THE STATUS OF ROMA CHILDREN AND FAMILIES IN BOSNIA AND HERZEGOVINA
The States Parties to the present Convention shall respect and ensure the rights set forth in this Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child’s or his or her parent’s or legal guardian’s race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 2 Convention on the Rights of the Child
THE STATUS OF ROMA CHILDREN AND FAMILIES IN BOSNIA AND HERZEGOVINA

Sarajevo, 2013
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## ACRONYMS AND ABBREVIATIONS

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<tr>
<td>AIDS</td>
<td>Acquired Immuno-deficiency Syndrome</td>
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<td>ANEV</td>
<td>Abuse, Neglect, Exploitation and Violence</td>
</tr>
<tr>
<td>BD</td>
<td>Brcko District</td>
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<tr>
<td>BiH</td>
<td>Bosnia and Herzegovina</td>
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<tr>
<td>CBO</td>
<td>Community Based Organisation</td>
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<tr>
<td>COE</td>
<td>Council of Europe</td>
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<td>COM</td>
<td>Council of Ministers</td>
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<td>CP</td>
<td>Child Protection</td>
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<td>CPR</td>
<td>(EC) Country Progress Report</td>
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<td>CR</td>
<td>Child Rights</td>
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<td>CRC</td>
<td>Convention on the Rights of the Child</td>
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<td>CRONSEE</td>
<td>Children’s Ombudspersons Network in South-East Europe</td>
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<td>CSA</td>
<td>Country Situation Analysis</td>
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<td>CSO</td>
<td>Civil Society Organization(s)</td>
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<td>CWD</td>
<td>Children with Disabilities</td>
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<td>DAP</td>
<td>Roma Decade Action Plan</td>
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<td>DEP</td>
<td>Directorate of Economic Planning</td>
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<td>DG</td>
<td>(EC) Directorate General</td>
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<td>EC</td>
<td>European Commission</td>
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<td>ECD</td>
<td>Early Childhood Development</td>
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<td>ECtHR</td>
<td>European Court of Human Rights</td>
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<td>ENRIS</td>
<td>(EU) Framework for National Roma Integration Strategies</td>
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<td>ERDF</td>
<td>European Regional Development Fund(s)</td>
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<td>ERRC</td>
<td>European Roma Rights Centre</td>
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<td>ESF</td>
<td>European Social Fund(s)</td>
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<td>EU</td>
<td>European Union</td>
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<td>FBiH</td>
<td>Federation of Bosnia and Herzegovina</td>
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<td>FRA</td>
<td>Fundamental Rights Agency</td>
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<td>FYROM</td>
<td>Former Yugoslav Republic of Macedonia</td>
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<td>GAP</td>
<td>Gender Action Plan</td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>HBS</td>
<td>Household Budget Survey</td>
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<td>HIV</td>
<td>Human Immunodeficiency Virus</td>
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<td>ID</td>
<td>Identification Document</td>
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<td>IDP</td>
<td>Internally Displaced Person</td>
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<td>IPA</td>
<td>Interim Pre-accession Agreement</td>
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<td>IECD</td>
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THE STATUS OF ROMA CHILDREN AND FAMILIES IN BOSNIA AND HERZEGOVINA

M&E Monitoring and Evaluation
MHRR Ministry for Human Rights and Refugees
MICS Multiple Indicators Cluster Survey
MTR Mid-term Review
NGO Non-Governmental Organization
ODA Overseas Development Assistance
OHR Office of the High Representative
OSF Open Society Foundation
OSI Open Society Institute
OSCE Office for Security and Cooperation in Europe
PWD Person(s) with Disability
REA Roma Egyptian Ashkale
REF Roma Education Fund
RS Republika Srpska
SC Save the Children
SCN Save the Children Norway
SCN-SEE Save the Children Norway in South East Europe
SC UK Save the Children UK
SEE South East Europe
TOR Terms of Reference
UNAIDS United Nations Agency against AIDS
UNDP United Nations Development Programme
UNHCR United Nations Refugee Agency
UNICEF United Nations Children’s Fund
USMR Under 5 Mortality Rate
WHO World Health Organisation
THE STATUS OF ROMA CHILDREN AND FAMILIES IN BOSNIA AND HERZEGOVINA
FOREWORD

Let’s imagine the life of a new-born Roma child. His/her probability of not reaching the first birthday is three times higher than for another child. His or her probability to be protected against preventable diseases through appropriate vaccines will be only 4 per cent compared to 68 per cent among the majority population. He or she will also be three times more likely to live in poverty. When he/she gets older, chances to go to a preschool or another early childhood program are almost nil. His/her chances to go to primary education will be higher but still not at a satisfactory level at only 69 per cent. One out of three Roma school-age children still do not attend primary education. When he/she continues to grow, chances to attend secondary school drop as only one out of four will have access to education. If she is a girl, the probability that she drops out of education is even higher. Additionally, one out of three girls will give birth before 18 years putting at risk her own and the baby’s health and jeopardizing her capacity to continue to study. Domestic violence will be another burden as almost half of Roma women believe a husband or partner has the right to hit or beat his wife/partners. This clearly shows a deep equity gap that exists between Roma and the rest of the population. There is therefore a need to address these gaps through appropriate targeting of policies and programs in order to break this vicious cycle of exclusion.

UNICEF and other partners supported the BiH Ministry for Human Rights and Refugees to conduct the Multiple Indicator Cluster Survey (MICS) on Roma in cooperation with the BiH Agency for Statistics. For the first time, the fourth round of the MICS global survey (2011–2012) included a separate survey on health, nutrition, education, child protection and other indicators related to the life of the Roma in Bosnia and Herzegovina. This Study on the Status of Roma Families and Children in Bosnia and Herzegovina draws from the MICS Survey, other available data and a range of consultations with key government, international organization, Roma association and other civil society partners and analyses the gathered information against a wider societal background in the country. The report identifies both gaps and capacities in institutional response to the underprivileged situation of the Roma, and highlights the significance of the role of the Roma to participate and effectively influence the design, implementation, monitoring and evaluation of the measures that aim at improving their situation.

To respond to these vast equity gaps, UNICEF BiH has worked over the years to promote equal opportunities of every child to education, health care, social protection and other services, paying special attention to the needs of the most disadvantaged children, including Roma children. Following discussions with government partners and representatives of the civil society in 2012, UNICEF reconfirmed Roma children as one of the priority groups, implying an emphasis on their rights in its research, advocacy, policy advice and programming.

This Study will inform the policy dialogue and programme activities to strengthen the social inclusion of the Roma. It will also serve a larger audience who is interested in the status of Roma families and children in Bosnia and Herzegovina and committed to make a difference in their lives.

Florence Bauer
UNICEF Representative in Bosnia and Herzegovina
AUTHOR’S NOTE

This study was commissioned by UNICEF BiH Office as a contribution to the Decade of the Roma Inclusion programme in Bosnia and Herzegovina. The Decade of Roma Inclusion 2005–2015 is an initiative established in twelve states and implemented by national governments, international organizations and private foundations, that attempts to improve the situation of the Roma across Europe, especially in the fields of education, health, employment and housing. Bosnia and Herzegovina became a member of the initiative in 2008.

Thanks are due to all those who contributed to the study’s design and implementation, especially to UNICEF BiH staff. The evaluation would not have been possible without the support and cooperation of the UNICEF Country Management Team and staff, the Ministry for Human Rights and Refugees, and all those who provided research data, and shared their experiences, opinions, and insight into the progress of the Decade programme in Bosnia and Herzegovina.

This report is intended as an independent and objective analysis of qualitative and quantitative data obtained through a desk-review of the latest research, statistics and reports available, and on input and impressions received during field-visits in February and October 2012. Although the report includes input from UNICEF management, staff and partners, the views expressed within it do not necessarily reflect those of UNICEF, its donors, officers, partners or staff in Bosnia and Herzegovina.

The text of this report seeks to comply with the European Union and the Council of Europe’s adopted usage of the term ‘Roma’. The term includes – as in recent official EU, Council of Europe (COE) and Organisation for Security and Cooperation in Europe (OSCE) documents – Roma, Travellers, Sinti and other groups. Readers should note that the usage of the term is not intended to deny the diversity that exists across Roma communities and groups. The diversity of these local groupings needs to be acknowledged and respected as well as their many commonalities¹ not just for practical programming purposes but also because respect for the child’s own unique identity is critical.

For readability purposes, the adjective ‘Roma’ is generally used when referring to the Roma people as a whole or to groups or individuals, e.g. Roma children, Roma families. The adjective ‘Romani’ generally refers to language and culture.

Kevin Byrne

EXECUTIVE SUMMARY

According to the latest official estimates, there are between 25,000–50,000 Roma in Bosnia and Herzegovina (BiH). They are acknowledged to be BiH’s most numerous, most disadvantaged and most vulnerable minority and the current situation of most Roma families in BiH is one of chronic multi-dimensional poverty. The gap between Roma and the majority populations in terms of access to housing, employment, education and health-care is significant and Roma women are particularly disadvantaged. The key indicators for Roma children are that they are three times more likely to be living in poverty than their neighbours, they are five times more likely to be underweight; they are twice as prone to stunting; their primary school attendance rate is one third less than among the majority population; and their immunisation rate is only 4 per cent compared to 68 per cent of the majority population.²

By joining the Decade of Roma Inclusion (2005–2015) initiative in 2008, the Government of BiH has committed itself to addressing these gaps and significant improvements have already been achieved within the framework of the BiH Decade programme. However, efforts to improve the situation of Roma are seriously impeded by BiH’s fragmented governance and administrative systems, which enables and conceals legal and policy frameworks; organisational systems, structures, norms and processes; management and professional cultures, practices and working approaches; bureaucratic procedures; staff attitudes and behaviour that either purposefully or inadvertently restrict or hinder Roma persons’ full access to their entitlements and rights; and constitute institutional discrimination against Roma. It is this institutional discrimination that underlies Roma’s social exclusion.³

The recently published EU Framework for National Roma Integration Strategies up to 2020⁴ provides a framework for review, update and continuation beyond 2015 of BiH’s national Roma Strategy 2005, and gives stakeholders an opportunity to develop a long-term gender-aware programme that challenges discrimination and promotes the positive value of Roma culture. The present government response is framed within Decade of Roma Inclusion Action Plans (DAPs) on Housing, Health, Education and Employment and is led by the Ministry for Human Rights and Refugees (MHRR) who holds executive responsibility for Roma affairs.

Despite concerns about the quality and cost-effectiveness of the initial DAP outputs and the transparency and fairness of the implementation processes, DAP activities, as well as initiatives outside the DAP framework, have significantly improved the situation of Roma families in recent years. These successes need to be evaluated, promoted and replicated in the next DAP stage. The current DAP review is likely to reinforce the programme’s commitment to achieving the primary Decade goal – establishing institutional mechanisms to eliminate discrimination; and closing the gap between Roma communities and the rest of the population.

Achieving this goal requires a twin-track approach that (i) challenges, amends and strengthens institutions and services across all levels of Bosnia’s governance system and brings about positive change in public attitudes towards Roma; and that (ii) provides practical, concrete and immediate


³ Social exclusion is defined in the draft BiH Social Inclusion Strategy as “(…) a process through which certain individuals or groups are pushed to the margins of society, being prevented in their efforts to live a decent life with full participation in society by reason of their ethnic background, age or gender differences, disabilities, financial problems, formal unemployment or lack of education.” Bosnia and Herzegovina Council of Ministers, Directorate for Economic Planning, Social Inclusion Strategy (Draft Document), Sarajevo, September 2009, p. 13.

benefits to Roma families through local initiatives targeted at the identified needs of specific Roma communities. This approach may require the Decade programme to widen its current project focus and to build a wider and stronger constituency of support for its work; strengthen its practical commitment to Roma women; and re-balance its resources between direct programmes, research, capacity-building and advocacy. All Decade initiatives should be able to evidence their contribution to enabling Roma to improve their access to quality health, education, employment, welfare, social protection or housing services, immediately and in the long-term.

While there are still issues to be addressed around the quality of data available to guide policy planning and service development, there is sufficient credible data available within BiH at this time to inform reform efforts. The Decade programme has also put mechanisms in place to facilitate continuing update and upgrade of this data. Although efforts to improve data collection and analysis are still required, the main focus should continue to be building political will for change and developing the institutional responses that ensure practical and sustainable improvements in Roma’s access to their entitlements.

Roma civil society in BiH is quite narrow and constrained and significant investment in Roma civil society is required to expand the range and capacity of Roma civil society in BiH, particularly in relation to presenting a positive image of Roma culture, improving child and youth participation in decision making, and facilitating dialogue with non-Roma. Although there are questions around the competence of Roma NGOs generally, there seems to be considerable untapped capacity among some Roma NGOs. Full partnership with Roma bodies is essential to achieve any long-term positive change in Roma’s situation, so it would be helpful if the Decade Coordinating Committee set clear transparent criteria for Roma and non-Roma engagement in Decade activities that meet universal working principles – effectiveness; efficiency, accountability, transparency, gender equity. Based on these, stakeholders could then develop a common partnership and capacity-building strategy that supported long-term strategic partnerships with Roma civil society.

While the ideal remains full integration of Roma into all existing structures, systems and services in BiH, the gap between some Roma groupings and the rest of the population is so large in many cases that it requires affirmative action. The response will also have to practically recognise the diversity of the Roma population, and continue to plan for evolving local communities and groupings with different needs, interests, strengths and potential, and at different levels of risk, although facing common problems. The needs of Roma women and girls should be prioritised.

In terms of advocacy, the programme needs to address the bureaucratic requirements around access to services that discriminate against Roma, and lobby for relevant government information and directives to be translated into the Romani language. MHRR figures show that about 2,000 Roma lack birth certificates and 500–600 persons in all have no valid ID. The Ministry for Human Rights and Refugees of Bosnia and Herzegovina, Analysis: Registration of Roma Population and Roma Households, Sarajevo, 2011, p. 41. Programmes, for instance the Roma Registration Programme, implemented by UNHCR and its partners, are already in place to address the needs of these particularly vulnerable groups and these require continuing support. However, the bureaucratic requirements of many social protection institutions in BiH mean that lack of appropriate documents is more of an issue for Roma than for other vulnerable groups. Therefore, the Decade programme could also explore options like streamlining the access routes to entitlements, granting access to all relevant services on the basis of ID, or issuing a separate entitlement or ID card based on residence.

Improving access to, and the quality of, education available to Roma should be the main priority of any long-term programme to address their generational poverty. In BiH this will require significantly increasing Roma participation in pre-school preparatory programmes, since currently only 1.5 per cent of Roma children have the opportunity to attend an organized early childhood education (ECE)

6 Within the implementation of the Roma Registration Programme, 795 people who previously did not have birth certificates had their citizenship confirmed since July 2009 until June 2013 while for additional 254 people civil registration has been initiated.
UNICEF is working with the ministries of education to increase the ECE participation for all children with a focus on Roma but more resources need to be made available to support these crucial years in child development before the entry to primary school.

However, improving Roma enrolment, retention and completion rates in primary schools and increasing graduation into secondary and tertiary education will also involve removing bureaucratic and financial obstacles by institutionalising current initiatives. Getting schools to take a proactive approach to enrolment and retention may need to be incentivised through amendment of job descriptions, establishing performance targets and linking school budgets to enrolment and completion targets. However, the major factor in retaining Roma children in school is ongoing provision of positive and productive school experiences, once they enrol. This requires addressing prejudice and discrimination in schools and providing a curriculum that presents a positive view of Roma culture and tradition.

Lack of certification and qualification resulting from exclusion from education is a major factor contributing to the high rate of Roma unemployment that needs to be addressed through the education system. The education system needs synchronisation with the country’s training and employment services and secondary schools and colleges need to be able to facilitate flexible programmes for Roma and other excluded young people that combine vocational training with catch-up classes that include basic literacy and numeracy, health and social education. The models being developed by the UN MDG-F programme and by Save the Children could contribute significantly to this process. These programmes are drawing in international funding, being adopted by local authorities and making a difference to young Roma lives and should be validated, endorsed, promoted and supported with Decade resources to encourage replication and institutionalisation across the country.

Despite criticism by some stakeholders of their effectiveness and transparency, DAP activities have led to increased employment opportunities for Roma, and concrete benefits for Roma families, under very difficult circumstances. What is required now is analysis of lessons learned that includes documentation of DAP successes; mapping of institutional barriers and bottlenecks; and a clear cost-benefit analysis of the different models of work. Even limited engagement in employment brings benefits in terms of gaining experience, widening horizons, building a CV, breaking traditional stereotypes and, most importantly, gaining access to the social protection system. The Employment DAP should therefore set a target of ensuring that all Roma in BiH have some positive experience of employment before completion of the Decade, particularly Roma women, and this should be institutionalised within employment bureau performance targets and budget allocations.

Mapping of the complex institutional landscape around employment and recruitment as it relates to Roma is essential if the Decade is to contribute in any practical way to wider efforts at reform in this area. This is also true for housing which is similarly complex. Cost-benefit analysis is needed of the various housing units produced to date, and of developing and supporting the kind of specific housing/legal advice services that exist in other countries. Housing initiatives should not be developed in isolation but should constitute one element of a wider response that addresses Roma families’ social exclusion and physical isolation. There may be a need for clearer standardised criteria for establishing families’ entitlement to housing based on vulnerability and need, and the decision-making process needs to be clearer and more transparent to allow for greater Roma input without putting Roma representatives at risk of allegations of nepotism, unfairness or even corruption. CSWs need to strengthen their capacity, and adopt a proactive approach to, identifying Roma families in need, matching them with available housing and developing a programme of support.

Health is still a critical area to be addressed especially for women and children. Most of the recommendations related to social protection apply to the Health DAP – the need to map institutional blockages and bottlenecks; the need to document and explain modes of access, especially to Roma women; the need to engage with wider reform efforts; and the need to place a clear responsibility on

health professionals to pro-actively address Roma difficulties and ensure that all Roma receive the health and medical care to which they are entitled. However, this is clearly an area where specific affirmative action is needed to close the immunization and nutrition gaps between Roma and non-Roma children. UNICEF and BiH authorities have developed a specific integrated early childhood development (IECD) programme that makes significant positive impact on the health of Roma women and children, especially through the home visits carried out by health care professionals, and its replication throughout BiH should be a priority Health DAP activity. Other local models e.g. mobile public health nurses, Roma health mediators, should also be evaluated for potential replication and institutionalisation.

It is unfortunate that child protection (CP) is not part of the overall Decade framework despite Roma children’s especial vulnerability brought about by generations of social exclusion, discrimination and family poverty. All available evidence indicates that Roma children are more at risk than most of abuse, neglect, violence, exploitation, and violence and that their families have fewer resources available to offer protection and support. The BiH CP system should be strengthened to better meet the needs of BiH’s most vulnerable children and facilitate child protection professionals and agencies, within a general movement of social protection reform, to engage with Roma communities as they have with those of the majority cultures in order to develop Roma led, community based protection and support mechanisms appropriate to the needs of vulnerable Roma children and women. The centre-based models already developed need to be supported, evaluated and replicated if appropriate. In strengthening child protection systems, full and proper consultation needs to take place with Roma children and families to ensure that child protection mechanisms are developed that build on and respect Roma culture.

The Decade programme would benefit considerably from a programme of concrete activities to counter, mitigate and redress the individual, community and societal prejudice that contribute to Roma’s social exclusion; and should actively support social dialogue and discourse between Roma and non-Roma at all levels. This could take the form of active financial and technical support to Roma organisations to present, celebrate and publicise their language, tradition and customs. A second strand of activities is needed to strengthen and expand the legal and other mechanisms available for sanctioning prejudice and discrimination, ranging from disciplinary action against offending employees; withdrawal or withholding of government funding; and legal action if necessary. Strong action by the national Ombudsman’s Office against Roma-related acts of prejudice and discrimination could send a strong message about the level of government and social commitment to Decade aims and values so it is essential that the Office is strengthened and enabled to extend its support and services to Roma individuals and families seeking redress against social exclusion and/or denial of their rights. Institutional strengthening of the Ombudsman’s Office and its full engagement with the Decade programme would greatly strengthen Roma’s position in BiH and contribute significantly to BiH meeting its Decade goals in full.
1. Context

1.1. Roma in Europe

Many of the estimated 10–12 million\(^8\) Roma in Europe still face prejudice, intolerance, discrimination and social exclusion in their daily lives. A 2010 analysis\(^9\) of the pattern of social, economic and political exclusion that Roma experience shows that their life expectancy and living standards are below average. Health problems start earlier. A majority of Roma children never complete primary school, very few go to secondary school, even fewer attend university. Roma are virtually absent from politics, their civil society organisations tend to be weak and they are often without official representation as a minority. Attitudes towards Roma are more negative than towards any other group. They remain the most clearly discriminated group on the labour market; there is widespread discrimination in the housing sector; and severe discrimination in public spaces like shops, restaurants etc. There is also institutional discrimination in the public sector, including in the social and judicial sectors.

A 2008 OSCE report\(^10\) found that many European governments’ integrative efforts fail due to a lack of proactive approaches and insufficient allocation of financial, institutional and human resources. To counter this, the EU framework for development of national strategies aims to ensure that national, regional and local integration policies focus on Roma in a clear and specific way, and address the needs of Roma with explicit measures to prevent discrimination and compensate for the disadvantages they face. It requires national governments to undertake an analysis of their Roma population by 2012 and to produce a practical and concrete strategy to accomplish full integration of Roma communities by 2020.

The European Commission (EC) has consistently identified Roma’s living conditions in South East Europe (SEE) as a major social issue across the entire region – “Roma constitute a particularly vulnerable minority; they are affected by poverty, discrimination and segregation in access to education, employment, housing and social services including health care. A significant number of Roma still lack civil registration or personal documents. Many of them still live in camps as IDPs...”\(^11\)

Since the launch of the Decade of Roma Inclusion 2005–2015, 12 European governments have worked together with NGOs, intergovernmental bodies and Roma civil organizations to improve the socio-economic and political status of Roma. The Decade’s agenda is closely linked to the UN Millennium Development Goals and the EU Social Inclusion Policy, as well as the EC Framework. The essence of the Decade is governments’ commitment to work towards establishing institutional mechanisms to eliminate discrimination and close the gap between Roma and the rest of the population by adopting and implementing national action plans (DAPs) addressing poverty, discrimination and gender equality in four key areas – education, employment, healthcare and housing.

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1.2. Bosnia and Herzegovina

1.2.1. Governance and Administration

The current State of Bosnia and Herzegovina (BiH) was established in 1995 under the Dayton Peace Agreement. Its governance structure is complex, with limited central power and most responsibilities delegated to two entities – Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH) – and to Brcko District (BD). FBiH is further decentralized with key responsibilities delegated to 10 cantons. The Office of the High Representative (OHR), established to monitor Dayton’s implementation, continues to operate as criteria for its closure have not been met yet. After elections in October 2010, the state-level government was only established in the last quarter of 2011 after political parties finally reached agreement, and the Council of Ministers was finally formed in February 2012. This political crisis significantly slowed down reforms in 2011 and generated tension between the different levels of government and with the international community.

BiH’s complex governance structure is a major factor impeding full realisation of children’s rights, and leads to delayed decision-making, confusion about roles, responsibilities and authority, unclear communication within and between government agencies, unequal allocation of resources, poor coordination and dissipated effort. While the present laws provide for a wide range of child rights, many of these are not realized due to lack of funding, poor imbalance of responsibility and lack of proper coordination between the relevant actors. The child protection system, for instance, is characterised by systemic gaps requiring substantive legislative and policy shifts in order to ensure integrated, cross-sectoral cooperation. Lack of adequate data collection and exchange systems makes it almost impossible to adequately monitor violence, abuse or exploitation. As a result, children trafficked for begging continue to be sent back to the streets and do not receive systemic assistance.

This fragmentation enables and conceals legal and policy frameworks; organisational systems, structures, norms and processes; management and professional cultures, practices and working approaches; bureaucratic procedures; staff attitudes and behaviour that either purposefully or inadvertently restrict or hinder Roma persons’ full access to their entitlements and rights. These constitute institutional discrimination against Roma.

1.2.2. Poverty

Although the 2009 Poverty Update\textsuperscript{12} showed that positive sustained GDP growth between 2004–2007 was associated with a reduction in the poverty rate from 18 per cent to 14 per cent, the reversal of GDP growth in 2008 significantly eroded this achievement and the 2007 Household Budget Survey (HBS)\textsuperscript{13} data indicated a relative poverty rate of 18.2 per cent. Despite the lack of recent data, evidence suggests a significant slowdown of poverty reduction in BiH. While a full assessment of recent poverty trends will have to wait for the results of a new HBS, available evidence indicates a significant impact of the recent contraction on the lower income groups.

GDP growth is expected to be only 0.7 per cent for 2012.\textsuperscript{14} The government has reacted as best it can but BiH’s fragmented administrative structure means that social transfers only reach one-quarter of the poor and have a limited poverty-alleviating effect. The social welfare system is not equipped to ensure effective identification, targeting, administration or case-management of social assistance. Unemployment increased to 27.6 per cent in 2011 from 27.2 per cent in 2010, almost three times the EU27 average (9.5%). Youth unemployment (15–24) is exceptionally high at 58 per cent and only one


\textsuperscript{14} World Bank Group, \textit{Bosnia and Herzegovina Country Program Snapshot}, April 2013, p. 2.
in ten young women are employed which indicates unequal access to labour markets.\textsuperscript{15}

The urban/rural divide remains significant. In 2007, the incidence of poverty in rural/semi-urban areas at the national level was 23.7 per cent as compared to 10.8 per cent in urban ones.\textsuperscript{16} This particularly impacts on children, almost two-thirds of whom live in rural areas. The rural areas most drastically affected by the difficult economic situation are those on, or close to, former confrontation lines, with large concentrations of poor families. Rural families lack access to medical facilities and often need to travel long distances in order for their children to receive health care. Although expenditure on health was 10.2 per cent of GDP in 2011\textsuperscript{17}, which is higher than neighbouring countries, but lower than EU countries, malnutrition remains a concern especially among vulnerable groups. Poverty, abuse and neglect remain key factors in enabling economic exploitation of children.

1.2.3. Discrimination

The Constitution of Bosnia and Herzegovina, based on the General Framework for Peace (GFAP or “Dayton Agreement”) brokered by the international community in 1995, does not recognise Roma and other minority groups as citizens on an equal footing with Bosniaks, Croats and Serbs. It prevents citizens who do not belong to one of the three constituent peoples (Bosniak, Serb and Croat) from standing as candidates for the Presidency and the House of Peoples of the Parliamentary Assembly. As a result, BiH’s constitution was condemned by the European Court of Justice in December 2009 as inherently discriminatory. Despite this ruling the Constitution has not yet been amended to bring it into line with the European Convention on Human Rights.

Poverty in BiH is closely associated with social exclusion, defined in the draft BiH Social Inclusion Strategy (SIS) as a “process through which certain individuals or groups are pushed to the margins of society, or are prevented in their efforts to live a decent life with full participation in society by reason of their ethnic background, age or gender differences, disabilities, financial problems, formal unemployment or lack of education.”\textsuperscript{18} According to a 2007 UNDP report\textsuperscript{19} over 50 per cent of the population suffered some form of social exclusion. Roma are among the most vulnerable groups, as well as persons with disabilities, displaced persons, families with two or more children, the elderly, unemployed and low-skilled youth. De-facto discrimination against children based on ethnic/minority origin, disability and social status continues as well as significant urban/rural and gender disparities. For instance in the social protection system, the level of assistance paid depends on the beneficiaries’ residence.

Institutional discrimination continues to deny children from ethnic minorities and vulnerable groups their right to a quality education. Schools still have limited mechanisms for identifying discrimination or addressing it through affirmative action. There are significant gaps between the enrolment and attendance rates of particular groups and the national averages. The majority of children not attending schools in BiH come mostly from Roma, poor rural (especially girl) children, children with development difficulties and other vulnerable groups. There are still mono-ethnic and divided schools in BiH where different ethnic groups share the same building but not the same classes, and a general lack of sensitivity amongst students and teachers to discrimination, especially where the majority population belongs to a single ethnic group. The number of children included in early childhood education programmes (13.1%\textsuperscript{20}) remains very low, despite a 2008 state-level law making one year of preschool mandatory. Children from poor and rural families and Roma children are largely excluded with detrimental effects on their school readiness.

\textsuperscript{16} Agency for Statistics Bosnia and Herzegovina et al., \textit{The BiH Household Budget Survey 2007}, op. cit. p. 56.
\textsuperscript{20} The Agency for Statistics of Bosnia and Herzegovina et al., \textit{Bosnia and Herzegovina Multiple Indicator Cluster Survey (MICS) 2011–2012, Final Report}, op. cit., p. 76.
An anti-discrimination law is in place but it allows for a broad range of exceptions and its implementation remains weak. Awareness among citizens of the legal remedies that are available in case of discrimination needs to be strengthened, particularly among Roma. Very few complaints about discrimination have been registered generally but the number of complaints brought to the Ombudsman’s office by Roma is particularly low. However, the actual segregation in housing, together with a de facto segregation on the labour market and in (secondary) schools (due to the high dropout rate of Roma), are the most obvious and open signs of Roma’s social exclusion.

State-level institutions have not yet adopted the social inclusion strategy for 2008–2013, which targets the Roma population as a priority group, although it has been adopted in Brcko District (BD) and the Federation of Bosnia and Herzegovina (FBiH). Republika Srpska (RS) is working on its own strategy. Participation by Roma representatives in the decision-making process remains low.

Greater efforts are needed on birth registration and on the provision of free legal aid for civil registration. Measures also need to be taken to address the situation of those Roma, mainly women, who are at risk of statelessness. UNHCR estimates that unregistered or undocumented Roma, whose legal status (citizen of BiH or stateless person) was impossible to identify after the preliminary review, face the most serious risk of statelessness in BiH. Because many Roma are not registered in the basic registers of birth and consequently not registered as citizens, they are often unable to enjoy effective citizenship. It is difficult to determine the number of undocumented or unregistered Roma in BiH but based largely on the results of the Ministry for Human Rights and Refugees’ survey, UNHCR estimates that there are 4500 persons at risk of statelessness in BiH.

### 1.2.4. Gender Equality

BiH has moved forward in terms of gender mainstreaming. The establishment of institutional mechanisms for gender equality at all levels of governance, and the adoption of the Gender Equality Law in Bosnia and Herzegovina, have improved domestic legislation in this segment of human rights and better positioned the country in the region with regards to the legal and institutional frameworks for gender equality. Commissions for Gender Equality have been formed in the House of Representatives and the House of Peoples of the Parliament of the Federation of BiH. In the Republika Srpska National Assembly, a Board for Equal Opportunities has been formed. In both FBiH and RS, officials have been appointed to address gender issues in every ministry. Boards/commissions on gender issues have also been formed in most municipal councils/assemblies, as well as in municipal mayors’ cabinets. A BiH Gender Agency has been established as well as Entity Gender Centres, although institutional mechanisms for ensuring gender equality continue to face resource constraints.

However, the 2012 Country Progress Report (CPR) indicates that only limited progress has been achieved in harmonising entity and cantonal laws with the state-level Law on Gender Equality. The 40 per cent quota for women within the public administration, as stipulated by the Gender Equality Law, has not been reached. Disaggregation of employment figures by gender indicate that, despite a higher enrolment rate of girls than boys in secondary school, women are less likely to participate in the labour market. The level of female participation in the workforce remains low. Those who are active in the labour market are much more likely than their male counterparts to be unemployed and those who are employed are often in low quality jobs. Discrimination in employment with regard to maternity rights remains widespread.

While there has been some progress made in combating violence against women, implementation of the state-level strategy remains weak and financing of shelters for victims is not sufficient. Refugee women and children, many of whom are Roma from Kosovo, are at a particular risk of

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21 Interview with the staff of the Ombudsman’s Office (October 2012).
sexual exploitation and other such forms of abuse. Recent analysis as part of World Bank’s support for a land registration project shows that while women’s property rights are protected by law, since tradition usually favours male inheritance of property, women often waive their inheritance rights in favour of their brothers i.e. informal institutions militate against effectively implementing the law.

2. The Situation of Roma Families and Children in Bosnia and Herzegovina

2.1. Demographics

According to the 1991 census figures, Roma are the most numerous of BiH’s 17 national minorities. Although they have been part of Bosnian life and culture for centuries, there continues to be a low level of acceptance of Roma by the majority populations and a general lack of knowledge of Roma culture, traditions and customs.

Determining exact figures in relation to Roma, even basic census data, is not yet feasible in BiH although efforts are being made to ensure a more accurate and comprehensive count of Roma families in the census planned for 2014. Latest official figures are from the 1991 census when 8,864 persons declared themselves to be of Roma ethnicity, although 10,422 stated that Romani was their native language. However, there has been considerable movement of Roma in and out of BiH since the war and these figures have changed significantly in the two decades since they were first published.

To address this lack of data, the BiH Ministry for Human Rights and Refugees undertook a Roma population and household registration between November 2009 and February 2010 and followed up in autumn 2010 with a survey conducted through 40 centres for social work (CSW) spread throughout the country. Based on the data produced through these surveys, MHRR estimates that there are at least 25,000 to 30,000 Roma resident in BiH, although they acknowledge that up to 39 per cent of Roma did not participate in the registration in some districts. Kali Sara and other local Roma NGOs, put the number of Roma in BiH at between 80,000 and 100,000 while the EC Framework document, quotes an estimate of 50,000 based on data provided by the Council of Europe who has been monitoring Roma numbers for some years. In line with demographic patterns in neighbouring countries, MHRR data indicates that about 42 per cent of the Roma population in Bosnia is under 19 years of age. This means that at least 10,500 Roma children live in BiH, but based on COE/OSCE estimates, this figure could be as high as 21,000.

According to the surveys conducted by the MHRR, Roma families are spread across BiH living in 67 of its 149 municipalities. The centres for social work registration indicated that 10 per cent of Roma families had no permanent address, and family and community numbers change due to migration although no figures are given, nor comparisons made with movements within the non-Roma population. Approximately 7 per cent of those registered in the survey had not been registered in the birth register. MICS4 data indicates that 4.2 per cent of Roma children under-5 had not yet had their births registered.

The weakness of national and local statistics offices in relation to Roma has been consistently acknowledged in EU Country Progress Reports (CPRs), and UNICEF has worked in partnership with them for some years to build systems and capacity. It is also true that many Roma understandably identify themselves as belonging to other groups in order to avoid prejudice and possible persecution. As a result, statistics and baseline data on Roma children are seldom either totally comprehensive or accurate. Efforts should undoubtedly continue to strengthen data collection and analysis systems.

26 Ibid., p. 35.
in relation to Roma, and particularly to encourage and support greater Roma participation in the coming national census. However, it should also be acknowledged that there is now sufficient data available in BiH to evidence the significant gap between Roma’s standard of living and that of other ethnic groupings and their exclusion from mainstream health, education and welfare services; and to guide legal reform, policy development and resource allocation to improve their status and situation. Policy makers and service providers often have to operate within the parameters of an imperfect knowledge base, when planning for the needs of vulnerable populations. At this stage, efforts should focus on practical action to expand Roma families’ opportunities to help themselves and to contribute to BiH society as full and equal citizens. Although both are relatively new and in need of refinement, the CSW database developed by MHRR and the Roma-specific Multiple Indicators Cluster Survey (MICS) module are probably sufficient mechanisms for ongoing data collection to enable design and development of realistic, relevant and cost-effective initiatives that will bring concrete benefits to Roma families and communities in BiH.

The emphasis on national statistics collection may have inadvertently reinforced a stereotyped perception of Roma as a homogenous group. Like any ethnic population, there are different groups and communities within the Roma population, sharing many commonalities but also with important differences. There is little evidence yet within the literature that either differences or commonalities have been clearly understood or accepted by policy-makers, although these can be vital to the success or failure of policy or practice initiatives. Although Roma share a common culture, identity and language and are subject to discrimination and exclusion, lifestyles, status and traditions vary within the Roma community (as they do within the non-Roma population) and the extent and nature of the discrimination Roma face can vary considerably depending on location, lifestyle and history.

Key informants during the in-country mission spoke of communities of local Roma, Kosovar Roma, settled Roma in Sarajevo, mobile families, unregistered Roma – all with different needs – but never clearly distinguished between them in terms of policy or programme response and tended to attribute the characteristics of a particular group to all Roma on a lowest common denominator basis. In light of BiH’s complex governance and service delivery framework, addressing discrimination against Roma will inevitably have to involve a combination of national and local initiatives, targeted appropriately to the needs of specific Roma communities and groupings, while continuing to respect Roma as a unique ethnic and cultural group.

### 2.2. Poverty

The relative poverty rate for the general population is 18.6 per cent, with 23 per cent at risk of poverty. Analysis of the Household Budget Survey (HBS) 2007 data indicates that some 26 per cent of children in BiH live below the absolute poverty line and 18.8 per cent live below the relative poverty line. When child poverty is assessed on the basis of income, housing, amenities, health and education deprivations, more than half of the children living in BiH are exposed to these multiple dimensions of poverty. However, when assessed on the same basis, almost 80 per cent of Roma children live in poverty. Roma are also disproportionately represented among IDPs and stateless persons who constitute one of the poorest groupings in BiH.

It is this pattern of exclusion from mainstream education, employment, health and welfare services, which traps many Roma families in a cycle of poverty. Although Roma communities are likely to

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30 Ibid.
31 Data provided by the UNDP/WB/EC, *Regional Survey of Roma 2011 – Data on Vulnerability of Roma: Bosnia and Herzegovina*, op. cit. Based on an PPP$4.30 expenditure model, the absolute poverty rate of non-Roma is 5% compared with 20% for Roma. Based on this model Roma are four times poorer than non-Roma neighbours. The relative poverty rate is 32% for non-Roma; 77% for Roma. These are based on a relatively small sample and especially the figures for the majority people are not nationally representative.
32 See UNHCR, *They see us but they don’t see us – Report on Roma displaced persons and returnees in Northern Bosnia and Herzegovina*, UNHCR, Tuzla, 2004.
be missed in national poverty assessments, World Bank assessments throughout SEE consistently indicate that Roma are almost entirely marginalised and many live in conditions below even the most minimal for survival. In Kosovo, 31 per cent of “other minorities”, mainly Roma and Ashkali, live in extreme poverty, twice the rate for the territory as a whole. World Bank has estimated that in Montenegro over half the Roma population lives in poverty; that in Bulgaria, Roma account for 46 per cent of the country’s poor; while in Albania, the average income per capita for the Roma community is around three times less than for the non-Roma population and as much as 80 per cent of the Roma community live below the poverty line.33

A 2011 World Bank/UNDP/EC survey34 of Roma and non-Roma households living in the same neighbourhoods in BiH evidences the pattern of poverty experienced by Roma people, relative to their neighbours. Using a poverty line adjusted for purchasing power parity the research found a consistent picture of far higher rates of income poverty among Roma, than among non-Roma in the same location, 42 per cent of Roma families living below the poverty line compared with only 14 per cent of non-Roma.

The income level of Roma reflects the deep poverty of Roma in BiH and is generally due to their exclusion from the labour market and the “low quality” of work they perform. A CARE survey in Tuzla Canton in 2010 found that 69 per cent of Roma families had a monthly income below KM 200 and 24.6 per cent between KM 200 and KM 500 (compared with an overall average salary in BiH at that time of KM 700).35

In terms of addressing poverty through the social welfare system, BiH spends three times more than the regional average on health and social welfare (over 4% of its GDP vs. 1.6%) but the poorest quintile receives only 17 per cent.36 The complexity of the administrative conditions and procedures involved in applying for some social welfare benefits creates real barriers for many vulnerable families trying to access social welfare support and effectively debar many Roma families from accessing their entitlements.37 According to the Monitoring Report on the Progress towards the Realization of the Millennium Development Goals, 90 per cent of Roma women have no access to social protection.38

One successful model for addressing the social exclusion and multidimensional poverty of the Roma and other vulnerable groups is the Programme for Enhancing the Social Protection and Inclusion System for Children and Families in Bosnia and Herzegovina (the SPIS Programme), developed by UNICEF in cooperation with national and local partners. SPIS Programme applies a holistic approach to the enhancement of the system of social protection and inclusion, through investment in policies and services that go towards the best interest of children, human rights, and respect to the country’s international obligations. The model supports the design of social protection and inclusion policies, while simultaneously strengthening social services and outreach to the most vulnerable groups, with constant review and updating of evidence based on the status and needs of the target groups. Importantly, the Programme invests in communicating and advocating for child rights as well as strengthening cooperation and referral mechanisms between institutions from different sectors.

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34 See the data set for the UNDP/WB/EC, Regional Survey of Roma 2011 – Data on Vulnerability of Roma: Bosnia and Herzegovina, op. cit.. While the data was produced using standard World Bank and UNDP methodologies, it is based on a small sample.
36 Ministry of Finance and Treasury of Bosnia and Herzegovina, the United Nations Country Team in Bosnia and Herzegovina, Progress towards the Realization of the Millennium Development Goals 2010, Sarajevo, July/August 2010, p. 10.
37 Interview with Ms. Mirsada Peturkovic, Director of the Sarajevo Canton Center for Social Work, February 2012.
2.3. Employment

General unemployment in BiH increased to 27.6 per cent in 2011. The high unemployment rate among young people aged between 15–24 (57.5%) impacts disproportionately on Roma communities, which have a higher percentage of young people.

There is little country-wide, recent data on the situation of the Roma in the labour market in Bosnia and Herzegovina, but the limited data available from local surveys indicates that Roma generally have a very low level of (formal) employment, low wages and mainly non-permanent jobs. Roma women are in an even worse position than Roma men. Lack of formal qualifications among Roma and the general high unemployment in the country are the two main reasons for the deplorable situation of the Roma on the labour market. However, Roma also have to face discrimination from potential employers which constitutes a further serious obstacle to employment. A 2007 UNDP Report found that – employers opt not to employ anyone two to three times more often if their only choice is a member of Roma population, than is the case with the other two surveyed groups (i.e. IDP/refugees and majority population in close proximity to Roma). According to a UNDP report, “Roma are victims of racism in employment five to ten times more often than the other two surveyed groups, be they members of majority or minority peoples.”

According to a 2006 UNDP survey, the unemployment rate among non-Roma at that time was 30 per cent while among Roma it was 52 per cent and among Roma women, 71 per cent. The Alternative CEDAW Report in 2010 quoted a nation-wide survey that showed that almost 82 per cent of Romani women were unemployed, 9 per cent were working in the informal sector and 7 per cent were begging for survival. Very few Roma (2%-3%) are employed in the public sector.

A survey in Tuzla Canton in 2010 found that nobody was employed in 87 per cent of the Roma families surveyed. Only 5.9 per cent of the interviewed Roma were registered as employees, 14.3 per cent stated that they were not registered while the vast majority were unemployed. Collecting waste material was the main occupation. Many Roma throughout BiH are involved in collecting re-cycleable waste material, or in seasonal work which does not provide for social security or guarantee a long-term, stable income. The over-reliance on the informal sector contributes significantly to Roma families being trapped in a cycle of poverty. Such work is irregular, often hazardous, and excludes families from the protection of social insurance and social protection mechanisms during periods of unemployment.

Another obstacle to self-employment, for vulnerable groups in general and for Roma in particular, is inadequate access to bank credit. Roma often do not have property titles, thus limiting their ability to collateralize their assets and gain access to formal financial institutions. As a result, Roma frequently have to rely on informal money lenders, who charge higher interest rates.

There are no special measures to address the chronic unemployment of Roma in the National Employment Strategy, although they are recognised as a particularly vulnerable group, but in 2008 the government adopted an Action Plan on Employment as part of its Decade of the Roma commitment. This Action Plan contains five objectives and forty-two measures. The Ministry for Human Rights and Refugees of Bosnia and Herzegovina allocated about KM 702,000 to realise the active labour market.

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39 European Commission, Bosnia and Herzegovina 2012 Progress Report, op. cit.
measures envisaged – KM 440,000 to FBiH; KM 220,000 to Republika Srpska; and KM 42,000 to Brcko District. The funds were allocated through employment agencies to (i) subsidise employers to recruit Roma and (ii) to support Roma self-employment through incentives to Roma owned businesses. Initial assessments indicate that funding in FBiH resulted in employment of 98 people, 33 of whom found jobs, and 65 who became self-employed. Changes to the qualifying criteria have since led to employment of six Roma in Brcko District. In Republika Srpska KM 47,500 was expended on the self-employment of five Roma and subsidies for employment of 13 Roma. Numbers could have been higher but there were drop-outs and withdrawals from the scheme for various reasons. Potential employers and Roma applicants both experienced difficulties in meeting the criteria for financial assistance so the criteria were changed to encourage draw-down of funds.

Final analysis of these initiatives is not complete yet but hopefully the current DAPs review will refine the criteria further and establish an optimal model of promoting Roma employment. The review by the NGO Kali Sara indicates the need for more information campaigns for Roma, employers and employment agencies. But more effort is obviously also required to simplify employment and employment practices which has a total of 178 institutions involved (ministries, employment institutes, offices and bureaux at different levels) with state bodies (Ministry of Civil Affairs, Agency for Labour and Employment) having only co-ordinating roles and Entity Ministries of Labour and Employment with their cantonal or municipal employment services/bureaux being the main actors responsible for improving the situation of Roma on the labour market. No funds seem to have been allocated to address these institutional barriers to improving Roma inclusion in the labour market.

More applications for employment subsidy came from public rather than private employers, who were technically not eligible. Considering the extremely low representation of Roma employees in the public service, this anomaly needs to be addressed urgently, and there may be a need for a programme of affirmative action to increase the number of Roma employed by state agencies, and the range of positions they occupy. It should be noted that almost all respondents in this study quoted use of trained, qualified and professional Roma employees as one of the major factors influencing the success of Roma related projects, so it would seem to make sense that public service agencies with limited take-up by Roma should seriously consider adopting this model to improve their performance. Although there clearly is an issue about the number of Roma available with suitable qualifications and experience to take up existing positions in government service, it would seem that there has been no systematic attempt to attract educated Roma into the public service; to map how international agencies have successfully integrated Roma into their labour force; or to adapt existing posts, or create new ones, to increase Roma access to their entitlements. There are already a number of job-creation, training and development models available for replication or adaption by state agencies. These could also perhaps be used to address the general mismatch between employer needs and Roma experience which led to several employers pulling out of the DAP employment schemes, citing the difficulty of finding suitable candidates.

However, the educational gap between Roma and non-Roma is a sad reality and was a major factor in the lack of take-up of both Decade employment schemes, and needs to be addressed urgently as a priority. The UN through its joint MDG-F programme is working to better align education services with the labour market. UNICEF and its partners have developed strategies to promote vocational training and lifelong learning, informed by considerations of cost-effectiveness, equity, inclusiveness, and the transition from post primary education to the world of work. The emphasis is placed on learning by doing, community-based projects and communications technology to provide quality educational opportunities for hard-to-reach youth.

Save the Children has also developed models of catch-up classes and skills-training courses for Roma youth which have been piloted successfully in Zenica-Doboj Canton. These bring together most of the local stakeholders in employment creation and the courses offered in welding, upholstery, hairdressing and sewing are relevant to the local jobs market, rather than trying to channel Roma youth into low-paid waste disposal and traditional crafts. Although they are being supported by external donors and local stakeholders, these models are being developed outside the DAP framework, and so these resources are not counted in the Decade budget and the models are not being adopted by the wider Decade stakeholder group for roll-out throughout the entire country.
2.4. Housing

Any effort to foster social inclusion needs to actively combat the residential segregation of Roma evidenced in many European states, sometimes as a result of deliberate government policy. Segregation severely limits families’ access to all public services, in particular those concerning education, employment and health care. A 2009 Fundamental Rights Agency study⁴⁶ found that Roma housing areas throughout Europe usually lack access to public services and utilities such as water, electricity or gas. Some SEE governments committing to the Decade of the Roma undertook baseline measurement of Roma living in “settlements with low socio-cultural conditions” in 2005. These were defined as segregated rural settlements with a high proportion of Roma, or urban neighbourhoods with a similar population structure. The conditions in these segregated areas are frequently poor, with limited access to utilities and services, and most inhabitants living in dilapidated structures. BiH noted 100 such settlements⁴⁷ and analysis of the CSW data indicates that between 50 per cent and 70 per cent of the Roma in Bosnia and Herzegovina live in unsafe residential buildings (huts with only one room without sanitary facilities or even ruins). As many as 30 per cent of those registered had no kitchen and 17 per cent had no power supply.⁴⁸ While MICS4 data indicates that 97.4 per cent of Roma respondents were using improved sources of drinking water, there is obviously still work to be done in raising the percentage (74.2%) of families with water piped directly into their dwelling.⁴⁹

Only 49 per cent⁵⁰ of Roma registered were owners or co-owners of their homes and non-registration and lack of secure tenure is a particularly acute problem for Roma living in informal settlements or in rented accommodation. As a result, many children are not called to school and cannot register with a doctor. Legalisation of Roma settlements requires the involvement of authorities at all levels. Often those living in slum settlements are not included in government statistics or studies,⁵¹ which means that they are invisible to policy makers and service providers. The adoption of the Roma Housing Action Plan, therefore, represents a key step in a long term process and seems to have been prioritised during the first stage of BiH’s Decade strategy.

The Action Plan adopted three objectives to address the complexity of Roma housing issues in BiH – urban development of Roma settlements and legalisation of individual housing units and buildings; training and raising society’s and Roma’s awareness of the need to address housing issues; and planning and constructing new housing through social, donor and credit programmes. A total of KM 5,883,714 was committed to Housing Action Plan activities, including KM 1,885,714 from SIDA and KM 1,882,200 in contributions from project implementers. The majority of funding seems to have gone to building and refurbishing homes for Roma families under Objective 3. The DAP set an ambitious target of providing 6,500 homes for Roma families and to date, 139 housing units have been constructed/reconstructed and 30 Roma families have benefitted from infrastructure improvement projects. A further 73 housing units are under construction and 60 more families will benefit from ongoing infrastructure projects.

Key informants and the Decade Review raised concerns about the quality of the housing constructed, and the process of assigning housing, particularly the role of the local Roma representative. Inevitably there was a lot of anecdotal evidence about poor quality projects, while awareness of successful projects was more limited. Hopefully the ongoing review of the Action Plans will identify some of the successes in this sector and promote cost-effective models that can be replicated country-wide.

would also be useful to know whether new-build or legalisation/refurbishment is the more practical option. In recent times, the Roma community living in the Gorica neighbourhood in the municipality of Sarajevo Centre have been able to legalise their settlement, with international mediation and financial assistance for the reconstruction of 30 flats. This model appears to have enabled the municipal authorities and the Roma community to find a mutually acceptable solution to housing difficulties and would seem to constitute good practice which may be worth while exploring in other municipalities.

While it is understandable and commendable that government and international donors have invested so heavily in building and construction to meet the immediate needs of Roma families, little effort seems to have gone into addressing or even mapping the institutional barriers to Roma families accessing housing. One area that clearly needs fairly immediate clarification and revision is ensuring fair, transparent and standard criteria for allocating housing units as they become available. Participation by local Roma representatives undoubtedly adds significant value to the allocation process, but they would appear to be often placed in a difficult position with very little chance to avoid allegations of nepotism or favouritism. If their role is to be enhanced, then their responsibilities need to be clarified. The criteria for allocation of housing need to be tightened and standardised with a greater role for CSWs to certify and confirm that housing is being allocated on the basis of greatest need. There may also be a need to ensure that housing is legally allocated to both spouses in order to strengthen women’s rights to property ownership and to safeguard the situation of mothers and children in the event of marital breakdown.

2.5. Education

Despite the common perception that Roma are not interested in education, qualitative studies demonstrate that most Roma recognise poor education as a root cause of poverty and marginalisation and consider education important for their children. However, it is widely recognised that Roma children face discrimination within schools and this, combined with family poverty, discourages many Roma children from participating fully in education. Roma children’s and young people’s lower rates of participation in education\(^\text{52}\) severely limits their capacity and opportunities to participate in mainstream social, economic and political life and leaves them vulnerable to exploitation, poverty, abuse, and unemployment.

Comparative data from surveys done in the SEE region indicates that in all countries and for all age groups, Roma literacy rates are consistently lower than those of non-Roma, even when they live in the same neighbourhood. With the exception of Romania and FYROM, Roma aged 25–34 have a better rate of literacy than those in the 15–25 age group, indicating that the current situation is deteriorating, not improving. The literacy rates of Roma women are consistently lower than those of Roma men, which is of particular concern, since the well-being of the family and especially of children is closely related to the level of education of the mother.\(^\text{53}\) In BiH this is reflected in literacy rates of 68.9 per cent for young Roma women aged between 15–24 in BiH compared with 90.4 per cent for their male peers.\(^\text{54}\)

BiH has nearly achieved universal primary school enrolment (98%) but two in five Roma children have never been to school. The primary school entry rate for Roma children stands at only 46.9 per cent. Their attendance rate stands at only 69.3 per cent in primary school, with only a 22.6 per cent attendance rate for secondary education.\(^\text{55}\)

\(^{52}\) Save the Children, Denied a Future? The Right to Education of Roma/Gypsy and Traveller Children in Europe, Save the Children, 2001.


\(^{55}\) Ibid, 79–81.
Some Roma children are never called to enrol in school since they are not registered but in many cases Roma parents also delay enrolment in order to postpone their child’s experience of discrimination, ranging from humiliating treatment, lack of attention, harsher punishment, bullying and ostracism. This is the kind of hostile environment Roma children confront when they start their first year in school, and quite often the value of education is outweighed for them by the negative experience of their schooling. Schools in South East Europe rarely practise intercultural learning and understanding, and teachers have limited capacities and tools to facilitate such learning. So, although children have the right to their culture and identity and to be proud of themselves and their family, Roma culture is often seen as negative and of less value by teachers, school personnel and by non-Roma children and their parents.

A 2010 report by Împreună Agency for Community Development in Romania evidences the structured inequalities of national school systems in relation to Roma and confirms previous studies that link Roma drop-out rates to the quality of education provided. Kali Sara, a local Roma NGO, has similarly documented some of the inequalities and discrimination that contribute to Roma children’s poor performance in BiH schools. Language barriers, lack of school readiness and support programmes are among the main contributors to their low achievement. Kali Sara have noted instances of Roma children in the sixth grade who could not read nor write being allowed by their teachers to pass classes without the learning out-come required by the curriculum; bullying and name-calling by peers; transfers of non-Roma children by their parents; a suggestion by a municipal representative that Roma children should be escorted from home to school and back so that they would not hang out on the streets; refusal by non-Roma children to sit next to Roma. As a result, the dropout rates for Roma children are extremely high, especially for girls, with poverty being a key factor. MICS4 data indicates that only 70.9 per cent of primary school-age Roma boys, and 67.8 per cent of Roma girls, are attending school, and at secondary level, this drops to 26.6 per cent of Roma boys and only 18 per cent of Roma girls.

A study among children and youth in elementary and secondary school conducted in 17 municipalities in BiH found that economic hardship, poverty, lack of access to schools, and limited awareness of the importance of education are the main reasons for school drop-out. It shows that Roma children are especially prone to early leaving. Only 25 per cent of elementary schools and 60 per cent of secondary schools keep records of school-age children who are not enrolled. At present there is a legal obligation on parents in BiH to send children to school but the responsibility for pro-actively reducing the high rate of absenteeism among Roma children also needs to become an explicit part of school-principals’ and education officials’ roles, perhaps with budget allocations tied to enrolment and completion rates.

As in other areas of discrimination and deprivation, there are models available in BiH to support schools and local authorities to address this issue, but little effort has been made under the DAP to evaluate their effectiveness or promote their use. The same is true in terms of the many initiatives and programmes aimed at addressing discriminatory practices in schools. UNICEF for instance has developed strategies to address discrimination in schools, focusing on commonalities instead of cultural divisions and delivering positive cross-cultural messages at the local level, through contemporary arts and culture, sports activities etc. and the participation of children and young people through social interactions and culturally-based social inclusion.

56 Romano Kher, Developmental-Educational Centres in the Municipalities in the South of Serbia, 2006, p.17.
The BiH Action Plan on the Educational Needs of Roma and Members of Other National Minorities (adopted in 2004) was not effectively implemented as a consequence of limited budget allocation and undefined division of responsibilities among stakeholders, but the revised Action Plan on Education was adopted in July 2010. Since the lack of financial assistance often compromises the realization of the right to education of children from low-income families, provision of free textbooks and free transport to and from school formed an important part of the revised DAP budget. However, the Education DAP also needs to address the reality that the school environment is usually difficult and de-motivating for Roma children. International experience has shown repeatedly that young children who are not taught in their mother tongue are at a significant disadvantage, and will experience difficulties in learning. This may be the case with Roma children in BiH. School texts have not been written in their language (with the exception of a primer that was prepared before the war, but never used). There are no preparatory programmes for these children prior to going to mainstream school that might help them to adapt to the language and mode of instruction; enrolment in regular pre-primary institutions is very low. Similarly, there are no immersion classes available by which a transition to primary education in the local language might be facilitated.

International experience also recognises the importance of pre-school in preparing vulnerable and excluded groups for a positive school experience. There is a Framework Law on Pre-School Education which makes one year of preschool education compulsory in BiH but implementation is slow and only around 13 per cent of children in BiH attend early childhood education programmes. To date only seven cantons have harmonised their respective legislation to the state law, while another three are still pending formal approval. All local authorities face difficulties and obstacles relating to inconsistent legal framework, lack of concrete, long-term strategies and the lack of financial and space resources. Children from poor and rural families as well as Roma children are largely excluded from pre-school services with detrimental effects on their school performance. Only 1.5 per cent of Roma children are attending organised early childhood education (ECE) programmes. UNICEF is working with the ministries of education to increase the ECE participation for all children with a focus on Roma. This has the potential to significantly increase not just the enrolment rate of Roma children but also their retention in school and eventual completion of basic education and participation in higher education. Resources need to be assigned within the Education DAP to evaluate the potential of this model and promote its extension across the entire country. Resources for this work, and other national advocacy, may be available through the Roma Education Fund. Rapid and significant changes in the education system, including early childhood education, will have to be a key part of any improvement in the situation of Roma families in BiH.

2.6. Health

Poverty, shanty housing, lack of clean water and sewerage, and working in refuse collection and waste recycling underpin Roma’s poor health conditions. However, low immunization rates, tobacco, drugs and alcohol have also been identified as health problems within the Roma community.

The prevailing lack of appropriate documents by many Roma families restricts their access to health services and health care providers and compounds their poor health status. Children up to 18 years are automatically insured but low rates of employment and school enrolment makes it less likely that Roma enjoy automatic health insurance over while unemployed adults have to be registered with the employment offices in order to be eligible for health insurance.62

According to a statement of a Roma representative, 60 per cent of the Roma in Bosnia and Herzegovina are without health insurance while according to other data 73 per cent of Roma cannot obtain social insurance based on income. According to unpublished observations by World Vision, 25 per cent of Roma respondents stated that their family did not have health insurance and among those families that were covered, 42 per cent had coverage for only one person in the family. This figure was reinforced by MHRR 2010 research which noted that only 27 per cent of Roma reported having health cards. Most Roma in BiH stated that they had problems in accessing health care mainly due to lack of health insurance. Those Roma who did access medical care within hospitals were treated on an equal basis with other groups – non-discrimination is one of the basic principles in health-care in BiH –, although some reported cases where the staff in health care institutions treated Roma badly.

These factors contribute to the situation where Roma visit doctors one-third less than other groups, which in turn impacts negatively on the vaccination rate of Roma children, although the recent introduction of free basic health insurance for all children up to 18 in the Federation of BiH and existing legislation in RS provides a legal basis for free access to health care by all children. Moreover, Roma who “(...) due to their traditional way of life, do not have a permanent residence or temporary residence in the Federation (...)” are provided by health care by the Federal legislation. One problem is that Roma (as well as other populations) do not have access to information on the free insurance and so do not make use of it. The lack of health insurance for pregnant Roma women and new Roma mothers in particular imposes risks to the health of the child and mother in the prenatal period and after the birth. It can also create and perpetuate confusion over documentation and registration as in some cases women are not allowed to leave the hospital after delivery, unless they are medically insured or the expenses for pre-natal and post-natal treatment are paid. As a result, women belonging to vulnerable groups, particularly Roma, sometimes provide false identification in order to avail themselves of someone else’s health insurance.

In June 2013, the FBiH Government issued a decision on the allocation of BAM 50,000 for the healthcare costs of Roma who lack health care insurance in FBiH. The decision has yet to be fully implemented but the funds should slightly improve the provision of health care to Roma who have no permanent or temporary residence registered in FBiH. Though this represents a minor improvement in the provision of health care for Roma, a permanent and systematic solution needs to be ensured.

Malnutrition of babies and small children is of concern in BiH, especially among Roma children. The UNICEF research study “Nutrition and Health Status of Roma Children in 2008” showed that half of all <6 month old Roma children suffer from chronic malnutrition, are more frequently sick, and are at risk of life-long consequences from developmental delays. The MICS4 results indicate that among Roma children under 5, 21.1 per cent are moderately and 8 per cent severely stunted (height for age), compared with 8.9 per cent moderately and 3.8 per cent severely stunted among the general population, while 8.8 per cent of Roma under-fives are moderately, and 2.4 per cent are severely, underweight (weight for age). Overall, Roma children are five times more likely to be underweight and are twice as prone to stunting.
Another area of concern is the immunization status of Roma children. The MICS4 data indicates that only 4.3 per cent of Roma children in the sample surveyed had received all their appropriate vaccinations by 12 months of age (18 months for measles, mumps and rubella) while 13.3 per cent had received none. In research by the Roma Council, 8.1 per cent of Roma respondents stated that they had children with special needs and 55.6 per cent of them were born with a disability.

Early childhood development (ECD) represents a preventive and curative approach that is vital in ensuring access to basic health care services and combating poverty and social exclusion for young children under 3 years of age. UNICEF has developed a working model aimed at greater involvement in these vital services by disadvantaged groups including Roma. Thirteen IECD Centres have been established to date, as well as mobile health teams and clinics that also make home visits. This model will be evaluated and if assessed cost-effective in addressing the severe health problems faced by Roma families, it should be promoted and replicated as part of the current DAP. Other models to be explored include the use of health mediators and mobile health visitors or public health nurses to actively promote and facilitate health care and health education initiatives with Roma communities. This report cannot evidence or compare the success rate of these models but this is a valid and legitimate role for the DAP in BiH as part of its pursuit of institutional responses to the problems Roma face.

While there is no evidence that Roma children or communities are more prone to HIV/AIDS than non-Roma, most of the factors that contribute to increased vulnerability among youth – high unemployment; post-conflict stress; inadequate sex education in schools; increased mobility, voluntary or involuntary; living on a trafficking route; living in a rural area; lack of access to prevention services; high cost of quality condoms – impact on Roma youth in BiH. Lack of knowledge, however, puts young Roma people at risk. MICS4 indicates that while 65.2 per cent of Roma women aged between 15–24 have heard about HIV/AIDS only 8.9 per cent have sufficient and comprehensive knowledge of how HIV can be transmitted and prevented, compared with 47.6 per cent of the general population. For young Roma men in the same age group, only 20.9 per cent had an adequate knowledge of how HIV can be prevented, and although 54.2 per cent of unmarried Roma men in this age-group had engaged in sex, only 5.1 per cent had ever been tested for HIV. This would seem to indicate that there may be a need to develop preventive programmes targeting Roma youth and to make sure that mainstream national responses address their needs in an effective and culturally sensitive manner.

2.7. Child Protection

There is little research on the child protection needs of Roma children in BiH, but it should be clear that they are particularly vulnerable given that they are three times more likely to live in poverty, and that all known indicators are worse for them than for the rest of the population. According to MICS4 results, more than one half of Roma children (58 per cent) aged 2-14 years had been subjected to at least one form of psychological or physical punishment by their parents or other adult household. Also, fifteen per cent of Roma women aged 20-49 married before age 15 years and 48 per cent of women of the same age married before 18 years of age. Almost 5 per cent of Roma children are

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not even registered at birth and therefore cannot enrol in school or have health insurance.\footnote{According to MICS4 results, 4.2\% (31 children) under-5 had not had their births registered. However, “this value should be interpreted with caution as interviewers were not shown a birth certificate in 20 per cent of cases”. Source: The Ministry for Human Rights and Refugees of Bosnia and Herzegovina et al., \textit{Multiple Indicator Cluster Survey (MICS) 2011–2012, Bosnia and Herzegovina: Roma Survey}, Final Report, op. cit., p. 86.} In effect, Roma children continue to be BiH’s most vulnerable minority. Yet despite their recognised vulnerability, there is no agreed Child Protection Strategy or Action Plan within the Decade work programme.

All of the risk factors noted above render Roma children more vulnerable to abuse, neglect, exploitation and violence (ANEV), the most visible manifestation of which is child begging. In BiH the majority of children begging on the street belong to the Roma minority. A recent regional study\footnote{Save the Children/CRONSEE, \textit{Regional Report on Child Begging}, Save the Children/CRONSEE, Sarajevo, December 2011, p. 16.} showed that the local authorities registered 131 children aged between 2–17 years of age begging in Republika Srpska in 2010, 68 girls and 63 boys. 37.5 per cent were aged between six and nine years of age; 36.5 per cent were between ten and fourteen. While family poverty was the main reason given by children for begging, 24 per cent of them also quoted reasons of family dysfunction (alcoholism, prostitution, domestic violence) which implies that the same child protection concerns have to be addressed among Roma communities, as among the majority population.

In addition to poverty, social exclusion/discrimination and cultural traditions, child labour is to some extent the consequence of lack of access, especially by Roma mothers, to public assistance (even when they are entitled to it) and the absence of quality education options for children. These same factors also leave Roma children particularly vulnerable to trafficking. The results of a recent ERRC study\footnote{See ERRC/People in Need, \textit{Breaking the Silence: Trafficking in Roma Communities}, ERRC, 2010, p. 11.} indicate that Roma children are at a disproportionately high risk of trafficking due to their low socio-economic status, low educational achievements, high unemployment and pervasive racism and discrimination. ERRC/People in Need interviews with police, NGOs and anti-trafficking experts revealed that Roma are perceived to represent 50–80 per cent of victims in Bulgaria, 40–80 per cent in Hungary and up to 70 per cent of victims in certain parts of the Czech Republic. Improved access to welfare services and quality education options could significantly reduce the incidence of Roma child labour in BiH. The nature and causes of excessive child labour by Roma children, either as part of their family or “contracted out” needs to be checked out and programmes developed to reduce Roma engagement in the worst forms of child labour. In addition to reducing their chances of studying, inappropriate work can also truncate childhood and places considerable physical and emotional burdens on children.

Roma families in BiH face exclusion, discrimination, insecurity, overcrowded unhealthy living conditions, poverty and hunger which inevitably create tension within the home and can lead to violence. In a UNICEF study of family practices in Serbia and Montenegro, 30 per cent of Roma respondents considered corporal punishment appropriate in bringing up children, compared to 11 per cent of non-Roma. Nearly two thirds (64\%) of Roma parents admitted hitting a child in the week prior to the survey (twice the rate among non-Roma) and the frequency of beatings was also higher.\footnote{UNICEF, \textit{Family Report for Serbia and Montenegro}, 2006, quoted in UNICEF, \textit{Breaking the Cycle of Exclusion: Roma Children in South East Europe}, op. cit., p. 43.} MICS4 data indicates that 57.6 per cent of Roma children in BiH between 2–14 had experienced violent discipline in the home, including 6.7 per cent who had experienced severe physical discipline, compared with 55.2 per cent and 4.5 per cent of non-Roma children respectively. It may be that Roma women and children lack information and/or knowledge of the services available to them, and they tend to have little confidence in law enforcement and protection bodies which are often seen as a threat rather than a support. It needs to be checked that double standards are not being applied to Roma women and children, based on stereotypes about Roma culture.\footnote{Data on violent punitive measures experienced by Roma children: The Ministry for Human Rights and Refugees of Bosnia and Herzegovina et al., \textit{Multiple Indicator Cluster Survey (MICS) 2011–2012, Bosnia and Herzegovina: Roma Survey}, Final Report, op. cit., p. 88; Data about the majority population: The Agency for Statistics of Bosnia and Herzegovina et al., \textit{Bosnia and Herzegovina Multiple Indicator Cluster Survey (MICS) 2011–2012, Final Report}, op. cit., p. 93.}
It also needs to be established whether or not Roma children are disproportionately represented in special needs schools and residential institutions for children without parental care, as they are in other parts of South East Europe. Research by the European Roma Rights Centre and the Bulgarian Helsinki Committee in 2004, covering 46 of the 138 special schools in Bulgaria, estimated that 80–90 per cent of the pupils were Roma. The estimates of the percentage of Roma enrolled in special schools in Serbia ranges from 50–80 per cent. In Montenegro, nearly 80 per cent of the children enrolled in “special” schools are Roma, Ashkali or Egyptian children. Many of these schools are residential and Roma children are unnecessarily institutionalised, as a result of poverty and failures in the education system. An initial assessment in BiH indicates that there were at least 126 Roma children in institutional care in BiH in 2011 but further research is needed to confirm that Roma are not disproportionately represented among the 880 children in institutions in BiH. There is no data available related to fostering or adoption of Roma children and this is another area that needs investigation.

Overall, child protection systems have not engaged with Roma communities as they have with those of the majority cultures, and have not developed Roma led, community based protection and support mechanisms appropriate to the needs of vulnerable Roma children. There is no systemic outreach approach to Roma families in order to ensure they benefit from social protection services. The centre-based models being piloted at present in BiH also need to be evaluated for their potential for replication in other areas. But to ensure systemic development of protection services for Roma children fully integrated within mainstream CP systems, full and proper consultation needs to take place with Roma families to ensure that child protection mechanisms also build on and respect Roma culture.

2.8. Gender Equality

Society in Bosnia and Herzegovina is still traditional and patriarchal. Participation of women in political and public life is limited and equal opportunities do not fully prevail. This is even more pronounced in Roma communities and Roma women suffer discrimination as women and as members of the Roma community. The general low education level among Roma women, their unemployment rate and the patriarchal attitude prevailing in the Roma communities further compound their difficult situation. The 2012 Progress Report of the European Commission concludes that very little progress has been made on improving the situation of Roma women and children who continue to suffer from discrimination and domestic violence.

The Gender Action Plan (GAP) of Bosnia and Herzegovina refers in some chapters such as education and participation to Roma women, but not in those dealing with employment. Also the proposal within the GAP to develop a strategy for increasing the number of women from rural areas and Roma women in decision-making organs at local level was not realised. The 2010 Alternative CEDAW Report provides a negative assessment of BiH’s gender policies from a Roma women perspective. It concludes that “public policies adopted by BiH in the field of gender equality and protecting women’s human rights neither recognize the problems and needs of Roma women, nor provide for special measures aimed at prevention and elimination of the double discrimination that Roma women are subjected to”. While the Roma population is identified as a priority group in the Draft Social Inclusion Strategy 2008–2013 (SIS), as well as the need for all indicators to be disaggregated,
it does not mention the need for gender- and ethnicity-based disaggregated data.

In a UNDP study\(^{85}\), nearly 80 per cent of Roma women did not even finish primary education compared with less than 22 per cent of non-Roma women. Only 4.5 per cent of Roma women finished secondary education compared with 9.2 per cent of Roma men, 42.5 per cent of non-Roma women and 52 per cent of non-Roma men. Only 47 per cent of Roma girls were enrolled in primary education. This may explain the low level of literacy among young Roma women aged between 15-24 in BiH (68.9%) compared with their male peers (90.4%). While the adjusted net attendance ratio (NAR) measured in MICS4 was roughly similar (70.9% for boys/67.8% for girls), the ratio for secondary school widened to 18 per cent for girls compared with 26.6 per cent for boys.\(^{86}\) The needs of Roma women and girls are not specifically addressed in the Roma Education Action Plan, nor in the framework document of Bosnia and Herzegovina for promoting education – “Strategic directions for the development of education in Bosnia and Herzegovina 2008–2015”. The draft SIS does raise the issue of the disadvantaged position of Roma women in relation to education, without offering specific remedies.

In terms of employment, the limited data available on Roma women indicates that high unemployment, employment primarily in informal jobs with no social insurance, low wages and job-insecurity are the common experience of Roma women on the labour market in BiH. However, according to the Alternative CEDAW report, “the state has not foreseen any affirmative action measures that would address the problem of gender inequality in employment”.\(^{87}\) This omission demonstrates the lack of understanding of the multiple disadvantaged position of Roma women which makes it difficult to implement gender-specific initiatives. The Decade Action Plan on Employment, for instance, contains five objectives and forty-two measures but only two measures under Objective II refer directly to Roma women, (although Roma women could be beneficiaries of other measures) and Roma women constitute an indicator only once.

Reliable, state-wide or even entity-wide data or research on gender-based violence (GBV) against Roma women is scarce and do not always cover all forms of violence. In 2010, a survey\(^{88}\) among more than 600 Roma women across Bosnia and Herzegovina revealed a situation of wide-spread violence. MICS4 data indicates that 21.1 per cent of Roma men and 43.5 per cent of Roma women between 15 and 49 still believe that a husband is justified in beating his wife/partner for various reasons.\(^{89}\) The difficult situation of Roma women with regard to violence is compounded by their lack of trust in law enforcement institutions and the lack of support (and sometimes even refusal) to protect them from the institutions charged with protection of victims of domestic violence. These institutions have not created an infrastructure which would allow Roma victims of GBV to access rescue and protection, report violence or prevent it. Specific intra-community dynamics also contribute to this situation. Roma victims of domestic violence often do not seek medical help, since they might not have health insurance and often do not seek help since they are ashamed or even afraid that they will again fall victim to violence by their husband or other male members of his family, and they often cannot find help from their own families.\(^{90}\) The survey revealed that the main reasons why women failed to request medical help were “out of shame” (54%), “husband forbids it” (14%) and “no health care record/didn’t expect help”.


\(^{88}\) Data from Rights for All, Stop Violence! Report on Domestic Violence Against Roma Women in Bosnia and Herzegovina, Sarajevo, 2010.


Although Bosnia and Herzegovina has established mechanisms for the promotion of gender equality in general and for protection from GBV, most of these mechanisms do not sufficiently take into account Roma women. The 2006 Gender Action Plan (GAP) adopted at state level does not address the specific needs of Roma women with regard to gender-based violence or trafficking. According to the Alternative Report on Implementation of CEDAW and Women’s Human Rights in Bosnia and Herzegovina, the Draft National Strategy for Preventing and Combating Domestic Violence neither recognises nor addresses the vulnerability of Roma women and their exposure to double discrimination. The Strategy for Roma and the relevant action plans do not refer at all to the issue of gender-based violence. Although the Strategy recognises the importance of preventing Roma child and girls trafficking the four action plans do not refer at all to GBV in general or to the issue of trafficking in particular.

Ibid.
3. Framework of Response

3.1. Government

Traditionally Roma have not engaged with the political structures in Bosnia and Herzegovina and to date there has been no response to the European Court of Human Rights’ 2009 ruling on the discriminatory nature of the BiH constitution that excludes Roma and other ethnic minorities from equal participation in political and governance processes. There appears to be no discrete Roma political party or organisation in BiH nor is there a national Roma representative body established by law.\(^92\) Although some Roma stood as individual candidates in the recent local elections, there does not appear to have been any systematic or organised attempt by Roma to use the available minority representation mechanisms of the voting system to elect Roma representatives to the local authorities, despite their numerical strength relative to other minorities. This study came across only one Roma individual\(^93\) elected in this way although other Roma were rumoured to have been elected to municipal bodies as party representatives. This missed opportunity to strengthen Roma’s voice at local and municipal level, where many decisions affecting Roma families are made, can only be regretted.

However, there are existing bodies and structures within the political system to engage with Roma communities in addressing their poverty and exclusion, although most of them have only an advisory role. The Council of Ministers established an Advisory Board on Roma in 2002, which lapsed for some years, but a new Board was appointed in September 2012 comprising nine representatives of government ministries and bodies and nine representatives elected by Roma. Although debate continues about the effectiveness and fairness of the election process, the renewal of the Advisory Board is a major step forward and offers a unique opportunity to (i) strengthen MHRR’s coordinating role and capacity to build practical commitment to the Decade programme within government structures and systems and to (ii) facilitate and strengthen Roma engagement with BiH’s political and governance mechanisms. It is therefore vital that both Roma and non-Roma stakeholders work together to hold the Advisory Board accountable to its mandate and ensure that it becomes a vehicle for developing the political will and institutional responses necessary to achieve the long term change in the situation of Roma families.

Other statutory bodies open to Roma participation include the Councils of National Minorities at state and local level. Legally these have to be established in municipalities where at least three per cent of the population are members of national minorities. There is no quota for participation by Roma women in these structures, although the Law on Gender Equality requires a quota of 40 per cent for women in all public administration bodies.

The government adopted the “Roma Strategy in Bosnia and Herzegovina” in 2005. It identifies fourteen specific areas to be addressed including education, employment, housing, health-care and social security. Demographics and population policy, domestic matters, gender equality and children’s rights are bracketed together in the final category, with the main emphasis on family planning and reproductive health. While the strategy openly acknowledges that none of the seventeen recognised minorities in BiH live in such difficult circumstances as Roma, it makes very little reference to the discrimination and social exclusion that underlies their poverty.

BiH has committed to the Decade of Roma Inclusion. It adopted a Decade Action Plan in July 2008 and appointed a National Coordinator and a Coordinating Committee. There are four action plans operating under the Decade framework – Education, Employment, Health and Housing – although the Education DAP predates BiH’s commitment to the Decade. Adoption of these Action Plans by the BiH Council of Ministers in 2008 represents a major commitment by government to address the


93 At the time of the second field visit in October Mr. Sasa Masic was awaiting confirmation of his election.
problems of the Roma community in BiH. The Ministry for Human Rights and Refugees, the executive body responsible for Roma affairs, has taken on the role of coordinating the Decade programme. The absence of an effective inter-departmental coordinating mechanism, and mixed commitment by other government agencies to Decade goals, has meant that MHRR has had to adopt a stronger and more direct approach to implementing Decade activities than was originally envisaged. This may also have led to the perceived imbalance in implementing thematic DAPS raised by many respondents, and the alleged over-concentration of Decade funds on housing. The recent re-establishment of the Roma Advisory Board (facilitated by MHRR) should strengthen MHRR's coordinating role considerably and enable even greater focus on developing long term institutional responses to Roma exclusion.

According to the Decade Watch Report, substantial progress has been made in improving the status of the Roma population in BiH: 1.5 million euros of the national budget was allocated to implement the action plans; a registration has been undertaken through the CSWs to create a database on the rights and needs of the Roma community; new housing has been built; and self-employment and employment projects have been implemented. Understandably, the rates of investment and implementation have varied across the sectoral DAPs and key informants differed in their assessments of the relative successes of the Decade to date. The 2012 Country Progress Report also points to the uneven progress in DAP implementation and the need for increased effort and improved resources to achieve Decade goals. The lack of investment in the Education DAP is of particular concern, since all stakeholders seem agreed that this is the thematic area with most potential for long term change in Roma's situation.

However, the successes of the programme should be noted by all stakeholders, and efforts in the next phase should focus on documenting the lessons learned to date, replicating successful models and institutionalising them. Achievements under the Housing DAP in particular were noted by the international Decade Secretariat. The current review of the Action Plans on Housing, Health and Employment will hopefully provide practical strategies to build on these current successes. All local stakeholders – Roma representatives, line Ministries and international agencies, have evidenced the capacity and commitment to work together to ensure improved performance across all sectors.

A National Roma Coordinator and four Regional Coordinators have been appointed to liaise with Roma communities and other stakeholders. The National Coordinator is based with MHRR in Sarajevo while the Regional Coordinators are based locally throughout BiH. At present their employment contract is with CARE International but their future status within the Decade programme seems unclear. This should be resolved as soon as possible. The need for specific posts within government structures to champion Roma issues; educate policy makers and programme planners; liaise with Roma NGOs, communities and families; and support individual Roma applicants, is very clear. Despite the overwhelming evidence of Roma marginalisation and exclusion from statutory services, only one municipality to date has appointed a specific officer to facilitate Roma access to services. Appointment of Roma workers has proved a successful model of facilitating Roma participation in decision-making and numerous projects in BiH clearly evidence the practical value of employing Roma workers. It may be helpful for the Regional Coordinators to use the time and space available to them as INGO employees to develop thematic, as well as geographic, areas of expertise e.g. health, housing, children; and to devise options, in consultation with other stakeholders, to address the lack of Roma focal-points within government structures.

While appointment of Roma Coordinators was a significant step forward in facilitating greater Roma involvement in the Decade programme, a review seminar in July 2011 recommended that Roma NGOs should be more closely involved in the design, implementation and monitoring of the Action Plans and the role of Roma representatives should be enhanced. Evaluation of pilot projects

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94 Decade Watch is a network/coalition of Roma NGOs from countries taking part in the Decade. Their main responsibilities include monitoring the implementation of the entire Decade 2005-2015 process in their respective countries and assessing the degree and quality of activities carried out. Decade Watch is currently supported by the Open Society Institute and the World Bank.

is required and good practices related to Roma inclusion need to be shared and replicated. The position and needs of Roma women and girls also need to be given stronger consideration. The seminar also concluded that the BiH Ombudsman should be more active with regard to protection and promotion of the rights of Roma and that a Roma Action Plan on Social Welfare and Protection should be developed to fill the existing gaps in this sector. (The full conclusions of this seminar are noted in Annex 1).

The concerns expressed by respondents about the Decade programme related mainly to the pace of implementation, quality of outputs and lack of agreed monitoring mechanisms. However, there are also questions around the gender blindness of many of the objectives and activities, and the mechanisms for enabling genuine Roma participation at all stages. Understandably initial Decade activities focused on achieving practical benefits for Roma families and addressing immediate rights deficiencies through provision of housing, school books and transport for children. But it is not clear from the DAPs or the reviewing documentation, what work is currently underway to institutionalise these pilot initiatives, to map and address legal, policy and institutional blockages to Roma accessing their entitlements, or to evaluate successful models of service provision.

While it is understandable that the initial phase of Decade work would focus on producing immediate benefits for as many Roma families as possible, the focus now has to be on consolidating those gains and replicating successful models throughout BiH. Research mechanisms are now in place to determine the situation of vulnerable Roma families on an ongoing basis, but this needs to be balanced with mapping institutional blockages, identifying cost-effective models of service provision, and establishing mechanisms for scale-up and replication, if the Decade aim is to be achieved in BiH by 2015. There also needs to be discussion of incentives to promote and support institutionalisation of good practice and sanctions against continuing bad practice. These could range from budget allocations tied to meeting Decade targets through changes to job descriptions, contracts and performance evaluation criteria, to legal sanctions against discriminating staff and/or agencies.

The Ombudsman’s Office has a particularly important role to play in holding agencies to account for their exclusion of Roma. This has been recognised by the wider Decade programme which has established the number of Roma-related issues addressed by the national complaints body as an indicator of success. The BiH Ombudsman’s Office does not maintain Roma specific statistics but they do acknowledge that they are not commensurate with the facts that Roma are by far the largest minority in BiH, and that they are also “in the worst situation from the aspect of health care, education housing etc.”96 It is vital to strengthen the capacity and Roma focus of the Ombudsman’s Office and, in light of the general Decade success criteria, this study recommends that this become a specific objective of the BiH Decade Action Plan.

### 3.2. Roma Civil Society

Considering the size of BiH’s Roma population, Roma civil society appears quite limited and narrow. Besides the lack of political organisations, this study was unable to find any evidence of Roma language, literary, theatre or cultural organisations at national level; Roma studies at university or college level; or country-wide Roma electronic or print media. It may be that these do exist or that they operate at entity or local level, but if so they are not highly visible and were not known to most respondents. This undoubtedly contributes to the chronic misunderstanding and lack of communication between Roma and non-Roma in BiH and allows the negative image of Roma to persist.

In terms of NGOs, the Roma Strategy noted that there were more NGOs among the Roma population than among all the other national minorities put together, almost 40 in all. Local Roma NGO activists

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calculated that there were probably about 70 by now. This cannot be judged solely as an absolute number but has to be seen within the context of the significant size of the Roma population in BiH compared with other minorities. However, the Roma Strategy asked legitimate questions as to whether there were too many NGOs, what they deal with, what their achievements are and what benefits Roma communities get from them. Many key informants during the field visit asked the same questions. It also seems that territorial dispersion of Roma NGOs is inconsistent, with several NGOs in some municipalities and none in others where significant numbers of Roma live.

The role and representativeness of NGOs was raised as an issue by many key informants. There were questions about role related to possible confusion between their commitment to achieving practical benefits for local communities versus their interest in national policy-making; questions about representativeness related to age, gender and accountability to community members. Because the Decade programme is committed to working with Roma and encouraging Roma participation in decision-making, local Roma NGOs and leaders have been given key gate-keeping roles in many cases. Yet the weakness of many local Roma NGOs is acknowledged by Roma and non-Roma alike and some local Roma leaders were perceived as unrepresentative and even obstructive by some informants.

This study was unable to undertake a full mapping of Roma NGOs and civil society organisations (CSOs) and fully accepts that the Roma NGO sector needs to be strengthened but, based on a rapid assessment of the track record, governance and management arrangements, staffing and resources of Roma NGOs encountered during this study, there is also underused capacity within the Roma NGO sector. More appropriate use of Roma NGO, in a way that does not strain their capacity or place them in roles they cannot possibly fulfil, could improve their image and help to redress negative partnership experiences.

The weakness of Roma civil society is a major institutional blockage to advancement of the situation of Roma families and has to be explicitly addressed. In terms of building Roma NGO capacity, it would help if clear criteria for participation in Decade activities were developed and agreed by all stakeholders and clear standards set for all organisations and bodies involved in the Decade. These need not be restrictive and should be adaptable to meet appropriate levels of involvement and responsibility, but they should ensure practical commitment to core principles by all sides – inclusion, gender sensitivity, transparency, accountability, effectiveness and efficiency. Supporting agencies could then sign up to a common Capacity Building Strategy or commit to a strategic partnership with specific Roma NGOs.

However, a capacity-building strategy should also seek to strengthen and broaden the range of current Roma NGOs and to build the next generation of Roma leaders. It should be noted that all the representatives of Roma NGOs interviewed during this study were practically supporting development of local Roma CBOs and networks. The development of Roma women’s organisations seems to be in train but there are as yet no Roma young people’s or children’s associations to represent their particular perspectives and opinions. This is particularly disappointing in light of the recent renewal of the Roma Advisory Board. For long term change in public attitudes and political commitment though, Roma civil society needs to be extended and strengthened, not just NGOs and this is an area that the Decade programme and all stakeholders should even if it takes them outside the framework of the DAPs.
4. Conclusions

Despite significant improvements in Roma lives as a result of targeted interventions over the past few years, the situation of Roma families and children in Bosnia and Herzegovina is still one of chronic multi-dimensional poverty, and the gap between them and the majority populations in terms of access to housing, employment, education and health-care is significant. Roma women in particular suffer intersectional discrimination, as women and as Roma, as well as having to endure prejudice within their own communities. In terms of children’s rights, the key indicators are that Roma children are three times more likely to live in poverty; they are five times more likely to be underweight and three times more prone to stunting; their primary school attendance rate is one third less than among the majority population and their immunisation rate is only 4 per cent compared to 68 per cent of the majority population. All available research, statistical, experiential and anecdotal evidence justifies the EC’s categorisation of Roma as BiH’s most vulnerable minority and greater efforts are needed to get this across to the general public and decision makers.

The lack of statistical exactitude is often quoted as one reason for the poor response to Roma poverty but there is sufficient data available at this time to evidence the issues to be addressed and to inform policy and programme response, and there are now mechanisms in place to ensure continued upgrade and update of this data. The real issue now is how to create the political resolve and institutional mechanisms to make best use of this data to benefit Roma families.

The estimates for the number of Roma living in BiH vary between 25,000 and 80,000. Most Roma families in BiH are caught in a vicious cycle of poverty that requires significant, long-term investment to redress. The main obstacles to major improvement in the situation of Roma families are their lack of political power, BiH’s complex governance and administrative systems, and the prejudice and institutionalised discrimination that underlie Roma’s social exclusion.

While the national Roma Strategy 2005 rightly identifies Roma as BiH’s worst-off minority, it does not directly address the discrimination that underlies Roma poverty. Any programme continuing beyond the end of the Decade programme in 2015 is likely to be aligned with the recent EU Framework for National Roma Integration Strategies up to 2020. Local and international stakeholders should take the opportunity this framework presents to develop a more gender-aware programme that overtly challenges prejudice and institutionalised discrimination and promotes the positive value of Roma culture.

The present government response is framed within their commitment to the Decade of the Roma and is led by the Ministry for Human Rights and Refugees who holds executive responsibility for Roma affairs. There have been successes across all four Decade Action Plans but opinions differ as to quality and cost-effectiveness of the various outputs and the efficiency, transparency and fairness of the implementation processes. Some of these differences arise from the lack of an agreed effective M&E system but insufficient attention has been paid to forging a common vision and commitment from all stakeholders and acknowledging and celebrating the very real achievements of the first phase.

The current DAP review needs to confirm the programme focus on the primary Decade goal – establishing institutional mechanisms to eliminate discrimination and close the gap between Roma communities and the rest of the population – and it needs to prioritise establishing specific strategies for inclusion of Roma women and girls in each DAP; development of gender-aware indicators; mapping of institutional barriers and bottlenecks; identification and documentation of cost-effective models and opportunities for replication.

Some stakeholders interviewed during the field visit seemed overly cautious about appearing to give any preferential treatment to Roma or seeming to establish parallel systems or structures. The ideal of course is full integration of Roma into all existing structures, systems and services in BiH, so the Decade programme should advocate that access for, and take-up by, Roma (and particularly Roma women) be institutionalised as a necessary and essential indicator for all strategies, and action plans in every area of state, entity, cantonal and municipal government.
However, it needs to be acknowledged that the gap between some Roma groupings and the rest of the population is so large in many cases that it requires affirmative action. This need not be either exclusive or permanent but with the complexity of BiH’s governance structures it would be wrong to pretend that there can be significant institutional changes without applying remedial measures and services. The general population and other vulnerable groups will inevitably benefit from such measures which will expand access and improve the overall quality of services.

The response to date has also tended to focus on Roma as a homogenous population, rather than an evolving community of diverse individuals and families with different needs, interests, strengths and potential, facing common problems but at different levels of risk. To achieve both elements of its goal – eliminating institutional discrimination; and bridging the current gap between Roma families and the majority population – the Decade programme will have to make more explicit its twin-track approach that (i) challenges, amends and strengthens institutions and services across all levels of Bosnia’s governance system and brings about positive change in public attitudes towards Roma; and that (ii) provides practical, concrete and immediate benefits to Roma families through local initiatives targeted at the identified needs of specific Roma communities. These elements are of course complementary, not opposed, and already run in tandem, but they may require a more transparent balancing of resources, and common project/programme evaluation criteria that can clearly identify the number of potential Roma beneficiaries over an agreed timescale.

Addressing Roma poverty will inevitably require addressing long-acknowledged blockages and imbalances in the social welfare system. For instance, standardising and raising the rates of children’s allowance for all families in BiH is probably the quickest, simplest and most cost-effective way to improve Roma families’ standard of living, and does not require any preferential legislation or additional services. The imbalances in BiH’s social welfare budget have been acknowledged in many reports and it is unrealistic to expect that the Decade programme alone could redress them. But it is not unrealistic to expect the Decade programme to highlight these imbalances and how they affect the most vulnerable populations, and to either initiate, or contribute significantly to, ongoing work to redress them.

One area that could be practically addressed by the Decade programme is the conditions around welfare entitlements that discriminate against Roma e.g. the winter fuel subsidy which calls for documentation that many Roma in illegal settlements or unsecured tenancies will not have. There are undoubtedly other examples.

Lack of documentation is often quoted as a primary reason for Roma’s restricted access to health, education and social protection services. The MHRR registration showed that 500–600 persons in all have no valid ID and about 2,000 Roma lack birth registration certificates. These are obviously groupings in need of urgent and priority action. Fortunately, legislation is in place in both entities to ensure that birth registration is strengthened and mechanisms are in place to address these cases. Both should be supported through the Decade programme.

However, the Decade programme needs to address the fact that the bureaucratic requirements of many social service institutions in BiH means that lack of appropriate documents is an issue for many more Roma than for other vulnerable groups. A strong statement from the COM and the Roma Advisory Board to the effect that all children living in Bosnia are entitled to health, education and social protection services regardless of their documented status or that of their parents, would help, but the Decade programme could also explore and promote options based on models in other countries, like streamlining the access routes to entitlements, granting access to all relevant services on the basis of ID, or issuing a separate entitlement or ID card based on residence.

Lack of information is another perceived barrier to Roma access to services. This is an area where the Decade programme could help considerably by issuing a guidebook (or guidebooks) in the Romani and local languages mapping available services (health, education, welfare, employment and housing) and the access-routes to them, and distributing them widely. This would have the added advantage of publicly identifying bureaucratic bottlenecks and potential synchronicities. A similar handbook could be distributed to local officials to assist them to facilitate Roma families’ access to
their full entitlements. The Decade Coordinating Committee should also publicly lobby for relevant government information and directives to be translated into Romani.

Improving access to, and the quality of, education available to Roma has got to be a key element of any long-term programme to address their generational poverty. In BiH this requires significantly increasing Roma participation in pre-school preparatory programmes. Their potential for both immediate and long-term benefits for Roma families is immense.

Increased resources should also be allocated to improving Roma enrolment, retention and completion rates in primary schools, and increasing graduation into secondary and tertiary education. This will involve easing bureaucratic barriers and removing financial obstacles, by, for instance, institutionalising free school transport and provision of schoolbooks. It will also require schools to take a proactive approach to recruitment and enrolment, and this needs to be incentivised through amendment of job descriptions, performance targets and linking school budgets to enrolment and completion targets. It may also require establishment (or strengthening) of a specific school attendance service to assist schools to meet these targets.

However, the major factor in retaining Roma children in school is ongoing provision of positive and productive school experiences, once they enrol. This requires addressing prejudice and discrimination in schools and providing a curriculum that presents a positive view of Roma culture and tradition. An Index for Inclusion has already been adapted for use in BiH schools that could be used by the Decade programme to establish a baseline of good and bad practices, and specific models have been developed to strengthen inclusiveness and teaching quality, some of them by stakeholders currently operating outside the Decade framework.

The lack of certification and qualification that results from Roma’s exclusion from education is one of the main factors contributing to the high rate of Roma unemployment. In the long-term this needs to be addressed through the education system and the model being developed and promoted by the UN MDG-F programme could contribute significantly to this process. The education system needs synchronisation with the country’s training and employment services and secondary schools and colleges need to be able to facilitate flexible programmes for Roma and other excluded young people that combine vocational training with catch-up classes that include basic literacy and numeracy, health and social education. Save the Children has also developed models of training and catch-up classes for Roma and vulnerable youth that are drawing in international funding, being adopted by local authorities and making a difference to young Roma lives. There may be other external stakeholders with similar projects. These all need to come within the ambit of the Decade programme and be validated, endorsed, promoted and supported with Decade resources to encourage replication and institutionalisation across the country.

Despite criticism by some stakeholders of the effectiveness and transparency of the Employment DAP, activities under both strands of its programme have led to increased employment opportunities for Roma, and concrete benefits for Roma families, in a very difficult field. At this time analysis of lessons learned is required that includes documentation and celebration of the successes; mapping of institutional barriers and bottlenecks; and a clear cost-benefit analysis of the different models of work. Most job-placement and business start-up schemes suffer high turnover in the initial stages, particularly in times of economic crisis such as exists at present. Even limited engagement in employment brings benefits in terms of gaining experience, widening horizons, adding value to one’s CV, breaking traditional stereotypes and, most importantly, gaining access to the social protection system. The Employment DAP should therefore set a target of ensuring that all Roma in BiH have some positive experience of employment before completion of the Decade, particularly Roma women, and this should be institutionalised within Employment Bureau performance targets and budget allocations.

Mapping of the complex institutional landscape around employment and recruitment as it relates to Roma is essential if the Decade is to contribute in any practical way to wider efforts at reform in this area. This is also true for housing which is similarly complex and these are both areas where specific handbooks aimed respectively at Roma seeking their entitlements, and at service providers
paid to facilitate them could be helpful, and could act as advocacy and support tools for Decade stakeholders.

In terms of housing the DAP programme could consider promoting a design competition based on lessons learned so far to design sustainable and cost effective housing units and supporting the kind of specific housing/legal advice service that exists in other countries. Clearer standardised criteria should be established for allocating available housing based on vulnerability and need, with a greater role for CSWs in certifying such need and a strengthened role for local Roma leaders in the final decision making, that allows them to input as appropriate but clearly distances them from the final decision-making and removes them from any suspicion of undue influence or nepotism.

The Health DAP also needs to explain its successes and learning. This is a critical area to be addressed especially for women and children. Most of the recommendations related to social welfare and protection apply – the need to map institutional blockages and bottlenecks; the need to document and explain modes of access, especially to Roma women; the need to engage with wider reform efforts; and the need to place a clear responsibility on health professionals to pro-actively address Roma difficulties and ensure that all Roma receive the health and medical care to which they are entitled. However, this may be an area where specific affirmative action may be needed to close the vaccination and nutrition gaps between Roma and non-Roma children. UNICEF has developed a specific IECD programme that seems to make significant positive impact on the health of Roma women and children and that needs to be considered for replication throughout BiH. The use of Roma Health Mediators and the model of mobile public health nurses currently operating in Zenica is also worth evaluating for potential replication and institutionalisation.

The lack of a specific child protection action plan within the Decade programme is an unfortunate omission, although child protection is not part of the overall Decade framework, possibly because child protection agencies have not sufficiently acknowledged Roma children’s especial vulnerability brought about by generations of social exclusion, discrimination and family poverty, not by their ethnicity. The evidence clearly indicates that Roma children are more at risk of abuse, neglect, violence, exploitation, and violence and their families have less resources available to offer protection and support. The BiH CP system should be strengthened to better meet the needs of BiH’s most vulnerable children and facilitate child protection professionals and agencies, within a general movement of social protection reform, to engage with Roma communities as they have with those of the majority cultures in order to develop Roma led, community based protection and support mechanisms appropriate to the needs of vulnerable Roma children. There are centre-based models being piloted in BiH at present which are addressing the needs of Roma children and their families, and which needs to be evaluated and replicated if appropriate. Full and proper consultation with Roma children and families is essential to ensure that child protection mechanisms are developed that build on and respect Roma culture.

Unfortunately all aspects of the Decade programme need to explicitly acknowledge the part that individual, community and societal prejudice play in Roma’s social exclusion and develop concrete activities to counter, mitigate and redress this. These should take the form of active financial and technical support to Roma to present, celebrate and publicise their language, traditions, customs and lifestyles. The second strand of activities should aim at strengthening the legal and other mechanisms for sanctioning such prejudice, ranging from disciplinary action against offending employees; withdrawal or withholding of government funding; and legal action if necessary.

The number of complaints made by Roma to national complaints bodies has been recommended as a basic benchmark of the success of national Decade efforts and BiH returned a nil score in this area during the Decade MTR. Action by the national Ombudsman’s Office against acts of prejudice and discrimination sends a strong message about the level of government and social commitment to Decade aims and values. It was not possible to establish for this report whether or not what cases are with the BiH Ombudsman at present but it is essential that the BiH Ombudsman’s Office is strengthened and extended to proactively support Roma individuals and families facing social exclusion and/or denial of their rights to seek full redress. Social exclusion will continue until Roma themselves are enabled to address cases of individual prejudice and institutional discrimination.
themselves. The Decade programme can support this by providing support to the Ombudsman’s Office and maintaining a full and active partnership with them.

An effective way to improve the situation of Roma families and children in BiH is to strengthen Roma civil society, facilitate social dialogue between Roma and other social actors in BiH; and to build strong Roma communities able to nurture and protect their own families and children. This is one of the most vital aspects of the Decade programme but to date Decade stakeholders do not seem to have engaged fully with Roma civil society, or committed themselves to support its natural evolution. Greater emphasis has to be given in every element of the programme to encouraging social dialogue, promoting Roma civil society and facilitating its engagement with national and local government authorities and decision-making processes. While the weak and fragmented nature of Roma civil society in BiH was frequently acknowledged as a constraint on action by Roma and non-Roma alike, Decade stakeholders seem to have made no attempt as yet to develop clear transparent criteria for engagement with it; partnership assessment tools; or a common capacity building strategy. As a matter of urgency, the Decade Coordinating Committee should set partnership criteria that are adaptable to local conditions but meet universal working principles – effectiveness; efficiency, accountability, transparency, gender equity. External Decade stakeholders should then invest in a common capacity-building strategy and engage in long-term strategic partnerships with Roma civil society. Despite its fragmented nature, there are strong partners available within Roma civil society.

Agencies should also seek to foster new groupings and support civil society’s natural growth and evolution, in particular the development of women’s, children’s and young people’s groups and facilitate their engagement with BiH’s decision-making processes. Although development of Roma community based organisations (CBOs) and thematic oriented bodies (health, education etc.) is essential, the stakeholders’ engagement with civil society should extend beyond partnerships with NGOs and encompass other strands of BiH civil society- media, academia, cultural bodies, professional associations etc. with the aim of building a constituency of support for social equality and linking Roma civil society to its natural support base.
5. Recommendations

5.1. General

1. Drawing on lessons learned from the current BiH Decade of Roma Inclusion programme, stakeholders led by MHRR, should initiate revision of the current National Roma Strategy (2005) to bring it into line with the recent EC Framework for National Strategies for Integrating Roma in the run-up to 2020.

2. Gender-specific indicators are required for each DAP and there may be a need for a specific strategy to address the particular needs of Roma women and girls.

3. DAPs need to address both elements of the DAP goal – establishing institutional mechanisms to eliminate discrimination; and closing the gap between Roma communities and the rest of the population. This may require developing discrete advocacy strategies, across DAPs or within each DAP, that (i) actively promote Roma culture and its contribution to BiH society (ii) enable Roma families and communities to input into BiH governance processes and (iii) identify, challenge and eliminate institutional blockages that prevent Roma families accessing their full entitlements.

4. Achieving the DAPs’ service development element calls for an approach that (i) challenges, amends and strengthens institutions and services across all levels of Bosnia’s governance system; (ii) brings about positive change in public attitudes towards Roma; and (iii) provides practical, concrete and immediate benefits to Roma families through local initiatives targeted at specific Roma communities. This may require a re-balance of DAP resources between direct programmes, research, capacity-building and advocacy. The Decade programme should also consider realigning its budget across all programmes to ensure a more balanced and holistic approach to improving the situation of Roma families in BiH.

5. All DAP initiatives should be able to justify their use of resources on the basis of their contribution to these three elements with the final indicator of success being their concrete contribution to extending Roma’s access to quality health, education, employment, welfare and housing services in the long- or short-term.

6. While offering public and practical support to positive efforts to improve the situation of Roma families, DAPs should also strengthen and expand the current range of sanctions against poor practice, prejudice and discrimination, both within government and wider society. These could range from soft options like good practice awards, positive publicity, report cards or name and shame campaigns to budget reduction, withdrawal of funding, disciplinary action and even legal redress. DAPs should seek to support the Ombudsman’s Office to develop proactive campaigns to encourage Roma to use their services and to challenge discrimination in the courts.

7. To strengthen Roma engagement with official BiH political and administrative structures and its own decision-making processes, the Decade programme needs a clear strategy for building the capacity of Roma civil society. It would be helpful to establish clear partnership criteria for all DAP stakeholders based on the Paris Principles; allocate funds to develop local Roma NGOs and support activities that promote Roma culture; clarify the roles and responsibilities of local Roma leaders in the various levels of DAP decision-making; and support long-term strategic partnerships between Roma and non-Roma stakeholders.

8. Current efforts should continue to strengthen BiH’s statistics and data gathering agencies; to include Roma perspectives in all relevant data-gathering exercises; and especially to increase Roma participation in the forthcoming national census.
9. The Decade programme should promote specific sectoral strategies to urgently address the needs of the most vulnerable within Roma communities and to institutionalise appropriate responses, including affirmative action initiatives. These priority groups are likely to include (among others) – stateless Roma, Roma refugees and IDPs; those without birth-certificates or proper IDs; homeless Roma; Roma victims of domestic violence; unvaccinated Roma children; and children engaged in begging or working on the street.

10. The DAPs should map and document the access routes to health, education, employment, housing, welfare and social protection services in BiH, clearly identifying barriers, bottlenecks, conditions, requirements and practices that discriminate against Roma. These could act to inform reform efforts and provide guidance to Roma families seeking to access their entitlements.

5.2. Education

1. The primary role of education in addressing long-term poverty among Roma needs to be more explicitly and practically recognised within the BiH Decade programme. The Education DAP needs to be prioritised and allocated greater resources.

9. Funds should be made available through the Education DAP for replication of successful models of pre-school preparatory programmes and to support Roma families to develop pre-schools and preparatory programmes in their own communities.

2. Resources need to be allocated to support development of adult literacy programmes in Roma communities, especially among women since the well-being of the family, especially of children, is closely related to the mother’s level of education.

3. DAP stakeholders should support enrolment campaigns aimed at parents, principals, teachers and school-management boards to reinforce the legal obligation to enrol all age-appropriate children in school regardless of residence or documentation status.

4. School budgets should be tied to local enrolment, retention and completion rates in order to promote positive action by local schools and education authorities. A specific body or post at local level may be required to provide positive support to enrolment/retention initiatives and to follow up on legal sanctions against non-compliant parents and/or schools.

5. Ministries of Education should put mechanisms in place that enable parents and children to register complaints about humiliating treatment, lack of attention, harsher punishment, bullying and ostracism.

6. Anti-discriminatory practice and positive reinforcement of Roma cultural values should be compulsory performance-evaluation criteria for all education professionals and anti-discriminatory practice, intercultural learning and Roma culture should be core elements of teacher pre- and in-service training.

7. Roma teaching assistants should be available to all schools with Roma children as well as specific training modules on Roma culture and tradition for parents, pupils and staff.

8. Basic textbooks should be available in the Romani language, particularly for younger children and school transport and basic textbooks should be available free of charge to all poor families.

10. All schools in BiH should be measured against the Index of Inclusion and budget allocation should be tied to continued progress against their baseline measure. The Decade programme could usefully appoint a working-group to evaluate and rank the many initiatives and programmes aimed at addressing discriminatory practices in schools, and promote the most cost-effective models.
12. The “Strategic directions for the development of education in Bosnia and Herzegovina 2008-
2015” needs to be revised to address the specific needs of Roma women and girls.

5.3. Employment

1. The DAPs review is likely to provide a cost/benefit analysis of the different strands and models
of work within the Employment DAP and the achievements within them including the number
of Roma employed under each strand and the cost per work/day. This analysis could identify
the various success factors and their respective relevance to particular Roma groupings. The
most successful and cost effective models could then be identified, documented, promoted
and replicated.

2. Given the difficulty of creating long-term sustainable employment in the current economic
climate, it is recommended that the Employment DAP should use Roma work days provided
as one of its criteria of success as well as sustainability, training provided, links to social
protection system, follow-on jobs and other factors.

3. The Decade MTR indicates the need for more information campaigns for Roma, employers
and employment agencies, mapping the obstacles to Roma employment and providing
advice on how to access employment services.

4. While maintaining its focus on practical job placements for Roma, the Employment DAP needs
to put more effort and resources into lobbying for simplification of employment creation and
recruitment practices and removal of institutional barriers to improving Roma inclusion in the
labour market.

5. The low numbers of Roma employed in the public service implies a need for a specific strategy
to significantly increase Roma employment in this sector. This could be linked to improving
Roma access to public services generally.

6. The educational gap between Roma and non-Roma needs to be addressed as a priority. The
work of the UN joint MDG-F programme to better align education services with the labour
market could contribute significantly in this area, as could the vocational training and
community education models developed by Save the Children and possibly by other agencies
too. These models need to be evaluated and, if found to be efficient and cost-effective, rolled-
out throughout the entire country.

7. It is critical that the Employment DAP develops a specific strategy to address the chronic and
critical employment situation of Roma women and girls and allocates substantial funds to
creating employment and training opportunities for Roma women and young girls.

8. Given the key role that employment plays in accessing health, protection and welfare services
in BiH, the Employment DAP should set a programme target to provide a job, work experience,
business opportunity or training for every eligible Roma in BiH over the course of the DAP. Given
BiH’s current economic and business climate, the focus should be on the quality, relevance and
length of the experience provided, and not just long-term sustainability. However safeguards
need to be put in place to ensure that quality placements are offered and on-the-job training is
provided so that Roma do not become perceived simply as a source of cheap labour.

9. Employment under DAP schemes should be supplemented by ongoing training throughout
that encompasses social skills like health and safety, CV development, recruitment procedures
and catch up elements like literacy and numeracy if required.

10. The Employment DAP should widen its focus beyond traditional Roma employment sectors
like waste-disposal and recycling, and facilitate Roma to integrate into mainstream and
developing business sectors.
5.4. Health

1. The Health DAP needs to engage with the National Health Insurance Board to significantly increase the number of Roma able to freely access health services. It is vital that mechanisms are developed to enable easy and universal access to health care for particularly vulnerable groups within the Roma community e.g. pregnant women and children. This may involve affirmative action for these groups or broadening the access routes for all such populations e.g. all children <5 or all pregnant women.

2. According to local research, most Roma who accessed medical care within hospitals were treated on an equal basis with other groups, but some reported cases where the staff in health care institutions treated Roma badly. The Decade programme needs to work with Ministries of Health, the Medical Council, Ombudsman’s Institutions and other actors to develop mechanisms to allow Roma to have their complaints addressed. This could considerably increase the use of doctors, clinics and hospitals by Roma families, as could provision of information to Roma on health rights and services and how to access them, preferably in the Romani language.

3. Affirmative action initiatives are urgently required to address malnutrition and non-vaccination among babies and small children. These are problems among Roma children in particular because of the combination of poor capacity among service providers and chronic poverty among Roma families. Current initiatives addressing these issues could be integrated into regular health services to strengthen their capacity to provide full services to all children, Roma and non-Roma.

4. Although ECD represents a preventive and curative approach that has proved effective in combating the negative health impact of poverty and social exclusion, especially through the home visits made by doctors and nurses, Roma have limited access to ECD services in BiH. UNICEF has developed a working model aimed at greater involvement in these services by disadvantaged groups including Roma. This model needs to be evaluated and if proven cost-effective in addressing the severe health problems faced by Roma families, its replication nationwide should be actively promoted and supported as part of the current DAP.

5. Other models to be explored include the use of health mediators and mobile health visitors or public health nurses to actively promote and facilitate health care and health education initiatives with Roma communities. There is a valid and legitimate role for the Health DAP to evaluate and endorse these models in BiH in pursuit of institutional responses to the health problems Roma face.

5.5. Housing

1. It may be more sustainable and cost effective to provide housing solutions as part of an overall social and community development programme. Housing should not be provided in isolation but tied in with simultaneous education, health and social protection initiatives.

2. Given the long-term nature of housing solutions for Roma in BiH, the Housing DAP needs to develop a short- to medium-term strategy for bringing current Roma housing up to acceptable standards through provision of sanitation, electricity etc.

3. The Housing DAP needs to establish a working-group to address the issues of non-registration and lack of tenure of Roma families living in informal settlements or rented accommodation and to make recommendations for strengthening the position of Roma families.

4. The Housing DAP also needs to map the institutional barriers to Roma families accessing housing. This is another area where provision of guidebooks for Roma applicants and for housing professionals would be extremely useful.
5. The criteria for allocating housing units may need clarification and revision to ensure fairness and transparency. Family size, health and social circumstances should be the deciding criteria. While participation by local Roma representatives adds value to the allocation process, their current role may place them in a difficult position and they run the risk of allegations of nepotism. Their role and responsibilities needs to be clarified and housing-criteria should be standardised with a greater role for CSWs to certify and confirm that housing is being allocated on the basis of greatest need.

6. There is a need to ensure that housing is legally allocated to both parents in order to strengthen women’s rights to property ownership and to safeguard the situation of mothers and children in the event of marital breakdown.

5.6. Social Protection and Child Protection

1. The Decade programme should consider prioritising action to address the fact that about 90 per cent of Roma women have no access to social protection.

2. Mitigating family-poverty among Roma is likely to require both affirmative action projects and significant work to address blockages and imbalances in the social welfare system that discriminates against Roma. This will involve working with other stakeholders on welfare reform.

3. DAP activities also need to explicitly address gender based violence against Roma women.

4. Decade work needs to continue on documentation and birth registration of Roma children, and achieving a full and proper birth registration system throughout BiH.

5. The situation of Roma families in BiH leaves Roma children very vulnerable to abuse, neglect, exploitation and violence (ANVE) and calls for special interventions that specifically address the identified risks they face including child begging, trafficking and family violence.
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ANNEX 1:
Roma Inclusion Seminar: Way Forward for Bosnia and Herzegovina 4 July 2011 - Operational conclusions

I. Cross-cutting issues:

a) Roma NGOs should be closely involved in the design, implementation and monitoring of Roma Action Plans and Programmes. Good practices related to Roma inclusion need to be shared and replicated. The role of Roma representatives in the decision making process should be enhanced. The position of and needs of Roma women and girls should be considered.

b) Efficient coordination among authorities at state and entity level and with lower levels is essential in order to ensure that the Roma Action Plans are implemented in a transparent and efficient manner. Coordination within the Roma NGO sector also needs to improve. Cooperation of BiH authorities with Roma NGOs should be strengthened.

c) A systematic data collection should be ensured by Social Work Centres and other relevant institutions. The data need to be available to all institutions involved in planning programmes and projects aimed at addressing Roma inclusion related issues.

d) In order to monitor progress in implementing the Roma Action Plan, a monitoring and reporting system needs to be established by the government, incorporating standardised instruments and uniform procedures on data collection. Expert monitoring bodies should be set up and include Roma as members. Evaluation of pilot projects needs to be ensured.

e) Media will be encouraged to play a more active role in promoting a positive image of the Roma community. Communication campaigns targeting the public at large should be launched to continue reducing prejudices and discrimination of the Roma population. Positive examples and role models will be used to change perceptions and behaviours.

f) The BiH Ombudsman should be more active with regard to protection and promotion of the rights of Roma.

II. Civil registration:

a) The civil registration system should be made more efficient through appropriate measures at entity and municipal levels, including through fee suspension and support of DNA-analysis costs.

b) All children must be registered at birth. Municipalities and Roma associations will raise awareness about the importance of birth registration in order to have access to existing social services and protection.

c) Responsible institutions in close cooperation with UNHCR should take measures to facilitate the naturalisation of stateless persons and refugees, in line with international and European standards.

d) The FBiH law on civil registration should be adopted and harmonisation between FBiH and RS ensured. A registration campaign should be undertaken within Roma communities, including support from mediators and Roma NGOs.
III. Education:

a) All Roma children should be enrolled in schools, including undocumented ones. Particular efforts need to be made on pre-school education. The recruitment of Roma pedagogic assistants should be considered. The provision of free textbooks and meals for children in need and of scholarships should be enhanced.

b) Roma children must not be segregated in education. Awareness-raising activities will be carried out with teachers and non-Roma population.

c) Further efforts need to be made to address the school drop out issue, including through actions by NGOs and in close cooperation with Roma parents who also bear responsibility in this respect.

d) Education and literacy courses will be further developed for Roma adults.

e) Programmes to reinforce linkages between the education sector and the labour market, and to empower young people, will be intensified.

IV. Vocational training and Employment:

a) The Roma Action Plan on Employment should be revised, following an evaluation of measures to better address the needs of the Roma and ensure sustainability.

b) Efforts need to be undertaken to employ Roma – both men and women – in the public sector, in ministries, educational institutions, employment bureaus and social welfare centres as teacher assistants, Roma educators or Roma mediators.

c) Vocational training adapted to the needs of the Roma population with a clear link with future job opportunities should be organised.

d) Fiscal incentives and other measures should be taken to facilitate employment of Roma in the private sector as well as the launch of new Roma businesses.

V. Social issues and health care (including trafficking and labour exploitation of young Roma girls and children, children’s begging and domestic violence):

a) The Roma Action Plan on Health Care needs to be revised to better reflect the needs of the Roma population and the measures required to address them.

b) A Roma Action Plan on Social Welfare and Protection should be developed to fill the existing gaps in this sector.

c) BiH authorities should introduce a health card providing health care to all Roma, including undocumented ones. Recruitment of health mediators should be considered.

d) Authorities should ensure that medical examinations before the vaccination of children are free of charge. Further efforts need to be made to increase parenting skills of Roma parents in order to improve the health status of children and their development. Efforts need to be reinforced to ensure access of Roma to services for early childhood and development, health and social welfare.

e) Early Childhood and Development Strategic Plans should cover Roma inclusion in all integrated services. Such services will be established in close coordination with Roma communities. Early detection and interventions for children with developmental delays,
malnutrition and special needs will be particularly important.

f) The authorities will intensify their efforts to address child-begging and street children. The implementation of the Protocols on the prevention of child begging signed in Sarajevo, Mostar and Banja Luka will be reinforced and replicated. Roma parents have an important role to play in this respect.

g) The Anti-Human Trafficking Division at the BiH Ministry of Security will strengthen cooperation with other relevant Ministries, institutions and NGOs on the adoption of measures to tackle trafficking of Roma girls and boys.

h) Education sessions should be organised for women and men to combat family violence and gender-based violence. Institutions (such as police and centres for social work) and partners will collaborate with Roma women’s NGOs.

VI. Housing:

a) The Roma Action Plan on Housing should be revised in order to better reflect not only the needs of the Roma population, but also the measures needed to address these needs.

b) The provision of land to durably establish legal settlements and/or legalise the so-called informal settlements should be ensured by municipalities.

c) Municipalities should intensify their efforts to provide adequate/social housing to Roma families who are homeless or do not possess any property. They need to ensure that newly constructed houses are connected to utilities.

d) The current methodology for selection of housing projects beneficiaries should be revised to clarify selection criteria, based on lessons learnt from past experience, while keeping needs-oriented approach. Role of commissions for selection of beneficiaries, role of Centers for social welfare and Roma representatives need to be clearly indicated.

e) An independent monitoring mechanism/body should be established to oversee the implementation of housing projects from the beginning to the end of implementation. Such mechanisms should be based on clear guidelines, including as regards selection of Roma and other experts in charge of monitoring.

f) A standardised model of contracts stipulating obligations and responsibilities of housing projects beneficiaries will be offered by the BiH Ministry for Human Rights and Refugees. The MHRR will discuss the issue with Roma Board and suggested to sign unique contracts.
ANNEX 2:  
Social Determinants: Barriers and Bottlenecks Analysis

1. Enabling Environment
   a. Social Norms

The key indicators of the denial of rights to Roma children in BiH are that they are three times more likely to be living in poverty; they are five times more likely to be underweight; twice more prone to stunting; their primary school attendance rate is one third less than among the majority population; and their immunisation rate is only 4 per cent compared to 68 per cent of the majority population. This denial and unawareness would seem to be an integral part of the inequality and social exclusion suffered by the Roma population in Bosnia and Herzegovina.

Achieving balance between the majority ethnic groupings of Bosniaks, Croats and Serbs underpins the State of Bosnia and Herzegovina and this is reflected in its complex political processes and governance systems. A political commitment to creating a pluralist multi-ethnic state could provide a positive enabling environment in which to address the social and economic inequalities that Roma face, but the institutionalised focus on addressing the needs of the majority groupings inevitably disadvantages other ethnic groups and, despite efforts to move towards a more pluralistic and equitable democratic model, this disadvantage is still reflected in both formal and informal social systems and behaviour. Its most obvious manifestation is in the Constitution but it is also likely to be reflected in budget allocations, programme priorities and development planning, as well as in professional and official approaches to work. This unconscious bias by official personnel is acknowledged in the BiH Strategy for Roma and is one of the major structural causes of the denial of children’s rights.

There is also a history of personal prejudice and hostility against Roma in BiH as elsewhere in Europe, and this can still be seen in the reaction of non-Roma parents to Roma children sharing classrooms, and in the sometimes unhelpful attitude of service-staff to Roma applicants. Appointment of Roma Coordinators is an extremely useful model to help overcome these prejudices and stereotypes in an organisational context but in terms of sanctions against discriminatory practice there have been very few cases to date of Roma challenging prejudicial behaviour through the Ombudsman’s Office or the courts.

Despite having an adequate legal and policy gender framework and established gender bodies, BiH remains a traditional and hierarchal society where women still lack an equal voice in political, family and community decision-making. Gender-biased social norms and informal institutions still support and reinforce women’s inequality and tend to trump formal equal-opportunities legislation and policies. Gender inequality is even stronger in Roma communities, thus making it even more difficult for Roma women to challenge discrimination and prejudice and to speak out for their children.

b. Legislation/Policy

Lack of legislation is not the main problem in Bosnia but rather endorsement, implementation and enforcement. Anti-discrimination and equal opportunity laws are in place but in BiH’s fragmented governance system, it can take a long time for national legislation to be endorsed by entity and cantonal authorities and for implementing regulations to be brought in at local level. This complex and fragmented governance and administration system constitutes another structural cause of inequality in BiH. Although the governments of the Federation and of Republika Srpska have prepared a code of relations in order to improve coordination between the different levels of government, the main legislative/policy bottlenecks and barriers are at sub-national level and at times, state-level legislation is diluted and challenges to local inequalities are lost. Policy implementation and law enforcement remains generally weak and sporadic.
c. **Budget/Expenditure**

There is insufficient data available in BiH at this time to identify all the immediate causes of the barriers to access to their entitlements across the 67 municipalities where Roma families reside. However in terms of underlying causes, BiH’s complex admin systems results in uneven and often inadequate budget allocations across different governance units. The continued effectiveness of the BiH’s governance model is coming into question from the World Bank and in its 2012 Progress Report, the European Commission (EC) noted that “overall, little progress was made by Bosnia and Herzegovina in improving the functionality and efficiency of all levels of government, which continued to be affected by fragmented, uncoordinated policy-making”.

Budget allocation within the social sector is uneven but exact figures are not available. The government allocated EUR 1.5 million for Decade activities against an estimated budget of EUR 40 million, although this latter figure seems unrealistic in light of BiH’s overall economic situation.

d. **Management/Coordination**

Despite some reform, governance, administration and coordination structures in BiH remain cumbersome and fragmented and there is an unclear division of responsibilities across various levels of government. For instance, there are 178 agencies involved in the employment field with different, sometimes overlapping roles, responsibilities, mandates and authority, and accountable to 14 different governance units. The sheer number of agencies involved in the sector makes programme coordination unwieldy; impedes cost-effective decision making; impacts negatively on management of both programmes and agencies, and thus creates barriers to access for vulnerable groups. While these barriers effectively block access to services for many vulnerable families, they are often reinforced and compounded, in the case of Roma applicants, by staff prejudice and Roma’s inability to access informal support mechanisms within agencies.

This complex and fragmented operational environment also hinders reform and development within social service sectors. According to the World Bank lack of accountability is the key issue to be addressed in public sector reform. A service culture has not yet fully permeated BiH’s public service. Multiculturalism, respecting diversity, cross-cultural communication and practice do not appear to be strong elements of standard public-service pre- or in-service training or performance review. Its performance management system does not necessarily prioritise meeting client need and there seems to be no strong internal sanctions against either poor performance or discriminatory behaviour. The absence of strong clear and transparent internal standards in relation to facilitating Roma access to services and of mechanisms for enforcing them is further reinforced by the lack of external sanctioning bodies or mechanisms. Implementation of anti-discrimination legislation is generally described as weak and although the Institution of Ombudsman has dealt with some Roma-related complaints, it acknowledges that it is not fully meeting the actual need in this area.

2. **Supply**

a. **Availability of essential commodities/inputs**

BiH does lack the necessary inputs to ensure services to Roma in some areas. In particular, the housing stock available to Roma is very limited. Data from the MHRR registration indicates that between 50 per cent and 70 per cent of the Roma in Bosnia and Herzegovina live in unsafe residential buildings (huts with only one room without sanitary facilities or even ruins). As many as 30 per cent of those registered had no kitchen and 17 per cent had no power supply. DAP has devoted a lot of resources to building houses and is committed to providing safe and satisfactory housing for all Roma families. However it may prove more cost-effective to facilitate secure tenure in affordable rental property.

Another major gap is the absence of pre-school and IECD services, not just for Roma but for the entire population.
b. Access to adequately staffed services, facilities and information

Besides the general constraints affecting social protection and inclusion services in BiH, there are also language and information barriers specific to Roma. Roma families are disadvantaged in accessing services by the lack of appropriate information and the absence of Roma working within the government systems. In any complex service provision system or structure, applicants need formal guidance as to their entitlements and practical support to access them. BiH health, education and social protection services still have some way to go in terms of information provision. Public information about entitlements and benefits targeted at Roma beneficiaries is particularly scarce. But Roma also lack the contacts within the relevant services that others have who could inform and guide them through what are often quite complex procedures and processes – according to MHRR data only 2–3% of Roma are employed in the public services.

Whatever information on services and entitlements is available is usually not provided in the Romani language, and there are few channels for disseminating information about services to Roma communities. Very few professionals or officials within the public service speak Romani or can communicate with Roma beneficiaries in their own first language. The appointment of Roma Coordinators, teaching assistants etc. in the past few years is a major step forward in opening up services to Roma but the model needs to be extended to all services and institutionalised. The Decade programme needs to promote anti-discrimination training for all public service staff and/or develop training on Roma culture and tradition for all front-line staff.

Access to services is further complicated by Roma’s physical exclusion. Many Roma families live on sites without proper infrastructural services and far from the main centres of population.

3. Demand

a. Financial Access

Poverty is a major barrier to access to services for Roma in BiH, across all sectors. Of course, poverty affects access to services for many families in BiH. However since Roma are disproportionately represented among the poor in BiH, they are affected to a far greater extent by poverty. Research on early school leaving has clearly indicated that economic hardship and poverty are key factors in the existing pattern of early school-leaving among Roma families. The Decade programme is addressing this by subsidising direct and indirect education costs e.g. books, transport. This initiative needs to be supported and extended. The negative effects of family poverty are often complicated and reinforced for Roma by their exclusion from the social protection system. This can deprive them of the access channels and options available to other poor families. In terms of health care for instance, research indicates that less than 60 per cent of Roma have health insurance and Roma visit doctors less frequently than other groups.

Although particular measures may be needed to redress sector-specific barriers around poverty, the poverty barrier impacts negatively on Roma access to services across all service sectors and may require a general resolution through introduction of a universal entitlement card.

b. Social and cultural practices and beliefs

Roma families and communities tend to have less resources available to them to provide a protective environment for their children and young people. The BiH Roma Strategy acknowledges discrimination, as a consequence of misunderstanding and lack of education, by unqualified administration clerks and other public servants. Both these factors combined tend to reinforce misunderstandings of Roma culture and lifestyles by the majority populations and can lead to further Roma exclusion from services either intentionally or by default.
This is particularly evident in relation to women’s and children’s issues – domestic violence, child begging, early marriage etc. Studies suggest that Roma women in particular do not trust protection agencies and so tend to report domestic violence less than non-Roma women. This can not only prolong individual domestic violence situations but it can also reinforce majority beliefs that these practices are acceptable in (or even part of) Roma culture. Roma themselves need to challenge this misunderstanding and clarify their communities’ attitudes to such issues. Social protection agencies in turn need to ensure that their services are made available to everyone, regardless of ethnicity. Discrimination against women and acceptance of family violence needs to be challenged and addressed in Roma and non-Roma communities, and resources to do so need to be distributed fairly and equally.

c. Timing and continuity of use

The first stage of the DAPs has been about opening access to services. Most programmes and projects for Roma are therefore still in the pilot phase and have yet to be evaluated prior to replication. The next stage should be about replicating successful models across BiH, integrating them into mainstream services and ensuring equal and continuing quality.

4. Quality

a. Quality of Care

BiH is signed up to most international treaties and accepts international standards. In relation to Roma, the EU Framework for Roma Integration Strategy (ENRIS) has established standards that national integration strategies should meet in relation to four thematic areas: access to education, employment, healthcare and housing. The specific thematic indicators set are:

Education: Ensure that all Roma children complete at least primary school;

Employment: Cut the employment gap between Roma and the rest of the population;

Health: Reduce the gap in health status between Roma and the rest of the population;

Housing: Close the gap between the share of Roma with access to housing and public utilities (e.g. water, electricity and gas) and that of the rest of the population.

The Decade programme in BiH seems to have incorporated these indicators within their current success criteria. However, ENRIS recommends that minimum standards should be set based on common, comparable and reliable indicators and since the EU application process is a major driver of change in BiH, it would make sense to align the DAPs’ M&E mechanisms and indicators of success to IPA and ENRIS criteria. The Decade programme’s monitoring mechanisms are still under discussion but hopefully the current review will define an M&E framework acceptable to all stakeholders and aligned with ENRIS standards.

The Decade of Roma Inclusion did not establish a common M&E framework or criteria of success. Instead it called on participating countries to “demonstrate progress by measuring outcomes and reviewing experiences in the implementation of the Decade’s Action Plans” and left it up to national governments to establish appropriate indicators that measure outcomes and results, not input or processes. However, their MTR study did establish six basic benchmarks considered essential in achieving real integration of Roma into society:

- establishing the total Roma population
- primary school completion rate among Roma
- unemployment rate among Roma
• infant mortality rate among Roma
• reducing the number/population of Roma settlements, ghettos, or “settlements with low socio-cultural conditions”
• number of cases brought to an equality body by Roma.
ANNEX 3:
Roles and Relationships Analysis

1. General Context:

The BiH Roma Strategy (2005) openly acknowledges that discrimination underlies the relationship between duty-bearers (mainly state agencies and functionaries) and Roma rights-holders in BiH. It sees that discrimination happening only at an individual level, as “the consequence of not understanding individuals, lack of education and unqualified administration clerks and some other public servants, lack of financial means”. However, these individual acts of prejudice occur within an organisational context where facilitating all citizens’ access to the full range of their entitlements is not always prioritised; and Roma families’ full entitlement to services and support is not always even acknowledged. Although most state officials and service providers are probably anxious to facilitate individual Roma’s access to services, their particular needs are not given due consideration when actually developing services, so that blockages and impediments to access continue to be built into their design. The administrative criteria for accessing some housing and social welfare entitlements which call for documentary evidence of security of tenure, home ownership or residence is one example of an unconscious bias against Roma built into the state’s social protection mechanisms.

Unfortunately, BiH’s Constitution, based on the General Framework for Peace (or “Dayton Agreement”) brokered by the international community in 1995, still confirms and reinforces a two-tier citizenship and does not recognise Roma as citizens on an equal footing with Bosniaks, Croats and Serbs. Despite a ruling of the European Court of Human Rights in 2009, Roma are still excluded from running for certain political positions, which are exclusively reserved for the three main ethnic communities. While exclusion from high political office may not seem immediately relevant to the situation of most Roma families, in reality it highlights the centrality of entitlement based on ethnicity within BiH’s political and administrative systems which disadvantages and disempowers all those outside the three main ethnic groupings. For Roma it confirms, reinforces and sustains their continued exclusion from the mainstream structures, systems and mechanisms that determine policy, service development and resource allocation.

The Roma Advisory Board was established in 2002 to address this exclusion. It is a permanent advisory board with monitoring functions within the Council of Ministers, comprising equal numbers of representatives of state institutions and of Roma. Through Operational Teams at the local level, the Board is meant to monitor the human rights of the Roma and implementation of the government’s Decade of the Roma action plans. The Roma Board was re-established in April 2012, after a long fallow period, and at a meeting facilitated by MHRR, the representatives of registered Roma NGOs elected eleven representatives to the Board, including three women. Although concerns have been expressed about the legitimacy and effectiveness of the Roma election process, re-establishment of the Board represents a step forward in terms of political commitment to improving the situation of Roma families in BiH, and provides a much-needed vehicle for MHRR and other Decade stakeholders to extend their constituency of support and lobby for achievement of long-term institutional change.

At entity level, Republika Srpska in 2007 has established the Council of National Minorities as a standing working body of the National Assembly. One Roma woman is a member of the Council. In FBiH the Roma are represented through the Council of Roma which comprises elected representatives of Roma civil society. The Council is meant to be the main interlocutor with the authorities regarding Roma-related issues but is not at this time a strong or active body.
2. **Families and Communities**

Traditionally, the family is the basic unit of Roma society and acts as the primary duty bearer in relation to children’s rights. However, the long-term, institutional and inter-generational poverty and widespread social exclusion that affects many Roma families, seriously impedes Roma parents’ capacity to provide for their children as they would wish to. Roma adults’ economic deprivation and exclusion from basic housing and employment opportunities restricts their capacity to facilitate access to quality health and protection services for their children. Parents’ low level of education as a result of their exclusion from schooling leaves them at a disadvantage in terms of supporting their children through school and challenging the discrimination they face there. This is a major factor in the continuing cycle of poverty that afflicts many Roma families and communities.

The geographically and socially isolated physical location of many Roma communities often fails to provide Roma children with a safe and healthy environment and sometimes even puts children at risk. The children of families living in settlements with low economic, social and cultural conditions seem to be particularly at risk, but living in sub-standard housing away from schools, health services and other facilities, as many Roma children do, inevitably impacts negatives on their health, safety and development.

3. **Executive Bodies**

The Ministry for Human Rights and Refugees (MHRR) is in charge of co-ordinating and monitoring Roma-related policies and activities at state level. However, responsibility for implementation and service delivery fall within the responsibility of the relevant line ministries at entity and canton level, and thus responsibility for improving Roma families’ access to services and addressing their social exclusion is divided along standard BiH governance lines. Bosnia and Herzegovina consists of two entities (the Federation of Bosnia and Herzegovina and Republika Srpska) and the Brcko district. The Federation (FBIH) further consists of ten cantons. Some competencies are with institutions at the state level while other competencies are with institutions at the entity level or (within the Federation) at canton level. This complicated state structure compounds the difficult situation of Roma in BiH e.g. there are thirteen different ministries responsible for delivering education in BiH, and inevitably increases the number, range and location of obstacles that Roma face in accessing services, and diffuses responsibility for addressing them.

The complexity of the state structure also makes it extremely difficult for MHRR to fulfil its coordinating role. The absence of a satisfactory inter-departmental coordinating mechanism has been compounded by the lack of strong political will within Departments at all BiH’s governance levels to address Roma issues. This may have led indirectly to MHRR having to become more directly involved in implementation than was originally intended. It may also have contributed to what many respondents described as an imbalance in favour of the Housing DAP where MHRR is able to exert more influence (although it should be noted that the bulk of complaints to the Ombudsman’s Office from Roma in 2010 related to housing). Re-establishment of the Roma Advisory Board will hopefully provide MHRR with the mechanism it needs for inter-agency coordination as well as a vehicle to build commitment to Decade goals within the relevant ministries, departments and bodies, and this may help to redress these imbalances.

Another possible difficulty is that MHRR’s oversight and coordinating role may also have been interpreted by line ministries and thematic departments as full and sole executive responsibility and inadvertently enabled them to abrogate their own responsibilities. Key informants interviewed during field visits were only able to identify one statutory agency (in Zenica-Doboj Canton) that had appointed a Roma focal point, despite the acknowledged difficulties experienced by Roma in accessing services. The appointment of Roma Coordinators is another welcome initiative to promote positive long-term change in Roma’s situation but serious consideration has to be given soon as to how best to maintain, utilise and institutionalise the posts. At present Coordinators take on responsibility based on a geographical split and this may be the best framework for their work. However, numerous studies outlining the problems Roma face accessing their entitlements...
across a spectrum of services, would seem to evidence the need for Roma focal points in a range of government agencies. Coordinators could be appointed on a thematic (health, education etc) or a population or sector specific basis (e.g. women, children, young people, NGOs). This is an area where the Coordinators themselves could shape the final decision but it would be best if a decision were made in the near future. These positions need to be moved away from a project basis soon and institutionalised within the formal governance and administrative structures and systems.

4. Roma Civil Society

Roma civil society in BiH appears quite limited and narrow and seems to be confined to NGOs. While local NGOs have an important role to play in addressing the problems of any excluded group, constant representation of Roma NGOs largely by project based and problem oriented organisations inevitably presents a negative public image of Roma. A wider range of local Roma organisations promoting the positives of Roma culture, language and tradition is required.

In terms of NGOs, the Roma Strategy noted that there were more NGOs among the Roma population than among all the other national minorities put together, approximately 70 in all. This cannot be judged solely as an absolute number but has to be seen within the context of the significant size of the Roma population in BiH compared with other minorities. However, the Roma Strategy asked legitimate questions as to whether there were too many NGOs, what they deal with, what their achievements are and what benefits Roma communities get from them. It also asked questions about their ad-hoc dispersal across municipalities irrespective of the number of Roma living there. The impact of local Roma NGOs is further dissipated by the weakness of umbrella NGO organisations although in Republika Srpska the Union of RS Roma operates as an umbrella organization.

The role and representativeness of NGOs was raised as an issue by many key informants. There were questions about role related to possible confusion between their commitment to achieving practical benefits for local communities versus their interest in national policy-making; questions about representativeness related to age, gender and accountability to community members. Because the Decade programme is committed to working with Roma and encouraging Roma participation in decision-making, local Roma NGOs and leaders have been given key gate-keeping roles in many cases although the weakness of many local Roma NGOs is acknowledged by Roma and non-Roma alike.

Clearly, the Roma NGO sector needs to be strengthened but, based on a rapid assessment of the track record, governance and management arrangements, staffing and resources of the major Roma NGOs encountered during this study, there is also underused capacity within the Roma NGO sector. More appropriate use of smaller Roma NGOs, in a way that does not strain their capacity or place them in roles they cannot possibly fulfil, could improve their image and capacity, and help to redress negative partnership experiences. At the same time, government and international partners in the current Decade programme could enter into strategic partnerships with the larger Roma NGOs which would probably be more effective in the short term and build capacity in the longer-term.

In terms of building Roma NGO capacity, it would help if clear criteria for participation in Decade activities were developed and agreed by all stakeholders and clear standards set for all organisations and bodies involved in the Decade. These need not be restrictive and should be adaptable to meet appropriate levels of involvement and responsibility, but they should ensure practical commitment to core principles by all sides – inclusion, gender sensitivity, transparency, accountability, effectiveness and efficiency. Supporting agencies could then sign up to a common capacity building strategy or commit to a strategic partnership with specific Roma NGOs.

Decade stakeholders should also seek to strengthen and broaden the range of current Roma NGOs and to build the next generation of Roma leaders. Roma leaders themselves pointed out the need for a new generation to be moving into position in Roma NGOs. It should also be noted that all the representatives of the major Roma NGOs interviewed during this study seemed to be actively and practically supporting development of local Roma CBOs and networks. The development of
Roma women’s organisations seems to be in train but there are as yet no Roma young people’s or children’s associations to represent their particular perspectives and opinions. This is particularly disappointing in light of the opportunities presented by the recent renewal of the Roma Advisory Board. Strengthening and extending Roma civil society has got to be an essential element of the Decade programme in order to build the political will and societal commitment to make long-term sustainable change in the situation of Roma families.
ANNEX 4: Capacity Gap Analysis

1. Budget

Roma families’ access to services is impeded by the same barriers, bottlenecks and capacity gaps that hinder access by the general population, although there may be degrees of difference related to Roma’s levels of vulnerability. There would appear to be no specific mainstream funds allocated to or for Roma within statutory budgets and to date it is still unclear how much and in what manner government bodies are contributing resources to the Decade programme.

The initial Decade strategy envisaged that in general 70 per cent of the overall budget for its implementation should be provided by the Bosnian authorities at all levels (Federation: 55 per cent; Republika Srpska: 30 per cent; Brcko District: 5 per cent and Bosnia and Herzegovina state level: 10 per cent) while donors should contribute the remaining 30 per cent. If fully implemented, the original Action Plan on Housing would require a budget of BAM 439,500 million, the Action Plan on Employment BAM 170 million and the Action Plan on Health Care BAM 34,700 million. In total BAM 644,200 million (about EUR 322 million) would be necessary to implement the envisaged activities in these three sectors. These figures seem somewhat unrealistic considering the current economic climate and it is very unlikely that these amounts will be provided over the Decade period. In 2009 and 2010 only EUR 1.5 million each were provided. Analysis of Decade budgets and expenditure to date is still ongoing but it would appear that only BAM 5,883,714 was committed to Housing DAP activities, including BAM 1,885,714 from SIDA and BAM 1,882,200 in contributions from project implementers.

The current analysis of Decade budgets and expenditure seems to be hampered by the absence of data from government service providers, possibly due to poor financial monitoring mechanisms. It is to be hoped that even if the current ongoing budgetary analysis does not reveal the actual figures allocated and expended by the different agencies, it will at least map and rank the budget planning, financial management and accounting systems of the various bodies; and provide broad-brush indications of thematic funds expended.

2. Staff

Probably the biggest capacity gap specific to Roma in all agencies is trained staff. There do not seem be many initiatives in place to address civil servants’ limited knowledge of Roma culture as identified in the National Roma Strategy. MHRR has piloted a model of appointing Roma Coordinators to liaise between Roma communities, NGOs and statutory service providers. This model has not yet been evaluated but experience to date indicates that employing Roma to mediate between service providers and Roma beneficiaries is a successful model.

The future of these posts seems to be uncertain at the moment. An evaluation of success to date should be undertaken as soon as possible and a plan developed to replicate and institutionalise the model across Bosnia. The main focus of the debate seems to be around the Coordinators’ placement within MHRR after their current contract with CARE expires. The wider question is how their role should be defined and where they should be placed in order to ensure best use of the Coordinators’ knowledge, skills and experience to improve Roma families’ access to services. There are various models that could be explored and the Coordinators are well placed to contribute to devising the most effective model for the BiH context.