**Social Inclusion Seminar: Roma Issues in the Republic of Serbia**

***11 June 2015***

**OPERATIONAL CONCLUSIONS**

# Inter-sectoral issues

* The new Strategy for Improvement of the Position of the Roma in the Republic of Serbia will be adopted by December 2015 and will cover the period of 10 years, until 2025. The Strategy will be accompanied by the Action Plan also to be adopted by December 2015. The Deputy Prime Minister and Minister of Construction, Transport and Infrastructurehas the overall responsibility on behalf of the Government of Serbia for the implementation of the Strategy. To ensure transparency, the Government will submit annual reports on the progress of Strategy implementation.
* On behalf of the Government, the Deputy Prime Minister and Minister of Construction, Transport and Infrastructure will coordinate the efforts of public authorities, including local governments and public enterprises, geared towards improving the position of the Roma and their full inclusion in the social, economic, cultural and political life, with emphasis on areas in which they are the most vulnerable (civil registration, education, housing, health, social protection and employment).
* The Office for Human and Minority Rights and the Social Inclusion and Poverty Reduction Unit will provide support to the Deputy Prime Minister in monitoring the implementation of the Operational Conclusions, as well as in preparing annual reports on the implementation of the Roma Strategy and its Action Plan.
* Solid foundations for a sustainable improvement of the position of the Roma have been laid, especially in the education sector, health sector and access to personal documents. It is now necessary to focus on enhancing the effectiveness of the adopted measures and link them better with the available and future resources, including donor funds. It is vital that the strategic documents of the Government and the European Commission on financial assistance programming should contain measures to improve the status of the Roma, which also entails ensuring the continuity of such support.
* The functioning of the Council for the Improvement of the Position of Roma and the Implementation of the Roma Decade has been reviewed to become more operational. Regular meetings will take place to oversee the implementation of the Action Plan, facilitate an exchange of good practices on Roma inclusion and evaluate the Action Plan effectiveness, with a view to building on the lessons learned from its implementation. The Ministry of Labour, Employment, Veteran and Social Affairs will chair the Council and ensure a regularity of its meetings.
* Analytical data covering at least the above-mentioned 5 priority areas will be collected and processed in a coordinated manner, through a "one-stop-shop" body developed through the IPA 2012 TARI Project, in order to consolidate the data, facilitate targeted surveys on the position of the Roma and provide all stakeholders, primarily ministries and governmental agencies, with consistent data, in conformity with the law governing the protection of personal data.
* The network of Roma coordinators will be further developed and strengthened beyond the current 47 municipalities, including an increase of their number, aiming to cover more than 60 municipalities according to the local needs. Roma coordinators will closely cooperate with other relevant state mechanisms to improve the position of the Roma. In order to promote active inclusion of the Roma, competent institutions will establish mechanisms for an integrated social services delivery model, which requires the centres for social work and the National Employment Service to search more actively for solutions for the activation of clients who are fit for work, yet continually receive financial social assistance.
* Two media seminars (one annually) will be organized with the goal to encourage media to assume a more active role in promoting a more positive image of the Roma community. Media campaigns targeting national institutions, municipal authorities and the general public will be launched in order to raise awareness of the position and the rights of the Roma, as well as to inform the Roma on their rights and relevant administrative procedures for improving their position. The European Commission will continue to closely monitor Serbia's efforts to improve the position of the Roma throughout Serbia's EU accession process, including in the framework of the implementation of the action plan under Chapter 23 Judiciary and Fundamental rights.
* The European Commission, as well as other donors, as partners in this process, have already provided support and substantial financial assistance. They will continue to provide further support, including policy advice, expertise and financial assistance, in a transparent manner, for the initiatives, measures and programmes aimed at further improving the position of the Roma in the Republic of Serbia and other Western Balkan countries.
* The European Commission is ready to co-finance the implementation of the new Strategy for Improvement of the Position of the Roma as soon as it has been adopted, together with a solid Action Plan containing SMART indicators. The Republic of Serbia will report bi-annually to the Commission on the implementation of ongoing IPA projects and their link with the implementation of the Roma Strategy and Action Plan priorities, using existing mechanisms of coordination in order to secure efficiency and avoid overlapping.

# Civil registration: access to personal documents

* The state of play in the field of late birth registration and temporary and/or permanent residence registration will continue to be monitored through annual Government reports, including the numbers of persons registered in birth registries through the procedures prescribed by the Law on Civil Registries, the Law Amending the Law on Non-contentious Proceedings and the Law on Permanent and Temporary Residence of Citizens. Enhanced efforts should be made to complete the registration of "legally invisible" persons as foreseen by the end of 2015, while allowing for the continuation of the process until June 2017.
* The Memorandum Amending the Memorandum of Understanding between the Ministry of Public Administration and Local Self-Government, the Ombudsman and the United Nations High Commissioner for Refugees – Office in Serbia was concluded on 16 March 2015, extending its period of validity until 31 December 2016. This is relevant because it was identified in the implementation of the Memorandum that the issue of birth registration needs to be addressed comprehensively and systematically, especially since the exercise of this right requires other civil status rights to be firstly resolved, such as the right to citizenship, permanence residence registration, identification document and the like, which, if remain unresolved, pose a further obstacle for birth registration. Therefore, the activities under the Memorandum call for active participation and cooperation of various competent authorities in this process. Specific activities in the continuation of the process under the Memorandum are aimed, on the one hand, at further promoting the operation of and adherence to regulations by the competent authorities and, on the other hand, at providing free legal aid to persons who need to resolve any of the personal status rights, which will facilitate the exercise of this right until the free legal aid system is introduced.
* By monitoring the state of play in the field of civil registration, with a view to ensuring unimpeded registration in birth registries, the Ministry of Public Administration and Local Self-Government is implementing a project aimed at introducing electronic procedures for data and document exchange between civil registrars and other authorities and institutions involved in the birth registration procedure by the end of 2017, which will ensure improved coordination among these authorities, as well as lawful and effective exercise of, inter alia, the right to birth registration within the stipulated time limit.
* The state of play in the field of citizenship registration in conformity with the Law on Citizenship of the Republic of Serbia will be monitored. Citizenship registration will be conducted in line with the new Strategy for Improvement of the Position of the Roma in the Republic of Serbia, through its implementing Action Plan, by introducing measures to provide legal assistance to applicants and giving priority to procedures for determining the citizenship of the Republic of Serbia. The issue of permanent and temporary residence registration and issuance of identity documents will be monitored, in line with the Action Plan, including recording citizenship in the birth registry.
* Through oversight of the conduct of delegated affairs pertaining to civil registries, the state of affairs in the exercise of the right to late birth registration will continue to be monitored, including by monitoring the number of persons who have exercised their right to birth registration through this procedure.
* The civic associations active in the promotion of human and minority rights that implement activities aimed at informing the Roma about their civil status rights and provide free legal aid to members of the Roma community in these proceedings will continue to be supported by the relevant authorities and ministries.
* The Ministry of Justice will ensure a systemic approach to the provision of free legal aid to vulnerable persons. The Law on Free Legal Aid, which is planned to be passed in 2015, should provide for a wide range of free legal aid beneficiaries, as well as simplified access to justice for vulnerable groups, without imposing any additional requirements, especially with regard to exercising the right to birth registration/late birth registration in non-contentious proceedings. With a view to ensuring that the right to access to justice is exercised as efficiently as possible, it is essential that the Law on Free Legal Aid also provides for a wide range of free legal aid providers, in order to respond to the needs of vulnerable groups in the Republic of Serbia.

**Education**

* After an agreement is reached with the Ministry of Finance, the employment status of 175 teaching assistants who have completed accredited training modules and hold certificates from the Life-long Learning Centre at the University of Kragujevac will be resolved in a sustainable manner by including their positions in job classifications and recognising them in the comprehensive occupational classification by the end of 2016. This issue will be addressed through a national framework of qualifications and the rule book on the qualifications of teachers and professional associates in elementary school. The teaching assistants' network will be further expanded on the basis of an analytical survey including fiscal implications to be carried out by the relevant government bodies.
* The Ministry of Education will adopt a by-law regulating teaching assistants' scope of work with specific tasks, performance quality standards, continued building of teaching assistants' capacities and contractual modality by the end of 2016.
* The Rulebook on the Enrolment of Roma Students in Secondary Schools through Affirmative Action will be adopted by the end of 2015. The Rulebook will also define the modalities of monitoring the effects of affirmative action on Roma education.
* Segregated schools/classes will be prevented by creating measures of desegregation. The Rulebook on Detecting Discrimination in Education will be adopted by the end of 2015 and its implementation will be monitored through the development of the Protocol on Response to Discrimination. The Rulebook will set the framework for creating these measures of desegregation in both classes and schools in 2016.
* The coverage of children by the education system, from the mandatory pre-school programme to higher education, will be increased. A support system, including active involvement of Roma parents, will be established and by-laws on students' living standard will be developed by the end of 2016. At least 60% of pupils from vulnerable groups, amongst which many are Roma (of which at least 40% girls) will have reached the average academic achievement of students of the educational institution they attend by June 2017.
* Dropout prevention programmes will be further developed, in particular by providing mentoring and scholarship programmes. The Ministry of Education, Science and Technological Development and its partners will conduct a survey and analysis of the causes of early school-leaving. On the basis of the analysis, the measures will be piloted and mainstreamed with support under an approved IPA 2013 project, which will allow for the adoption of the systemic support measures at school level and local government level, by the end of 2016.
* Monitoring and evaluation aimed at enhancing the efficiency and quality of the education system, including in the higher education, will be ensured. In the interest of more accurate school attendance statistics, the Ministry of Education, Science and Technological Development will, in cooperation with educational institutions, prepare and disseminate reports.
* Early education of children aged 3 to 5 will be further strengthened under a support system focusing on the child, rather than on the institution, and developed through: support to early childhood development programmes and the introduction of integrative specialised and additional programmes in pre-school education, enabling active inclusion of more Roma children and parents in early development programmes to include at least 40% of Roma children (of which at least 40% girls).
* Municipalities will ensure cooperation among all existing mechanisms for the inclusion of Roma at the local level, including the local Inter-Sector Commissions, in order to work together towards improving the educational status of the Roma, above all by providing support for their enrolment in schools and preventing dropout. The universal enrolment of Roma children in regular schools and the Preparatory Preschool Programme will be ensured by the Ministry of Education, Science and Technological Development. The number of Roma children who enrol and complete primary and secondary schools will be increased, which should also help to decrease the number of early school leavers. Civil society will monitor the implementation of these actions and warn of potential shortcomings in the system.
* Scholarships will be provided for 350 high-school students with marks higher than 4.5 and around 30 university students starting from the second year of studies who have average marks higher than 9 and exams passed from the previous year. All others can apply for loans that are coming from the state budget but those that have marks higher than 8.5 and graduate within the normal timeframe will be exempted from paying back the loans. Depending on the availability of finance, the Ministry of Education, Science and Technological Development will continue the scholarship programme launched through IPA 2012 and IPA 2013 targeting high school students with average marks higher than 2.5, which will contribute to dropout prevention.
* The Government of the Republic of Serbia adopts an annual plan of adult education on the basis of the *Second Chance* IPA project. Around 80 primary schools currently participate in the process, with around 6,000 participants annually. Persons who complete primary education have the possibility to continue their education with the support of affirmative measures. Persons older than 17 have the possibility to graduate from secondary school with additional financial support. Participants of this measure comprise more than 60% of Roma, out of which 40% are women.
* In cooperation with the Commissariat for Refugees and Migration, the Ministry of Education, Science and Technological Development will develop systemic models of support to migrant/reintegration returnee children and pupils through programmes of the Serbian language as a non-mother tongue and support to learning during summer holidays.
* By the end of 2015, the Romani Language Centre will be opened at the Faculty of Philology of the University of Belgrade to train teachers and researchers in teaching and science/research work in the area of the Romani language and culture. By the end of 2015, the first group of 30 teachers will receive certificates and be introduced into the primary education system. By the end of 2016, the elective subject *'Romani Language with Elements of the National Culture'* will be introduced into primary schools in Serbia in conformity with the Law. The certification of teachers eligible to teach *'Romani Language with Elements of the National Culture'* will be conducted by the Faculty of Philology of the University of Belgrade.

# Employment

* The Ministry of Labour, Employment, Veteran and Social Affairs and the National Employment Service will actively promote and implement policies and measures aimed at increasing Roma employability and employment, with particular focus on Roma women. Specific actions will include the implementation of special public calls for the award of self-employment subsidies to Roma persons, in accordance with the available budget for active labour market programmes. Public services at the central and local levels will actively promote and implement policies and measures aimed at increasing Roma employment, with particular focus on Roma women, in line with local labour market needs.
* The Ministry of Education, Science and Technological Development and the Ministry of Labour, Employment, Veteran and Social Affairs will launch specific projects that will create links between (vocational and university) education and employment. They will also analyse the reasons why a substantial part of the Roma work remains in the gray economy, identify the problems and possible solutions.
* Local government involvement in reducing Roma unemployment will be encouraged, following the assessment of the local labour market situation and proposals for measures that will yield the best results in terms of Roma employment at the local level.
* Employment of the Roma in local and national institutions will be stimulated, in conformity with the authorities of the local self-governments and fiscal constraints.
* Affirmative actions as well as financial and non-financial incentives, such as small grants and public private partnerships, will be developed and institutionalised in order to support Roma employment and facilitate the launching of sustainable Roma business activities. Other activities aimed at increasing the motivation for labour market inclusion of the unemployed Roma, especially financial social assistance recipients, will be intensified, along with strengthening cooperation with relevant civil society organisations and developing Roma entrepreneurship, with focus on women.
* Opportunities for access to the labour market and employment of hard-to-employ persons, including the Roma, are expected to be enhanced by the adoption of the legislative framework governing the area of social entrepreneurship. A Draft Law on Social Entrepreneurship, reflecting good practices in EU Member States, is expected to be finalised by the end of 2015.
* The civil society, especially Roma associations, will contribute to raising awareness of employment opportunities and will help strengthen the information network so as to provide information about employment opportunities to as many Roma as possible.

# Social protection and health care

* The Ministry of the Interior and the Ministry of Labour, Employment, Veteran and Social Affairs will pay special attention to monitoring the exercise of the right to permanent residence registration at the address of a centre for social work by persons who are unable to register their permanent residence on any other grounds. In providing social protection and healthcare services, special efforts will be made by the Ministry of Labour, Employment, Veteran and Social Affairs, as well as the Ministry of Health, to raise the awareness of local authorities about this issue, in order to enable full access to social protection and health care services, prevent discrimination and ensure consistent implementation of relevant legislation.
* The Ministry of Labour, Employment, Veteran and Social Affairs, in cooperation with international organisations, competent institutions and civil society organisations, will implement activities aimed at combating domestic violence. The system of protection and support measures for victims of domestic violence will be enhanced by the end of 2017.
* The Ministry of Labour, Employment, Veteran and Social Affairs, in cooperation with international organisations, competent institutions and civil society organisations, will implement activities aimed at combating trafficking in human beings. The prevention, support, protection and reintegration services for trafficking victims will be improved by the end of 2017.
* The Ministry of Labour, Employment, Veteran and Social Affairs will intensify the work of internal local units for organising support assistance to children living and/or working on the street, with increased reliance on the capacities of social protection institutions providing services of temporary and permanent residence, including the services of intensified treatment of children with structural behavioural and personality problems (PIT programme).
* Centres for social work will commit to intensifying the inclusion of Roma children in local social care services and improve the support programmes for mothers.
* Centres for social work will strengthen their counselling role in working with Roma families and Roma clients in general.
* To date, 75 Roma health mediators have been hired in 59 municipalities. Over the next three years, additional funds will be committed to increase the number of health mediators, based on an analytical survey of the needs to be carried out by relevant governmental bodies, as well as to improve the access to these services by the beneficiary population. This process will start in the next 6 months, and realistic estimations are that these positions will be systematised and included in the national qualification framework as soon as the register of the qualifications and procedures for registration of the qualifications is settled. Modules for formal education will be developed, as well as nomenclature of occupations, and employment of health mediators as health care assistants will be implemented. The number of health mediators will increase to 90 by 2017.
* Information from the Ministry of Health database on the Roma, by improving the software and respecting the Law on the Protection of Personal Data, will be shared with the relevant sectors in order to facilitate a more comprehensive response to Roma inclusion by social services. The data from the database will be used by the Ministry of Labour, Employment and Social Welfare and the Ministry of Education, Science and Technological Development. The database is currently being upgraded and will become operational in September 2015.

# Housing

* Under an IPA 2012 project, a situation assessment was performed in 20 local governments: Sombor, Odžaci, Novi Sad, Kovin, Pančevo, Palilula, Zvezdara, Valjevo, Koceljeva, Smederevo, Kragujevac, Kruševac, Knjaževac, Prokuplje, Leskovac, Vranje, Bujanovac, Bojnik, Žitorađa and Bela Palanka. In June 2014, owing to floods that affected Serbia, Obrenovac was included in the project as 21st municipality. This situation assessment served as the basis for the development of planning documentation in order for housing conditions to be improved, including with possible support of IPA funds.
* The IPA 2013 project *Technical assistance for improvement of living and housing conditions among the Roma population presently residing in informal settlements* is expected to be launched in early 2016, with the Republic Housing Agency (RHA) as the implementing partner; the project foresees improving the infrastructure conditions in substandard settlements, as well as relocation to appropriate social housing in the territories of local governments that meet the relevant criteria for participation in the project.
* A large number of Roma still live in very poor conditions, often with no running water or electricity. Under an IPA 2014 project, the implementation of which will be the responsibility of the RHA's IPA unit, new substandard settlements in which living conditions require improvement will be identified; planning documentation will be prepared and conditions will be provided for improving infrastructure networks, or action will be taken to relocate the inhabitants to new social housing.
* The legislation on forced evictions, in line with relevant international standards, will be adopted by the end of I quarter 2016 and set out the conditions to be respected in such cases. The manual and guidelines, with particular emphasis on the roles and obligations of local governments, will be developed and distributed to all relevant administrative stakeholders. The Government will monitor their implementation by all municipalities across the Republic of Serbia and present a report on the implementation before the next Roma seminar.
* The Ministry of Construction, Transport and Infrastructure will draft the Law on Housing, which will be adopted by the end of I quarter 2016 and will be in line with International Covenant on Economic, Social and Cultural Rights.
* The Ministry of Construction, Transport and Infrastructure will work on legal elaboration of all possibilities for the legalisation of individual existing housing structures in sustainable substandard settlements.The Government and municipal authorities will invest efforts in legally regulating the existing substandard sustainable Roma settlements, or in providing sites for their relocation, as per the above mentioned legislation provisions. Where relocation is necessary, it will be conducted only after their residents have been given sufficient advance notice, with full respect of their human rights and in line with international standards. Binding manual/conclusion that defines competent authorities' procedures for the relocation of informal settlements will be issued by the Government and communicated to the local authorities.
* Local strategies and action plans will be updated by municipal authorities to also include more accurate data on Roma residents in informal settlements, as well as to propose measures to regulate and consolidate living conditions within existing informal settlements.
* The situation of internally displaced Roma from Kosovo and Metohija who largely do not plan to return will be addressed. The Republic of Serbia will continue to finance programs enhancing the living conditions of internally displaced people, aiming to enhance living conditions and economic empowerment of internally displaced Roma, both through national budget and by securing donor support.
* The Ministry of Construction, Transport and Infrastructure and the Republic Housing Agency will use and improve the database that has been established on the basis of the Geographic Information System (GIS) and contains information on substandard settlements, with a view to efficiently and effectively taking investment decisions aimed at improving the position of the Roma community.

# Freedom of movement

* The Government of the Republic of Serbia will continue its efforts to counteract cases of visa-free regime abuses in the EU and the Schengen associated countries and to tackle the phenomenon of unfounded asylum applications lodged by its nationals in the EU Member States and Schengen associated countries. The activities aimed at raising Roma population’s awareness of the risks of abusing the visa-free regime will be continued.
* Roma civil society organisations will be urged to step up their campaigns aimed at informing the Roma population about the readmission procedure and the risks of abusing the visa-free regime.
* Continuous cooperation will be ensured with the European Union in exchanging information with the aim of preventing abuses of the visa-free regime and notifications about the number of persons entering and exiting the EU and will be further enhanced. Cooperation will also be intensified through the Committee for Monitoring the Visa-Free Regime with the European Union. Trends regarding the number of asylum seekers, as well as the number of returnees under the Readmission Agreement with the EU Member States, will be continually monitored by the competent authorities, including by developing migration profiles and updating statistical data.
* The available resources of competent authorities at the national and local levels will continue to be directed towards ensuring sustainable integration of all returnees and their families, through facilitated access to all services within the education, health care and social protection systems. At the same time, available EU pre-accession funds and other donor funds, as well as the available budget funds, will be used to promote the most vulnerable returnees' economic empowerment and housing.
* Returnees under the Readmission Agreement will be informed in detail about the possibilities for resolving their status and other issues upon return. A coordinated approach will also be ensured by providing them with psychosocial and health care support, as well as access to accommodation.