

2019 NATIONAL PLATFORM ON ROMA INTEGRATION

6 September 2019, Prishtina, Kosovo*

:: POLICY RECOMMENDATIONS ::

INTRODUCTION

The fourth National Platform on Roma Integration in Kosovo* was held on 6 September 2019, jointly organised by the Regional Cooperation Council's (RCC) Roma Integration Team (RI2020) and the National Roma Contact Point (NRCP) in Kosovo* - the Office of Good Governance of the Prime Minister's Office (OGG). The event was attended by 30 participants including relevant officials from the line ministries and other institutions, the European Union delegation, Roma and pro-Roma civil society organizations and representatives of international organizations as well as media who showed quite an interest to inform on the topic.

The National Platform 2019 meeting was opened by Mr Orhan Usein, Team Leader of the Roma Integration 2020 of the Regional Cooperation Council, Mr Habit Hajredini, Director of the OGG and NRCP and Mr Stefano Gnocchi, Political Affairs Advisor/Communities at the European Union Special Representative/EU Office in Kosovo*.

Mr Usein gave an overview on the ongoing and the upcoming activities of the RCC Roma Integration team 2020, informing on the endorsement of the [Declaration](#) of Western Balkans Partners on Roma Integration within the EU Enlargement Process and recommending better governmental coordination with the civil society especially when it comes to the monitoring and reporting of the [National Roma Integration Strategy](#) Roma Integration Strategy, strengthening the monitoring and evaluation of the specific priority areas including civil registration and non-discrimination.

Mr Hajredini, in a role of a moderator, expressed the willingness of the Government to support and act in accordance with the planned policies and the Action Plans (AP) envisaged for Roma integration.

Mr Gnocchi gave a support to the event stating the value of the RCC RI2020 project that acts on behalf of the EU commission, the importance of the Roma seminars conclusions and the meaning of the Declaration of Western Balkans Partners on Roma integration. Appreciation was given to the work of the civil society that in many ways fulfilling the gap in the realization of the National Roma Integration Strategy.

The working part included a presentation of the governmental annual report on the implementation of the Roma integration policy in 2018. Ms Keriman Sadikay, Senior official on Equity and Communities within the OGG and Mr Besim Hoxha independent consultant engaged by RI2020, gave an overview of the collected data and budget figures that in big portion include international donor funding, which provoke a discussion on the budget verification and the amount spent by the government.

Progress was reported in the area of education and a slight increase of funding in the social welfare area, targeting Roma and Ashkali.

As a novelty this year, the Roadmap 2019-2021 stipulating topics of technical assistance in the fields of employment and housing was presented.

Employment Presenters were: Ms Shejla Fidani, Regional Cooperation Council's Roma Integration Project, and Ms Chiara Mossina – Danish Refugee Council.

*This designation is without prejudice to positions on status, and is in line with UNSC 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.'



The housing panel followed up on the presentation of the Roadmap and the technical assistance planned for 2019-2021 for Kosovo*.

Presenters: Ms Shejla Fidani, Regional Cooperation Council's Roma Integration Project, Ms Merita Dalipi, Head of Housing Sector / Ministry of Environment and Spatial Planning and Mr Agron Beka, NGO Social Housing and Property Rights in Kosovo*.

This Policy Brief reflects the discussions and aims to assist the Government of Kosovo* in prioritizing, budgeting and formulating more effective Roma integration policies in the upcoming years. The findings will be incorporated in the technical assistance in accordance with the Roadmap 2019-2021.

GENERAL CONCLUSIONS AND RECOMMENDATIONS

The Government of Kosovo* continues to recognize the integration of Roma as an important issue besides the challenges in terms of budgeting, data verification, monitoring and evaluation.

Kosovo* has provided full support in the process of preparation of the Declaration of Western Balkans Partners on Roma Integration within the EU Enlargement Process adopted in the Western Balkans Summit in Poznan.

Within the frame of Roma integration policies, the Ministry of Education, Science and Technology (MEST) the Ministry of Finance (MF) and the Ministry of Environment and Spatial Planning (MESP) were chosen to participate in the Roma Responsive Budgeting Initiative led by the Roma Integration project.

Roma Responsive Budgeting

<https://www.rcc.int/romaintegration2020/docs/96/guidelines-for-roma-responsive-budgeting#>

The process, given the actual status quo of the budget planning within line ministries, it is not leading to a progress in targeting two budget codes referring to the Roma AP implementation, besides all the efforts of the engaged expert, who developed a special set of a long and short term recommendations for the line ministries and for the Ministry of Finance with a hands on approach how to be done. The NRCP is not visibly pushing forward the process.

The Guidelines for Roma Responsive Budgeting were developed in 2018 within the inter-governmental working group that included Kosovo* governmental representatives. In 2019, civil servants were trained to perform Roma responsive budgeting of policies and action plans, based on existing evidences of Roma needs and policies' successes. Piloting phase of the Guidelines' application is ongoing and will continue in 2020 with expertise efforts provided in Kosovo* to endorse the proposed recommendations for budgeting within the 3 line ministries. The justification for the status quo is the nonexistence of clear system that follows the governmental budget in general, which makes it even hard to invent codes for certain actions as Roma in this process.

Report on the implementation of Roma integration public policy 2018

<https://www.rcc.int/romaintegration2020/participants/3/kosovo>

Important achievement for the reported period is the tackling and partially implementation of most of the measures within the AP 2018 on education, which shows interest by the institutions to work on the integration of Roma and Ashkali pupils. However, during the National Platform and presentation of the main findings from the Annual report, found on disapproval by the Civil Society Organizations (CSOs) pointing that no governmental budget was given for the scholarship scheme and preventing the drop out, as these actions are implemented as projects and are being funded by different donors. The recommendation to the government was clear, to have a distinctive governmental budget report for the sake of transparency and to show progress when successful projects will be institutionalized as a systematic programs.

Another objection popping out during the whole event was the way of reporting results. Some of the measures like free textbooks for pupils are mainstream measures and all the pupils are beneficiaries, but in the report are presented as measures targeting the RAE pupils which lead to a wrong conclusion that this is a Roma directed policy from the AP.

The budget discrepancy and the figures shown in the report become a topic of budget verification and request for governmental accountability. As noticed by the CSOs, the amount for maintenance

of the education centres across Kosovo* is much higher than the allocated budget, 500.000 EUR and it is not clear if it was a real intention by the government to spend more in this regard. The justification provided by the OGG, was an excuse for the lack of data verification and as a discrepancy factor was given the example of compiling budgets from 2017 and 2018. Another factor as said by the consultant maybe was an occurred technical error.

Regarding the municipal data presented in numbers of inhabitants and ethnicities, dissatisfaction and disagreement by the relevant municipal representatives was noted and as said those data used by the government are not valid anymore. The OGG agrees with the miss representation and states that there are indicators that are showing a different reality, but the government has to rely on the official data from the 2011 census only.

The implementation of the Strategy and Action Plan for the Integration of the Roma and Ashkali Communities 2017-2021 triggers on strengthening coordination and inter-institutional cooperation. Establishing mechanisms within the line ministries and relevant institutions, between central and local level and with other relevant governmental bodies is a must not only for the Roma integration but for the overall function of the Government of Kosovo*.

While assessing the progress in Kosovo* towards the implementation and monitoring of the Strategy and the Action Plan, the RCC RI2020 can conclude a slow progress and in relation to that, the recommendations set at the Roma seminar in 2015 are still relevant.

General recommendations:

- Due to lack of progress, housing and employment are areas to be prioritized in the upcoming period.
- The annual governmental report as it is contains only some basic inputs provided by the administrative staff. Having a concept of budget verification, data collection and types of data with instructions for their correct use reduces the likelihood of errors occurring. The evaluated data may assist to increase the validity and reliability of the report.
- The donor investments and the work done by the CSOs should not be presented in the annual governmental report without a previous consultation with all the stakeholders.
- The collection and management of ethnically disaggregated data has to be improved in line with EU standards and requirements set from 2016 at the Roma Seminar.
- The issue of data collection and identity declaration should be taken seriously and requires governmental action. The strategy targets Roma and Askali but the systematic approach includes Egyptians too. According to the CSOs, this is identity abuse when it comes to the implementation of the affirmative measures.
- The government has to engage more deeply with the relevant civil society and representatives of the Roma and Ashkali communities and has to involve them in the policy-planning and monitoring of the AP implementation.
- The Inter-ministerial steering committee, a political body, with participation from civil society, established to oversee and coordinate activities for the implementation of the Strategy, established by the Government of the Republic of Kosovo* has to start to coordinate activities for the Strategy implementation and to meet regularly. By now, it is not verified that any meeting is being held in the past few years.

ROADMAP CONSIDERATIONS AND RECOMMENDATIONS FOR ACTION

<https://www.rcc.int/romaintegration2020/docs/111/roma-integration-roadmap-kosovo-2019-2021>

To support the achievement of the [Declaration](#) stated goals and targets, the Roma Integration Roadmap 2019-2021 was prepared in cooperation of the line ministries and the Roma Integration project. The document envisages governmental priority areas and technical assistance to reach the

desired targets. This is in line with the previous year recommendation to base policies on existing information. The anticipated technical assistance is entirely based on goals, targets, and measures from the Roma Integration Strategy and the Action Plans. The planned technical assistance together with the most important considerations and discussions takeaways from the National Platform are summarized below.

EMPLOYMENT

The employment rate among Roma in Kosovo* is not available in the National Roma Integration Strategy (NRIS), but an indicative information is provided that the employment rate among Roma is 7%, compared to 40% of Albanians and 21% of Serbs. At the same time, the undeclared work among Roma, but also among non-Roma is very high. The undeclared work among Roma is almost 70%, while among non-Roma near 50%. In such a situation, setting the targets for Kosovo* in terms of increasing employment by, at the same time, reducing the undeclared work, is a difficult task, as the targets should be ambitious in a challenging context.

The targets set with the Roadmap, of 17% employment rate by 2021 is also in line with the Kosovo*'s National Roma Integration Strategy. These targets may be set more ambitiously once Kosovo* develops effective mainstream employment policy. The targets for the reduction of undeclared work may be set at 57% in 2021, 44% in 2025 and at most 30% by Kosovo*'s EU accession.

But, even beside the targets set with a governmental participation, there is no interest for opening the topic of undeclared work in Kosovo* where the grey economy is in a very high percentage taking place and the unemployment of RAE is increasing.

The Danish Refugee Council tried to help the employability of the RAE community with training on capacity building and proposed active measures to strengthen the links to the job market. The challenges in the field of employment overall summarized are traditionally lower than average in Kosovo* and continues to be so.

Discrimination by institutions and other groups too is very often reported to the international donor community. The access to capacity building for Roma and Ashkali is very limited. Kosovo* undermines long lasting sustainable economic strategies.

A survey commissioned on RAE neighbourhoods and IDP profiled report, states 67% depends of social benefit. Looking at the rate of households who rely on income from employment or self-employment are 17% among IDP and 8% among families in South Mitrovica. Over 80% of families across Kosovo* did not have any income earner among the members in 2017-2018. The average monthly cost per family in Kosovo* is 650 EUR while for the RAE is 250 EUR being used only for food.

Regarding the social welfare, a concept paper has been adopted for modifying the social schemes in Kosovo*.

The criteria for receiving social benefits will be eased and the poverty will be reduced with an increase in the budget for up to 50 million euros. 10 million EUR increase will be added to the child allowance scheme, meaning 10 EUR per child (increase of 5 EUR comparing to before).

The measures from the AP beside the data on social benefits users, is not providing a real and sustainable solution for employment. Vocational trainings are held and attended but the impact is not measurable.

Recommendations:

- Economic development for the RAE should be prioritized in any strategy for employment that Kosovo* will implement or undertake, not only in the AP for Roma integration.
- National, local, international organizations, the government and the communities should have a strategic municipal plan on fighting poverty and investment development.
- The requirements for self-sustainable business are hardly achievable and lead many women to undergo unemployment and poverty due to cease of their hand made production business. Various devices and working materials to be provided by the government for sustaining a business and financial improvement especially of Roma women.

- Through the agencies for employment, a scheme to support start-up businesses and model a tax reform in the area of self-employment shall be introduced for the job seekers of vulnerable groups.
- Mechanisms to fight grey economy and set the targets from the Roadmap on undeclared work should be discussed, starting with the waste collectors who need immediate dignified and safer conditions at their profession.
- The Government of Kosovo* to facilitate employment of members from the Roma, Ashkali and Egyptian communities in the activities of agriculture, forestry and rural development.
- The scheme for social welfare to be monitored once the draft law is accepted and if needed to introduce new measures that can be incorporated at the AP for Roma and Ashkali integration.

HOUSING

There is no available information on the housing situation of Roma in Kosovo* regarding housing ownership, homelessness and other aspects regarding security of tenure.¹ The overview of the efforts of Kosovo* for providing housing to Roma in the period from 2005-2015, whereby around 600 housing units in total have been provided for Roma, and a small number of houses of Roma have been renewed (mostly through programmes for returning refugees). There is an indicator to measure the success of the implementation of the Strategy in Housing “Number of families that have regulated the status of the property they live in”. The presumption is that there are 6,000 Roma families in Kosovo*, 80% of which do not have ownership over the dwelling where they live and thus face evictions. The Roadmap sets the target for 2021 to 60% illegal dwellings – a reduction by 20% (by legalisation of 1,200 housing units), which is further replicated for 2025 and for the time when Kosovo* potentially accedes to the EU.

Social housing law

According to the Ministry of Environment and Spatial Planning for Kosovo, a new Law on Social Housing is currently being drafted, and there is a need for technical and expert assistance in the process. Since the law on housing legalisation is not regulating the procedure in case of evictions of families from dwellings that cannot be legalised, the new law should be linked with the housing legalisation in order to trigger a necessary procedure to ensure accommodation of evicted families. As a step forwards towards the recommendations in this area, the MESP beside the Law on Social Housing, has been drafted and functionalized a data base for social housing but needs support in data entry from the municipal officers and the civil society organizations.

Law on legalization, property rights

Since 2017, at least 51 social units were built for 1178 members. Due to a lack of maintenance and not profitable rent, MESP has to implement new policies and match funds with the MSF.

The law addressing illegal constructions has as a novelty with inserting much lower fees for legalization. At the moment, there are three 356 thousands illegal construction units, out of which around 40.000 housing apartment units in Prishtina. The reduced fees will help the legalization of these buildings. The new price is 1 EUR for 1st and 2nd category per square meter and 2 EUR for 3rd category per square meter.

¹ The 2017 Regional Roma Survey provides information on connection to communal services, access to toilet, heating fuel, possession of mobile phone / computer, and overcrowding.

The new legalization law envisages that the buildings that currently don't find on immediate solution of legalization or property right clarification will be put on a waiting list. The law has been proceed and anticipates 2+2 years programing or in real meaning, if in case of 2 year of the moment of applying for legalization, some property rights are not regulated yet, prolongation of two more years will be applied, especially for the RAE community. A message has been convey that there is a law with a deadline, and the communities have to be prepared to meet the regulations and prepare the necessary documents.

The NGO Social Housing and Property Rights in Kosovo* that has been consulted during the law drafting, proposed a one stop shop model, where all services are delivered at one desk counter at the municipality in service, including explanation of the housing procedures from the moment of application to the decision of the municipal assembly.

Several projects were dealing with addressing illegal constructions in Kosovo*. In 2010 with a support from the OSCE in Prishtina and Gilane, 20 families received legal assistance for legalization, from the moment of applying until receiving a completion quote, depending of the issue. In Grachanica in 2014-2015 a donation from the Embassy of Netherlands helped the collection of many information on property rights by families in one place, something that now exist as a data that is ready to benefit from the new legalization law. As explained by MR Agron Beka who has the access to these documents and data base, with only a click, legalization request can be submitted to the municipality and the realization can begin within the new 2+2 years project, since the documentation is in place.

Having in mind the difficulties of the displaced persons and the lack of grassroots information available, there is a concern from the civil society that this law that has a deadline and it refers to everyone without prioritizing the RAE community, may be an obstacle for obtaining the documents on time and the CSOs should assist with legal aid, payment and information sharing.

According to the CSOs, the organization of property rights requires a directive law on communities.

Recommendations:

- At the request of the Government of Kosovo*, the Roma Integration action shall provide technical assistance for preparing the Law on Social Housing, linking it with the Law on Treatment of Objects without Permits, and developing of a full funding proposal through which it should be ensured that Roma are provided assistance for and access to housing legalisation and social housing is secured for families whose dwellings cannot be legalised.
- As for the Social Housing Law, a larger financial investment is needed as the governmental investment is weak.
- As a matter of fact, presented by MESP, there are many vacant buildings across Kosovo* and the municipalities have to make a plan on shared capital investments with the buyers and apply for the most affordable housing model, with 50/50 investment.
- Municipalities have to develop housing methodologies and strategies with data base that will help the regular filling of the central data base. This will help MESP to implement a national strategy and plan a national budget to support municipalities which will implement the Law on Social Housing.
- Having an advisory body that gives direction on housing strategies but not being functional due to lack of funding (of the members) is a waste of expertise and MESP is calling on solutions for reactivating such an important council.

- On a municipal level there aren't housing officers to provide information, thus, MESP doesn't have an accurate information and consistency of data which is an obstacle towards endorsing the Social Housing Law.
- It is recommended new policies and matching funds with the Ministry of Social Welfare models to be part of the Social Housing Law.
- Creating a budget code for housing is essential and MESP is in contact with the MF regarding this. As for now, there is no separate budget code which makes it difficult for MESP to have an overview and planning.
- Better institutional coordination on central level is required. Having one institution that will deal only with housing problems and buildings with shared properties will ease the work of MESP.
- Budget management is required all the time. This is a huge obstacle for functioning of the whole government.
- The CSOs who work on housing issues to be involved in the process of planning with MESP. There is a need for more organizations that will operate in this area.
- The Ministry of Community and Returns is responsible for communicating campaigns to inform the communities and returnees on the requirements of the Property Rights Law and assist the MESP in planning as a lead of the law implementation.
- The CSOs should support the RAE community in fulfilling the requirements for legalization with a door to door info campaign, informing on the new law, providing financial aid, and administrative help in obtaining a missing document as there are many families who are far of being informed. Once being on the list of the municipality for legalization, the application should be submitted once it is ready with the help of the NGOs.
- Mr Agron Beka, director of the NGO Social Housing and Property Rights in Kosovo* has a data base with the entire documentation per family in Mitrovica, available on google maps too, and just by typing a family name or a case number, data can be available on which stage or what kind of documents the family requires. There is an application which allows to look at the documentation of every family or person, thus if the documentation needs to be submitted to the municipality of Mitrovica, which also has a copy of the documentation, can be done with a click. Recommendation is CSOs to follow on this process with the responsible organization.
- The field of legalization is very challenging when working with vulnerable groups as the RAE communities. In municipality of Ljipjane, the RAE women do not know anything about housing property and women are left economically out of any planning. A shift or change of the way of talking and informing the communities of the legalization process has to have impact and in next meetings the grassroots approach this should be discussed.
- There is no progress on the maintaining of the social housing units, built from poor materials, where often electricity and water is not available. Called on responsibility, the Government ignored the question. It is recommended to be asked again and human housing conditions to be provided as a responsibility of the Government.
- Before and during the conflict in Kosovo* many Roma were expelled from their houses and many of them come now as a returnees. The wording of informal settlements is not proper. On a request of the CSOs, the Government needs to provide an answer to what extent the RAE have been taking in consideration during the era of social housing benefits dissemination.
According to the CSOs, the organization of property rights requires a directive law on communities.