

Social Integration of Roma¹ in Montenegro

NGO Monitoring Report for 2016.

Preface

In 2016, NGO Coalition² "Together for inclusion of Roma in Montenegro through transparent and sustainable public policies", has developed a monitoring report on implementation of policies for social integration of Roma in Montenegro.

The Coalition gathers together 12 Roma NGOs and pro-Roma NGOs who actively participate in monitoring and advocacy for implementation of human rights standards in Montenegro.

The project team included the following organizations/Coalition members and individuals:

- NGO Young Roma: Samir Jaha, Vladimir Bošković, Dijana Uljarević, Skender Neziraj, Elma Šahman, Ardijan Šalja, Esmin Imeri, Mehmet Beriša, Milica Gačević, Dragana Vukčević and Jelena Topalović;
- Roma Youth Organization Phiren Amenca: Elvis Beriša, Edin Đoković and Violeta Hajrizaj;
- Center for Roma Initiatives: Fana Delija, Fatima Naza, Ivana Dubljević, Maja Matović, Maja Šaćirović, Zoja Tarlamišaj, Fljamur Delija and Pavle Pavlović;
- Center for Democratic Transition: Milenko Okuka, Vladan Đuretić, Almedina Jašaraj, Milica Bogdanović and Milena Gvozdrenović;
- Civic Alliance: Milan Radović, Zoran Vujičić, Sanja Rašović and Serđan Baftijari.
- Independent expert Sanja Elezović.

During 2016, the Coalition conducted **desk review** of the main national and international legislation, reports and documents³ including the reports on implementation of the Action Plan for 2016 of the Strategy for Social Integration of Roma 2016-2020. Also, **field visits** to all cities where Roma live were organized and activists of the Coalition conducted interviews with representatives of Roma community, as well as with institutions in charge of implementation of policies for social integration⁴. In 2016, the main focus of field visits were education and employment and the synthesis reports from visits are presented in sub-chapters "Voices from the field" within the chapters on education and employment. The Coalition also developed **Case studies** and **examples of good practice** for most of the areas which were in the Coalition's focus for monitoring in 2016.

Monitoring report for 2016 covers the following areas/chapters:

- **Basic information** on Roma in Montenegro, with sub-chapters related to **basic statistics and legal status**. One case study illustrating the issue of legal status is also presented;

¹ The term Roma is being used for **Roma, Ashkali** and **Egyptian** communities

²Coalition "Together for inclusion of Roma in Montenegro through transparent and sustainable public policies", has been supported by the Open Society Foundations and co-funded by European Union through the Project Joint Initiative to Empower Roma Civil Society on the Western Balkans and Turkey

³ List of reviewed documents is in Annex 2

⁴ Interview reports are available on request, on e-mail mladi.romi@t-com.me

- **Policy and institutional framework** for social inclusion, with short description of main actors in protection of human rights and implementation of integration policies for Roma, with **recommendations** for institutions representing legislative and executive power.
- Main aspects related to **position of Roma in the society and the attitude of majority population towards this community**, including **discrimination, antigypsyism and media portraying**. This chapter also contains one **case study** related to discrimination, as well as **recommendations** related to public presentation of the community.
- Overview of **financing of social integration policies** that includes all budgetary sources (state budget, local budgets, EU funds and other donors' funds), as well as budgets for NGO activities related to protection and integration of Roma. Detailed review of the budget is presented in Annex 1. This chapter also contains one **case study**, as well as **recommendations** related to financing.
- **Education policies**, with analyses of objectives, measures and budget envisaged by the Action plan for 2016 of the Strategy for Social Inclusion of Roma in Montenegro 2016-2020. This chapter also includes sub-chapter **Voices from the field - parents and schools**, which represents the synthesis report of findings from field visits, **list of main problems identified by parents and schools**, and **recommendations** for the Government and for the education system.
- **Employment**, with analyses of objectives, measures and budget envisaged by the Strategy and Action plan for 2016, as well as with synthesis report **Voices from the field** and one **example of good practice**. This chapter also contains **recommendations**.
- **Housing**, with analyses of objectives, measures and budget envisaged by the Strategy and Action plan for 2016 and **recommendations**.
- Critical overview of **special problems related to children - child begging and child marriage**, with analyses of objectives, measures and budget envisaged by the Strategy and Action plan for 2016 and **recommendations**.

The Coalition uses this opportunity to thank to all representatives of the Roma community, as well as to representatives of institutions who participated in the interviews. Special thanks go to donors who financially and technically supported development of this Report.

Executive Summary

Basic statistics: Out of 6251 Roma and 2054 Egyptians in Montenegro, 77% lives in segregated settlements. Percentage of unemployed people is 82% . Out of this, 12% people does not have an income at all, while 60% of them receive some regular or ad-hoc financial aid through centres for social welfare or from other sources. Only 17% of the population accomplished primary education, 5,8% has a diploma of three-year secondary school, 2,2% of the four-year secondary school, while only 1% has a diploma of higher and 1% of high education. In 2016, in two refugee camps in Podgorica (Konik I and Konik II), there were 371 families or 1,908 refugees and internally displaced persons from the Roma communities. Out of this number, legal status of 681 persons remained unresolved by September 2016.

Public perception: Almost every other citizen of Montenegro shows a high degree of distance to Roma. On the other side, 72,5% of people believe that the rights of this population should be more effectively protected by the state. The policies/measures of the state aimed at reducing discrimination are not balanced, and thus produce the antagonism of the majority population towards the minority and are often a latent source of discrimination, especially when it comes to affirmative measures and positive discrimination measures. When it comes to media, about 20-25 % of releases in media are negative in the sense of perception of the Roma' way of life, mainly in the form of stereotypes regarding their habits and tradition.

Education: Although the number of children attending the school is raising, Montenegrin education system still hasn't come up with an adequate answer to the problems children are facing during their schooling. There is no accurate database about children who are out of the school system and the methodology for monitoring of the quality of education (including methodology for solving the issues like drop-out and irregular class attendance) is still missing. Lack of knowledge of the official language is one of the primary problems affecting Roma population's chances of acquiring education and reducing the gap between Roma children and the majority population. Teachers frequently resort to "letting through" children to the next grade, with the child attending lessons irregularly and not acquiring necessary knowledge.

Strategy for Social Inclusion of Roma 2016-2020 sets 5 objectives in the area of education: 1) Increase the enrolment rate and reduction of *drop-out* at all education levels, 2) Increase enrolment in pre-school education, 3) Enhance the school achievements, 4) Special measures for reducing drop-out, and 5) Raise awareness on importance of education within Roma community. In 2016, 227,211.43 Euro was spent from the state budget, most of the objectives were only partly met. Budget was mostly spent on scholarships, purchase of textbooks, transport and summer camps and only minimal percentage was spent on teacher training, while parents' education has not been done at all. Prevention measures related to drop-out and juvenile/illegal marriage are not defined in a systematic manner and there is no methodological guidance for their implementation in schools. The state has not made an adequate mechanism for monitoring the implementation of measures to reduce dropout and prevent early marriage.

Employment: The basic characteristic of the employment status of Roma is the low level of economic activity, high unemployment and their almost complete exclusion from public institutions. The two basic factors contribute to this - low level of education and vocational training and discrimination by potential employers. It should be emphasized that women face double discrimination. As the poorest ethnic group in Montenegro, Roma are forced to work the hardest, most harmful jobs at the lowest price. Most of the population are in the grey economy or unemployed, while formally employed Roma most often work in local utility companies, on street cleanliness and municipal waste disposal, or conduct occasional seasonal and public works.

The Strategy for Social Inclusion of Roma 2016-2020, envisages 4 objectives and measures for encouraging employment: 1) Increase the participation in the measures of active employment policy, 2) Increase the level of qualification, 3) Direct employment measures like public works, seasonal jobs, etc., and 4) Strengthening capacity of institutions to work with Roma. In 2016, 50,000 Euro was planned from the state budget for implementation of these 4 objectives, and only half of the objectives and budget (23,600 Euro) were realized. There is a big discrepancy between number of people who were included in vocational education trainings (only 8) and number of those, participating in seasonal jobs and public works (84). It is obvious that the measures are not effective enough to support sustainable employment solutions for Roma, neither the Employment Bureau itself is capable of coping with the complexity of issues connected with the unemployment of this population.

Housing: Vast majority of Roma live in very poor housing conditions; families usually live in a very small and overcrowded housing area and in a very poor and unhealthy environment. Of all buildings inhabited by Roma in Montenegro, about 60% of households are legalized facilities owned by one of the family members. Two main problems related to the housing: a) ownership of the land and b) legality of properties. Ownership of the land is a complex issue that implies the decision of the municipality to grant the use of usurped land in order to legalize an informal facility. Legalization of objects is still not regulated by legislation. The Parliament adopted the Law on the Legalization of Informal Objects in August 2016, but its implementation has been postponed for 2018. According to Law on Social Housing (2013), municipalities should overtake the responsibility of funding of the social housing. Within the Regional Housing Program, 62 housing units in Niksic have been built, of which 13 are inhabited by Roma. In Berane housing is provided for 94 families, 44 of which are Roma. Also, 48 housing units have been built through IPA funded project and additional 120 are being built within the regional program for camp Konik inhabitants. Savings within the project enable building of additional 50 housing units planned for the next period. It is expected that by the end of 2018 both camps Konik I and II will be completely closed and their inhabitants housed in 220 units. However, the program is not providing housing for domicile Roma and this part of the population remains neglected.

Strategy envisages 5 objectives in the area of housing: 1) Construction of social housing in Podgorica, Nikšić and Berane, 2) Adoption of local programs for social housing, 3) Legalization of RE settlements; 4) Reallocation of settlements and structures in accordance with local action plans for social housing, Ad hoc measures for improvement of housing conditions. However, apart from funds from Regional Housing Program, state and municipalities did not invest funds for realization of the Strategy objectives. Problems related to housing of domicile Roma is not taken into account (ownership of land and legalization of objects). All responsibilities related to houses are transferred to the local level. Due to the centralization of certain functions and/or overlapping competences of local and central governments, objectives and measures related to social housing, legalization of objects, land ownership, etc. should be planned in different way. Objectives and measures should be implementable in order to set the ground for effective, efficient and sustainable solution of housing problems. State and local budgets should be allocated for targeted measures and activities that could complement the budget and activities of the Regional Housing Program and IPA projects. Monitoring and reporting on implementation of objectives and measures should be performed in accordance with already defined indicators.

Begging and child marriages: Children baggers are exposed to various types of risks including vagrancy, drug abuse, forced labour and sexual exploitation. Montenegro does not have an effective legal and institutional framework to combat begging. According to the legislation, a child under the age of 14 can't be prosecuted for begging. Montenegrin Penal Code doesn't stipulate inciting or forcing to begging as a separate criminal offence. Article 219 of the Code contains a provision according to which inciting to begging appears as a mode of committing the criminal offence of "neglecting and maltreating a minor". Institutions are not prepared to prevent begging, neither to offer adequate services and social reintegration of children bagging on the streets.

Practice of arranged child marriages, or forced/illegal marriages represent the negative customs and exposes girls to the worst forms of human rights violation. It diminishes their prospects for education, employment and social integration, destroys their health and exposes them to all types of discrimination and gender-based violence. Illegal child marriage (forced marriage) is recognized in

national criminal legislation, but institutions are not yet prepared to effectively and efficiently prevent, protect and legally process such cases. As a result, victims are not adequately protected and supported due to the lack of preparedness of institutions to deal with the cases, and investigations and legal proceedings did not result with the court verdict so far.

Strategy envisaged 2 objectives related to prevention and suppression of begging and 1 objective related to child marriage: 1) Amendment of existing legislation and stricter implementation; 2) Direct communication with parents of children beggars, and 3) prevention of illegal child marriage. For implementation of these measures, no state budget was provided. Envisaged objectives and measures within the Strategy are insufficient to cope with the problem of child bagging. Measure related to direct communication with parents is not elaborated. According to the state report on implementation of the Strategy, 250 parents were educated, but reports on seminars do not exist and it is not possible to monitor the level of implementation of the Strategy measures.

I Roma in Montenegro, basic information

Basic Statistics

According to 2011 census⁵, there are **6251 Roma and 2054 Egyptians** in Montenegro. Majority of the population lives in capital Podgorica (4,673), as well as in Nikšić (929). In Berane, Herceg Novi, Tivat, Bijelo Polje, Bar, Ulcinj and Budva, number of population is between 700 and 200 per municipality, while in Cetinje, Danilovgrad, Kotor, Mojkovac, Pljevlja, and Rožaje the number of Roma is less than 100 per municipality. Roma language is spoken by 5,169 Roma, while for majority of Egyptians, Albanian as a mother tongue.

In February 2016, Ministry for Human and Minority Rights conducted a Research on Social Position of Roma⁶, that showed the following: about **77% of the population lives in segregated settlements**, predominantly in three municipalities, Podgorica (57% of the total Roma population), Niksic (11%) and Berane (9%). In coastal area, several segregated Roma settlements in other municipalities (Tivat, Ulcinj and Herceg Novi) the settlement is on a private property or the state property, and most of the houses are not legalized. About 6% of employed works in public sector (mostly in the public utility sanitation company), about 5% work in private companies and the rest are self-employed. Only 4,5% of employed Roma have permanent employment, while 6.7% are employed on temporary basis. Percentage of **Roma who are unemployed is 82%** and as in all other aspects, women are especially affected by long-term unemployment. Out of overall percentage of unemployed, **12% of people does not have an income at all**, while **60%** of them receive some **regular or ad-hoc financial aid** through Centers for social Welfare or from other sources. Besides financial aid, people receive regular or ad-hoc donations in food, clothes, home supplies and hygiene, as well as in firewood and construction materials. **Free daily meals** are delivered to about **5%** of Roma. **Family benefit**, as one of the most important forms of **social assistance 20% of population**, the average amount of 60 euros. School supplies are delivered to almost 25% of Roma households, and financial support for new mothers was delivered to over 13% of them. Percentage of people who **never attended the**

⁵ <http://www.monstat.org/cg/page.php?id=322&pageid=322>

⁶ <http://www.mmp.gov.me/biblioteka/istrazivanja>

school is 37%, while 36,6% attended, but not finished primary school. Only **17% of the population accomplished primary education**, **5,8%** has a diploma of **three-year secondary school**, **2,2% of the four-year secondary school**, while only **1%** has a diploma of **higher** and **1% of high education**.

During the wars in Balkans in 90-es, and especially during the armed conflicts in Kosovo in 1999, a considerable number of Roma came to Montenegro. This population is mainly settled in two refugee camps near Podgorica - Konik I and Konik II. In 2009, the Law on Foreigners was enacted, giving the opportunity to refugees and IDPs to permanently resolve their legal status by gaining the status of foreigners with temporary or permanent residence in Montenegro. According to information received from UNHCR office in Montenegro, until 30 September 2016, a total of 6,990 refugees from Kosovo have regulated their legal status (6,633 persons received permanent residence, while 357 received temporary residence). Another 951 request is still pending in the Ministry of Interior. As UNHCR estimates on the bases of the field work, the vast majority of the those claims came from the Roma. **According to the data received from the Red Cross in July 2016, in two refugee camps in Podgorica (Konik I and Konik II), there were 371 families or 1,908 IDPs from the Roma communities.**

Legal Status

According to the 2011 census, there were 4,312 persons in Montenegro who claimed to be without any citizenship. Of those, 3,471 claimed to be born in the country, while the rest of them were refugees and internally displaced persons. The most common problem confronting them, especially Roma born in Montenegro or in Kosovo, was a **lack of personal documentation, specifically birth and civil registration documents**. Some of the activities planned in the Strategy for Social Inclusion of Roma are focused on **resolving the legal status and accelerating the procedure of subsequent registration of children born in Montenegro outside of health institutions**, in accordance with the "Strategy for permanent resolution of the issues of displaced and internally displaced persons in Montenegro".

In 2014, governments of **Montenegro and Kosovo**, with UNHCR and OSCE support, organized **mobile teams to assist** refugees and displaced persons from Kosovo (majority of them being Roma) in the Konik camp in Podgorica and elsewhere in **obtaining personal documents**. NGO Legal Centre was officially contracted by UNCHR to assist in this process. According to the report of the Directorate for the Care of Refugees (DCR) to the Protector of Human Rights and Freedoms,⁷ in the period 2014 - September 2016, 1339 people were assisted to obtain Kosovo passports or to regulate their status in accordance with Montenegrin legislation⁸. As DCR reported, in September 2016, there were **681 Roma whose legal status remained unresolved**. Certain number of these people **missed the legal deadline for submitting request for legal status**, while for some of them, problem lies in the fact that **they were born outside the hospital system**. For the first category, it is important that the governments of Montenegro and Kosovo find a legal solution to resolve their status. For the second category, new changes in the legislation created an opportunity to start a legal process for establishing the date and place of birth of persons born outside the hospital system. It facilitated the

⁷ Report of the Protector of Human Rights and Freedoms for 2016, page 128-183, (http://www.ombudsman.co.me/docs/1491305524_final-izvjestaj-za-2016-04.pdf)

⁸ National legislation recognizes two categories of legal status: 1. persons with Montenegrin citizenship; 2) persons with the status of a foreigner with permanent residence. This category has the same rights as citizens of Montenegro, except the right to vote and to have Montenegrin passport. Their rights include rights in education, employment, the right to primary and secondary health protection, the right to legal protection, the right to choose a place of residence, the right to social and child protection and all other rights that are available to the citizens of Montenegro

registration of births of those born in Montenegro, especially Roma, and Egyptian children. However, there is still a **concern about more than 300 persons who were born outside the Kosovo or Montenegrin hospital systems, whose births were not registered, and for whom mobile teams could not establish verifiable identity documentation.**

Case study: Protection of human rights⁹ of the internally displaced Roma who missed the legal deadline for submitting a request for the legal status regulation.

Case description: In relation to a text published in Dan newspaper, titled "The Roma seek Protector's help Due to Lack of Personal Documentation and Unresolved Status", Ombudsman initiated a procedure, at their own initiative, to examine possibilities for regulating the legal status of a certain number of domicile but also displaced and internally displaced Roma who missed the legal deadline for submitting a request for the legal status regulation. Following the initiation of the procedure, NGO Roma Hope addressed the Protector, requesting legal aid for the members of the Roma population without personal documents and resolved legal status.

The outcome: Protector established mediation communication between NGO Legal Centre (Legal Centre), whose representatives are members of the Ministry of Interior's combined biometric teams, Ministry of Interior, Kosovo's Agency for Civic Registration and UNHCR, who provided intense legal aid and practical assistance to internally displaced persons from Kosovo with regulating their legal status, citizenship, temporary or permanent residence. As NGO Legal Centre expressed its full readiness to cooperate with the Roma NGOs and other political stakeholders, with the purpose of overcoming the problem of unregulated legal status, the procedure ended in recommendations for resorting to other means of legal protection, estimated to be the most efficient for the given case. Ombudsman is monitoring the documentation gathering and legal status regulation procedures.

II Policy and Institutional Framework for Protection and Social Inclusion of Roma

in line with the Decade of Roma Inclusion (2005-2015), the Montenegrin government put in place a **comprehensive legal framework for Roma**, including the National Action Plan for the Roma Decade (2005), Strategies for Improvement of the Status of RAE (2008-2012, 2012-2016 and 2016-2020), Law on Minority Rights and Freedoms (2006), the Law on Montenegrin Citizenship (2008 and 2011) and the Law on Foreigners (2009). However, the legal and policy framework **has not been fully implemented, due to lack of political will, financial resources and administrative capacity of the central and local authorities.** Therefore, majority of problems persisted and the community still lacks the essential services. According to Roma Decade Watch¹⁰, it is evident that there is the lack of human resources in public administration at the national and local level to deal with these issues, and also the lack of political will to undertake the necessary measures to implement the legislation and strategies.

⁹ Report of the Protector of Human Rights and Freedoms for 2016
(http://www.ombudsman.co.me/docs/1491305524_final-izvjestaj-za-2016-04.pdf)

¹⁰ http://www.romadecade.org/cms/upload/file/9811_file10_mo-2014.pdf

The **Strategy for Social Inclusion of Roma 2016-2020** has been adopted by the Government in the beginning of 2016, setting down the objectives and budget in the 7 main areas: legal status, education, employment, housing, health, social welfare and culture and information. In the first quarter of 2017, the Government adopted the Report on implementation of the Strategy¹¹. In 2016, Roma Integration Office of the Regional Cooperation Council developed the unique template for reporting on implementation of Roma integration policies in the Western Balkans and organized series of capacity building trainings and supporting activities for WB institutions responsible for implementation of policies.

The 2016 EU report on Montenegro¹² identifies **Roma exclusion and discrimination as the key fundamental rights concern**. EU also concludes that "despite the adoption of the new Strategy and Action plan, **lack of budget for proper implementation, horizontal coordination among responsible institutions and proper result oriented monitoring and reporting** of the implementation remain the concerns." Social integration of Roma is one of the goals within the Action plan for implementation of Chapter 23.

Legislative Level

Besides its primary function to serve as a highest legislative body, the **Parliament of Montenegro**¹³ also performs and its **oversight function**¹⁴. When it comes to policies related to Roma, the three Committees are the most relevant ones:

- **Committee on human rights and freedoms:** The Committee discussed the following draft laws referring directly or indirectly to the rights of the Roma: draft Law on Changes to The Law on the Protector of Human Rights and Freedoms of Montenegro, draft Law on Changes and Amendments to the Law on Minority Rights and Freedoms, draft Law on Changes and Amendments to the Law on NGOs, as well as the draft Law on Changes and Amendments to the Law on Prohibition of Discrimination. Regarding relevant reports, the committee discussed, among other things, about the Report on Development and Protection of Minority Rights for 2015 and 2016, the Report on the Work of the Protector of Human Rights and Freedoms of Montenegro for 2015 and 2016, annual reports on the National Mechanism for the Prevention of Torture for 2015 and 2016, as well as on the report on the work of the Fund for the Protection and Exercising of Minority Rights for 2015. When it comes to relevant strategic documents, the committee considered the Strategy for Social Inclusion of the Roma in Montenegro 2016-2020, with the Strategy Action Plan for 2017 and the Report on the Implementation of the Action Plan in 2016. Within the observed period, no parliamentary hearings or investigations took place.
- **Committee on gender equality:** Within the observed period, the committee discussed four draft laws, four reports, Plan of Activities for Achieving Gender Equality (PAPRR) 2017-2021

¹¹ www.mmp.gov/me

¹² <http://www.delme.ec.europa.eu/code/navigate.php?ld=1>

¹³ This short overview of Committees' work refers to the period since the beginning of 26th Montenegrin Parliament composition's (7 October 2016) work until mid-October 2017. The source of information is Parliament's website www.skupstina.me

¹⁴ According to article 72 of the Montenegrin Parliament rule book, Parliament's working bodies may organise parliamentary hearings and investigations "so as to obtain information, that is, expert opinions on the draft acts currently in parliamentary procedure, clarify certain solutions from the existing or draft acts, clarify issues of importance for preparing a draft act, as well as to achieve a more successful supervision role of Parliament". Types of hearings and investigations are further elaborated on in articles 73, 74, 75 and 76.

with the Implementation Programme for 2017-2018 and the Report on Programme Implementation in 2016.

- **Committee on education, science, culture and sports:** Within the observed period, the committee had seven sessions and discussed eight draft laws and a number of amendments. All records from the sittings are posted on the Parliament's website; therefore, it isn't possible to find additional information on the work of the Committee.

Executive Level

When it comes to the *institutional framework for implementation of policies*, the following institutions and structures exist at the *executive level*:

- **Ministry for Human and Minority Rights (MHMR)** as a coordinating body for implementation of the Strategy. At the same time, the Ministry is directly involved in implementation of goals within the priority areas Education and Culture, Identity and Information. Also, the MHMR organizes regular coordination and consultative meetings every three months with civil society organizations who are active in area of Roma integration, in order to secure multi-sectorial approach in creation and implementation of Roma policies. General Director of the Directorate for protection and promotion of the rights of minorities (the position equivalent to the deputy minister) serves as a **National Coordinator for Monitoring of Implementation of the Strategy** and his work is supported by 3 staff members. Besides its role as a coordinating body for the Strategy implementation, Ministry also serves as a meeting point for NGOs dealing with Roma issues. According to the Work plan of the Ministry, meetings with NGOs have to be organized four times a year. These meetings are considered "informal" and serve for the purpose of exchange of information. Call for meetings is sent to NGOs by e-mail and announced on the web site of the Ministry. Meetings are organized more as an open discussions, and minutes are not kept and printed on the web site. As explained in the letter of the Ministry sent to the Coalition on October 2017, "meeting minutes are not kept and published on the web site because of the informal nature of these meetings, but the National Coordinator is always informed about all significant issues discussed on meetings"¹⁵. In 2016, two meetings were organized.
- **Commission for monitoring of the implementation of Strategy** for social inclusion of Roma 2016-2020, whose members are representatives of all institutions involved in implementation of the Strategy (respective ministries and local governments), as well as representative of the Roma Council and representative of Roma NGOs. Majority of members are middle or senior public officials (senior advisors and independent advisors), with the limited level of decision-making power in their own institutions. The Commission meets four times a year and prepares the annual implementation reports and action plans. Reports and action plans are reviewed and adopted by the Government. The Commission does not have any budgetary funds and members and the National Coordinator are not paid for their work in the Commission (it is considered as a part of their regular work).
- **Ministry of Education, Ministry for Labour and Social Welfare, Ministry of Culture, Ministry of Sustainable Development and Tourism, Ministry of Health and Ministry of Internal Affairs**, are in charge of implementation of particular priority areas of the Strategy, as well as of the implementation of **Operational Conclusions of the Roma Seminar** organized by EU Delegation and the Government of Montenegro in 2016, in order to define additional measures for protection and social inclusion of Roma in accordance with Chapter 23 of the

¹⁵ Letter of the Ministry is available on request, by e-mail mladi.romi@t-com.me

Protector of Human Rights and Freedoms (Ombudsman)

The Institution of the Protector of Human Rights and Freedoms of Montenegro (Ombudsman) was established by the Law passed by the Assembly of Montenegro on 10th July 2003, which was amended in 2011, 2014 and 2015. The Protector is the ***institutional mechanism for protection against all forms of discrimination and the National Preventive Mechanism for the protection and prevention of persons deprived of liberty against torture and other forms of cruel, inhuman or degrading treatment or punishment***¹⁶. Protector formally decide on complaints (e.g. decision or recommendation addressed to the parties), but its decisions and recommendations are not legally binding. The Protector also initiate or interfere in court proceedings initiated in civil litigation with the consent of the discriminated person.

Statistics show that from the establishment of the institution up to now, the growing number of cases of discrimination is reported to the Protector. According to its 2015 Annual Report, the Ombudsman received 83 complaints, which is a 34.93% increase compared to 2014. The latest statistics provided by the Ombudsman show that 96 cases were lodged in the first half of 2016. These figures confirm the developing trust in the institution and its positive perception among the public. Although recommendations and decisions of the Protector are not legally binding, they are almost always followed. This demonstrates the growing importance of this institution in the society, including public institutions and the authorities. ***In 2016, the Protector's office received 18 complaints based on national or ethnic affiliation.*** In the complaints, the problem of insufficient understanding of the affirmative action was noticed. The case study illustrating the Ombudsman's work in protection of human rights of Roma is presented in Chapter I, within the subchapter on legal status.

Recommendations:

For the governance - Parliament and Government of Montenegro:

- It is essential that the Parliament of Montenegro exercise its ***oversee function more intensively***. It is necessary to ***organise joint consultation hearing once a year*** of the three Parliamentary committees, focusing on social inclusion of the Roma. Representatives of Roma NGOs should attend these hearings as guests and help view the problems their communities face daily from multiple angles.
- Also, ***once a year*** (opportunedly during the review of the Report on the Strategy for Social Inclusion of the Roma, the committee on human rights should call for a ***control hearing*** during which competent ministers would answer questions related to the Strategy's implementation).

¹⁶ Competencies of the Protector of human rights and freedoms of Montenegro are based on Article 27 of the Law on the Protector of Human Rights and Freedoms of Montenegro („Official Gazette of Montenegro“ No.42/2011, 32/2014), by Article 21 of the Law on Prohibition of Discrimination, („Official Gazette of Montenegro“ No.46/2010, 18/2014) and by Article 1 of the Law on Prohibition of Discrimination of Persons with Disabilities („Official Gazette of Montenegro“ No.35/2015). Also, the latest amendments of the Law on Gender Equality („Official Gazette of Montenegro“, no.46/2007, 35/2015) have established a full competence of the Protector in acting on the bases of complaints against violation of the principle of gender equality.

- **Roma should be represented in institutions** on the local level, where currently there are no representatives in any municipalities.
- **Coordination** between national and local level relevant institutions responsible for the implementation of the Strategy has to be **improved** and **ongoing**.
- **The role of the Department for protection and improvement of Roma position within the Ministry of Human and Minorities rights as well as position of National Coordinator for Roma should be strengthened** in areas of coordination and implementation of measures within the National Strategy, reporting, data gathering, impact assessment, donor coordination (fund raising and lobbying).

III Attitudes towards Roma

Discrimination

In Montenegro, Roma retain the status of the **most discriminated**, as through **objective indicators** (income, employment, housing, education), as well as through **subjective experience** of members of this population. Majority of population live in poverty and is constantly in need for social benefits, without the opportunities for sustainable employment. The **poverty rate among the Roma, Egyptians is 36 percent** compared with a rate of 11 percent for the general population. Majority of population live in an immense difficult circumstances, in dwellings without running water/bathroom and unsecured electrical installation and the state is still not undertaking sufficient preventive and systematic measures to protect the community. As a result, a **dozen cases of tragic deaths of Roma occurred in the last decade**, mostly children, who died in a fire in the Roma settlements Vrela Ribnička (near Podgorica), Lovanja (near Kotor) and other.

Public polls show that Roma are **exposed to the strong racial and ethnic distance** by the rest of the population. The distance become even sharper after the influx of refugees in 90-es, especially after the Kosovo war, when the great part of internally displaced people were Egyptians and Roma. According to RCC Balkan Barometer 2016, in the whole region "some ethnic animosity remains, inclusion of disadvantaged is welcomed. Attitudes towards inclusion are mostly positive, except in cases where Roma and other ethnic animosities interfere." In Montenegro, although the Roma community is going through a substantial change, the **attitude towards Roma by non-Roma is not changing**, having the largest ethnic distance towards Roma.

Case Study: Discrimination at Work

Working rights of Roma working in public utilities companies are regularly violated. Some of the violations also apply to other (non-Roma) workers in public utility companies, but some of them are direct consequence of discrimination against Roma. Typical cases of violations include:

- Inadequate and irregular payment and overtime work. Although overtime is an exception, and not a rule, in accordance with the Law, employees in these companies almost daily realize overtime hours for which they are not paid. This is also the case with other (non-Roma workers) in public utility companies.

- Irregular wage payment and irregular payment, or a huge delay in the payment of contributions for compulsory social security (for both Roma and non-Roma workers).
- All Roma employees with unresolved legal status work without contract and are not entitled to any workers' rights or benefits.
- Roma workers are not given the opportunity for the professional advancement. Even in the situation where Roma workers possess a valid driving license, they are never moved from the position of cleaners to the position of or drivers for trucks or special vehicles, which is better paid and less physically exhausting job.

Roma workers complain on discriminatory attitude of the superiors has been taken into account seriously only after the establishment of trade unions of workers in utility companies in three cities in Montenegro - Nikšić, Herceg Novi and Kotor. Trade unions were established by NGOs Young Roma and the Coalition "Roma Circle", in partnership with the Union of Free Trade Unions. As a result of the work of the trade unions, the following results were achieved:

- At public utility company in Herceg Novi company management paid off debts to workers for overtime work, for previous 4 years;
- Health treatment was provided for 3 workers from public utility company Nikšić after the initiative of Trade union;
- Trade union in Nikšić initiated a court procedure against the employer for violation of Roma workers' rights.
- Three trade unions organize regular meetings for members and conducting regular communication with company management and other decision makers and Roma members participate in all procedures on an equal basis.

Antigypsyism

The level of ethnic distancing in relation to the Roma population is worrying. The data from the research conducted by CEDEM in 2013 "Ethnic Distance in Montenegro"¹⁷ indicate that ***almost every other citizen of Montenegro shows a high degree of distance to Roma***. This fact actually indicates that the Roma are a particularly vulnerable group, and that they are on the margins in all areas of social life. On the other side, the percentage of people who believe that the ***rights of Roma should be more effectively protected by the state is also high (72,5%)*** of people, as showed in the research "Forms of Discrimination in Montenegro" conducted in May 2017, in cooperation among CEDEM, the Ministry of Human and Minority Rights and the Ombudsman.¹⁸ ***The policies/measures of the state aimed at reducing discrimination are not balanced, and thus produce the antagonism of the majority population towards the minority and are often a latent source of discrimination, especially when it comes to affirmative measures and positive discrimination measures.***

¹⁷ <http://www.cedem.me/en/publications/studies-and-public-politics/category/69-studije-i-javne-politike>

¹⁸ Research is the part of the project "Support to National Institutions in the Prevention of Discrimination in Montenegro" (PREDIM), financed by European Union and the Council of Europe.
<http://www.cedem.me/en/publications/studies-and-public-politics/category/69-studije-i-javne-politike>

The **most violent act of antigypsyism** occurred in April 1995, when more than a hundred **citizens of Danilovgrad city attacked and burned out the suburban settlement inhabited by 65 Roma**, after the two Romani minors raped the non-Roma girl. In this case, the authorities of the Republic of Montenegro have turned the blind eye and not prevented violence and terror, the destruction of property, nor provided them with a protection which is binding on them.

The day before the attack, police came to the settlement, searched all houses and arrested all juvenile Roma. At the day of the attack, five **police officers were present on the spot, but did nothing to stop the violence and destruction and to protect Roma or their property**. Instead, they made sure that the surrounding houses that belong to non-Roma were not affected by fire. Firefighters did not come to the site and the whole settlement was burned out. Few days after, the public utility company came on the spot and literally cleared out all traces of the incident. There were **no human casualties in the attack, but Roma inhabitants were forced to escape and hide for days for the surrounding forests and abandoned houses in fear of further attacks**. Those who were employed in the public utility company were **dismissed from work** because they didn't appear at work for five days; school **children stopped going to school; no social or other services was provided to victims** and it was only local Roma who helped them to survive.

Apart from independent media and human rights activists who publically condemned this terrorist act, the **whole case remained obscured by the silence of state officials**, while the society spread the atmosphere of **anti-Roma rage** and the shared sense of the "just revenge" for "what they did." **Few court cases and investigations** based on complains by Roma who lost their houses, as well as those, who were dismissed from jobs, were initiated in the period 1995-2002, but **charges were dropped because of lack of evidence**. The **state compensated the victims only a in 2005**, after the **UN Committee against Torture in 2002 declared a breach of the Convention by the state**¹⁹ because it, inter alia, **failed to provide an effective legal remedy in the form of fair and adequate redress to the victims** of cruel, inhuman and degrading treatment by agents of the Republic of Montenegro in this case regarding the burning down of a Roma settlement in Danilovgrad". The compensation of the state to victims occurred in the eve of the Decade of Roma Inclusion 2005-2015 which has been signed by Montenegro.

Media Portraying

In the period from 1 January to 30 September 2017, the Coalition²⁰ carried out **monitoring of media releases in printed, electronic and online media**, to gain knowledge on the **image of Roma presented to Montenegrin public through the media**. Monitoring covered 5 electronic, six printed and 5 online media²¹ and the **observed parameters** were as follows:

- Number of releases²² (by media)
- Tone of releases (three-stage) – positive, neutral, negative²³

¹⁹ The case of Hajrizi Dzemajl et al. v. Yugoslavia, found the Federal Republic of Yugoslavia (notably, the agents of the Republic of Montenegro, which was part of FRY).

²⁰ In cooperation with Arhimed DOO agency from Podgorica.

²¹ Electronic: RTCG, Vijesti TV, 777 TV and Pink M TV (evening news broadcasts and prime time broadcasts).

Printed: newspapers Vijesti, Dan, Pobjeda, Vecernje Novosti and Dnevne Novine and magazine Monitor.

Online media: CdM, Analitika, Portal RTCG, Portal Vijesti and Antena M.

²² Release is a standardized term for all media products not representing classic marketing (purchase of media space): news reports, press releases, interviews, video reports, columns, author texts (columns, essays, stories, etc.), TV reports in news or mixed broadcasts as well as intellectual or theme units with specific duration (beginning and end) in broadcasts (TV debates, documentaries, travelling reports).

²³ Positive releases are those that leave a positive impression about the Roma on readers/viewers.

- Number of releases relative to topics specified in advance
- Number of releases containing stereotypes
- Number of releases referring to NGO Mladi Romi (Young Roma), other Roma NGOs, government, local authorities, individuals, etc.

Releases are also categorised according to their contents, referring to the following **topics**:

- Social integration of the Roma (employment of the RE population, free examinations, seminars, etc.);
- Forced marriages;
- Violence against women;
- Education;
- Chronicle contains releases on certain cases from the field of criminal law (criminal offences and misdemeanours), as well as releases containing information about a disputable event in which RE population members appear as participants or which refers to RE population members;
- Other

Summary of monitoring results²⁴

- Within the observed period, there were **a total of 1,270 releases**, of which 48% in printed media, 36.4% in online media and 15.6% in electronic. Majority of releases appeared in Dan newspaper (255).
- With regard to the tone, **292 releases were positive, 467 neutral and 211 negative**. The polarising factor in these releases is the perception of the Roma' way of life, whether in the form of stereotypes regarding habits and occurrences associated with the Roma or examples to the contrary, that is, campaigns and projects that are supposed to show, to both members of Roma populations and others, that bad habits, although existing, were something that the RE population could handle and is successfully coping with. A large number of negative releases occurred as a consequence of the lack of sensitivity on the part of authors. There were a number of examples that a text on some criminal offence unnecessarily provided information about the nationality of perpetrators or interpreted serious social-economic problems, such as begging and arranged marriages, as the Roma' bad habits. Positive releases occurred for the most part when media carried positive information produced by other stakeholders – NGOs, government, international organisations and individuals.
- When it comes to division by topic, within the observed period most of the releases were on the topics of **social integration (455)**, while **education (266)** was the second in the number of releases. Included in the category of **other** (non-categorised releases) were **315** releases, while the topic **chronicle** ranked fourth with **182** releases. The topic of **forced marriages appeared in 44** releases, while **only 5 releases referred to violence against women**.

Neutral releases are considered those that insufficiently stress the importance of the Roma or threat their problems superficially.

Negative releases are those containing negative information or stereotypes about the Roma.

²⁴ The full report on media monitoring can be obtained from the Coalition. The request can be submitted via e-mail, to mladi.romi@t-com.me

- During the observed time period, the media issued **122 releases supporting stereotypes** as well as **122 releases that could be categorised as counter-stereotype** in the way that they objectively treated social-economic problems encountered by the RE population. A contradiction was noticed with a certain number of the media – for example, Dan newspaper issued 21 stereotypical releases while, on the other hand, it issued 23 release precisely pointing to the problems that stereotypes caused for the RE population. This is indicative of stereotypes being deeply rooted in citizens’ conscience, even journalists, and that their presence in the media is actually the consequence of the lack of sensitivity, both on the part of journalists and editors and stakeholders whose viewpoints the media carried.
- All registered releases were also categorised relative to whose viewpoints they contained, that is, whose viewpoint appears as dominant in the case when a release contains more than one. When we observe releases mentioning RE population from the aspect of **subjects mentioning this population in the media**, we can see that **other NGOs and international organisations were in the first place** (international and foreign institution representatives). Viewpoints of these stakeholders about the RE population is present (dominant in relation to other viewpoints) in **368 releases**. **Individual viewpoints** are in the second place, that is, releases that, from the aspect of viewpoint, couldn’t be categorised (**297 releases**). Ranked third are the viewpoints of the **Montenegrin** government regarding RE population (**274 releases**). Viewpoints of the NGO Mladi Romi (Young Roma) and those of partner NGOs are present in 84 releases, while viewpoints of other NGOs dealing with RE population related issues were dominantly present in 120 releases.

Recommendations:

- It is necessary to work on **making journalists and editors more sensitive to topics related to the Roma’ social integration** so as to prevent **the spreading of stereotypes through the media**.
- It is necessary to **reinforce cooperation between the media and civic society organisations** in order to provide timely, accurate and purposeful information.
- **Media ombudsman should look into stereotypical media reporting in more detail** and call on journalists to honour the media code.
- **A memo/complaint should be submitted to the Media Self-Regulation Council** in cases when violations of the media code of ethics are recognised.
- **All media, especially the public broadcaster, should introduce the practice of paid apprenticeships for the Roma students**, thus enabling them to get to know the functioning of the media and facilitating access to the community for journalists and editors, enabling them to better understand the problems the community is facing.
- One journalist is currently employed in the **public broadcaster (RTCG)** for broadcasts in Roma language. Since there is **one more post planned for in the organisation, it should be filled as soon as possible**. The public broadcaster should consider **establishing a special editorial office for broadcasts in Roma language**.

IV Financing of Social Integration Policies

Implementation of policies for social integration of Roma is financed from various sources: the **state budget**, budgets of **municipalities**, **EU funds**, **other donors' funds**, as well as from **public funds** for financing of **NGOs** (Lottery Fund, Fund for the Protection and Exercising of Minority Rights and the Centre for Protection of Minorities). Main implementers are the state institutions, local institutions (municipalities) and civil society (NGOs).

In order to determine **amount of financing of policies for social inclusion of RE**, as well as the source of funds, the Coalition **analysed the following documents**:

- Reporting Template on Annual Implementation of Roma Integration Public Policy of the Participating Government²⁵ by the Government of Montenegro,
- Data collected by members of the Coalition - NGO Center for Democratic Transition (based on requests by Free Access on Information sent to the government institutions, local authorities, and the EU Delegation in Montenegro ²⁶), as well as by the NGO “Koračajte sa nama – Phiren Amenca”.
- Other available documents related to budgeting of Roma integration policies.²⁷

For implementation of protection and social integration of Roma, **10,005,613.70 EUR was spent in 2016**: For education: 240,611.43 EUR (mainly from the state budget), for housing: 8,475,484.27EUR (all from donors' funds - Regional Housing Program), and for employment: 205,042.00 EUR (mainly from EU funds). For other areas (human rights etc. 1,084,476.00 EUR was spent (all from EU funds). **Detailed overview of funds by area and by source of financing is available in the Annex 1 (presented in Tables 1 and 2).**

The Coalition also conducted the **research about financing of NGOs working for social inclusion of RE as well as financing project with aim to improve the status of Roma in 2016**. The focus of this research was on the key institutions included by Strategy for Social Inclusion for Roma 2016-2020 and its Action Plan (Ministry of Human and minority Rights, Ministry of Interior, Ministry of Education, Ministry of Health, Ministry of Labor and Social Welfare, Ministry of Culture, Nation Agency for Employment), local municipalities of Montenegro where live RE (Podgorica, Nikšić, Berane, Herceg Novi, Kotor, Tivat, Budva, Bar, Ulcinj, Pljevlja, Bijelo Polje, Rožaje,), the Commission for the allocation of funds from the Lottery, Fund for the protection and exercising of minority rights, as well as on EU funds and other donor's funds.

In 2016, total funds for NGOs were 1,270,418.00 EUR. Most of the funds came from EU (1,182,042.00 EUR), while 79,976.00 EUR came from public funds (Lottery fund and the Fund for protection and exercising of Minority Rights), and 8,400 EUR came from budgets of local municipalities. **Detailed overview of funds, recipients and description of funds distributed to NGOs is presented in Annex 1 (Table 3).**

Recommendations:

- **Increase the budget** of Ministry for human and minority rights for the following years for the implementation of the National Strategy (Most of the funds within the Ministry are

²⁵ Reporting Template on Annual Implementation of Roma Integration Public Policy of the Participating Government, available at:

<http://www.mmp.gov.me/ResourceManager/FileDownload.aspx?rid=278802&rType=2&file=MNE%20Report%20Template%20on%20Annual%20Implementation%20of%20Roma%20Integration%202016.pdf>

²⁶ All answers of the institutions, local governments and the EU Delegation are available on request.

²⁷ List of all analysed documents is presented in Annex 2

spent for the improvement in area of education for the scholarships and text box. We consider that this should be activities of the Ministry of education which should plan special budget line for this purpose. This will enable Ministry of Human and Minority rights to dedicate their attention to other important areas).

- ***The Ministry of education should finance: scholarships and schoolbooks for Roma pupils and students, Roma mediators for each year and plan this within their annual budget;***
- To increase the ***level of transparency of state funds*** in the process of allocation of funds (to publish all information – public call, public and final decision, total score lists as well as individual score lists)
- Increase the ***level of transparency of local municipalities*** in the process of allocation of funds (to publish all information – public call, public and final decision, total score lists as well as individual score lists)
- ***Publish all information about budget planned and spent for RE policies in one place*** at the web-sites of key state institutions responsible for implementation of Strategy;
- ***Publish all information about funding for RE policies in one place at the web-site of EU Delegation in Montenegro;***

Case study: Fund for the Protection and Exercising of Minority Rights

The Fund was established by the Montenegrin Parliament in 2008. The Fund's mission is to support activities important in the preservation and development of national, that is, ethnic particularities of minorities and other minority national communities and their members in the fields of national, ethnic, cultural, lingual and religious identities. The funds necessary for the Fund to operate are provided from the state budget and other sources.

The distribution of funding from the Fund is still marked by numerous irregularities and conflict of interest associated with most members of the management board, which made decisions on the distribution.

The State Auditing Institution too (DRI) discovered irregularities in the Fund's operation and included its findings in two reports. In the 2011 report, a conflict of interest was established to exist, as the funds were distributed among organisations in which Fund's management board members also participated in managerial structures. Apart from this, the funds weren't distributed in a purposeful manner or based on proportionate participation of minorities in society – contrary to the law, without a follow through monitoring of the implementation of the project, which is still regular practice. DRI found that the funds were also granted to organisations that failed to fully implement previous projects or failed to submit complete narrative and financial reports on the previously implemented projects.

Although, according to the rule book, the work of the Fund's management board is public, the board has never allowed the public or NGO and media representatives access to its sittings. Up until now, the Fund never supported multi-ethnic and intercultural projects but primarily nationalistic projects leading to the increase of the ethnic alienation, as shown in the results of public opinion polls. It supported projects promoting segregation and ethnic alienation. NGO Gradjanska Alijansa (Civic Alliance, CA), a member of the Coalition, asked permission from the Fund several times to attend its sessions. However, CA would either be banned from attending or be granted attendance too late, when the session was already over. CA filed two criminal charges against the Fund's management

board members to the Prosecutors' office, but on February 17, the Prosecutor rejected both charges, stressing that distribution of funds was carried out in accordance with the law. CA filled seven lawsuits against Funds' decisions to the Administrative Court. Administrative court annulled all seven board's decision on distribution of funds as they were in violation of the law. Only by the beginning of 2017, the Fund made four new decisions identical to those already annulled by the court thus turning justice into a travesty. CA filed lawsuits to the administrative court against those latest decisions as well. and the procedure is still in the process.

Annex 1. Financing of Policies for Social Inclusion in 2016

TABLE 1: Financing of policies presented by areas

AREA	SOURCE	AMOUNT	YEAR	DESCRIPTION	Comment
EDUCATION	STATE BUDGET	227,211.43 EUR	2016	Budget planned in 2016 for education was 193,423.20 EUR, but budget spent was 227,211.43 EUR (source: Reporting Template on Annual Implementation of Roma Integration Public Policy of the Participating Government).	
	EU FUNDS				
	OTHER DONORS				
	PUBLIC FUNDS Fund for the protection and exercising of minority rights	5.000 EUR	2016	The Fund supported one project of Anesa Čekić with the name 'I would like also to be literate Roma'.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score but individual list are not available. Information are published at the web-site www.fzm.me

	LOCAL BUDGETS				
	Tivat	5.400 EUR	2016	Local municipality Tivat is supported two projects of "Udruženje Egipćana" during two public calls for financing NGOs. These are the projects with the name "Pre-school inclusion of Egyptians children".	Some information about approved projects on these public calls are available at the web-site of Tivat ¹ . Total score list for all projects is published but individual lists are not at the web-site.
	Herceg Novi	3.000 EUR	2016	Local municipality Herceg Novi supported one project of NGO Young Roma during the public call for financing NGOs from local budget. This is the project with the name 'Let's meet you, learn together'.	Some information about approved project are available at the web-site of Herceg Novi ² . Individual score list are not available.
HOUSING	STATE BUDGET				
	EU FUNDS				
	PUBLIC FUNDS				
	LOCAL BUDGETS				

¹ Source: http://opstinativat.com/index.php?option=com_content&view=article&id=2535:raspodjela-sredstava-2016&catid=9&Itemid=101&lang=me

² Source: <http://www.hercegnovi.me/rss/2014-03-01-15-51-26/nevladine-organizacije>

	OTHER DONORS (Regional Housing Program) ³	8,475,484.27EUR	2016.	Budget spent for housing was 8,475,484.27EUR (source: Reporting Template on Annual Implementation of Roma Integration Public Policy of the Participating Government).	
EMPLOYMENT	STATE BUDGET	23,600.00 EUR	2016.	Budget planned in 2016 for employment was 50.000 EUR, but budget spent was 23.600 EUR (source: Reporting Template on Annual Implementation of Roma Integration Public Policy of the Participating Government).	
	EU FUNDS	91,000.00 EUR	2016	The project “Strengthening capacities of Roma for public activism – United we reach more!” of NGO Young Roma is supported by the European Commission through the EU Delegation in Montenegro. This project is implemented in partnership with the Union of Free Trade Unions of Montenegro and the NGO Coalition Roma Circle. The action aims are strengthening capacities of Roma representatives to engage in public life of MNE and advocate for protection of their rights. ⁴ The project “Enhancing employability of long-	The project is funded by EU in direct management

³ To raise funds for the RHP, an international Donors’ Conference was held in Sarajevo on 24 April 2012. During this conference, the European Union, the United States of America, Germany, Italy, Norway, Switzerland, Denmark, Turkey, Luxembourg, Cyprus, Romania, the Slovak Republic, the Czech Republic, Hungary and the former United Nations High Commissioner for Refugees, Ms Sadako Ogata, pledged EUR 261 million in support of the RHP. In 2014, the U.S. pledged a further EUR 7 million, bringing the total of funds pledged to EUR 268 million. As the EU Delegation in Montenegro informed the Coalition, the total value of the Programme for Montenegro amounts to 27,696 million EUR; Contributions of the State: 15% i.e. 4,154 million EUR; Donor funds: 23,542 million EUR. In Konik 171 apartments for Roma and Egyptian families, 120 apartments will be inhabited in November 2017 and additional 51 next summer (value around 6 mil).

⁴ Source: <https://www.mladiromi.me/eng/projekti/2016/374-jacanje-javnog-aktivizma-roma-ujedinjeni-mozemo-vise>

		91,042.50 EUR	2016	term unemployed women – Dorra Nuova” of NGO Young Roma is supported by European Union through Operation Programme for Employment, Education and Social Inclusion.	The project is funded from EU Funds, within the Operational Program for Employment, Education and Social Protection, from the small grants program delivered by the Ministry of Finance (CFCU/MNE/024)
	OTHER DONORS				
	PUBLIC FUNDS				
	LOCAL BUDGET				
OTHER AREAS	EU FUNDS	1,000,000.00 EUR	2016	Project "Promotion and protection of human rights of Roma and Egyptians and other vulnerable groups", duration 19/12/2016-19/06/2018, EU funding: 1 mil EUR, implemented by NGO HELP	This project is funded by EU in direct management
	PUBLIC FUNDS Commission for the Allocation of Funds from the Lottery	14,276.00 EUR	2016.	The Commission for the allocation of funds from the Lottery in 2016 has 3.12 million EUR for financing of NGOs. At least three projects with the aim to increase the status of RE in Montenegro is approved by this body (Bjelopoljski demokratski centar - 4.751 EUR, projekta Romska duša - 4.200 EUR, Romi u	Short description of approved projects and target groups are not published and it is not possible to define the area and the main goals of projects.

	Fund for Protection of Minorities	74,200.00 EUR	2016.	<p>sportu Podgorica 5.325 EUR (source)⁵</p> <p>The overall budget of the Fund for 2016 was 912.000 EU. The initiatives for RE were financed with 74.200 EUR (NVO Informativni centar Roma i Egipćana - 5.000, Romski kulturni centar-6.500, NVO Udruženje Roma CG - 14.000, Mladi Romski pokret - 5.000, Romska duša - 5.000, Romski forum za integracije - 4.000, NVO Romsko vrijeme - 4.500, Sokolj Beganaj - 4.000, NVO RAE Nikšić - 2.500, NVO Udruženje Roma CG - 7.500, Romski kulturni centar - 7.200, NVO Romi u usponu - 2.000, Čekić Anesa - 5.000, web sajt Romski savjet – Muhamed Uković - 2.000)</p>	Description of approved projects and target groups are not published at the web-site of the Fund.
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Totals by areas:

EDUCATION: 240,611.43 EUR

HOUSING: 8,475,484.27EUR

EMPLOYMENT: 205,042.00 EUR

OTHER AREAS: 1,084,476.00 EUR

GRAND TOTAL: 10,005,613.70 EUR

⁵ Source: http://www.mif.gov.me/rubrike/konkurs_igre_na_srecu/163342/Zbirne-bodovne-liste-sa-pregledom-bodovanja-planova-i-programa-evaluira-nih-od-strane-potkomisija.html

TABLE 2: Financing of policies presented by sources

SOURCE	AMOUNT	DESCRIPTION	COMMENT
STATE BUDGET	250,811.43 EUR	State institutions spent 250,811.43 EUR for achieving the goals from the priority areas of education, housing and employment (source: Reporting Template on Annual Implementation of Roma Integration Public).	
EU FUNDS	1,182,043.00 EEU	<ul style="list-style-type: none"> - Project "Promotion and protection of human rights of Roma and Egyptians and other vulnerable groups", duration 19/12/2016-19/06/2018, EU funding: 1 mil EUR, implemented by NGO HELP - Project " Strengthening capacities of Roma for public activism – United we reach more!", duration February 2016 – June 2017, EU funding 91,000 EUR, implemented by NGO Young Roma - Project "Dorra Nuova" for employment of women from municipalities Herceg Novi, Tivat and Kotor, conducted by NGO Young Roma 	The projects are funded by EU in direct management, as well as through through Operation Programme for Employment, Education and Social Inclusion
OTHER DONORS (Regional Housing Program)	8,475,484.27EUR	Regional Housing Program (Source: Reporting Template on Annual Implementation of Roma Integration Public)	
PUBLIC FUNDS	74.200 EUR	Fund for the protection and exercising of minority rights financed the following projects of NGOs and persons – NVO Informativni centar Roma i Egipćana - 5.000, Romski kulturni centar-6.500, NVO Udruženje Roma CG - 14.000, Mladi Romski pokret - 5.000, Romska duša - 5.000, Romski forum za integracije - 4.000, NVO Romsko vrijeme - 4.500, Sokolj Beganaj - 4.000, NVO RAE Nikšić - 2.500, NVO Udruženje Roma CG - 7.500, Romski kulturni centar - 7.200, NVO Romi u usponu - 2.000, Čekić Anesa - 5.000, web sajt Romski savjet – Muhamed Uković - 2.000	

		The Commission for the allocation of funds from the Lottery in 2016 has 3.12 million EUR for financing of NGOs. At least three projects with the aim to increase the status of RE in Montenegro is approved by this body (Bjelopoljski demokratski centar - 4.751 EUR, projekta Romska duša - 4.200 EUR, Romi u sportu Podgorica 5.325 EUR (source) ⁶	
LOCAL BUGET	8.400 EUR	Two local municipalities Tivat and Herceg Novi supported total three project of NGOs with the aim to increase the status of RE population. This project are approved during the public calls for financing NGOs.	The lack of transparency in the process of financing NGOs (individual score lists are not published)

TABLE 3: Financing of NGOs and persons working for social inclusion of Roma and Egyptians

NGO/PERSON	SOURCE	AREA	AMOUNT	DESCRIPTION	COMMENT
NVO Informativni centar Roma i Egipćana	Public funds - Fund for the protection and exercising of minority rights	OTHER	5.000 EUR	This project is approved by the Fund during the public call organized in 2016. More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score but individual list are not available. Information are published at the

⁶ Source: http://www.mif.gov.me/rubrike/konkurs_igre_na_srecu/163342/Zbirne-bodovne-liste-sa-pregledom-bodovanja-planova-i-programa-evaluira-nih-od-strane-potkomisija.html

					web-site www.fzm.me
Romski kulturni centar	Public funds - Fund for the protection and exercising of minority rights	OTHER	6.500 EUR 7.200 EUR	Two projects of this NGO are approved by the Fund during two public call organized in 2016. More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site.
NVO Udruženje Roma CG	Public funds - Fund for the protection and exercising of minority rights	OTHER	14.000 EUR 7.500 EUR	Two projects of this NGO are approved by the Fund during two public call organized in 2016. More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site.
Mladi Romski pokret	Public funds - Fund for the protection and exercising of minority rights	OTHER	5.000 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site.
Romska duša	Public funds - Fund for the protection and exercising of minority rights	OTHER	5.000 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
Romski forum za integracije	Public funds - Fund for the protection and exercising of minority rights	OTHER	4.000 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the

					web-site
NVO Romsko vrijeme	Public funds - Fund for the protection and exercising of minority rights	OTHER	4.500 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
Sokolj Beganaj	Public funds - Fund for the protection and exercising of minority rights	OTHER	4.000 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
NVO RAE Nikšić	Public funds - Fund for the protection and exercising of minority rights	OTHER	2.500 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
NVO Romi u usponu	Public funds - Fund for the protection and exercising of minority rights	OTHER	2.000 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
Čekić Anesa	Public funds - Fund for the protection and exercising of minority rights	EDUCATION	5.000 EUR	More information about this initiative is not published at the web-site.	This public fund published some information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
Web sajt Romski	Public funds - Fund for the	OTHER		More information about this	This public fund published some

savjet – Muhamed Uković	protection and exercising of minority rights		2.000 EUR	initiative is not published at the web-site.	information regarding this public call such as public call, decision, list of projects with total score. Individual lists for all public funds in 2016 are not published at the web-site
Bjelopoljski demokratski centar	Public funds - the Lottery Funds Commission	OTHER	4.751 EUR	More information about this approved project is not published at the web-site.	This public fund published all information regarding this public call such as public call, decision, list of projects with total score and individual score lists ⁷
Romska duša	Public funds - the Lottery Funds Commission	OTHER	4.200 EUR	More information about this approved project is not published at the web-site.	This public fund published all information regarding this public call such as public call, decision, list of projects with total score and individual score lists
Romi u sportu Podgorica	Public funds - the Lottery Funds Commission	OTHER	5.325 EUR	More information about this approved project is not published at the web-site.	This public fund published all information regarding this public call such as public call, decision, list of projects with total score and individual score lists.
NVO Mladi Romi	Local budget – Public call for NGOs – Local municipality Herceg Novi	EDUCATION	3.000 EUR	This is amount for one project of this NGO approved by local municipality Herceg Novi during one public calls for financing NGOs.	Some information about approved project are available at the web-site of Herceg Novi ⁸ . Individual score list are not available.
Udruženje Egipćana	Local budget – Public call for		5.400 EUR	This is amount for two projects	Some information about approved

⁷ Source: http://www.mif.gov.me/rubrike/konkurs_igre_na_srecu/163342/Zbirne-bodovne-liste-sa-pregledom-bodovanja-planova-i-programa-evaluiranih-od-strane-potkomisija.html

⁸ Source: <http://www.hercegnovi.me/rss/2014-03-01-15-51-26/nevladine-organizacije>

Tivat	NGOs – Local municipality Tivat	EDUCATION		of this NGO approved by local municipality Tivat during two public calls for financing NGOs.	projects on these public calls are available at the web-site of Tivat ⁹ Total score list for all projects is published but individual lists are not at the web-site.
NVO Mladi Romi	EU Funds	EMPLOYMENT	91.000 EUR	This project is supported by the European Commission through the EU Delegation in Montenegro.	
NGO Young Roma	EU Funds	EMPLOYMENT	91.042 EUR	This project is supported by the EU through Operation Programme for Employment, Education and Social Inclusion.	
NGO HELP	EU Funds	OTHER	1.000.000	This project will be implemented from 2016 to 2018, with the support of EU in Montenegro.	

Totals by source:

EU Funds:	1,182,042 EUR
Public Funds (Lottery Fund and Fund for Protection and Exercising of Minority Rights):	79,976 EUR
Local (municipal) funds:	8,400 EUR
Grand Total for NGOs:	1,270,418.00 EUR

⁹ Source: http://opstinativat.com/index.php?option=com_content&view=article&id=2535:raspodjela-sredstava-2016&catid=9&Itemid=101&lang=me

V Education

Primary education is compulsory in Montenegro. Information related to education rate is not available, because the **state does not have an accurate database about Roma children who are in the primary school age**. Ministry of Education only has the number of children who are enrolled in schools¹. Database is regularly updated, but it is not easy to follow the drop-out rate since the **state does not have a methodology for monitoring of the quality of education of Roma** (including drop-out, regular attendance, etc.). Also, schools are not adequately prepared to effectively fight problems like irregular class attendance, low achievement rate and early leaving of the school.

Montenegrin education system still hasn't come up with an adequate answer to the problems Roma children are facing during their schooling. It also lacks the capability of providing conditions for their good quality education. The gap between Roma communities and the rest of society is too wide and complex to easily overcome. Therefore, the government needs to act in a coordinated manner, through simultaneous multi-sector efforts – education, employment, housing and health care. The focus of attention should be placed on Roma family and all of its requirements should be met through multiple systems at the same time, so as to achieve sustainable results.

Lack of knowledge of the official language in Montenegro is one of the primary problems affecting Roma population's chances of acquiring education and reducing the gap between Roma children and the majority population. Poor living conditions and insufficient awareness of Roma populations about the importance of education are the main reasons for poor cooperation between Roma parents and schools, their failure to regularly enrol their children in the first grade of primary schools and lack of support for their children to get education. In most cases, the parents are uneducated themselves, under constant pressure from poverty, sickness, unemployment and all types of social marginalisation. Children who don't attend school regularly or drop out before they finish their education are most often exposed to risks of becoming beggars, entering marriage too young and being further marginalised by the society.

Unable to resolve this issue, **teachers frequently resort to "letting through" children to the next grade, with the child attending lessons irregularly and not acquiring necessary knowledge.** This directly reduces their chance of acquiring good quality education in primary school, continuing their schooling and getting the chance of employment later on. On the other hand, this additionally affects the occurrence of antagonisms children belonging to the majority population display towards Roma children. Non-Roma children feel discriminated due to unequal criteria during the evaluation of knowledge.

The Strategy for the Social Inclusion of the Roma 2016-2020 envisions a series of goals and measures for increasing the participation of Roma children in the education system. Among other things, **one of the**

¹ In school year 2015/2016, 1,509 Roma children was enrolled in primary schools. Out of this number, 712 were girls. In secondary schools, it was 101 student

measures implies the introduction of education associates/mediators², to serve as a link between the community, children, institutions and NGO sector. The Strategy envisioned 20 associates being introduced to the schooling system in the school year of 2017/2018. However, this **plan wasn't carried out³ because the legal base for employment of associates is not yet developed.** As a temporary solution, a certain number of part-time mediators were engaged within the projects funded by donors.

In 2016, 227,211.43 Euro was spent from the state budget for implementation of the 5 objectives for education envisaged by the Strategy for Social Inclusion of Roma 2016-2020 with the following results:

Objective and measures⁴	Result	Budget spent
1. Increase the enrolment rate and reduction of <i>drop-out</i> at all education levels (<i>introduction of associate for education, scholarships, free textbooks</i>)	Objective was partly met. Scholarships and textbooks are delivered, but Associates were not engaged.	187,840.40 Euro
2. Increase the Roma children enrolment in preschool education (<i>covering the cost of pre-school education for all children, conducting of preparatory kindergarten for school kids</i>)	Objective was not met. In 2015, it was 161 children in kindergartens and in 2016, it was 113 children. Some of the measures were implemented (preparatory kindergarten).	0 Euro
3. Enhance Roma school achievements (<i>summer camps, teacher trainings, parents' education, additional classes</i>)	Objective is only partly met. Sumer camps were organized. Teacher trainings were organized in insufficient manner (only one seminar for 23 teachers). Parents'	8,560 Euro

² The full official title is "associates in social inclusion of Roma for the area of education". Since the associate is the new profession within the nomenclature of professions in the school system, the Law on Education should be amended in order to set the legal base for employment of associates in schools.

³ The coalition brought up this issue on multiple occasions, including the Task Force meeting. In parallel, the Coalition requested an explanation from the Ministry of Education by submitting a request for free access to information.

⁴ Measures are listed between brackets).

	education was not organized. Additional classes are organized, but there is no evidence of number of children.	
4. Special measures directed towards reducing <i>drop-out</i> (<i>case management, provision of transportation, prevention of juvenile and/or forced marriage, tutoring classes, introduction of teacher/mentor, exemption from paying fee when enrolling in the fourth grade</i>)	Objective was partly met. Case management teams are established in 3 cities. Reports related to achievements are not available. ⁵ Transportation is organized for Podgorica only. Within the measure on prevention of juvenile marriage, only half of activities was conducted. Tutoring classes organized only for 14 pupils. Mentors are present in all 27 secondary schools. Exemption from fee is not realized.	30,899 Euro
5. Raise awareness on the importance of education (<i>campaign for enrolment in kindergarten, campaign for enrolment in primary school, campaign for enrolment in secondary school</i>)	Objective is partly met. Representatives of the Ministry of Education visited Roma settlements, but there is no evidence on the number of parents involved, topics covered, etc).	0 Euro

Main conclusions related to Strategy are as follows:

- Most of the objectives were only partly met.

⁵ Ministry of Education only provided information related to number of teams. According to the Ministry, teams were established in Podgorica, Niksic and Berane. A team is engaged in monitoring and preventing school drop-out, it meets monthly and brings together relevant actors in order to identify problems and prevent drop-out of children who are at risk. In Niksic, the team is formed in February 2016 and two primary schools are included, Primary School "Mileva Lajovic Lalatović" and Primary School "Olga Golović".

- Budget for education was mostly spent on scholarships, purchase of textbooks, transport and summer camps. Only minimal percentage was spent on teacher training, while parents' education has not been done at all.
- Prevention measures related to drop-out and juvenile/illegal marriage are not defined in a systematic manner and there is no methodological guidance for their implementation in schools.
- The state has not made an adequate mechanism for monitoring the implementation of measures to reduce dropout and prevent early marriage.

Voices from the Field: Roma Parents and Schools

During May and June of 2017, the representatives of the Coalition (Roma activists) ***visited schools in Podgorica, Nikšić, Budva, Bijelo Polje, Herceg Novi, Berane and Tivat*** and talked to school representatives. Additional ***visits*** were made ***in previously mentioned municipalities to settlements inhabited by domicile and internally displaced Roma, where parents were interviewed.***

The goal of these interviews was to acquire better knowledge about the ***problems schools and parents encounter in the process of education***, to obtain ideas from both groups for ***possible solutions*** and, based on the results of the survey and desk research as well, to form ***a comprehensive list of problems and recommendations for improving the current situation***⁶.

Questions asked during the interviews were the same for both groups:

- Are all Roma children covered by the education system?
- Do all children attend classes regularly? If not, why is it so and what has been done with respect to that?
- Which children are at the greatest risk of drop-out? What is the cause and what school could do?
- Risks and opportunities for quality education of Roma children.
- Risks of early school leaving (begging and forced marriages)

We visited the settlement of Konik in ***Podgorica*** where mostly domicile Roma are settled, as well as the Konik I camp, where refugees and displaced persons are housed. We have interviewed 44 families (a total of 52 parents with varying legal statuses⁷) so as to acquire a multi-faceted perspective on the problems Roma families are facing with regard to their children's education. According to what the families told us, there is a wide spectrum of situations, ranging from all children in a family being enrolled in schools, in certain cases, and regularly attending it (25 families), through cases where only some of the school age children attend school (12 families) to those where none of the children in a family attend school (seven families). The total number of school age children not included in the

⁶ The interviews were semi-structured and analysed later on and the main findings and recommendations were presented in the text. All interviewed can be obtained for a review. The request can be submitted to the Coalition on the mladi.romi@t-com.me e-mail, stressing that, according to the Law on the Protection of Personal Data, names of interviewed persons will be kept confidential.

⁷ The legal statuses of interviewed persons are as follows: foreigners with permanent residence – 9; refugee status – 1; domicile resident – 38; without any status – 4.

educational system is 32 (18 boys and 14 girls). On the other hand, there are 19 children not attending school regularly (11 boys and eight girls).

Asked whether and in what way schools tried to contact them when it was time to enrol children, only 22 families said that schools contacted them via mail or through mediators. Also, in some cases the schools contacted families via phone or their representatives visited them in person to discuss their children's enrolment. With regard to regular school attendance, parents said that in most cases they were contacted by social workers or mediators and that afterwards they were contacted via phone by someone from school (head teachers or teachers). They also said that social welfare centre contacted them to inform them that their social welfare would be terminated unless they sent their children to school. As the parents themselves admitted, they would send their children to school for a short period afterwards but soon they would revert back to their usual practice of not sending children to school.

Our surveyors noticed the ***following particularities while observing the domicile and refugee/displaced Roma*** populations:

- Domicile population faces more problems because mediator services, transportation of children to schools and school kit donations (handed out by the Red Cross) are reserved only for the children of refugees/displaced persons.
- Most domicile families we talked to told us they weren't informed by the Ministry of Education or schools about how they could enrol their children with a school. Unlike them refugees/displaced persons received such information from mediators.

We also visited six primary schools in ***Podgorica***⁸ and talked to 24 representatives from management, pedagogic and psychology services and teachers. In the school year 2016/2017, a total of 883 Roma children were enrolled with these schools. Most of them (634, of which 292 girls) were enrolled with the Bozidar Vukovic-Podgoricanin primary school but only 557 (of which 259 girls) remained until the end of the year. Of that number, 50 more children are at risk of leaving school, so the school management is contacting their parents through mediators. If that doesn't help, they contact the social welfare centre, which then conditions the parents by telling them they will lose their social welfare unless they send their children to school. After that, the situation somewhat improves, children start attending school again but soon enough they start skipping lessons again. Two⁹ out of five schools had no data on how many children still aren't enrolled (the total number we obtained from three other schools is 12 and the reason stated was in all cases the same – family relocated).

In one of the schools¹⁰ we were told that 60% of the enrolled children were not attending lessons regularly. In the other school¹¹ it was only two out of 11 children who regularly attend lessons. That is when schools contact parents and afterwards the children attend lessons regularly for a time but then stop coming to school again. In the first school, there are suspicions that one of the children got married in the meantime. They contacted the social welfare centre but received no response. There are also suspicions that two girls that attend the school are also begging in the streets. As in the previous case, social welfare centre was contacted but with no response. Most often, five of them skipped lessons. Interviewees said there were three categories of pupils: those attending school regularly, those

⁸ Primary schools 21.maj, Vuk Karadžić, Božidar Vuković-Podgoričanin, Marko Miljanov, Oktoih and Savo Pejanović.

⁹ Primary schools Božidar Vuković-Podgoričanin and Marko Miljanov

¹⁰ Primary school Vuk Karadžić

¹¹ Primary school Oktoih

attending it occasionally and those skipping lessons altogether. We have concluded from the conversations that there were children attending senior classes despite still not having properly mastered previous subject matter. The rationale for this is that the environment they are growing up in is not stimulative. School representatives suppose that parents are forcing their children to work. Schools are often contacting parents and they contact social welfare centre regularly. According to school representatives, the certificate stating their children is attending school is important for parents because they use it to exercise the right to financial aid or social welfare. Schools organise additional lessons for all children not attending school regularly and it produces results. An interviewee also said it was necessary to organise additional training for teachers as well.

Schools organise activities that include Roma children as well. Most frequently, these activities take the form of sections (sports, drama, etc.) through which schools are trying to reduce the distance between different populations and conduct socialisation of the Roma children to a certain degree. Apart from this, one of the efficient measures in improving the frequency of school attendance is maintaining constant contacts with parents. Schools also organise different activities with the purpose of gathering clothes and footwear for those children who stated the lack of clothing or shoes as the reason for not coming to school. Peer education is also organised and special additional classes for children who didn't properly master the school subject matter.

Interviews were conducted in **Nikšić** with 24 representatives of seven primary schools¹² (school management, pedagogy and psychology services and teachers), as well as with 13 Roma families in three Roma settlements Budo Tomović I and II and the settlement at the foot of Trebjesa. According to information obtained from schools, in school year 2016/2017, a total of 48 Roma children were enrolled with seven primary schools. Of that number, six children (five boys and one girl) were attending school irregularly and no cases of children leaving school were recorded. On the other hand, the interviewed parents claim that eight children weren't included in the educational system (four boys and four girls) and that five children weren't attending school regularly (two boys and three girls).

In **Budva**, we interviewed six employees (management, pedagogy and psychology services and teachers) in two primary schools¹³. Of that number, 15 children were enrolled in September 2016. The schools have no knowledge about the number of children not included in the educational system. The number of pupils not attending schools regularly is 23 (11 first graders, four second graders, one third grader, one fourth grader and six fifth graders), while one girl seventh grader left school when her family moved to Podgorica. The school stayed in touch with the parents after they moved so the girl successfully finished the seventh grade in Podgorica. The approach schools employ in preventing irregular school attendance and early dropping out of school are regular contacts with parents (holding parents' meetings) and informing them about problems. However, despite that, the children are still skipping lessons and, according to school representatives, all 23 children currently attending school irregularly are at a risk of dropping out.

In **Bijelo Polje**, seven employees from two primary schools¹⁴ (management, pedagogues, defectologist, speech therapist, teacher) were interviewed. In school year 2016/2017, six children were enrolled and there is no information of children not enrolled. It must be stressed here that children who relocated

¹² It is the following primary schools: Radoje Čizmović, Braća Ribar, Olga Golović, Milija Nikčević, Braća Labudović, Luka Simonović and Mileva Lajović-Lalatović

¹³ Primary schools Stefan Mitrov Ljubiša and Nikola Đurković

¹⁴ Primary schools Marko Miljanov and Pavle Žižić

weren't included in the survey. Nine children are attending school regularly (four boys and five girls) and all children, according to school representatives, are at risk of dropping out. The management is taking the following steps to prevent the children from dropping out: school representatives have regular contacts with parents, they visit their settlements several times during a school year, even together with the Ministry of Education's representative in charge of the education of minorities. Schools organise meetings with parents and local administration representatives. However, progress is minimal as perhaps only two children attended school with slightly more regularity after those activities. Therefore, the schools think intense and long lasting talks with the children's families are necessary for the children to attend school more regularly.

In **Tivat**, we visited one primary school¹⁵ and talked to the head teacher, Roma mediator, class teacher and pedagogue). When we asked about the total number of Roma children attending this school we received different answers from the management (78) and mediators (86). The head teacher had no information on how many Roma children weren't enrolled and referred us to the social welfare centre. She was also unable to give us accurate information on how many children weren't attending school regularly. She referred us to the Roma mediator, who told us that a total of seven children were attending school regularly (four girls and three boys) and that the reason for irregular attendance was their families' poor material conditions. The mediator also informed us that one student was at risk of dropping out, because he repeated a year twice. Now, the pupil is 14 years old and it is uncertain if the school will allow him to continue his schooling and whether he will want to continue. Also, a 13-year-old girl dropped out of school because she got married. The mediator reported the case to all competent institutions but, according to him, no one did anything about it.

The class teacher said that in her class, already by the end of October of 2016, two Roma pupils stopped attending school. Despite written notifications sent to them and communication with their parents and the mediator, the children didn't return to school. The pedagogue said that six seventh and eighth graders were at risk of dropping out. According to school representatives, the school staff, head teacher, pedagogue and mediators are contacting parents regularly. Practice proved that better results are achieved when individual interviews are conducted with parents than through group meetings. Based on the conversations with the mediator, we established that of the total of 86 children enrolled in 2016/2017, with all grades, only 45 successfully finished the school year, 15 pupils repeated a year, 11 reset an exam, 4 moved abroad and 11 pupils dropped out of school on account of their age (they were above 16 years of age).

During the interviews, ***schools and parents identified the following groups of problems:***

Social-Economic Problems:

- ***Extremely poor material position of Roma families*** – this is recognised by both schools and parents;
- ***Prominent language barrier*** between the Albanian and Roma speaking Roma, relative to the language used by the majority population in the municipalities they live in – schools and parents both recognise this;
- ***Insufficient awareness about the importance of education***, unsuccessful social integration, frequent family relocations, begging, too early arranged marriages – only schools recognise this;

¹⁵ Primary school Drago Milović

- **Registering Roma children** represents a problem for schools. The law prohibits posing questions about one's nationality so the schools can count exclusively on the children speaking candidly about their nationality (self-declaration) – schools recognise the problem;
- **Unresolved legal status** (citizenship) – only parents recognise this problem;
- **Discrimination of Roma children by the majority population** – parents recognise this problem;
- **Parents' poor health** – parents recognise this problem;

Problems Related to the Education System:

- **Insufficient numbers of teaching assistants and mediators** – schools and parents both recognise this problem;
- **Lack of organised transportation to school and back for children** in other cities besides Podgorica – schools and parents both recognise this problem;
- Children who do have organised transportation to school and back **are unable to attend additional lessons since time schedules for the lessons and transportation don't match** – only schools recognise the problem;
- **Undefined rules to act by in cases of early dropping** out from school – schools recognise the problem;
- Due to their **lack of knowledge of the official language**, children cannot understand subject matter and therefore lag behind. Teachers have a moral dilemma of whether to let the child repeat a year. If a child repeats a year twice it implies the end of their schooling. For that reason, they let the children pass on to the next grade in order to give them the opportunity to develop through attending school – schools recognise the problem;
- **Poor cooperation of schools with parents** – schools recognise the problem;
- **Insufficient promptness of schools when enrolling children in the first grade** – schools recognise the problem;
- **Undefined methodology for solving the problem of irregular school attendance** – schools recognise the problem;
- **Insufficient number of additional lessons** in which backlogged subject matter would be taught – schools recognise the problem;
- **Insufficient socialisation** of Roma children – schools recognise the problem;
- **Distance of the schools from settlements** where Roma children live – schools recognise the problem;
- **Non stimulative home environment for children attending school** – schools recognise the problem;
- **Parents' resistance from the majority (non-Roma) population toward sending their children to school together with Roma children** – schools recognise the problem;
- **Poor communication between schools and parents** – only parents recognise this problem;
- **Unequal access to textbooks for Roma children** – parents recognise this problem;
- **Lack of other forms of help from schools**, in the form of footwear and clothing for children – parents recognise this problem;
- **Lack of free school meals for children** (children are often hungry while attending school) – parents recognise this problem;

Recommendations for the State and Municipalities for Solving Defined Social-Economic Problems:

- **Local authorities and state institutions** in charge of implementing policies related to social inclusion of the Roma should **cooperate intensely, in an organised and structured way with NGOs** dealing with the issues related to the protection of Roma' rights. The state and local authorities should provide **continued funding of joint activities with NGOs, in line with the Strategy and local action plans.**

Recommendations for the Education System

- It is necessary **to provide for adequate quality of education and care for all Roma children**, primarily through the intensification of additional lessons (language learning and learning backlogged subject matter) with the help of teaching assistants. It is necessary to have assistant speaking Roma languages so as to overcome the language barrier. It would also be necessary to make a special programme of additional lessons for improving literacy and basic mathematical skills. Children belonging to the domicile population must be provided with the same services as the refugee/displaced children (transportation to and from school, mediators and school kits). It is necessary to provide one school meal a day for all children as well as regular medical examinations.
- It is necessary to work more intensely on **raising awareness about the importance of education and removing the barrier between Roma children and children from the majority population** through recruiting a higher number of mediators, intensifying work with parents and children through workshops on the importance of education. These workshops should be held by educated representatives of Roma communities. It is also necessary to introduce the practice of organising social and cultural activities for Roma children and their parents, including visits to museums, movie theatres and theatres.
- **Increase the enrolment rate of Roma children with pre-school institutions** so as to enable better socialisation, partial overcoming of the language barrier, acquiring basic knowledge and skills required for primary education and preparation for enrolment with primary schools (physical exam and psychological exam).
- Perform regular **monitoring of textbook distribution**. During field work, we found out that in certain municipalities textbooks were distributed only among children whose parents were social welfare beneficiaries but not among children with unresolved legal status.
- **Make a protocol on prevention and conduct in case of a risk of dropping out from school** and organise **training for schools, social welfare centres and police, to enable a coordinated approach** to resolving problems related to enrolment and reducing the risk of dropping out early.
- **Organise training for teachers, school managements and pedagogy and psychology services** in working with Roma children and their parents.
- **Provide transportation for children in all towns where the Roma live**. When planning for transportation, it is important to take into consideration not only the regular school curriculum but also the time schedule for additional lessons and provide transportation in such a way that children can attend all lessons. The distance between schools and place of residence is often the reason for irregular school attendance.
- Speed up the solution of **the language barrier problem through intensifying additional lessons** and employing **assistants who speak Romani** languages.
- Introduce **mediators to all schools attended by members of Roma populations. It is necessary to additionally train mediators and organise** their work so that they can help schools update lists of children to be enrolled with schools as well as to regularly keep track of the risks, contact

parents, schools and social welfare centres. Mediators should be stationed in schools and engage in regular meetings with the management and the pedagogy and psychology services.

- To the purpose **of enabling the largest possible number of the Roma become mediators, change the mediator recruitment criteria** and request that the future mediators, apart from possessing a secondary school diploma (the current criterion), also can be in the process of acquiring a secondary school diploma (which, apart from increasing the number of potential mediators, will also serve as an incentive for the young Roma to enrol with and finish secondary school, so as to have the possibility to work as mediators).
- The Ministry of Education should initiate **regular meetings with directors of all schools** in order to harmonize the approach to work and exchange good practice examples;
- It is necessary to initiate **regular visits by teachers to the settlements** inhabited by children from the Roma communities;
- Work on the **development of teaching staff for Romani language** classes;
- Determine the **quota for enrolment in secondary schools** on the principle of affirmative action;
- Work on **strengthening of connection between all levels of education** to ensure continuity in preschool, primary and secondary education of Roma children and youth.

VI Employment

The basic characteristic of the **employment status** of most Roma is the **low level of economic activity, high unemployment and their almost complete exclusion from public institutions**. The two basic factors contribute to this - low level of education and vocational training and discrimination by potential employers¹. It should be emphasized that Roma **women face "double discrimination"**. On the one hand, they are discriminated against by the majority population, while on the other; there is also internal discrimination within the Roma and the Egyptian community, which further pushes them to the margins of the economic society.

As the poorest ethnic group in Montenegro, Roma are forced to **work the hardest, most harmful jobs at the lowest price**. Most Roma are out of the employment system. They are not legally economically active and are largely unemployed. Formally employed Roma most often **work in local utility companies, on street cleanliness and municipal waste disposal, or conduct occasional seasonal and public works**. Informally, and without regulated working status, Roma often carry out jobs for gathering recycling waste, physical loading and unloading, simple, heavy and the least paid jobs in construction, while a number of them deal with traditional crafts such as blacksmiths.

So far, the Government of Montenegro adopted several strategic measures² to reduce unemployment, including the **National Employment Strategy for 2011-2015**. However, the same as the previous document adopted for the period 2007-2011, the Strategy has shown that **it is not realistic that reforms directly oriented to the labor market** (employment subsidies, better management of the national employment service, loans for start-ups, etc.) **can achieve significant effects, especially when it comes to employment of vulnerable social groups**. Namely, it turned out that **access to employment of these groups became even more difficult regardless of all the measures taken**. In order to apply all these strategic documents, especially those recognizing specific issues of Roma and their position in the labor market, a complete consensus and engagement of the institutions and bodies of the Government of Montenegro, employers, trade unions, local self-government units and other partners is necessary.

The Strategy for Social Inclusion of Roma 2016-2020, envisages 4 objectives and measures for encouraging **employment**, without their detailed elaboration, including the motivation of members of the population in job search, the introduction of a profession associate in social inclusion, adult education, stimulating seasonal employment through subsidizing salaries and a tax relief for employers, as well as support to self-employment. The main implementing agency is Employment Bureau (EB). This institution has its local units in all cities in Montenegro. Unemployed persons are registered in local units

¹ According to the Regional Cooperation Council "Balkan Barometer 2016", Montenegro has the lowest percentage of companies employing Roma in the region – only 3%, which is an area requiring significant improvement.

² The national legal framework directly or indirectly related to the field of employment consists of the following documents: National Strategy for Employment and Human Resources Development for the period from 2016 to 2020, Strategy for Social Inclusion of Roma in Montenegro 2016-2020, Strategy for Adult Education 2015-2025, Inclusive Education Strategy 2014-2018, Strategy for the Development of Vocational Education 2015-2020, Strategy for the Development of Women's Entrepreneurship 2015-2020, National Employment Strategy for the period 2005-2010, Regional Development Strategy 2014-2020 and Strategy Development of Agriculture and Rural Areas 2015-2020.

according to their place of residence. In all units, the technology of work with the unemployed persons is applied in a uniform way.

In 2016, 23,600 Euro was spent from the state budget for implementation of the 4 objectives for employment envisaged by the Strategy, with the following results:

<i>Objective and measures</i>	<i>Results</i>	<i>Budget spent</i>
1. Increase of the participation of Roma in the measures of active employment policy (<i>motivation for active employment policy programs, preparatory activities for introduction of associate for employment</i>)	Objective was met. 154 newly registered Roma (73 of them women) were included in the motivation programs and preparatory activities)	0 Euro ³
2. Increase of the level of qualification of Roma (<i>vocational education and training</i>)	Objective was not met. Number of people decreased in comparison with previous year - In 2015, 11 people attended trainings, while in 2016, it was 8 people (4 of them women)	3,600 Euro ⁴
3. Direct measures aimed at employment of Roma (<i>public works, seasonal jobs, trainings, self-employment</i>)	Objective was partly met. 84 people (35 of them women) were included in direct employment measures, mostly in public works and seasonal jobs. The budget was only 50% spent because of the small number of people who were included in trainings and self-employment programs.	20,000 Euro ⁵
4. Strengthening the capacity of institutions of the system (training for professionals from the Employment Bureau and	Objective was met. 11 employees from the Employment Bureau and 38	0 euro (training was funded from IPA) ⁶

³ As we have been informed by the Employment Bureau, this measure is implemented as a part of the regular job of the Bureau and it is not possible to present budget for this measure.

⁴ Planned budget was 10,000 Euro. It was not spent because of the small number of people who were included in vocational education training programs.

⁵ Planned budget was 40,000 Euro.

centres for social work)	employees from centres for social welfare were included in programs.	
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Main conclusions related to Strategy:

- Only half of the objectives and budget were realized.
- There is a big discrepancy between number of people who were included in vocational education trainings (only 8) and number of those, participating in seasonal jobs and public works (84).
- It is obvious that the measures are not effective enough to support sustainable employment solutions for Roma, neither the Employment Bureau itself is capable of coping with the complexity of issues connected with the unemployment of this population.
- Although the Strategy provides the measure for inter-agency cooperation, seminars for employees of the EB and centers for social work are good start, but not enough to secure substantial and effective cooperation between institutions.

Voices from the field: Employment Bureaus

In the period April - July 2017, members of the Coalition **visited local offices of the Employment Bureau (EB) in Podgorica, Nikšić, Berane, Bijelo Polje, Herceg Novi, Tivat and Kotor** and talked with employees in local offices⁷. The main aim of these interviews was to understand **how the EB performs** the two main aspects of their work with Roma population:

- How the EB **communicates** with Roma and how they **inform** them about existing measures for employment?
- How EB employees see the **possibilities for improvement of the situation** - how to increase the number of Roma who use the measures for active employment and what EB could do in this direction?

Analyses of the interviews showed that in all local offices of the Employment Bureau, the **same way of information is applied**. Every call for public works or any other relevant information related to measures of active employment policy (public works, trainings, vocational education, etc.) is shared with all unemployed persons, including Roma, on the same way - they are directly informed during their visit to EB, or by the phone. In addition, all information is advertised on the information board in the EB premises, as well as on the website of the Employment Agency of Montenegro and through local and national media. In some of the EBs, like Niksic and Bijelo Polje, employees invest additional effort to reach the population through Roma activists and other family members.

⁶ As we have been informed by the Employment Bureau, the final budget spent for the training will be known upon competition of the IPA project.

⁷ Based on semi-structured interviews. All interviews are available; interested parties should send a request to the Coalition on e-mail address: mladi.romi@t-com.me.

Asked what has to be done in order to improve the situation and increase the number of users of active employment measures, EB employees recognize the ***need for more intensive motivation of the Roma community to participate in EB measures.*** The ***inter-agency cooperation*** would contribute to more comprehensive approach to social exclusion of the population. Employees thus recommend that the ***existing working methods of EB should be upgraded*** and the ***cooperation with centers for social welfare*** should be more intensive. Language barrier is advised to be overcome through more intensive cooperation with mediators, Roma activists, etc.

Our main conclusion is that ***majority of EB employees are not sensitized to specific problems that Roma community is facing and not adequately trained to work with this population.*** They rather stick to the official procedure and do not make any adjustments in accordance with the language capability of people they talk to, or their capability to understand what they were told. Employees are not aware of specific position of Roma women within the community. However, some EB (like, for example, local offices in Nikšić and Bijelo Polje) seems to be more sensitized.

Example of good practice: *Vocational education training for enhancing employability of long-term unemployed women in the south of Montenegro (Project "Dorra Nuova")*

Mona was one of many long-term unemployed Romani women from the south of Montenegro. Undereducated, with no working qualifications, her everyday existence entirely depended of social benefits she was entitled to.

In October 2016, she was invited by NGOs Young Roma and NGO Ruke to join the group of 26 Roma and non-Roma women from 3 cities in Montenegro (Herceg Novi, Kotor and Tivat) to participate in the project Dorra Nuova. The aim of the project was twofold - to empower socially deprived women like Mona to become economically independent and sustainable, as well as to support socialization and cooperation between Roma and non-Roma women who share the same living conditions. Women were selected in partnership with the local offices of the Employment Bureau. This project was supported from IPA funds, through the small grants scheme operated by the Ministry of Finance.

30 days of tailored trainings and workshops were organized to raise the capacities of 26 women to start their own small business. Experts for educational programs for adults, in the field of jewelry and handicrafts, financial management and administration and marketing trained the group of women and at the same time worked to strengthening their self-confidence and determination to embrace these trainings as a chance to find a way out from poverty. Women received all necessary materials for handcrafting. Continuously through the project, project team was providing all necessary support to women, including design of the products, preparation of products for sale in local fairs, etc. So far, women took part in 11 local fairs including Oranges fair, Easter market, Primavera festival, etc. It greatly contributed to establishment of good relationship among women, local NGOs and local authorities and made foundation for future joint actions.

After the program, Mona was happy to share with organizers her determination to continue to produce and sell jewelry. She believes Herceg Novi, as city with developed tourism, offers good possibility to sell her products on the market. She and her colleagues from other southern cities believe that this job can

be sustainable if they continue to invest the same efforts and to cooperate with each other. They are proud on the newly established network among them, since it help them to share information, to organize procurement of repro-materials together and to work together on preparation for the seasonal fairs.

Recommendations:

- **State funds** for implementation of strategic measures for employment are very limited, and **should be increased** significantly to ensure achievement of the strategic objectives.
- **Existing measures for employment are insufficient** and should be extended in three directions: a) **measures should be tailored to fit the needs of Roma**; b) **employees in the EB should be more sensitized to work with this population** and c) **inter-agency cooperation**, especially among centers for social welfare and employment bureau should be **more structured in terms of development of local strategy for sustainable employment, development of Roma entrepreneurship in accordance of local market needs, monitoring of the effectiveness of measures, etc.**
- **Special measures for women should be introduced.** It is important to follow the good practices of social synergy from the existing projects where Roma women worked together with women from non-Roma population in vocational education programs.
- **IPA funds** planned for the upcoming years, including for programs on employment of Roma, should be **implemented in close cooperation with Roma NGOs.**
- **Vocational training** for Roma should be **designed to combine the needs of the labor market and the demands for skills and knowledge of Roma.** For example, driving license trainings and exams may be introduced.
- **Affirmative measures**, particularly subsidies for employment of Roma **should last longer than 1 year**, as it is the case currently.
- Considering the lack of **construction crafts** in Montenegro, a campaign should be launched for **more intensive involvement of Roma in construction capacity building trainings** and the subsequent **formation of Roma construction co-operatives.** Part of the solution that international players and Roma organizations can offer is a support to more international competition projects, which will also be open to Roma CSOs.
- **Secondary raw material collectors** constitute one of the most exploited groups of workers, with the lowest cost. The state should **recognize this kind of work as a legitimate type of business**⁸.
- Stakeholders should advocate for the **development of the recycling industry through the forms of social entrepreneurship** primarily by legalizing the work of collectors of secondary raw materials and creating the basis for their financial strengthening.

⁸ Montenegro, as a tourist destination, produces around 200000 tons of waste a year. About 18% of waste consists of paper and cardboard, 8% glass, 12%, plastics, 5% textile, and 4% metals. Separation and recycling are minimal; hence, the amount of recyclable waste collected ranges between 10 and 15%. Treatment of collected waste is mainly downed to baling suitable for transport for its export. Almost entire profit made from these activities goes to privileged companies and middlemen, while direct individual waste collectors earn only 5 to 10 € per day.

- **Establishment of trade unions** is necessary, primarily trade union gathering of secondary raw materials collectors, as well as traders, part-time workers, then Roma, who are free musicians and the unemployed, is also necessary. This could be done by a **new cooperative network** that, in addition to the **issue of working rights** of Roma, could also be involved in **monitoring the work of all people working casual, uncertain and unregulated jobs**. The establishment of a network of local Roma groups, trade unions and the media would also be useful for registering violations of economic rights by compiling a "black list of employers".
- Particular attention should be paid to the **adequate employment of Roma in local and state institutions**, especially those under the age of 35, as well as the employment of at least one Roma or Egyptian in the Employment Agency and in its local branches.

VII Housing

Vast majority of Roma live in **very poor housing conditions**. According to the research of the Ministry of Human and Minority Rights (2016), the largest number of Roma (**about 77%**) **lives in segregated settlements**, predominantly in three municipalities, Podgorica (57% of the total Roma population), Niksic (11%) and Berane (9%). Most of the settlements are lacking basic infrastructure facilities and are isolated/distant from schools, hospitals and social services. Of all buildings inhabited by Roma in Montenegro, **about 60% of households are legalized** facilities owned by one of the family members. However, families usually live in a very small and overcrowded housing area and in a very poor and unhealthy environment.

There are **two main problems** related to the housing: a) **ownership of the land** and b) **legality of properties**. Most of the settlements are built on some others' private property, or on the state property. In Tivat, for example, the settlement is illegal and built on a private property and people living there are under the permanent threat of forced eviction. In Herceg Novi, majority of population live in informal facilities, but on their own land, while in Podgorica, a significant number of Roma live in informal facilities built on the state land. In Budva, Egyptians live in temporary illegal buildings raised on state land which is in the process of the restitution to the land owner, and they are also under the threat of forced eviction. In Nikšić, evictions of settlements residents at the order of the private owner, already occurred as a result of the restitution process. A civil society research shows that along the coast line from Herceg Novi to Ulcinj there are 170 families at risk of forced evictions. These are 90% domicile Roma, citizens of Montenegro.

Ownership of the land is a complex issue that implies the decision of the municipality to grant the use of usurped land in order to legalize an informal facility. The legal position of the owners of informal facilities is significantly different if the owner of the land appears as a private owner, especially if the transfer from state to private property occurs nowadays, that is, many years or even decades after the construction of an informal facility. While the state, as the owner of the land, appears as a partner in the public interest negotiating about the favorable transfer of this land to the owner of the informal facility, the private owner appears with resolute requirements to the court to order the demolition of an informal facility or payment of the maximum market price of the land, often doubled for costs of court proceedings.

Legalization of objects is still not regulated by legislation. The Parliament adopted the Law on the Legalization of Informal Objects in August 2016, but its implementation has been postponed for March 2017. However, the implementation has been postponed again for 2018, according to information received from the Ministry of Spatial Planning. The aim of the Law, once implemented, is **to legalize illegal building if possible, with a small fee for legalization to be used for urbanization of the space**. The Law also ensure that **alternative housing** is provided for all those whose dwellings are impossible to legalize and must be dismantled. The main responsibility for the implementation of the legislation is within the local governments. One of the legal solutions which is under the consideration is to regulate the issue of legalization

through the amendments to the Law on the Spatial Planning and Construction of Facilities by including provisions on the legalization of informal facilities.

Social housing is the most appropriate solution for the existing problems of Roma. In accordance with the general development and priority strategic goals set in the National Housing Strategy 2010-2020, the Government of Montenegro has prepared and proposed the Law on Social Housing adopted by the Parliament of Montenegro in July 2013. However, **adoption of the Law did not contribute to better regulation of this issue, and that its adoption in the short term was mainly in the service of meeting the conditions for obtaining funds from the Regional Housing Program.** A key problem, which the Social Housing Act has failed to regulate, is a deliberate and sustainable way of financing social housing construction. Local government units are responsible for resolving the housing issues of socially vulnerable groups in Montenegro. Yet, due to state centralization, they do not have sufficient funds to independently solve housing needs of the socially vulnerable.

The Strategy for Social Inclusion of Roma 2016-2020 in the area of housing focuses on the **Regional Housing Program and IPA funded regional program for securing housing to refugees and internally displaced persons from the collective camps.** This measure is the responsibility of the Ministry of Labor and Social Welfare. So far, 62 housing units in Niksic have been built, of which **13** are inhabited by Roma. In Berane housing is provided for **94** families, **44** of which are Roma. Also, **48** housing units have been built through IPA funded project and additional **120** are being built within the regional program for camp Konik inhabitants. Savings within the project enable building of additional **50** housing units planned for the next period. It is expected that by the end of 2018 both camps Konik I and II will be completely closed and their inhabitants housed in 220 units. However, the **program is not providing housing for domicile Roma and this part of the population remains neglected.**

In 2016, the following objectives, measures and funds were realized under the area of housing within the Strategy:

Objective and measures	Result	Budget¹
Construction of social housing in Podgorica, Niksic and Berane (<i>selection of beneficiaries for social housing, training of future tenants, development of the Act on the maintenance of</i>	Objective was partly met. Selection of tenants in Podgorica and Nikšić has been done. Trainings were organized for tenants from Podgorica and Nikšić. Act on the maintenance has not	Not known

¹ As it has been reported by the Ministry of Labor and Social Welfare, 8,177,207.16 Euro has been spent in 2016 for implementation of objectives under the area of housing. The Ministry stated that a breakout of the budget is not available.

<i>social housing apartments)</i>	been developed in 2016.	
Improving housing conditions of Roma <i>(adoption of local programs for social housing)</i>	Objective was partly met. In the most of the municipalities, some sort of activities related to LAP are in progress. Only Nikšić developed LAP in 2016.	Not known
Legalization of Roma settlements and/or structures <i>(adoption of Local Programs for Social Housing, Local Action Plans and amendments of detailed urban plans)</i>	Implementation of this objective is planned for 2017/2018.	Not known
Resettlement (reallocation) of Roma settlements and/or structures <i>(Adoption or amendment of Local Action Plans for Social Housing)</i>	Implementation of this objective is planned for 2017/2018.	Not known
Application of the so-called ad hoc measures for improvement of housing conditions	Objective was not implemented	Not known

Main conclusions related to the Strategy:

- Problems related to housing of domicile Roma is not taken into account (ownership of land and legalization of objects)
- All responsibilities related to houses are transferred to the local level. Due to the centralization of certain functions and/or overlapping competences of local and central governments, objectives and measures related to social housing, legalization of objects, land ownership, etc. should be planned in different way. Objectives and measures should be implementable in order to set the ground for effective, efficient and sustainable solution of housing problems.
- State and local budgets should be allocated for targeted measures and activities that could complement the budget and activities of the Regional Housing Program and IPA projects.

- Monitoring and reporting on implementation of objectives and measures should be performed in accordance with already defined indicators.

Recommendations:

- It is necessary to **amend the Law on Social Housing by the provision on establishment of the public fund for the construction of social housing** that would be given to privileged leases. The Fund would collect the necessary means from the part of the budget that would be filled from the progressive taxation of surplus apartments in private property, progressive taxation of unsold apartments, additional taxation of undeveloped construction land and part of the funds from the sale of state property. In that sense, it is important to prepare and promote the corresponding amendment to the Constitution, which would make the right to a decent dwelling a constitutional guarantee. This would explicitly define the obligations of the state in the area of housing, starting from what Montenegro has indirectly already introduced into certain laws, through the acceptance or ratification of international legal acts relating to the right to housing as a human right.
- **Hundreds of families at risk of forced evictions.** These are 90% domicile Roma, citizens of Montenegro. This **issue has to be raised urgently with the local self-governments.**
- **Funds for solving the housing problems of domicile Roma should be urgently taken into consideration.** The state should negotiate with the donor community to fund housing for domicile Roma, in coordination and cooperation with the civil society and other relevant institutions.
- **State institutions and local governments should closely cooperate to solve the burning problems,** like housing in Herceg Novi, where 6 housing units have been built by the international organization Help, but inhabitants still cannot move to these units due to unsolved issues which are under the responsibility of local government.
- It is necessary to adopt **bylaws in the area of social housing** as soon as possible. In the first place, this refers to the regulation on the measures and criteria for using the funds for social housing, then the regulation on the conditions and criteria for resolving the housing needs of a person without a flat, that is, a person without a flat with adequate standard, and a regulation on conditions, standards and norms for planning and design, construction, use and maintenance of dwellings intended for social housing.
- Regarding the **legalization** of objects, the legislation has to be introduced as soon as possible. Under the legislation, favorable conditions for legalization have to be ensured for those buildings primarily used for living.
- The **housing programs** implemented for Roma have to **ensure sustainability of the solutions,** meaning ensure possibility for the beneficiaries to cover their rental fee and communal services and ensure integral social services. It is also recommended that the housing programs ensure desegregation of Roma and prevent forming of new ghettos. It is also highly important to properly monitor the impact of the programs, including

collecting data disaggregated by ethnicity.

- ***Database on the situation of housing***, including the legal status of the buildings is needed. Ministry of Spatial Planning has to finalize activities on development of photo documentation and undertake adequate measures to develop detailed description of settlements.

Burning Problems Related to Children

Child Begging

Children baggers from Roma populations are exposed to various types of *risks including vagrancy, drug abuse, forced labour and sexual exploitation*. **Montenegro does not have an effective legal and institutional framework to combat begging**. According to the legislation, a child under the age of 14 can't be prosecuted for begging. Montenegrin **Penal Code doesn't stipulate inciting or forcing to begging as a separate criminal offence**. Article 219 of the Code contains a provision according to which inciting to begging appears as a **mode of committing** the criminal offence of "neglecting and maltreating a minor". The sentence for this offence is three to five years in prison. Also, forcing to begging appears as **the goal** of the criminal offence of human trafficking (Article 444). The sentence for that criminal offence is much stricter but it doesn't represent the mode of committing a criminal offence, therefore it cannot be applied to parents forcing their children to beg. In the available judicial practice, out of around 20 verdicts related to Article 219, none were made on account of inciting begging. That information alone proves this provision legally inefficient in dealing with child begging.

Institutions are not prepared to prevent begging, neither to offer adequate services and social reintegration of children bagging on the streets. Ministry of Interior states that for the period 2015-2016 they have performed 110 actions to combat begging. However, as the unresolved problem remains 104 children registered as beggars in the country. Usual intervention implemented by the police and the centers for social welfare is to take the children from the street and to accommodate them in the Centre for Children in Conflict with Law "Ljubović" in capital Podgorica. The Centre is **not capacitated to offer adequate services and children are in brought back to their families** after few days.

In the period January 2015 - end of October 2016, 88 cases were processed against parents of children who were caught begging. Out of these, 54 penalties were carried out, involving six suspended sentences, 16 warnings, 25 cash fines, two acquittals, one suspension, two were rejected, and two resulted as a prison sentences.

There is **no data about sexual exploitation of children on the street**. When it comes to the **labour exploitation, boys aged 12 to 17 years** are usually exposed to this kind of exploitation, as it has been concluded in the regional research on the prevalence of children on streets, performed by *Save the Children* in 2016, Most of these children are begging for money, while others collect secondary raw materials, sell things, wash cars, some spend their time playing in the street, while the smallest percentage of them sleep on the street. The research concludes that children beggars spend at least three hours outside the home.

In 2016, the Strategy for Social Inclusion, within the area 6 - Social Status and Family Protection, defines the objective 6.2 as "**Prevention and suppression of begging**". No funds from the state

budget was planned for implementation of the two measures within this objective; for the first measure (amendments of legislation) donations were envisaged¹.

Objective and measures	Results	Budget spent
1. Amendment to the existing legislation and more strict implementation of the legislation <i>(development of by-laws, direct communication between police and NGOs and multidisciplinary teams)</i>	Objective was partly met. Legislation is not yet amended. Police, NGOs and multidisciplinary teams attended trainings organized by the Government Office for Anti-Trafficking.	Donations
2. Direct communication with parents of children baggers <i>(work with parents on the prevention of repeated cases of bagging)</i>	Objective was not met. Reports on content and number of direct communication with parents are not presented in the Governments' Report on Implementation of the Strategy.	0 Euro

Main conclusions related to Strategy:

- Envisaged objectives and measures within the Strategy are insufficient to cope with the problem of child bagging;
- Measure related to direct communication with parents is not elaborated;
- Budget for implementation of this objective is not sufficient;
- Reports on contacts with parents do not exist and it is not possible to monitor the level of implementation of the Strategy measures.

Recommendations:

- **Introduce a separate article to the Penal Code for the criminal offence of inciting or forcing begging.** The article would be formulated as follows: “Anyone inciting or forcing a child to beg will be sentenced to up to three years in prison. If actions from line 1 of the article are committed by a parent, adopted parent or foster parent, they will be

¹ IPA project implemented by the Government Office for Anti-Trafficking

sentenced to a prison sentence of three months to up to five years. Persons handing out money to a begging child will be fined”.

- **Establish reasons for exploitation and abuse of the “street children”** through analysing and researching the general circumstances but also individual cases. As part of the analysis, map locations in all Montenegrin towns where begging occurs most frequently, including locations where increased numbers of children begging during the tourist season is detected. Within the analysis, come up with recommendations for each of the individual systems (police, social welfare, education, health care, Office for Fight against Trafficking in Human Beings, local authorities), as well as with recommendations for establishing cross-sector and multi-disciplinary teams for the prevention of begging, its eradication and sustainable solving of its cases.
- **Create conditions for early detection of risks leading to abuse of children** through monitoring of parental rights, timely inclusion of children in pre-school institutions and educational structures. This is to be done by educational institutions and local communities timely implementing appropriate measures.
- **Single out the begging children as a separate social welfare beneficiary category** and keep a special record of these children within the social welfare and child protection information system.
- Create **a system, cross-sector multi-disciplinary approach in preventing and eradicating begging**. Consider the possibility of applying EU countries’ best practices².
- **Establish asylums for begging children** and regulate their functioning, taking into account the recommendations of the UN Committee on the Rights of the Child, as well as the EU’s best practices. Arrange a project with the EU delegation in Montenegro and competent institutions, implying construction of shelters and building the capacities of experts to work in the asylums, as well as a campaign for raising awareness about the eradication of begging and abuse of children.
- **Reinforce expert capacities in competent institutions and organisations** dealing with child begging through the improvement of cooperation between the competent institutions, civic society organisations and experts.
- **Organise awareness raising campaigns for expert communities and general public alike** on the forms, causes and consequences of child begging.

Child Marriage

Women and girls are the most deprived group among Roma population. Practice of arranged child marriages, or forced/illegal marriages represent the negative customs and exposes girls to

² For example, the German model could be considered. According to this model, willing citizens can purchase a coupon, in easily accessible locations, and give it to begging children. Then, the children can take the coupon to the social welfare centre, where its staff place them on their records, provide appropriate help and support and exchange the coupon for food, clothing and other supplies.

the worst forms of human rights violation. It diminishes their prospects for education, employment and social integration, destroys their health and exposes them to all types of discrimination and gender-based violence.

According to research done by the Coalition member, NGO Centre for Roma Initiative in 2014³, in **72.4% of respondents (girls from Roma communities) were married between the ages of 12 and 17**. In 59.1% of cases, parents and the council of elders decide about the marriage and the sum which will be paid for the bride by the parents of the groom. Only 18.3% of the respondents knew their future husband/wife a month or less than a month before the marriage, while even 44.2% of them did not know their future spouse. 60.2% of male and 61.6% of female respondents confirmed that boy's family gave money to the family of the girl (between 200 to 4000 euros). When it comes to the **question of keeping the tradition of illegal child marriage despite the legal prohibition, majority of respondents (75.8% of them) believe that the state and its institutions should fight against illegal child marriages** and 81.3% said that the state institutions should work on prevention of such marriages.

Traditional values are widespread among the Roma population and it is widely believed that a husband has the right to beat his wife. According to the UNICEF and MONSTAT survey MICS⁴ developed in 2013, 41% of women and 53% of men believe that a husband can beat his wife when "she deserved to be bitten" (compared to 2.7% of women and 4.5% of men from majority population in Montenegro, who were asked the same). In a case of arranged child marriages, girls are exposed to violence not only by her husband, but also by other family members.

Illegal child marriage (forced marriage) is recognized in national criminal legislation, as well as in the Istanbul Convention⁵ which has been ratified by Montenegro. The Criminal Code covers the offense of "concluding a void marriage" (Article 214) and criminal offences for public officials allowing the conclusion of unlawful marriage and the amendments to Article 214 adopted in 2013 also prohibit the conclusion of a forced marriage. However, Article 214 par 3 requires that prior to prosecution, the marriage must first be pronounced to be null and void, which may limit the application of the provision in practice, and put an additional burden on the victim. Art. 37 of the Istanbul Convention obliges the states to take all necessary measures in order to stop the forced marriages of women and children. In the par. 2 of the same Article the Convention provides for the criminalization of the "intentional conduct of luring an adult or a child to the territory of a Party or State other than the one she or he resides in, with the purpose of forcing this adult or child to enter into a marriage". This is **not currently covered by**

³ Arranged Marriage Stronger than the Law" - Nikšić, Center for Roma Initiatives, 2014. The research synthesizes findings from the opinion poll conducted among 643 Roma (323 women and 320 men) from Nikšić, Podgorica, Berane and Ulcinj aimed to assess their attitude towards the tradition related to arranged child marriage.

⁴ Montenegro and Montenegro Roma Settlements, Monitoring the situation of children and women - Multiple Indicator Cluster Survey (MICS) 2013, UNICEF and MONSTAT, Podgorica, 2013

⁵ Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence

the provisions of the Criminal Code and its Article 214 and could be supplemented accordingly. Strategy for Protection from Domestic Violence 2016 - 2020 recognizes fight against illegal child marriage (forced marriage) as one of its goals.

Although Montenegro has a legal base for fighting the illegal child marriage, **institutional framework is not yet prepared to effectively and efficiently prevent, protect and legally process such cases.** As a result, victims are not adequately protected and supported due to the lack of preparedness of institutions to deal with the cases, and **investigations and legal proceedings did not result with the court verdict so far.**

In 2016, the Strategy for Social Inclusion, within the area 6 - Social Status and Family Protection, defines the objective 6.4. as "**Prevention of Illegal Child Marriage**". In 2017, Ministry for Human and Minority Rights prepared a report on implementation of the Strategy, which combines three different objectives of the Strategy - begging, illegal child marriages and trafficking in human beings in one chapter of the report. From the list of activities which have been conducted (seminars for 250 parents, campaigns, printing of brochures, trainings for police by the Government Office for Anti-trafficking, etc.), **it is not clear what has been done to reach the objective 6.4. and specific objectives related to prevention of illegal child marriage.**

Recommendations:

- **Harmonize national legislation with recommended international standards;**
- **Upgrade capacities** of police officers, schools, centers for social welfare, judges and prosecutors about illegal child marriage and **develop databases, written procedures and institutional mechanisms for multidisciplinary approach** in prevention, coordinated cooperation in investigation and sanctioning of illegal child marriage;
- Ensure **continuous monitoring of families at risk** and to provide supervision over the exercise of parental rights;
- Provide **all types of support to victims**, including shelters, legal support, psycho-social support and empowerment to return to school;
- **Establish and promote international cooperation** in order to **monitor the occurrence of cross-border illegal child marriage** and to effectively combat this problem in the region;
- **Report on implementation of the objective 6.4.** of the Strategy for Social Inclusion of Roma in a **clear and organized way, following the indicators and budgetary structure** of the Strategy.