonia is the **Law on Housing**, which regulates the types of housing facilities, the management of residential buildings, the relationship between owners of individual parts and third parties, the owners' association, housing records, tenancy agreements, the manner of housing, management and maintenance of facilities, rights and obligations of the Republic and the municipalities, inspection and administrative oversight and other housing issues.

According to **the Law on Physical and Urban Planning**, each year the Government adopts an annual programme for financing the development of urban plans, regulatory plans, general urban plans and other urban planning documents.

The Law on Legalisation of Illegally Constructed Buildings regulates the process of legalisation. Little progress has been achieved and this can be attributed mainly to the fact that

urban plans are not being updated and therefore many Roma settlements are not included in urban plans and thus have no legal basis for improvement of the infrastructure or the legalisation of houses.

Key institutions

The Ministry of Transport and Communications is responsible for developing state level plans and annual programmes for housing, urban planning, infrastructure projects and similar. **The Ministry of Labour and Social Policy** is involved in all issues relevant to vulnerable groups, including housing programmes, primarily in the process for the selection of the beneficiaries of social housing.

All housing projects and related activities come under the responsibility of **local self-government**, which should, amongst other tasks, update and develop urban plans, implement the process of legalisation and implement social housing projects. Aside from the two previously mentioned ministries, local self-government also collaborates with the **Ministry of Self Government** and the **Minister without Portfolio in charge of implementation of the Roma Strategy 2014–2020**.

Challenges/bottlenecks

- ✳ The implementation of social housing programmes is slow and there is stagnation of the process of building and distributing social housing. The project FPI764, for example, which is supported by the Council of Europe Development Bank, has had a negative impact on the Roma community as only 50 per cent of the planned budget for social housing was spent and this undermined the project of social housing planned in Shuto Orizari.
- ✳ The slow process on updating urban plans leaves many Roma settlements without the possibility of upgrading or legalising houses.
- ✳ No progress has been achieved on the legalisation of Roma houses. This can be attributed to the absence of urban plans as well as the fact that many Roma families find the procedure too expensive and complicated.
- ✳ Municipalities experience budgetary constraints because they do not have funds for the development of urban plans and housing and infrastructure projects. Yet at the same time, they do not apply to the central Government programme for financing the development of urban plans.
- ✳ There is poor coordination among the relevant institutions.
- ✳ There is a lack of reliable and disaggregated data on Roma housing.

Recommendations

- ✳ Amend the Law on Legalisation by extending the deadline up until 2021. Social cases should be exempt from charges related to the legalisation process.
- ✳ Adopt Detailed Urban Plans and ensure modification of the General Urban Plans because houses built by Roma families are not urbanised and are not included in the GUPs or DUPs.
- ✳ Increase the budget for infrastructure projects in Roma settlements.
- ✳ Adopt the Law on Social Housing.



- ✳ Increase the allocation of social housing for marginalised Roma who are in need of social housing throughout the territory of the Republic of North Macedonia.
- ✳ Provide technical support to the municipalities for the preparation of urbanisation projects in order for them to utilise the central Urbanisation Budget Programme.
- ✳ Complete the construction of the social building in Shuto Orizari in accordance with the plan for the construction of social housing within the FPI764 project.
- ✳ Establish a database with disaggregated data in order to measure the results of the targeted and mainstream policies.

Serbia

Policy	Sector Strategies	Legal Framework	Key Institutions
Improve existing substandard Roma settlements to meet in full the general standards of housing	<ul style="list-style-type: none"> - Social Housing Strategy (<i>expired in 2015, 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</i>) - National Housing Strategy (under preparation) - Sustainable Urban Development Strategy of Serbia - Spatial Development Strategy of Serbia 2009–2020 	<ul style="list-style-type: none"> - Law on Planning and Construction - Law on Legalisation 	<ul style="list-style-type: none"> - The Ministry of Construction, Transport and Infrastructure - Local self-government - Local housing agencies
Resettlement for those settlements that are unsustainable (in accordance with international procedures)		<ul style="list-style-type: none"> - Law on Housing and Building Maintenance 	
and the inclusion of Roma in public housing programmes		<ul style="list-style-type: none"> - Law on Planning and Construction 	
Build an information base on Roma housing and the specificities of Roma cultural standards			

Strategic framework

The main strategic document for housing policy in Serbia is the **Social Housing Strategy**, which expired in 2016. Although the strategy itself was good, the rate of implementation was very low. The housing system built gradually since 2008 based on this document (the system of local/municipal housing agencies with the Housing Agency as the umbrella organisation, development of local housing strategies, etc.) seems to have been abandoned, while a new system has yet to be developed. The new **Housing Strategy**, which should deal with housing policy in the wider sense and not focus solely on social housing, is under preparation and planned for adoption during 2020. Both of these strategies have Roma housing issues among their goals and prescribe activities related to the improvement of existing substandard settlements and the legalisation of houses as well as resettlement where necessary and the provision of alternative social housing and the development of a database that will allow evidence based decision-making.

The **Spatial Development Strategy** and the **Sustainable Urban Development Strategy** also include regularisation/upgrading/improvement of substandard Roma settlements and the solving of legal and property rights as an important issue, with special focus on the development of urban/spatial planning documents that would allow for the upgrading of Roma settlements.

Legal framework

The **Law on Planning and Construction** is the main legal document for spatial and urban planning. It prescribes the development of Detailed Urban Plans (DUP) for informal settlements and zones of urban renewal, which also relates to a large number of substandard Roma settlements. It also prescribes the formation of digital databases for urban plans at both the central and local level.

The **Law on Legalisation** states in one of the first paragraphs that housing units that are not constructed with adequate materials or building techniques and that do not provide safety for inhabitants cannot be legalised, which means that the majority of houses of the most vulnerable Roma population excluded from legalisation.

The **Law on Housing and Building Maintenance** prescribes that capacities for housing policy need to be built at the local level and that the development of housing policy instruments be made mandatory for all municipalities in Serbia at the local level (formation of either non-profit housing agencies or the development of adequate capacities within local administrations together with the development and adoption of local housing strategies). In regard to resettlement and eviction, it defines the process of resettlement in accordance with international standards and stipulates the prevention of forced eviction. The articles dealing with resettlement were developed in cooperation with international organisations, which included amongst others the OSCE, United Nations and Amnesty International. The Law defines cases where resettlement is allowed and the process of resettlement, including the provision of adequate housing.

Key institutions

The **Housing Agency** was abolished in 2016 in accordance with the Law on Housing and Building Maintenance.

The **Department for Housing Policy** within the **Ministry of Construction, Transport and Infrastructure** is responsible for monitoring and coordination of implementation of housing policy at the central level: implementation of the national housing strategy, following the housing programmes, improvement of substandard settlements, etc. The Geographic Information System (**GIS**) for **Monitoring the Situation in Substandard Roma Settlements**, developed during 2015 and 2016, comes under the ownership of the Department.

Local level administrations are the key actors in the implementation of housing policy: development of urban plans, infrastructure, housing programmes, legalisation, etc.

Local Housing Agencies (city or municipal) exist in around ten municipalities at present. This system is shrinking, since some agencies have been dismantled and others transformed into local public companies.

Urban Planning Institutes (Zavod za Urbanizam) that exist in large cities, such as Belgrade, Novi Sad, Nis or Kragujevac, are local public organisations responsible for the development of urban plans. **Directorates for Urban Planning**, which have similar responsibilities to those of the institutes, existed in smaller cities and municipalities but were disbanded after the amendments to the Law on Planning and Construction. This means that municipalities now have to contract commercial urban planning companies through tenders in order to develop urban plans within their territory.



Challenges/bottlenecks

- ❖ Implementation of the central level housing policy is inconsistent and at a low level. The majority of goals and measures from the Social Housing Strategy were not achieved, while the new housing strategy is under development. The new strategy will make significant changes to the system that was planned under the previous strategy: different concepts, institutional setups, etc.
- ❖ The Law on Legalisation does not differentiate between the procedure and costs of legalisation for those who built out of necessity (poor families, refugees, IDPs, Roma, etc.) and those who built for 'opportunistic' reasons. This targets Roma families that cannot afford the cost of legalisation even when their houses are suitable for legalisation.
- ❖ The Department for Housing Policy in the Ministry of Construction, Transport and Infrastructure undergoes frequent changes in personnel, the number of staff and their respective responsibilities. Prior to becoming the Department for Housing Policy, it used to be the Sector for Housing and currently a new systematisation is underway.
- ❖ The lack of finance and institutional capacities (local urban planning companies or institutes) and lack of adequately trained personnel at the local level constitute the majority of bottlenecks within the effective implementation of housing policy.
- ❖ The absence of public housing stock prevents any significant housing policy intervention because the current number of public housing units in the municipalities is insufficient for solving even urgent housing issues for the most vulnerable groups.

Recommendations

- ❖ Institutional and financial capacities should be built at the central level in order to deal with housing policy in general and with the issue of Roma housing in particular. The teams working on housing should have an adequate number of personnel of an appropriate profile. They should be stable and have a clear list of responsibilities in order to ensure that the programmes of improvement of Roma housing are designed, implemented and monitored in an appropriate manner. They should also have the capacity to collect, systematise, update information and provide data on Roma housing on a regular basis.
- ❖ It is necessary to increase institutional, financial and human capacities for the improvement of housing conditions of Roma and the regularisation of substandard Roma settlements at the local level. Local urban planning departments, for example, should remain in place and be given the opportunity to work continuously on urban plans for the improvement of substandard settlements as opposed to occasionally or on an ad-hoc project basis. 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.
- ❖ Gradually develop local level capacities for housing policy, both in terms of institutions (local housing agencies or other forms of non-profit housing organisations) and the public housing stock, so that local self-governments are able to implement efficient and effective programmes to improve Roma housing conditions.
- ❖ It is necessary to increase local level capacities to implement resettlement programmes adequately. This should include training for local administration staff that will equip them

with the necessary skills and knowledge such as participation, negotiation, mediation, action planning, adoption of a multi-sector approach to housing and urban planning.

- ❖ The Law on Legalisation should be amended to prescribe different procedures and costs for legalisation and the requirements for informal housing units built by vulnerable groups out of necessity. Procedures cannot be the same for all informal builders, because those that construct informally as an investment are in a different position to those that constructed out of necessity: Roma, refugees, IDPs, the poor and other vulnerable groups of the population.
- ❖ The Law on Legalisation should also be amended to allow for temporary connection to the infrastructure in substandard Roma settlements. This should apply at least to those situations where the infrastructure was built through state sponsored programmes or through IPA and other regularisation projects.



Albania

Policy	Sector Strategies	Legal Framework	Key Institutions
Integrate Roma and Egyptian communities into the labour market through education and vocational training	- National Strategy on Employment and Skills	- The Law on Employment Promotion Programmes	<ul style="list-style-type: none"> - Ministry of Finance and Economy - Local government
Promote social entrepreneurship and self-employment among Roma and Egyptian communities			
Increase the capacities and improve the performance of the National Employment Service and the vocational education system to integrate Roma and Egyptians into the labour market			

EMPLOYMENT



Strategic framework

The National Strategy on Employment and Skills identifies the inadequate education system as the main problem in accessing the labour market in general and in particular for the Roma community, which is exposed to social exclusion. The strategy stresses that Roma and Egyptians require tailored strategies that match their particular needs in terms of education, professional qualifications and employment.

Legal Framework

The Law on Employment Promotion Programmes regulates the functionality of public employment services and active and passive labour programmes as well as the responsible institutions. It provides a legal basis for implementation of policies defined by the strategic framework in practice by defining regulations for a variety of employment programmes, professional qualifications and self-employment schemes.

Key institutions

The **Ministry of Finance and Economy** provides financial resources for implementation of the measures and activities defined in the Strategy. However, it does not have a separate budget for each programme and this creates difficulties in their implementation as well as in programming the necessary funds.

The **National Employment Office** provides free courses and scholarships at vocational education training schools. It operates through a network of regional offices; however, such offices do not exist in all parts of the economy and this leaves some communities without access to its programmes, especially rural areas. Due to low level of education, the number of applications by Roma and Egyptians as potential beneficiaries of these programmes is very low.



Challenges/bottlenecks

- ✳ Currently, there is no programme to support vulnerable entrepreneurs and self-employed low skilled Roma and Egyptians.
- ✳ The Roma community often lacks information about the advantages of registering as an unemployed person, which means that they lack access to Vocational Education and Training (VET) and active employment promotion programmes. Most of the VET centres do not have Roma and Egyptian employees and this makes communication with beneficiaries difficult.
- ✳ The Law on the Employment Promotion Programme envisages eight different employment programme schemes, but the Ministry of Finance and Economy does not provide separate budgets for each programme. Thus, all of the programmes are analysed together without disaggregated data for each programme and therefore it is impossible to calculate adequately the needs and results of each individual programme.

Recommendations

- ✳ Each of the Employment Promotion Programmes should be presented separately in the mid-term budget programme. Currently, all the programmes are viewed as a single programme and this makes it difficult to calculate adequately the needs and requests of each individual programme.
- ✳ It is necessary to design and secure budget for a self-employment programme based on the economic capacities and occupational preferences and skills of the Roma community. The application of support programmes for self-employment will stimulate start-ups and address the issue of undeclared employment.
- ✳ It is crucial to create a network of employment mediators to monitor Roma and Egyptians and other vulnerable minority employees. The United Nations Development Programme applied such a practice through its Economic and Social Empowerment of Roma and Egyptians (ESERE) project from 2016 to 2019 and achieved successful results. The National Employment Service has the prerogative to decide upon such a measure.
- ✳ The National Employment Office and the regional employment offices should be modernised in order to promote effective policies aimed at the labour market and to provide opportunities for obtaining a decent job.
- ✳ Increase opportunities in the labour market by introducing International Working Standards for the low skilled work force.
- ✳ Expand the variety of services and active employment policies in order to reach geographically remote communities.
- ✳ Improve the monitoring process for evaluating measures undertaken in relation to gender.
- ✳ Evaluate the quality of VET providers through different proven assessment mechanisms.
- ✳ Strengthen cooperation and shift from the qualified student (graduated) to work offers from the private sector.
- ✳ Increase the number of employees and the competency of the VET centres.
- ✳ Foster social inclusion and territorial cohesion by expanding employment services and skills in rural areas.

- ✳ Foster social entrepreneurship and economic empowerment of women.
- ✳ Promote active employment policies in order to minimise passive social protection schemes.
- ✳ The National Employment Service (which is under development and will become an Employment Agency) should envisage the engagement of Roma and Egyptian employment mediators and take into account the findings and recommendations from both the Action Plan for the Integration of the Roma and Egyptian Communities and the National Strategy for Employment and Skills 2014–2020. Such a measure would contribute toward increased employment, help monitor performance and adaptability in the labour market and ensure sustainability and cross sectional support.
- ✳ The National Employment Service should hold periodic consultation meetings and draw attention to recommendations proposed by Roma and Egyptian civil society organisations concerning the mid-term project budget.

Bosnia and Herzegovina

Policy	Sector Strategies	Legal Framework	Key Institutions
Provide subsidies for the employment of Roma	<ul style="list-style-type: none"> - Employment Strategy 2018–2021 - Plan on Guidelines for Labour Market Policies and active Employment measures in Bosnia and Herzegovina for 	<ul style="list-style-type: none"> - The Roma Employment Programme - Youth Employment Project (YEP) 	<ul style="list-style-type: none"> - Federal Employment Agency - The Ministry of Labour and Social Welfare (separate Ministry in each entity and canton) - Public employment services - Centres for Information, Counselling and Training (CISO) in the Public Employment Services
Provide subsidies for the self-employment of Roma			
Strengthen labour market competitiveness of Roma through training and education			

Strategic framework

The **Employment Strategy 2018–2021** does not envisage measures for the Roma population per se, yet the goals set forth in the strategy are aimed at promoting the employment of vulnerable groups. The strategy also contains measures related to unemployment profiling, inclusiveness and social entrepreneurship and incentives for activating youth not in education, employment or training (NEET).

The **Plan on Guidelines for Labour Market Policies and active Employment measures in Bosnia and Herzegovina**, which is significantly influenced by EU approaches, tackles the issues of improving the business climate, promotion of entrepreneurship, the reorientation of skills and competencies in the labour force toward the needs of the private sector and addressing



exclusion and poverty through social protection and activation programmes targeted at vulnerable groups.

Yet despite the importance, the plan has had limited success in addressing the situation of those most at risk of labour market exclusion. This can be attributed to the complex administrative organisation of Bosnia and Herzegovina with each entity having its own policy.

Bosnia and Herzegovina has ratified the International **Labour Organization ILO Declaration on Fundamental Principles and Rights at Work**, which emphasises non-discrimination in the labour market. It has also ratified **Convention 88** pertaining to public employment services and Convention 122 related to employment policy as well as the **Convention on the Rights of Persons with Disabilities**.

Legal framework

The Roma employment programme, applies exclusively to Roma, but the separate interventions focused on Roma from wider policies in this sense are regressive.

The Youth Employment Project (YEP) introduces the idea of changing the way young people can be supported during the entry phase into the labour market. More than 25 public employment services have adopted the approach developed by YEP.

Services provided by **job clubs** relate to active labour market measures whose purpose is to provide continuous job search assistance to unemployed persons through peer group support and guidance.

The Co-financing Programme of Joint Projects with other Organisations and Institutions 2019 could be used as a platform for Roma employment. The **Federal Employment Agency** in cooperation with international organisations and institutions and local, regional and entity authorities and their institutions, regional development agencies, non-profit organisations, employers and the cantonal employment services implement this programme. The aim of the programme is to create partnerships for employment through vocational training and retraining, adult education, lifelong learning, career guidance, volunteer programmes and the organisation of conferences, fairs and other events.

Key institutions

The system of institutions in Bosnia and Herzegovina in the area of labour and employment is complex and reflects the constitutional and legal order in the economy. Pursuant to the existing legal regulations, active employment policies are implemented by the following:

- › Federation of Bosnia and Herzegovina Employment Service and the cantonal employment services,
- › Employment Service of Republika Srpska,
- › Employment Service of Brcko District.

Employment programmes in both entities and in Brcko District have remained largely sectorial, the prerogative of 12 ministries (usually the **Ministry of Labour and Social Welfare**) that often have to compete with other sector priorities for political attention and budget allocations. Financial commitments for implementation remain low and insufficient for addressing the needs effectively and tend to be among the first to be cut during fiscal consolidation programmes.

The **Public Employment Services** administers active labour market measures by ensuring access for Roma to jobs with long-term prospects. Yet the public employment services lack human and financial resources to keep in touch with market developments or regularly consult employers to ascertain their current and anticipated needs in relation to employment. Active labour market measures targeting the Roma population and Roma inclusion in the labour market do not meet the needs of the labour market they are supposed to serve. They fail to take into account the fact that Roma, in general, have limited access to education and such measures suffer from a lack of disaggregated data on ethnicity.

The Centres for Information, Counselling and Training (CISO) were established by the public employment services to provide services and information on additional opportunities for youth, such as education opportunities, seasonal jobs, seminars and opportunities to volunteer, gaining practical experience, job advertisements and similar forms of assistance. Sixteen CISO centres were equipped and staffed: six in Republika Srpska, nine in the Federation of Bosnia and Herzegovina and one in Brcko District.

The **mobile bureau** represents a unique and innovative approach to public employment services that enables the most vulnerable categories of unemployed persons to access the public employment services.

Challenges/bottlenecks

- ✳ The employment agencies in both entities apply two designed measures that target Roma. Yet although they allocate the same amount of money, the different disbursement methodology places those registered at the Federation of Bosnia and Herzegovina public employment service in an unfavourable position. This is because the public employment service in Republika Srpska (Republika Srpska Employment Agency) disburses funds in advance to a volume of 70 per cent whereas in the Federation of Bosnia and Herzegovina the funds are paid on a monthly basis.
- ✳ Roma face stems from the failure on the part of the Parliament of Bosnia and Herzegovina to adopt the draft State Budget for 2019. This means that the Council of Ministers of Bosnia and Herzegovina continues to adopt quarterly decisions on provisional financing of the institutions of Bosnia and Herzegovina. Consequently, there has been a delay in financing the Action Plan and other planned activities for a period of two years.
- ✳ The current design and targeting of Roma within the active labour market policies is not in line with the Action Plan for Employment. More importantly, it does not comply with the needs of this most vulnerable category among the unemployed who have no or only limited access to public funds, since public calls are published online and most of the beneficiaries have no internet access.
- ✳ Current active labour market programmes targeting Roma and other vulnerable groups are inadequate and inefficient. Although there were some improvements in terms of the diversification of these programmes the target groups that comprised the most vulnerable and hard-to-employ categories, such as low skilled persons, Roma women and youth and others, are insufficiently targeted through employment programmes.
- ✳ Employment programmes usually target employers rather than the unemployed (end users). In addition, public calls often lack transparency.



- Targeted employment is not sufficiently personalised and participation in active labour market programmes is based mainly on facultative applications to open calls. There is no well-established institutional mechanism to provide individual guidance through the employment process. Such a mechanism could steer participation in these programmes toward the determined needs of the Roma community and other vulnerable groups.
- The employment agencies suffer from a lack of human resource capacities as well as funding. They also lack the necessary skill sets to implement active labour measure programmes intended for Roma and/or non-Roma and lack the capacity to monitor and evaluate the implemented programmes.

Recommendations

- The governments should start addressing and promoting labour market by creating a favourable business climate, improving education policies and adapting labour regulations to meet the new business and technological innovations.
- Active labour measure programmes should supplement the market mechanisms by adhering to the policy’s primary function: To provide timely and substantial support to those for whom the labour market works less, primarily by improving their employability.
- The current approach of targeting employers through open calls should gradually be shifted toward one that would place the actual beneficiaries of active labour measure programmes, unemployed people, at the centre of the scheme. Namely, employment services should guide unemployed people more actively through the job seeking process and match them with employers based on their profile. Although employers would still be incentivised to engage the unemployed, better guidance and a more tailored approach would increase the effectiveness of the measures.
- A greater share of active labour measure programme funds should be allocated to retraining/training measures by setting the goal of reaching one-third of total funding and thus approaching the EU average. Increasing expenditure on training should be matched by diversification and adjustment to meet the needs of industries with high jobs creation potential.
- The programmes of the employment institutes targeting Roma should not only be published online. Additional activities are necessary to improve outreach and inform larger numbers of Roma.
- A new approach to employment should be devised in order to increase the effect of employment measures and the level of interest in participating in employment programmes. Updates with new trends of active labour measure programmes should be introduced as a regular practice.
- The collection of information on unemployed Roma registered at employment offices can be improved by properly informing individuals about the benefits of voluntarily declaring ethnicity.
- Design specific training programmes in accordance with the needs and skills of Roma.
- Introduce mechanisms to guarantee that funds are spent adequately.
- Develop partnerships with all relevant stakeholders to facilitate the transition from education to employment. This should include all layers of government, the employment

agencies, the civil society organizations, employers and local and regional development agencies.

- Strengthen coordination between different layers of government, the bodies representing national minorities and regulatory bodies and enhance their capacities to promote the interests of national minorities and improve crosscutting cooperation between sectors (housing, employment and education).
- Taking into consideration the constitutional and administrative set-up of the economy, a combination of mainstream and targeted actions seems to be the best option for addressing the integration and equal representation of Roma.
- Mainstream policies in Bosnia and Herzegovina are either expired or do not yet exist, thus policy makers must enforce efforts to create strategical and innovative policies, even more in the areas where the entities have an exclusive mandate to bring decisions and set policies.

Kosovo*

Policy	Sector Strategies	Legal Framework	Key Institutions
Improve the economic and social situation of Roma and Ashkali communities	- National development strategy and plan	- Civil Service Law - Law on Protection and Promotion of the Rights of Communities - Anti-Discrimination Law	- Ministry of Public Administration

Strategic framework

The **Development Strategy of Kosovo*** stresses the importance of the social inclusion of marginalised groups as highly significant for economic development, although it makes no specific reference to the Roma community.

Legal framework

Article 9.2 of the **Law on Protection and Promotion of the Rights of Communities** stipulates the development of public employment programmes and other incentives in order to overcome direct and indirect discrimination against persons belonging to different ethnic communities. Special consideration is given to the Roma community.

The **Law on Public Officials** requires that a minimum of 10 per cent of positions in all public institutions be reserved for members of minority communities. Article 11 of Regulation No. 04/2000 obliges public institutions to implement a variety of training programmes known as ARMs (Active Recruitment Measures), with a view to equipping members of non-majority communities with the necessary skills and enabling them to work in public institutions.



Key institutions

The **Ministry of Public Administration** is responsible for implementation of the Law on Public Officials as well as Regulation No. 04/2000.

Challenges/bottlenecks

- ✳ The Law on Public Officials requires that all public institutions ensure that a minimum of 10 per cent of positions at the state level are reserved for members of minority communities. At the local level, employees should reflect the ethnic structure of a given municipality. Data show that Roma and Ashkali are underrepresented in central and local institutions comparing to the rest of the population and do not benefit from the 10 per cent quota. (The Assessment on the Employment of Members of Non-Majority Communities in the Civil Service and Publicly Owned Enterprises, published by the Office of the Prime Minister/Office for Community Affairs in May 2013, is the most comprehensive document on employment data of members of the Roma, Ashkali, and Egyptian communities).
- ✳ The low level of education and lack of skilled workers among these communities is one of the main reasons for the low employment rates.
- ✳ The lack of short-term courses or vocational training for members of the Roma community is another reason for their underrepresentation.
- ✳ Members of marginalised groups, including members from the Roma community, are more likely working in undeclared sectors (selling products in public markets, cleaning, waste collecting) where they are, amongst others, underpaid, do not enjoy legal and health protection and are subject to unsafe working conditions.
- ✳ The most common obstacle for educated members from these communities to finding jobs in the private sector is a lack of previous work experience.

Recommendations

- ✳ Undertake the necessary steps toward implementation of vocational training programmes and increase enrolment of minorities in these programmes.
- ✳ Ensure that members of the Roma and Ashkali community are informed about available training and employment opportunities that are open to all citizens.
- ✳ Fight double discrimination against women by setting quotas for Roma and Ashkali women in employment and increasing grants and scholarship schemes.
- ✳ Ensure that the Roma community benefits from the 10 per cent policy according to their share of the population.
- ✳ Transform the undeclared work of Roma into a declared work by making the conduct of declared work more beneficial and easier for employers and employees.

Montenegro

Policy	Sector Strategies	Legal Framework	Key Institutions
Increase participation of Roma and Egyptians in measures of active employment policy	- National Employment and Human Resources Development Strategy 2016–2020	<ul style="list-style-type: none"> - Labour Law - Law on Employment and Exercising Rights from Unemployment Insurance - Law on Safety and Health at Work 	<ul style="list-style-type: none"> - Ministry of labour and Social Welfare - Employment Agency - Centre for Vocational Education
Increase the qualification level among Roma and Egyptian population			
Enact direct measures aimed at the employment of Roma and Egyptians			
Strengthen the capacity of institutions in the system			

Strategic framework

The National Employment and Human Resources Development Strategy 2016–2020 prioritises the promotion of social inclusion, better coverage and activation of vulnerable groups, the integration into education and employment of persons with disabilities and involvement of members of vulnerable groups in the labour market. It stresses the importance of active employment policy measures for persons that are extremely difficult to employ, including beneficiaries of material support and members of the Roma community.

Legal framework

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

The Law on Employment and Exercising Rights from Unemployment Insurance defines unemployed person as persons from 15 to 67 years of age who are Montenegrin citizens or a foreigner with approved permanent residence, recognised refugee status or approved additional protection measure who are registered at the Employment Office of Montenegro, capable of work or partially disabled, who have not enter into an employment contract and are actively seeking employment. According to Article 5, the exercising of rights with respect to unemployment is based on the principle of prohibition of discrimination and affirmative action directed toward hard-to-employed persons.

The Law on Safety and Health at Work defines the obligation of an employer as providing working conditions that do not pose a risk of injury at work or the contraction of occupational and work related diseases and to create conditions for the full physical and psychological safety of employees. Members of the Roma community are usually engaged in the most difficult working positions and thus exposed regularly to risks related to health and safety.



Key institutions

The Ministry of Labour and Social Welfare developed as one of its measures for 2019 then Action Plan for Employment and the Human Resources Development Strategy for 2020. In the process of the preparation of the Action Plan, analysis of implemented measures related to the Roma and Egyptians and a list of unimplemented measures was prepared.

The Employment Agency of Montenegro is a legal entity that has the status of a state fund and performs activities related to employment. Within its annual work plans, the Employment Agency includes active employment measures foreseen for unemployed persons: vocational education and training programmes, public works and mediation for seasonal employment.

The Centre for Vocational Education is also one of the institutions responsible for stimulating employment.

Challenges/bottlenecks

- ✳ There is a lack of cooperation between institutions. The legal framework provides mechanisms for cooperation between the centres for social welfare and the employment bureaus; however, this cooperation is not always efficient and causes problems in regard to the right to social support for unemployed Roma and Egyptians.
- ✳ Grant schemes intended to encourage the employment of Roma and Egyptians and other hard-to-employ categories that stimulate employers to organise programmes for beneficiaries to obtain qualifications are not sustainable and therefore members of the Roma and Egyptians have only limited options for finding employment through this scheme.
- ✳ Although there are efforts to standardise the occupation and the unregulated status of collectors of raw materials the process remains ongoing. Yet it is necessary to first develop comprehensive measures that will regulate the conditions of work, health, safety, transport and the buying and storage of materials.
- ✳ Abolition of the Decree on Subsidies for Employment of Certain Categories of Unemployed Persons in 2018 removed the stimulus for legal entities and entrepreneurs to employ certain categories of unemployed persons, including Roma and Egyptians registered at the employment bureaus as employment seekers. Although it represented a great opportunity to gain employment, it was not communicated adequately to employers and to the communities and was only used occasionally. If mediators and later associates for employment had been engaged this would have provided a good opportunity to reinstate the use of this measure for the benefit of the Roma and Egyptian community.

Recommendations

- ✳ As is the case with associates in education, it is important to take into consideration the human resources that have been developed in the Roma community through donor funded programmes for mediators. It is also important not to hamper their employment chances by introducing criteria such as citizenship that are not rooted in the legislation.
- ✳ Create more comprehensive description of the work of associates in terms of their participation in the process of drafting the annual plans of the Employment Agency, because they have the best insight into the situation in the field. Include Roma civil society organizations in the consultation process related to the preparation of the annual plan and in sharing information about available jobs.

- ✳ Make better use of the existing Information System for Social Security and develop measures for more effective multi sector cooperation and above all cooperation between the centres for social welfare, the employment agencies, non-governmental organisations, employers and the communities themselves. Measures should be harmonised with the needs of the beneficiaries.
- ✳ Automate the process of transition from temporary employment (public works and seasonal work) to social care income within the Information System for Social Security.
- ✳ Organise more programmes like the above-mentioned one for long-term unemployed women aimed at stimulating employment and social integration at once.
- ✳ Reconsider the decision to abolish the Decree on Subsidies for Employment of Certain Categories of Unemployed Persons and develop a plan to improve the inclusion of Roma and Egyptians as beneficiaries of this measure.
- ✳ Develop a comprehensive plan for the formalisation of the profession of collectors of raw materials and for their integration in the waste management market. Include collectors in projects aimed at the development of entrepreneurial skills.
- ✳ Reconsider the criteria for employment through grant schemes in terms of widening possibilities for Roma and Egyptians to become beneficiaries of this measure. Within the grant scheme programmes, combine programmes on raising the skills and competency of participants through mentorship and support for opening and for running a business for a specified period (minimum one year).
- ✳ Support new entrepreneurs in networking in order to gain a chain of suppliers and support them in establishing their own market. Secure funds to support participants financially during the programme (in the form of small grant for travel and per diems to help cover the cost of living during the training).
- ✳ Secure micro-credits or grants for opening businesses. Include Roma civil society organizations, associates and mentors in the planning process and make sure that gender sensitive considerations are built into the programme design (for example, introduce flexible hours for mothers attending the programme and organise support services for babysitting).
- ✳ In order to make public works and seasonal employment programmes instrumental to the development of skills of workers, introduce on-the-job training for programme participants and link it to the National Qualifications Framework. Make sure that gender considerations are taken into account during the planning process.
- ✳ Develop a plan for the inclusion of Roma and Egyptians in adult education programmes for all adult age groups as a cooperative effort with the Employment Bureau, the Vocational Education Centre, providers of adult education, civil society organizations and associates and mentors in employment, social protection and education.
- ✳ Develop a plan to facilitate the transition from education to work. This should include extended mentorship, development of work based learning systems and apprenticeship schemes. Make sure that Roma benefit from programmes and grant schemes for youth employment.



The Republic of North Macedonia

Policy	Sector Strategies	Legal Framework	Key Institutions
Job creation and activation of the unemployed	<ul style="list-style-type: none"> - Programme for Economic and Social Reform of the Government - Ohrid Framework Agreement 	<ul style="list-style-type: none"> - Law on Registration of the Unemployed - Law on Employment in Public Administration - Law on Companies - Law on Social Entrepreneurship - Law on Social Protection - Law on Minimum Wage 	<ul style="list-style-type: none"> - The Ministry of Information Society and Administration - Agency for Employment
Increase income and living standard of the population			
Transform the undeclared economy	Government's Strategy and Action Plan to reduce the undeclared employment		

The Key priorities for employment policies focused on Roma in the Republic of North Macedonia are: creation of jobs and activation of the unemployed, transformation of the undeclared economy and an increase in living standards for the population. Sector strategies therefore fully support these policies.

The legal framework covers certain areas such as social protection, equal representation of minorities in public administration, registration of the unemployed and the minimum wage. However, there are still some legal acts that need to be adopted for the policies to be implementable in full. These include the Law on Employment in Public Administration and the Law on Social Entrepreneurship.

Certain legal provisions also have adverse effects in some cases. The minimum wage, for instance, increases costs for self-employed persons and discourages them from legalising their business. Another example is social protection, which has a negative influence on Roma beneficiaries in terms of their social aid by linking the right to social aid to the activities of the beneficiary in search of work. The latter covers more than 90 per cent of Roma who are limited to seasonal or public works because of their low level of education. Therefore, there is the danger that they will lose social aid and at the same time be unable to obtain sustainable long-term employment. The process of registration for unemployment carries with it the penalty of deletion from the register for one year if a beneficiary is deemed not to be actively in search of employment and this negatively influences many Roma because it does not provide for a second chance for employment.

In terms of capacity, the Agency for Employment should become more proactive in communicating existing measures to both Roma and potential employers that are very often unaware of the possibility to receive subsidies, tax relief and other incentives.

Strategic framework

The **Programme for Economic and Social Reform of the Government** plans the formation of 64,000 new jobs with the support of active labour market policies and reaching a budget of EUR 22 million. The active labour market policies are intended to stimulate employment through

intervention on the demand side of the labour market where companies will be encouraged and supported to hire more people. Interventions are also planned in relation to labour supply with training and support aimed at increasing the skills of the unemployed.

The **Youth Guarantee measure** started in 2018 as a pilot project in three municipalities with the aim to boost youth employment and increase their employment opportunities. The EU supports this measure as it aims specifically to reduce the high level of unemployment among the youth through the provision of opportunities for them to continue their education or enrol in internships or training as a measure to prepare them for employment.

Employment in state and public administration is regulated by the **Ohrid Framework Agreement**, which promotes the principle of equal representation for all minorities in accordance with the 2002 Census data. In 2016, the **Methodology for Distribution of Jobs in the Public and State Administration** was adopted in order to contribute to the achievement of equal representation of minorities within public administration.

The **strategy and action plan to reduce undeclared employment** outline a number of measures for the formalisation of jobs and targets shortcomings in the business environment that are considered likely to drive firms toward the undeclared economy. The strategy itself focuses more on the control and sanctioning of undeclared workers and businesses than on enabling the transition from the informal to the formal economy. To date, there is no state budget allocated for implementation of the strategy and it largely relies on EU funds.

Legal framework

Amendments to the **Law on Employment in Public Administration** were announced with the aim of abolishing the so called Balancer software that pre-determines the ethnicity of employees (in order to contribute to the achievement of equal representation of minorities in public administration) and replacing it with sectorial planning of employment. It is expected that smaller ethnic groups will benefit from additional employment, since the baseline for the employment level will be based on the current level of representation of ethnic groups in the public and state administration.

The **Law on Social Entrepreneurship** has been planned since 2015, but has not been adopted yet. It should provide opportunities for foundations, physical persons and private companies to establish social enterprises with a clear social mission to employ socially vulnerable groups.

The new **Law on Companies** has introduced a new form of entity: a simplified limited liability company. It is a measure that is intended to lower the initial capital from EUR 5,000 to EUR 1 and stimulate the formalisation of undeclared activities.

The new **Law on the Minimal Wage** is intended to stimulate employers to increase the wage of their employees and as a measure to compensate employers for this increase in the minimum wage. The employer is exempt from paying compulsory social security contributions on the amount for which the subsidy is approved. The highest threshold for the wage increase is up to MKD 6,000/100 EUR.

One of the important reforms in the area of social protection is the new **Law on Social Protection**, which for the first time introduces the concept of general minimum income and significantly increases the amount of the social aid allowance. In addition, the reform of the child allowance system and state pension were also introduced. The purpose of these reforms is to bring



people out of poverty, provide a safety net for families and activate the population in the labour market.

Key institutions

The Ministry of Labour and Social Policy is in charge of implementing the employment laws and developing measures to increase employment. Among other activities, it develops the **Operational Plan for Employment** that includes measures for self-employment, wage subsidies and similar measures.

The Ministry of Information Society and Administration is responsible for implementation of the Law on Employment in Public Administration, while the **Agency for Employment** implements all of the employment related measures defined by the Strategic and legal frameworks.

Challenges/bottlenecks

- ✳ The legal framework covers certain areas, such as social protection, equal representation of minorities in public administration, registration of the unemployed, the minimum wage, etc. Yet there are still some legal acts that need to be adopted, such as the Law on Employment in Public Administration and the Law on Social Entrepreneurship in order for the policies to be implementable in full.
- ✳ The Agency for Employment should become more proactive in communicating existing measures to both Roma and potential employers, which are very often unaware of the possibility to obtain subsidies, tax relief and other incentives.
- ✳ Although the measure on self-employment targets Roma directly the criteria for passing the training, creating a viable business plan, and obtaining the finance remain as obstacles to reaching the final phase of the measure. Seen from the perspective of undeclared workers this means the loss of their daily income.
- ✳ The measure on wage subsidies allows employers to choose from the pool of unemployed persons yet it has been shown that a number of Roma employed through this measure is low since companies are 'cherry picking' and there are no additional incentives that would motivate them to pick Roma employees.
- ✳ The current framework of the Youth Guarantee Scheme does not yet target the Roma population because the main responsibility for identifying and designing the measures (completion of primary education, teaching curricula, qualifications etc.) rests with the Ministry of Education, which is not engaged in the measure.
- ✳ The minimum wage can have an adverse effect on the Roma population since it increases the costs of self-employed persons and discourages them from legalising their business.
- ✳ Social protection negatively influences Roma beneficiaries of social aid as it links their right to social aid to the activities of beneficiaries in search of work, which for the majority (over 90 %) of Roma is limited to seasonal or public works because of their low level of education. This means that there is the danger that they will lose their social aid and at the same time be unable to obtain sustainable long-term employment.
- ✳ The process of registering as unemployed carries with it the penalty of deletion from the register for a period of one year if the beneficiary is deemed not to be actively seeking employment. This also has a negative influence on many Roma because it does not provide a second chance for employment.

Recommendations

- ✳ The Operational Programme for Employment should introduce targets or a quota system that ensures a gradual increase in coverage of Roma in order to reach a level of 15 to 20 per cent of Roma engaged in the active labour market, calculated against the share of Roma within the total number of beneficiaries.
- ✳ The Agency for Employment needs to take a proactive role in communicating existing measures to Roma and employers.
- ✳ Additional pilot measures, such as a grant scheme for social enterprises, vocational training and a second chance at education, should be introduced.
- ✳ The Law on Registration of Unemployed within the Agency for Employment requires amendment in order to allow the unemployed person to enter the labour market and allow flexibility in terms of their re-entering into the registration within the Agency for Employment.
- ✳ There are no measures within the Youth Guarantee Scheme for targeting the NEET (not in employment, education or training) group. Roma constitute a large part of the NEET group and therefore the Ministry of Education in cooperation with universities and the Ministry of Labour should create opportunities such as the provision of second chance education and adoption of the Qualification Framework for non-formal Education in order to recognise the skills and abilities of all.
- ✳ The new model for employment in public administration has to be transparent and include the civil society sector. The baseline for all ethnic minorities has to be updated and the representation of Roma has to be safeguarded by the Commission for ensuring Equal Representation in the Public and State Administration. In addition, Roma employed in the administration should be considered for promotion to managerial positions within the public administration.
- ✳ The process of formalisation of undeclared Roma workers should follow a gradual approach with easy to understand procedures that will stimulate Roma to leave the undeclared economy. The Government should adopt the Law on Social Entrepreneurship, introduce concrete tax relief and grant schemes to support social enterprises. In addition, since many Roma lack knowledge on the administrative side of managing a company, business incubators or mentorship centres should be established in order to help newly established companies deal with business administration.
- ✳ Although the minimum wage has had a positive effect on providing higher income for the population, from the perspective of self-employment it has increased the cost of running a business. As employers are exempt from paying compulsory social security contributions, the employees are obliged to pay these costs on their own. The measure puts an additional burden on undeclared workers and small entrepreneurs and demotivates them from stepping into the formal sector. Therefore, the Law on Minimum Wage requires amendment to ensure that it does not apply to newly established businesses for a period of at least one year.
- ✳ The Government should introduce a measure to stimulate the long-term unemployed and women to become actively involved in the labour market. Such measures would also include Roma and help motivate unemployed Roma to register at the Agency for Employment.



- * The youth allowance should not be tied to the level of education because there is a stratum of the population that did not start or complete their secondary education but are working in the production sector.

Serbia

Policy	Sector Strategies	Legal Framework	Key Institutions
Increase the number of Roma in the labour market		<ul style="list-style-type: none"> - Law on Employment and Insurance in case of Unemployment - Labour Law 	<ul style="list-style-type: none"> - The Ministry of Labour, Employment and Social Issues Sector for Anti-Discrimination Policy and Promotion of Gender Equality
Prevent discrimination against Roma in the labour market	<ul style="list-style-type: none"> - National Employment Strategy 2011–2020 - Poverty Reduction Strategy - Strategy on Public Administration Reform - Strategy on Prevention of and Protection from Discrimination - Strategy on Gender Equality 2016–2020 	<ul style="list-style-type: none"> - Law on Peaceful Settlement of Disputes - Law on Prevention of Harassment At Work - Law on Professional Rehabilitation and Employment of Persons with Disabilities - Law on Protection of Rights and Freedoms of National Minorities - Law on Public Administration - Law on Labour Records 	<ul style="list-style-type: none"> - National Employment Agency - Labour Inspectorate - Commissioner for Protection of Equality - National and local ombudspersons - Agency for Peaceful Settlements of Disputes
Formalise the work of Roma in undeclared work		<ul style="list-style-type: none"> - Law on Simplified Work Engagement on Seasonal Jobs in Certain Activities 	<ul style="list-style-type: none"> - Local Coordinators for Roma issues (Roma coordinators)

Strategic framework

The National Employment Strategy recognises the Roma population as a particularly sensitive or vulnerable group in the labour market. The **Employment Action Plan**, developed in accordance with the Strategy, gives priority to hard-to-employ unemployed persons involved in active employment policy programmes and measures for specific categories.

The National Poverty Reduction Strategy also supports Roma employment policies by placing the Roma population 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 prequalification in order to improve their employability.

The Strategy on Prevention of and Protection from Discrimination recognises Roma as a vulnerable group and prescribes actions that address discrimination against Roma in general, including access to employment.

The Strategy on Gender Equality 2016–2020 recognises Roma women and girls as potential victims of multiple discrimination.

The drafting process for the new **Strategy on Public Administration Reform**, which should also contain measures on the employment of Roma within the public sector, is underway.

Legal framework

The Labour Law is the key legal document in the employment sector and provides instruction on the rights and obligations of employers and employees.

The Law on Employment and Insurance in case of Unemployment recognises the category of ‘difficult-to-employ unemployed persons’ who face difficulty in finding employment because of their health condition, insufficient or inadequate education, socio-demographic characteristics, regional or professional mismatches between supply and demand in the labour market or other such circumstances and prescribes affirmative action for their employment.

The Law on Labour Records provides guidelines on the keeping of records on employed and unemployed persons.

The Law on Professional Rehabilitation and Employment of Persons with Disabilities prescribes affirmative measures for the working engagement of persons with disabilities.

The Law on Protection of Rights and Freedoms of National Minorities and the **Law on Public Administration** guarantee equal access to jobs for all citizens by prescribing that employees in state bodies should reflect the ethnic composition, gender representation and number of persons with disabilities in the general population to the fullest extent possible.

The Law on Simplified Work Engagement in Seasonal Jobs in certain activities provides simplified modalities for employers for certain types of work that do not require permanent engagement.

Key institutions

The Sector for Anti-Discrimination Policy and Promotion of Gender Equality, formed within the Ministry of Labour in 2017, is in charge of monitoring the Strategy for Social Inclusion of Roma Men and Women in Serbia.

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, while the **Labour Inspectorate** is responsible for oversight.

The Commissioner for Protection of Equality deals with cases of discrimination and the **central or local ombudspersons** (Protector of Citizens) deals with the protection of the rights of national minorities through the oversight of public services.

The Agency for Peaceful Settlement of Disputes is in charge of mediation and implementation of the Law.

The Adult Education system provides opportunities for undereducated Roma to obtain secondary education as well as professional training.

The engagement of **Roma coordinators** to encourage direct employment of Roma in local self-government proved to be a good idea but encountered serious obstacles. The Decision of the Government to apply a temporary ban on employment in the public sector ended any additional efforts to encourage the employment of Roma.



Challenges/bottlenecks

- ✳ There is no clear systematisation of the position of Roma coordinators within the legal system and the current ban on the engagement of new public officials makes this position even more unsustainable.
- ✳ Although their focus is not on anti-discrimination, labour inspectors should possess the skills to recognise and monitor discrimination within the labour market.
- ✳ The Agency for Peaceful Settlement of Disputes, which is in charge of mediation and deals with disputes based on complaints about discrimination, lacks staff trained in Roma discrimination issues.
- ✳ The Sector for Anti-Discrimination Policy and Promotion of Gender Equality established by the Ministry of Labour deals mainly with gender equality issues and rarely takes part in cases of discrimination against Roma.
- ✳ There has not been any real progress in terms of the formalisation of the undeclared work of Roma working in the undeclared economy.

Recommendations

- ✳ It is necessary to improve the programmes of support for the continuous education of Roma in order to enable them to gain entry into the labour market. However, the relevant laws do not prescribe specific measures on continuous education for difficult-to-employ Roma despite the fact that their position with regard to the labour market is very specific and recognised by the relevant strategic documents.
- ✳ Within affirmative measures, aside from the measures directed solely at Roma employees, more measures that would support employers who employ Roma should be devised.
- ✳ In order to increase the number of Roma employed within 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 positions that are oriented toward increasing the employment of 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.
- ✳ Staff at the Labour Inspectorate and the Agency for Peaceful Settlement of Disputes should receive training and education in antidiscrimination in order to enable them to deal with cases of discrimination against Roma at work.
- ✳ In line with the Strategy for Social Inclusion of Roma Men and Women, the Sector for Anti-Discrimination Policy and Promotion of Gender Equality within the Ministry of Labour should increase its efforts and commitment to develop and implement policies that will prevent discrimination against Roma in the labour market.
- ✳ Formalisation of the undeclared work of Roma currently working informally should be treated separately from general efforts aimed at tackling the issue of the undeclared economy. Undeclared Roma workers are among the most economically vulnerable groups in Serbia. Many of them receive social aid and work undeclared low skilled and low paid jobs informally in order to supplement the social aid in order to survive. The sole application of measures to fight the undeclared economy would merely push these workers even deeper

into poverty because if their work was formalised under current regulations they would either lose their right to social aid or they would have to stop working and rely solely on social aid, which does not provide for the basic living costs of a family.



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