

REPORT FROM THE REGIONAL CONFERENCE
“HOLISTIC APPROACH TO HOUSING FOR ROMA IN THE ENLARGEMENT REGION”
31 May-01 June 2018, Bar, Montenegro



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List of Abbreviations

CSO	Civil Society Organization
DG JUST	Directorate-General for Justice and Consumers
DG NEAR	Directorate-General for Neighbourhood and Enlargement Negotiations
DRC	Danish Refugee Council
EC	European Commission
EUD	Delegation of the European Union
ERDF	European Regional Development Fund
ESF	European Social Fund
ESF+	European Social Fund Plus
EU	European Union
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
IDP	Internally Displaced Person
IPA	Instrument for Pre-Accession Assistance
NGO	Non-Governmental Organization
OSCE	Organisation for Security and Co-operation in Europe
RHP	Regional Housing Programme
RI2020	Roma Integration 2020
ROMACTED	"Promoting good governance and Roma empowerment at local level", a Joint Programme between the European Union (DG NEAR) and the Council of Europe
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNOPS	United Nations Office for Project Services





This document serves as a report from the regional conference “*Holistic Approach to Housing for Roma in the Enlargement Region*” organized in Bar on 31 May and 01 June 2018. The first part of the report presents the conference's aim and background, followed by the overview of conference delivery. The report concludes with a list of the main conclusions, including recommendations and challenges identified.

1. Background and methodology

The regional conference brought together National Roma Contact Points from the Western Balkans and Turkey, along with primary responsible government officials dealing with the priority area of housing, as well as officials dealing with local level governance, employment, and social care programming. The regional conference also provided for participation of one civil society representative per participating economy. Guests and panellists of the workshop included relevant persons from the enlargement region active in the field of housing, including representatives of relevant NGOs and international organizations. The conference brought together more than 60 participants.

The main objectives of the conference were to:

- Increase knowledge of public officials about the advantages of holistic housing approach and create a platform for participating economies to discuss ways of applying a holistic approach when implementing future housing initiatives;
- Increase the knowledge of public officials about the advantages of simplified legalization and reconstruction compared to other solutions, and to advocate for simplification and facilitation of legalization procedures.
- Encourage the participating economies to comprehensively regulate the field of social housing and allocate sufficient resources for its successful implementation.
- Encourage participating economies to integrate a holistic housing approach and proposed solutions into the upcoming cycles of public budgeting and IPA programming.

The Roma Integration 2020 decided to organize the conference based on the understanding that housing remains the most challenging and the most expensive issue to solve for Roma in the enlargement region. Resolving the housing issue calls for a holistic approach during planning and implementation of housing initiatives, and combining housing initiatives with complementary activities with other areas of living. Such a holistic approach should be:

- integral: combine activities in area of housing with activities in other areas such as employment, education, health, etc., ensuring sustainability and decency of living;
- participative: including Roma into the whole process - from planning to implementation;
- individually tailored: taking into account the specific situation of each individual and/or family.

Only a holistic approach can be efficient in tackling the commonly recognized housing challenges in the enlargement region, such as: increased homelessness and insecurity of tenure; lack of legalization; poverty affecting sustainability of housing units; lack of accompanying infrastructure; housing measures perpetuating exclusion and ghettoization; challenges in the cooperation of local and other levels of authority and horizontal cross-institutional cooperation; prejudices of the wider society to the living style and culture of Roma.

While the approach will call for inter-institutional cooperation to achieve long-term empowerment of Roma, specific housing solutions can vary depending on the concrete situation in the field and available funds. The RI2020 decided to focus the conference on *legalization and reconstruction of individual housing units (and potentially whole settlements)* as a primary solution, and *social housing* as a solution to be pursued when the first is not possible or not feasible. The concepts mentioned will





be clarified in more detail in the remaining part of this report. The conference also covered eviction procedures because of their effects on human rights and their connection with legalization and social housing.

In order to successfully fulfil the conference objectives, government representatives, representatives of international organizations and local NGOs presented housing initiatives implemented, methodology of implementation, implementation challenges, and plans for future. Presentations led to constructive discussions. This way, the conference served as a platform for exchange of experiences among the economies of the enlargement region. This conference was the first of its kind focusing on the Western Balkans and Turkey. As some of the RI2020 participating economies are currently in the process of legalization and modernization of social housing systems, it will be important to understand the benefits of the holistic approach, and adopt and implement Roma responsible policies in relation to the two housing solutions.

2. Conference Delivery

This section provides an overview of the presentations of panellists in the conference, and the main discussions which followed.

2.1. Day one

During the first day of the conference a comparative analysis of legalization and social housing legislation in the enlargement region was presented, followed by the panel on legalization, concluding with the panel on social housing. The panels aimed to give an overview of the current housing situation of Roma, what is being done to address it, and what are the ways forward.

2.1.1. Opening Session

The conference was opened by the Team Leader of the *Regional Cooperation Council Roma Integration 2020 (RI2020) Action Team*, Mr Orhan Usein. Thanking the participants for attending, Mr Usein explained that this is the first event of this kind focused on the thematic priority of housing. After examining the data from the governments' progress reports, CSOs shadow reports, and the UNDP World Bank [Regional Roma Survey](#) it was necessary to organize the conference in order to promote regional approach to resolving the alarming housing situation of Roma in the enlargement region.

Mr Usein presented some of the [UNDP survey](#) data, most importantly referring to severe material deprivation¹ of vulnerable Roma (83-94%), and the fact that 3/4 of vulnerable young Roma (aged 18-24) are not in employment, education or training, which invites for prioritizing housing for Roma in governmental policies in the region, as well as in the EU.

Examples show that building housing units alone do not necessarily bring full integration and are not the long-term solution for integration of Roma. At times, such initiatives have even led to further exclusion, segregation and ghettoization. Mr Usein further explained the focus of the conference on the holistic approach in legalization and social housing. He especially touched upon the potential for legalization of housing units owned by Roma, as well the need to address the gap between housing laws and social laws which is affecting the most vulnerable and Roma.

Continuing to present connections of the conference with the remaining work of the RI2020, Mr Usein provided information about the Roma Responsible Budgeting Working Group, which will develop guidelines for Roma responsible budgeting aiming to strengthen connections between Roma

¹ The **material deprivation rate** is an indicator in [EU-SILC](#) that expresses the inability to afford some items considered by most people to be desirable or even necessary to lead an adequate life. More details about what constitutes **severe material deprivation** can be found at the following link: http://ec.europa.eu/eurostat/statistics-explained/index.php?title=Glossary:Severe_material_deprivation_rate





integration policies and public budgeting. The strengthened connection should also lead to long-term funding for housing policies relevant for Roma.

Finally, Mr Usein invited participants to share ideas, concerns, and recommendations so that they are taken into account and further to the EU level. Mr Usein also invited attendees to visit the exhibition presenting Roma housing in Montenegro, co-organized with the NGO Young Roma from Montenegro.

Mr Usein's address was followed with an address by Mr Leon Gjokaj, *Deputy Minister of the Ministry for Human and Minority rights of Montenegro and National Roma Contact Point*. Mr Gjokaj pointed out that all relevant line ministries as well as Roma CSO representatives were included in the formulation of Montenegro's Roma Integration Strategy, and the civil society is part of the Commission monitoring the implementation of the strategy. Mr Gjokaj stressed the importance of the housing issue, enumerating activities implemented by the Government of Montenegro in resolving the housing issue for Roma. His introduction concluded with expressing hope that the conference will help to gauge challenges the region is facing, build capacities, and resolve issues Roma population is facing in a sustainable manner.

Ms Barbara Rotovnik, *Rule of Law and Pre-Accession Advisor at the Delegation of the European Union (EUD) to Montenegro* took the floor after Mr Gjokaj. Ms Rotovnik's presentation demonstrated the connection between the integration of Roma in Montenegro and the pre-accession process - specifically in relation to the negotiation Chapter 23, focused on fundamental rights, including Roma integration. Montenegro had significant process in improving the legal framework and consolidating the institutional framework. Montenegro has aligned institutional human rights standards with the EU and international standards, and has improved the anti-discrimination legislation. What remains to ensure are sustainable results in the field, which will not be donor dependent. To achieve this goal, improving data collection to allow for monitoring outcomes and evaluation of Roma integration policies is needed.

Ms Rotovnik further noted that Roma remain the most discriminated and vulnerable group in Montenegro while implementation remains weak and institutional capacities need to be increased. In relation to housing, Roma continue to live in poor housing conditions and segregated settlements. According to information provided, almost half of the households are not legalized, while access to public services remains a challenge. Ms Rotovnik further stressed the need to budget Montenegrin Roma integration Strategy and Action Plan in order to implement activities, and to strengthen horizontal institutional cooperation.

Ms Rotovnik finished by mentioning that the [ROMACTED](#) programme financed by EU in the Western Balkans and Turkey is being launched. The programme should contribute to building up the political will of local authorities, enhance democratic capacities of local governments, but also build Roma capacities and stimulate them to contribute to the design, implementation and monitoring of relevant policies and projects.

Mr Klaus Mock, *Regional Coordinator of the Help – Hilfe zur Selbsthilfe e.V.* organization further addressed the audience in the opening session. Mr Mock's presentation focused on Roma housing projects implemented in Montenegro by Help organization. He provided those present with the context of projects implemented and challenges occurred, which can be found in more detail in his presentation posted on the RI2020 [website](#).

Help's approach was one of the first steps towards adopting the holistic approach in Montenegro, as it combined housing with building objects such as kindergartens. Additionally, Help implemented aligned projects, providing soft components ensuring access to rights, documentation, employment, and health. Help assisted Montenegro in introducing and training health mediators, mediators for employment, and mediators for social inclusion. In the field of employment activities included self-employment support, vocational training, and pilot paid internships. At the same time, displaced





persons were assisted in voluntary return. Help also provided technical assistance to the project implementation unit of the RHP.

The opening session gave participants an insight into the challenges Montenegro faced in promoting Roma integration, and some of the activities implemented to resolve the issue of housing. Most of the challenges pointed out by Ms Rotovnik are also faced by other RI2020 participating economies.

Importantly, during the panel, Mr Usein reminded the participants that DG JUST will be organizing an EU Roma Integration Platform addressing housing in October 2018. Recommendations from the housing conference will be considered in the EU Roma platform. Hence, recommendations and conclusions will be considered when developing the post-2020 EU multi-annual financial framework currently being discussed.

2.1.2. Panel I - Comparative Analysis of Legalization and Social Housing Legislation

The first panel focused on the comparative analysis of regional legalization and social housing legislation. The presentation gave a glimpse of the current situation in the region serving as an introduction to discussions and presentations which followed after.

Due to its importance for both legalization and social housing, eviction procedures were also covered by the presentation. The presentation was given by Mr Danilo Smolovic, Policy Expert of the *Regional Cooperation Council Roma Integration 2020 Action Team*, who started off by explaining the basic concepts used in order to avoid misunderstandings. This was considered necessary due to the fact that there are neither internationally nor regionally accepted definitions of concepts included below:

Social Housing refers to various models of providing or facilitating access to adequate housing for different social groups, outside the housing market conditions. Social housing as such might be provided to impoverished groups, but also to low or middle income groups. Social housing may be for profit or non-profit.

Non-profit housing is a form of social housing provided by central and/or local level government to those groups and individuals which for social, economic or other reasons cannot obtain it under market conditions. Although non-profit, beneficiaries are sometimes obliged to pay minimum rent which should cover ongoing maintenance fees. In the case of Roma and other vulnerable groups, this type of housing should include a holistic approach aiming to empower beneficiaries in long term and draw them out of the situation of social need.

Mr Smolovic referred to the **holistic approach to social housing** as a combination of different types of public services aiming to promote social inclusion, anti-discrimination, equitable access to services, and ultimately full participation of the individuals in the socio-economic and other spheres of life. To achieve this, housing services may be combined with various other services in areas of education, employment, health, and other relevant areas.

Participating economies will need specific models targeting Roma and accounting for Roma needs. The models should be flexible enough to cover different individual cases and their specific long-term needs.

Roma settlement refers to settlement with a significant number of inhabitants being Roma.

After presenting the basic concepts, Mr Smolovic moved on to present the excerpt from the UNDP [Regional Roma Survey](#) data from 2017 (*table below*). Mr Smolovic called attention to the fact that a large number of households owned by vulnerable Roma do not have access to basic infrastructure needed for decent living, such as: piped water, toilets, and public sewerage. Access to public utilities should be a priority. On top of this, the approach needs to be taken further to also try to solve the problem of youth not in employment, education, or training, and the issue of low women employment, as these groups have poor long-term prospects for empowerment and socio-economic prosperity. Mr Smolovic urged for prioritizing Roma housing in the enlargement region government programmes and reaching the minimum of adequate standard of housing as prescribed by relevant legislation.





2017 REGIONAL ROMA SURVEY DATA (excerpt)

	Albania	Bosna and Herzegovina	Kosovo*	Montenegro	Serbia	The former Yugoslav Republic of Macedonia
NEET ² (18-24)	78%	93% (women)	78%	82%	75%	81% woman 57% Male
Women Employment		4%	4%	3%	9%	13%
Severe Material Deprivation	93%	85%	84%	94%	83%	87%
Piped Water	48%	87%	85%	72%	79%	90%
Toilet	50%	84%	79%	61%	69%	74%
Public Sewerage	74%	70%	75%	55%	62%	84%

The remaining part of the presentation focused on eviction, legalization, and social housing as covered by legislation in the enlargement region. A short summary is presented below.

Evictions:

Evictions are implemented instead of or after unsuccessful legalization of housing (whatever the reason might be) and should further lead to the activation and implementation of social housing legislation.

Referring to the housing legislation in the region, the legislation needs to cover the issue more comprehensively, and clearly stipulate reasons for evictions and eviction procedures, as well as conditions under which evictions can be performed. Serbia went the furthest in introducing procedural mechanisms regulating evictions, following the guidelines document [Basic Principles and Guidelines on Development - Based Evictions and Displacement](#) issued by the UN Special Rapporteur on adequate housing. Due to the strong impact evictions have on the daily life of affected persons, especially vulnerable groups, the legislation should have a clear targeted approach for these groups. It should also provide for consultations with those affected giving them an opportunity to propose alternative solutions. On the same note, a realistic possibility should exist within the law that alternative solutions proposed will be taken into account and potentially accepted by the authorities.

This is especially important in case of evictions done for '*public interest*', which is a common provision of the housing laws in the region. The vague concept of public interest is usually understood as large-scale infrastructure public or private projects. Besides the need to have precise legal definition of infrastructure projects of public interest, the legal provisions should ensure that such projects are not interfering with the application of the fundamental human rights, including the right to housing of Roma, or with the EU integration process that encompasses Roma integration as one of the priorities³. In case an infrastructure project is proven to be of public interest and evictions are inevitable, Roma should have legal guarantees for the respect of their fundamental right to housing.

Possible ways to promote minimization of evictions, which is a general aim recognized in housing legislation regionally, is to include Roma in decision making and to perform *eviction-impact assessments*. Eviction-impact assessments would comprehensively assess the eviction impact, looking at the long term costs for the public budget caused by evictions and at the socio-economic indicators of potentially affected household. This information should feed the decision on performing evictions. When not avoidable, evictions should clearly activate social housing and other relevant legislation, and offer comprehensive relocation package. The aim should be permanent, adequate and affordable housing of the evicted persons. Based on the data collected during eviction-impact assessment, the

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

² Not in employment, education, or training.

³ One way to ensure this would also be to include Roma as beneficiaries of public interest projects when these are housing project.





authorities would be better aware of the needs of relocated households and offer appropriate relocation packages.

The relocation package should offer at least the minimum standard of adequate housing, but also include a clear relocation plan. In the long term, economies should seek to qualitatively assess data collected prior and during eviction and follow the impact of evictions on households. Based on the assessments, economies will be in a position to decide whether and to what extent should evictions be pursued as a policy, especially because of their high social and economic cost.

Legalization:

Illegal objects refer to objects built without building permits. This definition is wide enough to contain various possible different cases of illegal housing (built on public land, built on private land not owned by housing owners, built on unstable land, built not in accordance with urban plans, not fulfilling building standards or of poor construction, etc.).

The legislation throughout the enlargement region is trying to predict all possible real cases and cover them with specific solutions. This is a demanding task, but should be continued. One of the common legal gaps is the lack of possibility to legalize housing units which need reconstruction works to reach the legal standards of adequate housing. In many cases it is not possible to reconstruct a housing unit which is not legalized, while at the same time it is not possible to legalize it before it is reconstructed. This has prevented Roma from applying for donor funds in certain situations.

This legal gap should be covered to allow easier reconstruction of illegal units, especially in cases when this is necessary to reach minimum standards of decent living and possibly legalization. Even if this cannot be a long-term solution and if a housing unit cannot be legalized, it is necessary to solve the most pressing issues due to human rights considerations, while the legalization or any other complementary long-term solution can be pursued later. This was also agreed by the conference participants during the discussion, pointing out that human security and human lives should be given priority in any case, especially due to the fact that legalization procedures are currently taking a lot of time.

Some of the participating economies have included economic considerations for those not in a position to cover legalization costs, keeping the legalization administrative fee very low, and even exempting socio-economically deprived households from these costs. However, the remaining costs, such as performing geodetic elaborate or technical project, are very high. Consequently, it is not likely that Roma will be applying for legalization in large numbers. In order to promote increased legalization of housing units, vulnerable groups and Roma should be exempt from other relevant fees, and should be offered free legal, administrative and technical aid, support in reconstructing units, and similar.

In cases of simplified legalization procedures, another concern is that infrastructure works will not follow legalization in due time. Legalization should not come at the expense of decent living conditions for Roma. The economies, especially at the local level, need to oblige themselves to provide infrastructure works during legalization procedures or immediately after.

The enlargement region economies will also need a long-term legalization strategy, with clear idea on their housing policies after the legalization deadlines expire. A promising solution is to use the ongoing mapping of illegal structures and Roma settlements in some of the economies in the region, in order to ensure further legalization initiatives for whole settlements. Legalization of settlements would call for a participative approach with a strong involvement of Roma community, and should be comprehensively covered by legislation. Specifically, settlement legalization would demand reconfiguration of settlements so that they comply with urban planning standards and can be included in urban plans. During the discussion which followed, Mr Usein also noted that the legalization of existing settlements might prove as the least painful and least expensive solution in the long run.





Social Housing:

The analysis of the social housing legislation in the region revealed that Roma are generally not prioritized. Mr Smolovic stressed the need to prioritize Roma, especially after looking at the [UNDP Regional Roma Survey](#) data. In rare cases where Roma are prioritized it is not clear how this is operationalized. Pursuing solutions such as including Roma in social housing scoring system and/or ensuring social housing quotas for Roma, are suggested where relevant.

The analysis notes that the legislation in the region rarely gives an indication on what portion of social housing will be allocated for people in social need, even less so for Roma. One potential solution is that legislation makes a difference between 'public' housing, and 'social' housing in a narrow sense. 'Public' housing here refers to all housing measures aimed at public officials, those working at state enterprises and similar, whereas 'social' housing would be allocated for the population in social need.

One promising example presented was the case of Albania. The recently adopted Law on Social housing provided that 80% of those benefiting from the measure '*rented social housing*' will be households earning from 0% to 100 % of the average household income in the local self-government unit. The remaining 20% of the beneficiaries will be households earning 100% to 120% of the average income. Similarly, Albania clearly stipulated the level of household total income qualifying it for housing support, as well as the maximum portion of total income that a household should spend on housing. All costs above the provided limit will be covered by the Albanian government. This provision is very clear in targeting people in economic need and a strong legal guarantee that support will be provided.

Referring to the connection between Roma Integration Strategies and Action Plans and national housing programmes in the region, Mr Smolovic explained that these documents have different length of validity. This incoherence can result in hampering the implementation of Roma Integration Action Plans when it comes to housing. In order to resolve the issue, these documents need to be harmonized in a way that provisions from the Action Plans are included in the mainstream social housing programmes and budgeted for.

Another important topic which should be more comprehensively covered by housing legislation is the issue of anti-discrimination. While legislation in the region refers to anti-discrimination in general terms, it is unclear how the relevant provisions are activated and it does not seem likely that Roma or any other discriminated group can be easily protected from discrimination.

The presented situation in the field and discussions during the conference indicated that the municipalities struggle to provide housing services and that the social housing stock is far from enough to cater for the needs of all and specifically for the needs of Roma. Combined with the legalization processes, this may create even a larger challenge, as it is expected that many households not able to legalize their dwelling will be in need, and thus the total number of households in need for social housing would be increased. The last part of Mr Smolovic's presentation referred to some of the potential solutions which could ensure more and better access to social housing services in the region, to be debated in the remaining part of the conference. Potential solutions are listed below:

- Use ongoing mapping of municipalities' owned objects to assess the quantity of available housing stock. Municipalities can allocate a portion of available housing stock for social housing and for Roma. Another benefit of this approach is that it will provide more information on the quantity of housing stock which remains to be secured and provided.
- Ensure more funds through different funding schemes. It will also be important to strengthen the link between Roma integration policies and public budgets, and to use programme budgeting to promote inter-institutionally implemented housing programmes.





- Re-assess the adequacy and amount of provided housing services, which seem to be too low to provide for long-term empowerment and exiting the state of social need.
- Guarantee minimum standards of adequate housing comprehensively in housing laws. It is not feasible to leave it to municipalities to define minimum standards as this can result in inconsistencies in different parts of territory. Municipalities should also have the opportunity to offer standards which are above the legally defined minimum.
- Prioritize Roma in government housing programmes.
- Lower administrative barriers through including one-stop-shop for access to housing services.
- Improve monitoring of housing policies by assessing which policies have positive impact and helping to devise a results-based long-term housing strategy.
- Use lessons learned from existing housing experiences and mirror them at local and central level.

Pointing out that legalization and non-profit housing are only one side of the housing solution, Mr Smolovic concluded by stating that holistic approach is needed in all cases. Mr Smolovic's presentation can be found on the RI2020 [website](#).

2.1.3. Panel 2: Housing Legalization - Pressing Issues and Ways Forward

This panel focused on legalization, moderated by Mr Sinisa Djuric, *Project Manager at Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH*.

Mr Djuric opened the panel by acknowledging that illegal buildings and legalization existed as a form of informal social welfare measure in the Balkan region, for the reasons that people were not able to afford housing in any other manner, and that now is the time to ensure long-term solutions while protecting the rights of owners of illegal objects.

Considering the combination of threats that Roma face in their daily lives, the first presentation spoke about eviction threats in Montenegro. Mr Samir Jaha, *Director of the NGO Young Roma*, presented that the Roma population is mostly at risk of evictions in the coastal zone. Mr Jaha presented positive and negative cases of evictions. As per *NGO Young Roma* analysis, around 170 Roma families in the coastal zone are currently at risk of evictions, usually living on public land.

Mr Jaha presented the positive case of treating evictions in Herceg Novi, coastal city in Montenegro. After the court ruling, seven Roma families were supposed to be evicted. In order to avoid implementation of evictions and not to render people homeless, the court cooperated with the NGO Young Roma and postponed the implementation of the decision. The municipality also cooperated and provided a plot of land for building as well as infrastructure works. Presenting the negative case, Mr Jaha explained the situation in the city of Bar, where the municipality was not interested in resolving the status of Roma dwellings and finding a long-term solution accounting for human rights of Roma. The problem was further exacerbated by the fact that Roma neighbors also wanted Roma evicted. The examples show the importance of municipalities' cooperation and the need to target receiving communities especially when they are openly expressing discrimination and anti-Roma attitudes.

Mr Jaha explained that some of the Roma in Montenegro live on its territory for more than 60 years, when they arrived as a workforce and are active in the labor market, but did not manage to resolve their housing issue. Pointing to the need for long term planning, Mr Jaha presented an opposite case. He referred to his experience with how Finland deals with similar situation. He explained that when importing labor force, companies think in advance about where their workforce will settle, where their children will go to school, etc. Mr Jaha urged to think about the whole integration and socialization process, and provide Roma with both accommodation and access to services.





The second presentation was given by Ms Biljana Dejanovska Dimitrovska, representative of the *Ministry for Transport and Communications of the Former Yugoslav Republic of Macedonia*. She presented the example of simplified legalization procedures.

The presentation pointed out how the government needed to amend the existing laws to better consider the real situation in the field and ensure more success of the legalization policy. The first law covering legalization recognized the possibility to legalize housing units before a certain deadline. Municipalities were supposed to follow with adopting ten year plans to legalize buildings. This did not happen and the approach had no results. After recognizing this problem, in the period 2009-2011 an analysis of illegal buildings was performed. The analysis indicated that entire informal settlements were erected throughout the years. In 2011, the system law on housing was adopted. Amendments in the relevant laws and bylaws are adopted often, providing the government with a systematic basis to deal with legalization issues in the long run, and to assess the situation on the ground.

Further, the law on legalization stipulates putting together a database of illegal structures. Illegal object are classified depending on their purpose. The administrative procedure to legalize these buildings is simplified, and is conducted upon application of the persons interested in legalization. The application requires only an identification card for natural persons or certificate from the central register for legal entities, elaborate including a plan of the object to be legalized, and bills for utility connections. The procedure usually takes 12 to 18 months. Municipalities' capacities for legalization are increasing. Importantly, the legalization fee is very low.

For the legalization procedure to be finalized, an object has to be included in the urban plan. This decision involves the municipality and the cadastre. If resolved positive, the object is legalized. However, the legalization procedures in general are not easily implemented, as objects are often erected on land not included in urban plans. This effectively delays the decision on legalization before the purpose of the land is decided on. To resolve the problem of urban planning, the government has adopted procedures for their adoption.

Ms Dejanovska Dimitrovska indicated that the land purpose and its ownership remain the most problematic issues. The issue of land ownership as a largest obstacle to legalization was also shared by most of the participants which engaged in the discussion during the conference.

Mr Agron Beka from the *NGO Social Housing Property Rights in Kosovo** presentation focused on the Kosovo* draft law on legalization currently being adopted, as well as his experiences related to Roma housing issues in Kosovo*.

When presenting the Law for Treatment of Constructions without Permit, Mr Beka remarked that the purpose of the law will be to comprehensively treat constructions without building permit which were built before the law enters into force. The last registration of constructions shows that there are more than 352.000 objects built without permit. As the objective is to legalize as many constructions as possible, procedures are simplified. A one-stop-shop is envisaged for legalization, registration of constructions and plots into cadastre, and other procedures related to housing. After the legalization application is submitted, the remaining procedures will be taken forward by municipality departments in case of constructions used for living purposes. The one-stop-shop is relevant for Roma as it may lower administrative barriers.

The new Law will have a phased approach to ensure long-lasting effects. The first step will be to identify constructions without permit not registered in the current register by the Municipal departments, or in specific cases by the Municipal Inspectorate. After applications are submitted, all cases where an applicant was not able to demonstrate his/her property right, a *pending list* will be formed. The *pending list* will be a list of constructions without permit identified under the new Law which were not legalized due to property rights not being resolved.





Mr Beka explained that the first phase of the Law implementation will be simply collecting as many applications as possible in order to have a better overview of the housing situation in Kosovo*. In order to receive as many applications as possible, the Law has obliged certain ministries who work with displaced persons, returnees, as well as diaspora to reach this population (also with the help of international organizations) and inform them on the possibilities for legalization under the new Law. While it is not likely that all properties will be legalized during the first phase, having a pending list will give people the opportunity to reach a long-term solution for their property later on. Specific programmes for legalization should be adopted by the Ministry in charge and the Government in the period following the adoption of the law.

Mr Beka's presentation of the Law provided a good example of a phased approach, where large information campaigns will follow in order to receive as many applications as possible. On the same note, being aware that many constructions will not be legalized under the current conditions, due to unresolved property rights, a pending list as a specific solution will be created. A second step will be to adopt specific legalization programmes aiming to solve cases included in the pending list which will not be legalized during the first phase.

Kosovo* took another step in order to assist municipalities in ensuring sufficient human resources to implement the new Law and process all the legalization applications timely. The *NGO Social Housing Property Rights in Kosovo** prepared a workload analysis which gives an indication of professional profiles and number of staff needed to process legalization cases. Mr Beka presented the results of the analysis. The analysis takes into account all the steps of the legalization procedure, potential number of cases, time needed to process each case, and the number of staff needed to process all potential applications in the two years period. The table also refers to professional profiles needed to perform the process (architects, civil engineers, etc.). The table is included in the presentation posted on Roma Integration 2020 [website](#).

Mr Beka further explained the project implemented with DRC in Mitrovice in Roma Mahala. He noted that the project was a specific case as Roma already lived on the territory before the 1999 conflict, but did not have ownership rights. During the project, people who lived in the territory previously were located by the NGO. Roma had to prove that they previously lived in Roma Mahala in order to benefit from social housing projects by DRC Kosovo* and other partners. After locating families, understanding what their needs are, and what documentation they have or lack, Roma were helped in collecting all documents and represented before the Municipal Court.

Closing his presentation, Mr Beka noted that the main challenges identified during his work on legalization cases relate to the provision of free legal aid to those not able to pay legal representation, as well as dealing with cases where there are no proofs of land and other property rights.

The presentations of all panellists indicate certain common issues and approaches taken in the region. Administrative barriers are being lowered in order to facilitate application process, but this have yet to yield results as some of the fees remain too high for Roma. Lowering or exempting from application fees is a form of targeted approach for vulnerable groups. However, more substantial targeted approach would be needed in order to successfully resolve legalization applications. Similarly, the economies do not have data on the number of legalization applications by Roma and the ratio of successfully resolved ones.

During the discussion which followed, participants from the civil society pointed out that Roma homeowners rarely benefit from legalization procedures and that the legislation should account for this situation. In relation to this, the representative of Serbian civil society stipulated that the implementation of the current laws should be assessed in order to have data on the success of laws' application. In case the assessment shows that results are unsatisfactory, further amendments or even new legislation should be adopted. He also proposed a *Lex specialis* on legalization and property rights as a specific solution to legalize whole Roma settlements, while providing the example of transferring





public to private ownership during the 1990s, a solution which yielded results for most of the population.

Furthermore, participants noted that human rights considerations should be a priority and that the legislative provisions should not result in preventing stakeholders from intervening and alleviating the lives of Roma and improving their housing situation, even in case of illegal objects. The government representatives agreed but noted the importance of a systematic approach while avoiding ad hoc solutions. One particular solution which was criticized was introducing financial penalties for owners of illegal object which are not able to legalize them.

Land ownership issue remains the most common obstacle for the success of legalization applications, as also agreed by all the participants engaged in the discussions. Some economies have covered the issue through legal provisions allowing for the long-term lease of occupied land, giving the possibility to transfer ownership of the land to home-owners when it was not claimed for a number of years, purchasing the land from state or land-owner under market conditions, and similar. Some of these solutions might prove beneficial for Roma. However, economies should continue to seek and implement similar solutions together with modalities to support Roma and other vulnerable groups to benefit from these solutions. For example, it is highly unlikely that people in socio-economic need will be able to purchase the land they occupy under market conditions. Representative of the civil society of Bosnia and Herzegovina stated that one potential solution can be that economies purchase land for Roma housing, similar to how at the moment municipalities co-finance social housing initiatives by providing land plots.

Another common situation observed is that there was no systematic approach at the policy level to the legalization of whole settlements⁴. In cases when settlements can be reconstructed and reconfigured to comply with the minimum standards of adequate housing and urban plans standards, this solution should be considered as the most feasible as it would be least expensive and most in line with the human rights standards and minimized evictions principle. These solutions would also cater for the wish of many Roma (as indicated by Roma CSO representatives) to live together in small concentrated communities such as *mahalas*. More information about differing between segregation and concentration was given by *RI2020 Policy Expert* Ms Aleksandra Bojadjeva during the second day of the conference.

2.1.4. Panel 3: Social Housing - Pressing Issues and Ways Forward

The panel on social housing was moderated by Mr Danilo Curcic, *Programme Coordinator* of the *NGO A11* dealing with social housing in Serbia.

The first panel presentation was given by Ms Dragana Milosevic, *Project Manager* of the project *Let's build a home together* implemented by UNOPS. Ms Milosevic presented the objectives, results, best practices, and lessons learned during the project implementation.

170 Roma families living in informal settlements in Belgrade were moved to containers, and were in need of durable housing solutions. The city of Belgrade, together with OSCE adopted an Action Plan to resettle Roma from the containers. The plan was implemented by UNOPS, with IPA funding, and the logistical support of the city of Belgrade. Besides providing durable housing solutions, resettlement procedures in line with the human rights standards were established, and several possible models of durable housing solutions for future projects were tested.

During the project implementation, 110 families were provided with housing solutions of different types, including social housing, village houses, construction materials for house repairs, and support for reconstruction of those with clear land and property ownership.

Besides providing housing, complementary active inclusion measures were implemented together with the local government, including equipping social housing units with furniture and household

⁴ Promising example is the Roma settlement in city of Kakanj in Bosnia and Herzegovina. There, legalization and social housing initiatives were combined. The example is explained in more detail in the section 2.1.4 of this report.





appliances, tools, equipment and machines for income generation, laptop computers for children to support their education, and moving transport.

During the preparation for resettlements, in cooperation with the city of Belgrade and CSOs, the families were supported in obtaining personal documents as a necessary precondition for their access to education, health, employment and social welfare services upon moving. Additionally, the housing solution included a common space for gatherings of the beneficiaries.

The project involved many actors and was implemented in coordination with relevant national and local authorities and institutions, as well as CSOs. Roma men, women and children also actively participated throughout the project implementation. Roma men and women were included in decisions on housing location and preferable housing options, but also in the definition of the rules on cohabitation in the social housing buildings. Women were also given an opportunity to share ownership of purchased village houses.

The methodologies developed during the project relate to consultations with beneficiary population, consultations with the “host” community to avoid hostility towards Roma, and methodology for the evaluation of locations offered by the city of Belgrade. Locations were evaluated in accordance with UN standards for adequate living. Some of the criteria which are non-negotiable in deciding on location include resolved land ownership, inclusion in urban planning documentation, proximity to public services, and pollution levels. Ms Milosevic invited the participants to peruse methodologies which are found on the project [website](#).

The rulebook on criteria for the selection of beneficiary families was also developed during the project, providing guidance to municipal institutions in applying good governance principles, such as transparency, accountability, non-discrimination, etc.

Two years after the project finished the two of the tested housing models remain sustainable. These are social housing and social housing in protected environment. Ms Milosevic noticed that the second phase of the same project is ongoing and will follow the same logic, with the city of Belgrade providing urban plot, urban planning documentation, permits, landscaping and infrastructure connections.

The last part of Ms Milosevic's presentation enumerated lessons learned and necessary preconditions for the success of future housing initiatives. Lessons learned are included in her presentation which is posted on RI2020 [website](#). Some of the lessons not previously mentioned in the report are:

- Resolving ownership issues and urban planning conditions as part of the project preparatory phase is needed. Alternatively, allocating adequate time for obtaining the documentation in the project design phase.
- Co-funding in terms of land plots and utility connections ensured during the preparation phase in order to allow timely realization of activities and that usage permit is obtained immediately after the building is constructed.
- Legal security of tenure ensured beyond project implementation by ensuring that beneficiaries can cover their monthly costs of living.

Ms Milosevic concluded by stating that the project has proved sustainable and that best practices could be replicated throughout the enlargement region.

The second panellist was Ms Saliha Djuderija, *Assistant Minister for Human Rights and Refugees of Bosnia and Herzegovina and National Roma Contact Point*. Her presentation focused on social housing projects implemented throughout Bosnia and Herzegovina.

Ms Djuderija explained that housing initiatives for Roma were implemented since 2007 when Bosnia and Herzegovina joined the *Roma Decade*. Bosnia and Herzegovina started mapping municipalities where Roma live, which proved to be more than 50% of the municipalities. The data obtained were combined with the population census data, as well as indicators used by organizations such as OSCE,





UNICEF and UNHCR. The combination of data and indicators collected fed the decision on the approach taken in promoting Roma integration. A new mapping process is about to begin soon and will give a clearer picture how has the situation changed since 2010 when first mapping exercise was implemented, as well as what are the ongoing needs and emerging problems for Roma population.

Referring to the holistic approach, Ms Djuderija presented data on the employment and healthcare activities aimed at Roma. However, she also stated that there is no specific programme integrating all these components, but that municipalities simply implement their legal obligations. Based on previous experiences, Bosnia and Herzegovina is conceptualizing a new approach which would merge healthcare and employment activities by having one single project implemented by local communities, while offering the full package of services. Ms Djuderija stressed the important role of the Social Welfare Centers, which can provide data on socially excluded families and their individual and family needs.

When it comes to implementing social housing, Bosnia and Herzegovina developed a rulebook for developing housing units, in order to guarantee the same housing standard in all municipalities. The funding is granted from central to local level through a public call where municipalities have to compete for funds. Ms Djuderija stressed that this approach works and that the municipalities' interest for investing in social housing is increasing. She especially noted that the municipalities' understood they will be able to resolve housing issues if they are able to attract more funds from the central level. Municipalities usually ensure co-financing by providing land plots for building.

One of the public call criteria is Roma participation, while municipalities are given the opportunity to decide on the approach to ensure participation. Construction and reconstruction of units remain the main form of housing policy for Roma, but only in cases when land ownership is clear.

The quality of implementation is ensured through an Implementing Commission, which assesses project implementation from a multisector point of view. The Commission goes to the field and revises all aspects of the project implementation, such as tender opening, selection of beneficiaries, performance by the contracting authority, all the way to the handover of keys. This way the Ministry can also report to the government how funds are spent.

Ms Djuderija further presented some concrete examples of housing initiatives, and the importance of good cooperation with municipal authorities. Most interesting was the case of Kakanj municipality, with Roma settlement located near the city center. One part of the settlement was legal, while the other was an informal settlement existing at the location for more than 70 years. With the support of the city major, the whole settlement was legalized and included in the urban plan. Some of the houses could not be legalized (located on polluted and insecure land), leading to their demolition. However, additional housing units will be built to resolve the housing situation of families affected by demolitions. Ms Djuderija noted that the same approach is being promoted in other municipalities.

During her presentation, Mr Djuderija stressed the need for cooperation with municipalities several times, as well as the need for more involvement of Roma CSOs in the process. She noted that Roma organizations need to start lobbying at the local level, and insist that local level governments change their practices, lower administrative barriers, get rid of prejudices, and finally be ready to implement actions which are specifically targeting Roma.

The next example presented how Serbia integrated international human rights standards in its new Law on housing and building maintenance. The presentation was given by Ms Jovanka Atanackovic, *Assistant Minister for Construction, Transport and Infrastructure of the Republic of Serbia*.

Ms Atanackovic agreed with the recognized challenges, and the need for a long term approach, noting that integration cannot happen overnight, but can be accelerated through appropriate policies. Ms





Atanackovic explained that during the adoption of the Law specific care was made to harmonize all relevant pieces of legislation and comprehensively cover all possible cases.

As there are several pieces of legislation relevant for Roma housing, their coherent implementation calls for well-coordinated inter-institutional cooperation. To account for this, Serbia formed a supra-body for the implementation of Roma integration policies, which is headed by a deputy Prime Minister.

Ms Atanackovic presented innovations brought through the new Law on housing, explaining how eviction procedures are covered, what services can be understood as social housing, and finally the long-term prospects relevant for this legislation.

When explaining the eviction procedures, Ms Atanackovic especially stressed that Serbian law directly transposed provisions from international guidelines and human right standards. A section of the law clearly defines under which conditions can evictions be implemented and for which specific situations. However, in cases when those affected do not own the land, evictions become a possibility. In these situations, the Law provides for consultations with the affected communities. Free legal aid in case of evictions is also ensured, and a rulebook clearly defines the standards that the locations to which families are moved have to comply with. Standards relate to access to healthcare, employment opportunities, education. Food and water is also provided for a certain period of time.

The long-term plan is to define the consultation procedures more comprehensively in order to introduce legal certainty in proper implementation of this provision, which is why methodologies developed with UNOPS and the UNHCR will be translated in the legislation. It will be municipalities' obligation to implement these procedures.

Ms Atanackovic also spoke about the new institute of housing support, which is a form of social housing. She noted that limits of income qualifying families for the housing support are provided by the law. Forms of housing support include the classic non-profit housing, but also rent subsidies, renting from private owners, as well as donating housing units.

Speaking on the long-term solutions of the new approach to social housing, Ms Atanackovic stressed that Serbia is looking for sustainable solutions, and is developing a new national housing strategy together with the UN, with the aim to apply holistic approach and provide housing for more people.

This approach should result in avoiding legal uncertainties and different interpretations of the Law. Very importantly, in order to make the overall population benefit from housing support provided by the new law of housing, Serbia will need to ensure more housing units, as well as differentiate between various forms of social housing provided for different target groups.

Increased government funding will be needed to develop a strong social housing system, as currently only about 2% of the entire housing in Serbia is part of the social housing fund. This is a small portion compared to the needs and compared to Western Europe standards, as noted by a representative of Serbian civil society. Ms Atanackovic specifically raised the question of social housing ownership, noting that when people become legal owners of the housing, there are more inclined to invest in its maintenance.

Mr Smolovic of the RI2020 joined the discussion to call attention to the successful cases of buying village housing in the case of UNOPS project, and the possibilities of purchasing other types of cheaper housing in other locations. He specifically referred to the Albanian example of social responsibility introduced in the recently adopted Law on social housing. Namely, the Albanian law stipulates that 3% of all the housing units built for living purposes which are above 2000 square meters will be included in the social housing fund.





The panel on social housing further demonstrated that ownership rights are also important for social housing. Possibility for provision of various types of social housing, whether it is building social housing, resolving housing problems in informal settlements, buying village housing, or any other format, will depend on resolved property rights. New approaches to resolving ownership issues should be sought. The approaches need to be flexible to provide ways for Roma to become legal housing owners, while at the same time respecting the rights of the remaining population. More ingenuity and commitment of all parties will be needed to decide on and implement such solutions, as well as more funds from central and local government. Strong involvement and flexibility of cadastre and urban planning institutions will also be necessary.

Another note to take from the panel is that social housing support calls for catering for all needs of beneficiaries including Roma, increased access to appropriate services and to housing options, as well as increased funding in order for economies to be able to provide sufficient services for all who need them. In order to achieve this, the economies should collect sufficient information on the needs of beneficiaries, as well as accelerate the pace of increasing social housing stock, whether through building, purchasing, and/or leasing housing units.

2.2 Day 2

The second day of the conference was moderated by Ms Aleksandra Bojadjieva, Policy Expert of the *Regional Cooperation Council Roma Integration 2020 Action Team*. The first panel of the day presented practical examples of housing initiatives where integral approach was taken by combining housing and complementary measures.

Ms Bojadjieva explained that RI2020 puts a lot of emphasis in its work on the relation between Roma integration and the European Union pre-Accession process, which is why the second panel focused on IPA related practices in housing, but also on emerging political initiatives happening at the EU level that the participating economies will need to account for in their further work.

Ms Bojadjieva clarified some of the concepts tackled during Day 1 of the conference. Having worked with participating economies in setting up a monitoring system for Roma integration policies, she specifically stressed the need for a targeted approach for Roma as they do not have the same opportunities compared to the mainstream population. The only way to implement such an approach and compare and monitor whether relevant policies are equally beneficial for Roma and non-Roma is collecting ethnically desegregated data.

Moreover, Ms Bojadjieva urged participants to differ between segregation and concentration. Concentration per se is not problematic as it refers to living in a concentrated community, which is something that minorities tend to do in order to preserve their identity and practice their language and culture. However, in cases when such neighborhoods are disconnected from public services and public life, or when quality of life and living conditions are worse compared to other neighborhoods, then it is a case of segregation.

2.2.1 Panel 4: Towards Holistic Approach - Practical Examples of Integral Housing Initiatives and Ways Forward

Ms Aleksandra Petrovic, *Human Rights Associate of the Human Rights Unit of the UN Serbia* presented a case of good practice implemented in the Crvena Zvezda neighborhood in Nis, Serbia. The presentation focused on ways through which Roma participation was meaningfully ensured in the resettlement process, and how Roma were empowered during the process.

Ms Petrovic first presented the context in Crvena Zvezda, an example showing how complex can the situation in the field be. Additionally, it also shows that it is necessary to put each situation in the historical context in order to better understand and approach it. In this particular case, the post-1990s





transition and privatization process affected the Roma community. About 60 families lived in apartments which were awarded to them for an indefinite period of time by a state-owned enterprise in former Yugoslavia. Besides legally owned apartments, the settlement was also expanding to another land plot and this part of settlement was illegally constructed.

The land of the settlement has been recently purchased by a private investor who was pressuring Roma to leave and the local government to 'clean up the plot', so that the company can initiate works on the purchased land. The situation was complex as both Roma with awarded apartments and the private investor had rights and papers to confirm the rights. Once again, an ownership issue was in the middle of the problem.

After Roma were cut off electricity in winter time, UN went to the field and realized that it is a possible case of evictions. The Law on housing presented by Ms Atanackovic comprehensively covering evictions was not adopted at the time, and the municipality did not understand the international standards as obligatory. While evictions were still a realistic possibility, UN representatives understood that the private investor still did not conduct conversion of the land, making it impossible to initiate the planned works. The newly realized situation postponed the implementation of evictions and gave an opportunity to resolve the situation by pursuing participatory approach.

The UN organized meetings with the whole community in a facility close to the settlement. Everyone was invited to the meeting and the turnout was good, with men, women, elderly, and youth present. The NGO sector and different institutions also participated. The affected community provided information on their situation, and only then it was understood that some of Roma families have contracts giving them clear rights over the apartments. In between meetings, sufficient time was given to the community to consult among themselves and adopt a stance on possible solutions. During the process not only Roma were empowered and became aware that they have a say in deciding on their future destiny, but also local authorities better understood their obligations.

As noted by Ms Petrovic, involvement of the central level authorities and higher level politicians, such as city major, was of paramount importance. The authorities' involvement had significant influence on the municipality institutions not to pursue evictions. In the process, the new law on housing was adopted, clearly defining situations when evictions can be executed and the municipalities' obligations in this regards.

The issue was finally resolved after discussions with the community which lasted for a whole year. A plot of land one kilometer away from the settlement was found. This plot was chosen by Roma out of several plots offered. The plot is close to a school and healthcare facilities. Roma were offered housing of higher standard than they previously lived at. The plan was to continue building social housing for Roma and to continue including them in the development of projects targeting them.

The example shows how meaningful consultation procedures can be, and that the success depends on the time invested in finding solution, as well as the political will and participation of authorities and higher level politicians. Ms Branislava Zarkovic, representative of the NGO Housing Center further confirmed this during the discussion which followed. Ms Zarkovic shared her experiences with providing social housing to relocated Roma in the city of Odzaci in Serbia. In the case of Odzaci, the success also depended on meaningful dialogue of all sides in combination with participation of local authorities and political leaders.

Mr Osman Balic, *Director of the Yurom Centre*, presented his experiences with housing cooperatives and how construction projects can be used to build capacities and employ Roma. Mr Balic called for increased investments in Roma housing, also stating that not many Roma benefited from solidarity apartments which were awarded in former Yugoslavia, nor from the privatization process. The fact that Roma were in a disadvantaged position in the field of housing for more than half a century lead to





a situation where around 600 informal Roma settlements exist in Serbia, and around 50% of them require urgent interventions to increase safety and improve the health and social situation of its inhabitants.

Taking a business perspective, Mr Balic noted that the enlargement region currently attracts significant funds for Roma housing. He urged not to miss the chance to use this to empower Roma. One way to do that would be to employ Roma in construction works. Such an approach combining housing and employment opportunities would also result in multiplier effect and emerging further new jobs as the purchasing power of the Roma community would increase. As Mr Balic stressed "new jobs open new jobs", which is the logic of the economy.

Speaking of the model of housing cooperatives, Mr Balic explained that Roma are mobilized to resolve their housing issues, and that currently about 30 Roma are employed by the cooperative. Roma are improving the infrastructure in Roma settlements by investing their work. Housing cooperatives operate on principles of social enterprises. Better regulation also allows for expanding potential range of services an enterprise could provide, giving more employment and socio-economic opportunities to Roma. Through working in housing cooperatives, Roma also benefit from capacity building. Their employment and empowerment is also a way to combat discrimination.

Mr Balic's presentation has shown a model combining housing and employment which has enormous potential for the future. The historical context which resulted in the housing situation of Roma also gives an indication that much more investments are needed, and that the pace of implementation needs to be accelerated.

The last presentation in the panel by Ms Jasmina Dalipovic, *Base Manager at the Danish Refugee Council Kosovo**, presented a multi-phased holistic approach implemented in the Roma Mahala neighborhood in Mitrovica. The project started with providing housing solutions but then moved to implementing actions in education and development in order to promote reintegration of Roma.

Ms Dalipovic explained the situation in the Roma Mahala, from where Roma were displaced during the 1999 conflict. An informal settlement where more than 8000 people lived was completely destroyed. Roma moved to the camps in the northern part of the town or fled from Kosovo*; and started returning from 2000 to 2013. They lacked integration opportunities, access to public services, and potential for socio-economic development. The unemployment rate of Roma in Kosovo* is estimated at more than 90%. In addition to this, the health conditions of the returnees were poor owing to improper waste management and lead contamination in cases where families were settled in the camps in North Mitrovica located near the Trepca mine.

When assisted return to Roma Mahala began, many international stakeholders were involved, including EU, Mercy Corps, USAID, and Norwegian Church Aid. Yet again, time was important factor as negotiations lasted for four years before the first Roma families returned to Mitrovica. The Danish Refugee Council, as well as the Norwegian Church Aid and Mercy corps provided housing solutions for around 290 Roma families.

After assisted return, it became clear that further support is needed for Roma to improve their living conditions and promote durable return and reintegration. The project aimed to cater for all beneficiary needs, and target issues such as: lack of productive capacity, economic, social and political isolation, lack of job skills, lack of access to technical support, limited institutional capacities of local authorities and local Roma NGOs, lack of authorities' support for minorities, as well as poor inter-ethnic relations.

To resolve the issues, the project adopted a multidimensional approach in supporting Roma in the Mahala and another Roma neighborhood where Roma did not face displacement. Besides targeting Roma, the project also supported the municipality institutions in resuming their responsibilities towards the Roma minority. The project put particular focus to increase local authorities' capacities to





fully take on their role once international support phases out. The project further targets local NGOs and promotes their role in linking Roma beneficiaries with local authorities.

The three important project components are education, livelihood and civic participation. Under the education component, a Learning Centre exists which offers programmes for kids in kindergarten and pre-school education, as well as intensive courses for children to catch up in formal education.

Under livelihood, a Social Business Incubator is established, which still cannot be registered as a social enterprise as there is no relevant legislation adopted. The Social Business Incubator encompasses business advisory, hosts supported businesses, and promotes women empowerment. The Vocational Training Centre is established offering different trainings to Roma based on the community desires. Most importantly, Ms Dalipovic had the pleasure to confirm that a number of supported businesses became self-sustainable after two years of support and continued to perform on the market. Success stories can be found on the project [website](#).

The third component is civic participation and is implemented through the NGO Resource Centre. Under the component, civic responsibility, engagement of local authorities and inter-cultural understanding are promoted. Individual and organizational capacity building is also offered.

Ms Dalipovic concluded her presentation by stating the lessons learned, which are similar to that of other projects presented during the conference, and primarily refer to the importance of Roma participation and the bottom up approach in devising project components, effective communication and transparent decision making, involvement of municipality authorities and civil society. Finally, she urged for particular attention to be devoted to the youth which has huge potential but also requires significant investments.

2.2.2 Panel 5: Including Holistic Approach in IPA Programming

In the last panel, representatives of EUD to Montenegro and EUD to Serbia presented how IPA funds were used for Roma housing and Roma integration.

Ms Mladenka Tesic, *Programme Manager for Human Rights and Democratisation at EUD Montenegro* provided participants with an overview of how IPA funding was used to close the camps for displaced persons in the Konik neighborhood in Podgorica. Through IPA 2011, a programme document was developed which included social inclusion, access to employment, education, social and health protection, and ensuring legal status components. Resolving legal status is a precondition for exercising all other rights.

When the programme started, about 1400 Roma lived in the Konik camps. A legislation covering their specific legal situation lacked, which is why a new legislation was introduced to resolve two situations. The first one relates to resolving the legal status of displaced people, covered by the then introduced Law on Foreign Nationals. In connection to this, there was no legal basis to register people born outside of public institutions and not included in the registers of birth, which was also provided for by the new legislation. After new legal provisions were introduced, more than 90% of the Konik camp residents obtained documentation, giving them an opportunity to apply for social housing.

After the first 48 housing units were constructed, most of the potential applicants already obtained all the necessary documentation and applied, leading to the closure of Camp Konik 2. Additional apartments were built two years later, where Roma benefited as a target group of displaced persons from former Yugoslavia. Currently, more apartments are being built from project savings, which should lead to closure of Camp Konik 1 during 2018. In order to avoid segregation, access roads were also built.





The NGO Legal Center is operating in this building, allowing Roma to easily access legal services. Ms Tesic stressed that Roma were interviewed when deciding on the location of social housing and that the community expressed desire to stay in the area and live together on the location.

Besides providing housing, complementary activities in the areas of education, health and employment were pursued. Educational activities were implemented through the Roma Education Fund, through a door to door approach. It was necessary to sensitize families on the necessity and opportunities for sending children to school. Today, eligible Roma children enroll in primary school each year.

After resolving the legal status of Roma in the camp, more than 90% were also included in the healthcare system and provided healthcare booklets. In Montenegro it is also necessary to have a chosen doctor to be provided with healthcare. In order to ensure Roma have a chosen doctor, two healthcare mediators were engaged. The practice of engaging healthcare mediators will expand to other towns with significant Roma population in the time to follow.

The employment component was problematic in many ways. As Ms Tesic, as well as other conference participants confirmed, rarely there are sustainable results in employment. Various employment schemes included income generating grants, internship scheme, vocational trainings, and registration in the Employment Agency. However, results remain limited.

An additional component of the IPA programme targeting the camps residents was voluntary return. This was implemented together with the DRC, which adopted a “*go and see*” approach. Roma were given the opportunity to go to Kosovo*, see the locations offered, and decide whether they want to return there. In total, around 60 families returned to Kosovo* during the implementation of the voluntary return. Ministries of Interior of both economies participated, with mobile teams assisting people in resolving their documentation issues.

Pointing to future challenges, Ms Tesic mentioned that utility bills remain a significant financial burden for the social housing owners, and could potentially put Roma beneficiaries in the risk of evictions. With regards to buildings maintenance, it will be necessary to increase the capacities of municipal housing agencies.

This presentation was followed by the presentation of Ms Mirjana Maksimovic, *Programme Manager for EU Policies at the EUD Serbia*. Ms Maksimovic also presented IPA programmes used to support housing.

With the IPA 2012, a Roma inclusion project was piloted for the first time, as part of the so called TARI project. A holistic approach was also piloted. Primarily, support in education, healthcare and cooperation with local governments were implemented. As a result, positions such as health mediators, education assistants, and local Roma coordinators were introduced. The number of people working on these positions is increasing, however, the problem remains that most of them are on short term contracts. Ms Maksimovic stressed that the EUD insists on resolving their institutional status and integrating them in the public employment system of Serbia.

Apart from this, mobile teams working in the field were also established. The initial idea was to have not more than 20 municipalities piloting the programme, while currently there are around 50 mobile teams. The mobile teams include municipal Roma coordinators, pedagogical assistants, health mediators and designated individuals from the Centres for Social Work and the National Employment Service. The mobile teams take part in the implementation of municipal action plans. However, challenges are numerous, and not all municipalities are accepting such a body. The EUD is also promoting that mobile teams integrate in the system, which is made possible under the Law on social protection.





Specifically on housing initiatives, Ms Maksimovic elaborated how Serbia started off by assisting municipalities in developing technical documentation for Roma settlements. Similarly, projects focused on reconstruction, fixing water supply, and similar, were the first to be implemented. In some cases, the projects never started as the local self-governments decided to opt out from implementation.

Realizing that smaller scale project will not significantly contribute to resolving the housing problem, the EUD, together with the Ministry for European Integration realized the importance of large scale intervention in social housing. This intervention will be implemented under IPA 2018. Through strong advocacy for social housing, Serbia managed to receive 20 million EUR for the project, on top of the 12 million which are currently implemented. Besides Roma, victims of domestic violence and persons with disabilities are the target groups.

Based on the lessons learned and successful models piloted in the past, the housing component will include building social housing, buying rural housing units, repairing infrastructure, and providing complementary support. Same beneficiaries benefiting from housing solutions will benefit from complementary measures in education. Integration of different components was missing in the previous projects as indicated by Ms Maksimovic. The EUD will specifically address consultations with the “receiving” communities, the responsibilities of the local governments and the minimum municipalities should do and provide before any project activity implementation begins.

Ms Maksimovic expressed hope that in future there will be more results in the field of employment, and that the EUD remains ready to pilot different employment models in order to develop best practices.

The final presentation at the conference was given by Ms Daniela Mihaylova, *Legal programs coordinator* at the Bulgarian *NGO Equal Opportunities Initiative Association*. Ms Mihaylova presented the European Common Position on Roma Housing, and the process of consultations with the EU which should lead to specific targeting of Roma housing in the post-2020 framework.

Ms Mihaylova stressed that the main reason for adopting the Common Position is the fact that Roma housing remains large and unresolved for the EU Member States. This is combined with the increasing anti-Gypsism and discrimination, and the lack of funds and integrated multi-fund programs (combining the ERDF and the ESF) addressing shortcomings in housing conditions. In connection with this, funds are not used efficiently, and Roma targeting is ineffective. Furthermore, Roma remain excluded from mainstream policies, there is lack of social housing policies and lack of political will at the EU level to promote Roma integration, as noted by Ms Mihaylova. She highlighted that mass Roma evictions still occur in the EU, Roma continue to live in segregated settlements, while the EU Member States tend to fail to implement anti-discrimination legislation.

In order to address all of the issues, the Roma civil society from across EU prepared a joint paper and the document was publicly presented in the European Parliament. After the event, signatory organizations had closed follow-up discussion with the European Commission. During the discussion, some concrete solutions emerged and were agreed by the EC, such as:

- Establishment of an expert Working Group on housing to advise the EC and the EU Member States on funding policies and regulations on Roma housing;
- The 12th European Roma platform will focus on housing which is an additional advocacy opportunity;
- Roma issues are included as an investment priority in EC’s proposal for the ESF+ Regulation (2021 – 2027). This will give EU Member States the opportunity to cover housing issues through EU funded projects;
- Socioeconomic integration of marginalized communities through integrated measures, including housing and social services was made a specific objective of the ERDF and the Cohesion Fund within EC’s proposal on the ERDF and the Cohesion Fund (2021 – 2027).





The main goal is to explicitly target Roma in order to ensure targeted programmes in housing and other areas. Ms Mihaylova stressed that further advocacy work at the EU level will be needed to ensure proper implementation of the points agreed. When it comes to the enlargement region, Ms Mihaylova explained that the Common Position supporters are trying to ensure that the EU level policies reflect on the enlargement region. She also stressed that the DG NEAR is the most active supporter of the initiative, which should result in more IPA funds dedicated for investing in Roma housing.

The civil society coalition will try to ensure that Roma are specifically referred to as a target group within the post-2020 multi-financial framework, and that a specific Roma policy framework for post-2020 period is developed. The coalition is also advocating for a form of ex-ante conditionality, where the EU Member States will not receive funds unless: the national programming is in compliance with the National Roma Integration Strategies, mainstream policies support Roma inclusion, effective mechanisms to monitor and implement national and local Roma integration policies are established and operational.

Ms Mihaylova continued to present different funding schemes which could be used to support Roma housing, included in more details in her presentation posted on the RI2020 [website](#).

Referring to the presentation of the Common Position, Ms Bojadjieva invited the enlargement region participants to have in mind initiatives happening at the EU level and think ahead and develop well prepared holistic projects which will have the benefit of full integration of Roma in the society. On the same note, Ms Bojadjieva concluded the conference by stressing that conclusions from the conference in Bar will also be shared during the EU Platform meeting on Roma Integration on housing.

Finally, Ms Bojadjieva reminded the participants that the RI2020 will be organizing a conference on employment, a topic recognized during the housing conference as very problematic and hard to achieve. In the conference to come, innovative solutions to address employment will be considered.

3. Conclusions – Challenges and Recommendations

The conference proved successful in contributing to its objectives through presenting some of the best practices pursued in the region. This section provides an overview of the main conclusions presented by the panelists and reached in the discussions during the conference, along with the main challenges and recommendations identified.

Holistic Approach - A necessity

The main point which emerged during the conference is related to complete understanding of the context to successfully decide on and pursue the holistic approach. Context understanding needs to include the present as well as the historical perspective (what brought about the current situation). Understanding the context encompasses consultations with Roma as well as all other relevant stakeholders and dialogue promotion.

The need for Roma participation can never be exaggerated, as Roma must have a say in the decision-making. Some of the holistic methodologies presented during the conference confirmed this. Notably, the approach also needs to include consultations with the “receiving” communities and ensure municipal cooperation.

Integrating housing and employment measures have an enormous potential for Roma empowerment. As noted several times, the success of employment initiatives remains limited, and the success of the holistic approach is directly dependant on the long-term employment prospects and gradual independency from social contributions.





Accelerated, Appropriate and Dedicated Implementation

To successfully resolve the Roma housing situation, the pace of implementation will have to be accelerated. Some of the implementing mechanisms and pre-conditions for pursuing successful housing policies and initiatives were reiterated throughout the conference.

The participating economies currently face issues in monitoring the success of their housing policies. Only with collecting ethnically disaggregated data, can policy monitoring and evaluation be efficiently performed. Such information will be of paramount importance to feed further decisions on adjusting and changing policies to better benefit Roma. It will also be necessary to have sufficient information on the needs of the beneficiary population, not only by collecting data but also through establishing an up-to-date database where relevant information will be stored.

As noted by several panellists, successful implementation of any housing initiative always depends on a number of factors and most importantly: Roma participation, consultations with Roma and in relevant cases the mainstream population, investing time and funds to come to an appropriate solution, as well as political will. Some economies and projects have developed methodologies and procedures for choosing beneficiaries, deciding on land plots, consulting interested parties, etc. These methodologies are based on experience and can be further mirrored in the region where applicable.

For successful coordination of partners and institutions involved, governments might consider establishing operational coordination bodies to deal with Roma housing on a daily basis, similar to the Implementing Commission of Bosnia and Herzegovina.

It is also clear that the involvement of the local level government has a key impact on the success or failure of any housing initiative. For this reason municipality cooperation and capacity building should be further ensured. This can be done through legislation clarifying the roles and obligations of the municipalities and procedures to follow, the support of the central government, as well as specific contracts and planning where municipality dedication and co-funding will be ensured before implementation starts. Infrastructure works should always follow the construction of housing.

Reality-Aware Legislation

During the conference the problem of legal gaps and insufficient flexibility of legislation to account for human rights and emergency situations was raised. The conference made clear that legislation tries to follow reality, but this can be improved. Some of the important topics to be considered are:

- Introducing a phased approach to housing in case of housing emergency

Phased approach would mean that the legislation is flexible enough to provide for housing services to Roma even when they live in illegal units and illegal settlements, due to necessity and human rights considerations.

- Adopting a long-term and sustainable approach

As has been discussed, most of the Roma will not be able to benefit from the ongoing legalization campaigns. The governments should consider which solutions to offer.

The solution of systematically covering settlement legalization might be considered. As noted several times, settlement legalization is potentially the most feasible solution to Roma housing. While this solution might require necessary demolitions in order to reconfigure settlements, it has the benefit of being cheaper and of minimizing evictions. Each such initiative should follow a holistic approach and promote settlement desegregation. Technical, administrative, legal and financial support should be provided for Roma in the process of legalization





In the area of social housing, economies need to consider increasing the social housing fund and providing sufficient services, while also aiming to lower the number of beneficiaries over time. In case economies decide to provide subsidized housing not only to vulnerable but also to the overall population, the legislation should be clear in providing which beneficiary groups receive which portion of the total fund. Consequently, increasing the number of beneficiaries might call for introduction of new mechanisms of social housing policy implementation and well-staffed body to implement the policy. Economies should also seek to define long-term funding mechanisms.

- Increasing legal guarantees

Whether in case of evictions, legalization, or social housing, beneficiaries should have clear understanding of what are their rights and how legislation protects them.

In case of evictions, it is necessary to comprehensively regulate the field. Reasons for evictions, procedures for performing evictions, situations when evictions can be implemented, consultation procedures, procedures for choosing alternative housing, as well as content of relocation package should be covered by the law. By doing this, legal uncertainty is excluded, while also ensuring uniform law implementation. Municipalities are more inclined to implement their obligations and protect rights of Roma when legal provisions are detailed.

In the area of social housing, the legislation needs to clearly define the minimum adequate housing standard, conditions qualifying an individual or family for social housing, content of housing support measures, and methodology for choosing the beneficiaries.

Considering that the region still has a significant number of Roma without citizenship, the economies need to seek ways to assist this population also. The example of Montenegro follows the actual situation on the ground and includes IDPs by providing them with housing support.

The legislation should further better regulate discrimination cases and implementation of anti-discrimination provisions, as well as strengthen accountability mechanisms when stakeholders do not implement their obligations.

Prioritization and Targeted Approach

One of the most important issues noted during the conference is that Roma need specific targeting and prioritization.

Due to the multidimensional vulnerability and discrimination Roma face, as well as their current situation when it comes to housing, Roma need to be prioritized in the housing legislation. Prioritization should be comprehensive, with clear mechanisms for its operationalization and quotas allocated.

Targeted approach should encompass free legal aid, lowering administrative and financial barriers, and supporting Roma in legalization and social housing.

On the other hand, addressing the mainstream society, especially the receiving communities and municipalities is of paramount importance to combat widespread anti-Gypsyism in the society.

Land and Property Ownership - A Prevailing Theme

Clarified land and property ownership, as well as inclusion of land in urban plans are the necessary preconditions for success of any housing initiative. The situation is such that Roma often remain unable to resolve and/or demonstrate ownership making it impossible to benefit from housing support and/or legalization. It must be noted that the economies have lowered the administrative barriers in some aspects and that they accept various documents as a proof of rights over the property. However, when it comes to land ownership, it seems feasible that economies try to adopt new approaches to





further resolve the issue. Some potential solutions adopted in certain economies have been previously mentioned in this report. However, economies should seek additional ways to provide land plots for Roma. Some of the potential solutions could be lease support, purchasing land for Roma, land purchase in installments, or granting land for social housing. To a large extent this will depend on the political will to pursue such solutions. Strong involvement and flexibility of the cadaster and the urban planning institutions would also be necessary.

Another question which remained open during the conference is how to approach social housing ownership. In some economies Roma are legal owners of the housing where they live, while in other they are not. Giving more property rights to Roma under right conditions and when they are empowered would in fact increase their long-term socio-economic prospects - as each property increases investment opportunities.

Increasing Funding, Institutional, and Human Capacities

Considering the housing needs of Roma, much more investments in legalization campaigns and social housing will be needed in the future. The participating economies currently predominantly depend on donor support. Sustainability is also needed and some of the ways to achieve this are various public and private funding schemes, promoting social responsibility, as well as guaranteeing long-term funding as a portion of annual public budget allocated for social housing. Considering the economic situation in the enlargement region, sufficient funding will surely remain the most problematic issue for the future.

Strong political will and advocacy will be needed to allocate sufficient public funds for the purpose. Examples have shown advocacy success in the case of Serbian IPA funding and the agreements with the EC that civil society coalition achieved.

The funding logic is such that more municipality funding results in increased central level contributions, as noted by participants. Following the same logic, more government funding and commitment demonstrated results in increased IPA funding. In the meantime, before donor independency is achieved, IPA funds will remain the most significant financial contribution to Roma housing.

Besides increased funding, economies will have to strengthen institutional and human capacities to be able to approach the complex situation in the field and successfully implement the holistic approach. The economies are invited to continue training central and local level officials and increase implementing and donor funding absorption capacities.

