



**The Shadow Report Sent to the UN Committee on the Elimination of  
Discrimination against Women to be considered at the 72<sup>nd</sup> Session for  
the Republic of Serbia**

**The Report Submitted by the Members of Roma Women's Network of  
Serbia, February 2019**

Belgrade, January 2019

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## Recommendations

- o Introduce more intensive training for representatives of judicial authorities on the specificities of socially vulnerable groups, with a special focus on Roma women.
- o Collect and regularly publish good practices in resolving cases whose participants are members of socially vulnerable groups in the form of handbooks for judges, prosecutors and lawyers.
- o To implement all conclusions and recommendations from the special sessions of Committee for Human and Minority Rights and Gender Equality within National Assembly of Republic of Serbia, dedicated to the status of Roma women.
- o Adopt a new Law on Gender Equality that will clearly define the status of the working body/mechanism for gender equality at the local level.
- o Encourage local self-governments to include representatives of civil society organizations dealing with vulnerable social groups such as Roma women, women with disabilities, survivors of violence, etc., as an active member in the work of the local gender equality mechanism.
- o In addition to keeping gender statistics, it is also necessary to keep nationality statistics for the purposes of creating adequate public policies.
- o The measures and activities of the strategic documents should reflect the real needs of Roma men and Roma women, and the indicators should be measurable and gender-specific.
- o An integral part of strategic documents should be a methodology that will contribute to the compliance of public policies with the principles of gender equality, as well as the establishment of a methodology for gender analysis of legislative solutions and monitoring of their impacts on men and women, with a special focus on women from deprived and marginalized social groups, such as Roma community.
- o During creation of the local strategic documents, local organizations dealing with the advancement of Roma men and Roma women must be consulted.

- o Further work on raising awareness of Roma women that violence is not a private matter and informing them how and in what way they can seek help, support and protection.
- o Continuous training for members of institutions providing protection against domestic violence and intimate partnership violence on the specificities of the status of Roma women in family and society.
- o Empowering Roma women to report violence to the competent authorities that will react in accordance with their competencies.
- o Faster response and better coordination of relevant institutions in stopping and combating family and intimate partner violence against Roma women.
- o More field work by institutions (e.g. the social welfare center) and visits to families at risk of family and/or intimate partner violence.
- o Introduce the practice of analysing the long-term effects of programs for unemployed Roma, in particular programs targeted at Roma women, as well as programs designed to launch small businesses, building up a mechanism for monitoring and evaluating the long-term effects of the program.
- o To oblige employers who use budgetary incentives to hire Roma women, women with disabilities, survivors of violence and other vulnerable groups.
- o To create a special program for the economic empowerment of existing and potential Roma entrepreneurs.
- o Stimulate the development of local business centers for the provision of non-financial business services to Roma women entrepreneurs that would include general and dedicated trainings for successful business, mentoring support in the field of business, legal and bookkeeping support, assistance in applying for funds and donations, marketing assistance, participation in fairs.
- o Strengthening cooperation between existing entrepreneurship development entities (development agencies, business incubators, clusters, consulting agencies, etc.) and Roma women interested in starting a business.
- o To solve the employment status of Roma health mediators by permanent employment.

- Ø Increase the number of Roma health mediators through the engagement of new ones in local self-governments with a higher percentage of Roma population.
- Ø Establish a continuous obligation to educate health workers on the specific situation of Roma women in society and prohibition of discriminatory behaviour.
- Ø To enhance data collection regarding achieving rights on personal documents and regarding achieving rights of refugees, deported and relocated persons.
- Ø To enhance cooperation mechanism between the civil society organizations and the state institutions.
- Ø The state needs to support activities of the civil society organizations working to aid persons affected by multiple discrimination.
- Ø Strengthening intersectoral coordination of various institutional mechanisms in the sectors of education, social and health care, judiciary and employment with the aim of preventing and stopping child marriages.
- Ø Creation of protocols for implementation and application of the procedures related to prevention and response to child marriages.
- Ø Highlighting examples of good practice of stimulated local entrepreneurship, as opportunities for self-employment conditioned on compulsory education.

## **Introduction**

This report was created as a result of the joint long-standing activist work of Roma women's organizations and initiatives<sup>1</sup>, gathered in the informal Roma Women's Network (RWN) in Serbia<sup>2</sup>. Organizations and initiatives, members of the Roma Women's Network organized their work on the basis of recommendations of the UN Committee on the Elimination of Discrimination against Women made in 2013 for the Republic of Serbia and relied on these recommendations in all advocacy and lobbying activities in order to raise the level of awareness of existing problems.

The report contains information that activists obtained through 60 focus groups and interviews with Roma women and representatives of institutions from Belgrade, Vranje, Niš, Leskovac, Valjevo, Pančevo, Kragujevac, Kruševac, Pirot, Kostolac and Novi Sad. The report incorporates the experiences of Roma women activists who follow the implementation of international conventions in their work.

The report of the Roma civil society organizations was prepared for the 72<sup>nd</sup> session of the UN Committee on the Elimination of Discrimination against Women in February 2019 and it follows the state report, i.e. the concluding observations of the 2013 UN Committee for the Republic of Serbia with the aim of drawing attention to the issues of particular importance for the promotion of the advancement of Roma women that need to be more worked on.

## **Organisations Submitting the Report**

The Roma Women's Network was founded in 2004, bringing together Roma women's organizations and unregistered groups of women's initiatives, in order to jointly fight for advancement of Roma women. RWN activists have, from the beginning of their work until now, encouraged and initiated the establishment of 30 organizations and initiatives in over 20 cities and municipalities in the Republic of Serbia.

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<sup>1</sup> Informal and unregistered activist Roma groups

<sup>2</sup> The Roma Women's Network of Serbia was established in 2004 and consists of Roma civil society organizations that are engaged in advancement of Roma women. Today, the Roma Women's Network consists of 35 organizations and initiatives that raise the visibility of Roma women's problems in their local communities and propose possible solutions for their overcoming.

During 2007 and 2013, the members of the Roma Women's Network published shadow reports on the situation of Roma women according to the CEDAW document, and also promoted the recommendations of the UN CEDAW Committee to the Republic of Serbia, to which these shadow reports provided important information about lives of Roma women in Serbia.

This report, dedicated to the UN Committee on the Elimination of Discrimination against Women, was created as a part of the project named Roma Women as Changes Advocates<sup>3</sup>, with the support of UN Women in the framework of the regional program Ending Violence Against Women: Implementing Norms, Changing Minds, which is being implemented in the Western Balkans and Turkey, in the period from February 2017 to January 2020. One of the objectives of the project is to raise the expert capacities of members of the Roma Women's Network for reporting on the implementation of the international CEDAW conventions and the Council of Europe Convention on the Prevention and Combating Domestic Violence and Violence against Women (Istanbul Convention).

### **The Position of Roma Women in the Republic of Serbia**

The Roma women in the Republic of Serbia face serious problems in attempts to exercise basic human rights. Discrimination, which acquires forms of dual and multiple discrimination, is present in every social field, from education, health care, through employment to violence in family and wider environment. Violations of human rights of Roma women have been aggravated by a number of factors, such as isolation, poverty, illiteracy, health status, lack of ownership of property, lack of personal documents and citizenship, sexual orientation, etc. A particularly vulnerable group within the Roma female population is Roma Internally Displaced Persons (IDPs) from Kosovo or who have been returned to Serbia from Western European countries under a readmission agreement. Parts of these problems are found in national strategic documents, and only a few local self-government units recognized the importance of defining budgetary funds for the needs of Roma women. Insufficient awareness of institutions on the necessity of gender budgeting leads to the invisibility of funds that should improve the lives of women, including

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<sup>3</sup> The report is a part of the Roma Women as Changes Advocates project, implemented with the support of UN Women in the framework of the regional program Ending Violence Against Women: Implementing Norms, Changing Minds, which is being implemented in the Western Balkans and Turkey, in the period from February 2017 to January 2020. The project Roma Women as Changes Advocates was jointly implemented by Women's Space from Nis and Roma Women's Center Bibija from Belgrade in the period from December 2017 to February 2019.

Roma women, in local communities. Also, local budgets do not reflect the needs of the Roma community, and if funds are allocated to the Roma, they are very symbolic and are focused on celebrating holidays. This again leads to the inability to monitor the implementation and effects of the implemented measures, so most often we do not have relevant data on successful and less successful measures.

Discrimination against Roma women is present in all spheres of public and private life, within its own community and within the society in general. They are not adequately involved in public and political life, the insufficient number of Roma girls is in the education process, there is high percentage of unemployed women, they have a short life expectancy, and they are exposed to early marriages and an increased risk of domestic and intimate partner violence.

In the Republic of Serbia in 2011, 147.604 Roma men and women citizens were registered and constituted 2.1% of the population in the territory of the Republic of Serbia. However, the results of the Census did not produce even close number of members of this national minority. Namely, the number of 147.604 persons enrolled as members of the Roma national minority (although larger than the previous Census in 2002 when 108.193 persons declared as a member of the Roma national minority) does not reflect the proper state of affairs. This thesis is supported by the report on the work of the Roma health mediators of the Ministry of Health who since 2008 collected data on 140,408 Roma men and women (45,474 women, 42,339 men and 50,754 children) in the 59 units of local self-government in which they work (out of a total of 161<sup>4</sup> in the Republic of Serbia), while it is estimated that in 120 local self-government units there are Roma settlements with more than 15 houses, or at least 100 inhabitants. Many international organizations, the European Union Delegation in Serbia, civil society, as well as officials from national institutions, think that the data obtained from the last 2011 census still do not reflect the true size of this community. The Office for Human and Minority Rights, with the support of the project team of the OSCE Mission, in 2013 distributed a short questionnaire to local self-governments and in this way collected information on the estimated number of Roma. According to their estimates, the number of Roma in the Republic of Serbia is 279,338<sup>5</sup>, almost double the official Census 2011. In addition to continuous oscillations in the number of male and female members of this community, the 2011 Census points to the imbalance between the number of Roma men and women

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<sup>4</sup>Total number of units of local self-government in the Republic of Serbia without LSGU from Kosovo and Metohija.

<sup>5</sup> The Office, with the support of the project team of the OSCE Mission, distributed a short questionnaire to local self-governments, thus gathered the information. The main purpose of the short questionnaire is to start a process of cooperation between the Office and the local self-governments in the process of monitoring and reporting on Roma inclusion, by providing the minimum amount of information that should be available to local self-governments. So far, the data has been provided by 155 municipalities, and the willingness of local governments to respond to this request is an indicator of the situation and challenges that the Office will face in the future.

declared and the number of those who stated that their mother tongue is Roma. On one hand, we recognize for several times mentioned fear of the public declaration, while at the same time we recognize the clearly expressed need of the Roma community for acceptance and integration into a majority society.

The phenomenon of ethnic mimicry and declarative abandonment of the mother ethnic community points to the need for acceptance by the majority and the fear of possible discrimination, while the findings from the field clearly indicate that Roma men and women, inhabitants of Roma settlements, isolated on the outskirts of the city and socially excluded are the most consistent guardians of national identity. Ethnic mimicry is not an unknown fact and it is not necessarily negative. But if it is violent and if stereotypes and prejudices, and often open discrimination, towards a social group are so distinctive, the high number of Roma men and women who do not declare as members of the Roma community should not be surprising. The long-standing experience of Roma women's organizations, whose basic work is taking place in Roma settlements, clearly indicates the fear of discrimination (direct and concealed) in the course of declaring. Insufficient attention given to informing of Roma community - that the data provided in the population census will not be abused or used for any other purpose, other than statistical ones, probably contributes to the fear of declaring.

All this contributes to the lack of clear and systematized data on the socio-economic status of Roma women. The available data are mostly collected partially, mainly based on non-standardized and incomparable methodologies. The collection of data on exercising economic, social and cultural rights, including the right to work, housing, social security, education and employment, is essential for the process of improving access to these rights for all, especially for Roma women who, according to most reports, are one of the most vulnerable social groups. The notable differences between the economic activity of Roma, especially Roma women and other populations is concerning, since the changes in the economic structures of the Roma population in relation to the total population did not take the same direction and intensity. The increase in the share of the inactive, primarily dependent population, is a negative component of economic prosperity, which also affects the determination of the social status of Roma women. In that regard, it should be noted that in 2011 in the Republic of Serbia, there were 140 inactive citizens per every 100 active citizens, while in Roma men and women population there were 257 inactive (primarily dependent) persons per every 100 active persons. By grouping Roma men and women according to occupations we can also review their professional structure. Professional structure represents one of the basic economic, as well as personal characteristics, because it most often determines the level of earnings, and

hence the economic and social status. Obviously, the most frequent occupations are those that point to the professional and social inferiority of Roma men and women, directly conditioned by the educational structure. There is visible differentiation in active Roma men and women who are engaged in certain occupation, whereby men account for 77.5% and women 22.5%, which is a significant difference compared to the national level, where men make up 57.9% and women 42.1% of the total active ones.

As one of the important causes of this extremely undesirable position of Roma women, it is certainly early marriage, giving birth and motherhood status, as well as level of education. Finally, according to the data on economic activity of Roma men and women in the Republic of Serbia, it can be concluded that the percentage of Roma men and women during the period between the two censuses dropped significantly, by 5.95%. The financial impotence is also shown by the data that indicate that more than one quarter (27.6%) of the total number of Roma households earn their income through social benefits. The Survey of Multiple Indicators on the Position of Women and Children in the Republic of Serbia, which was carried out by the Statistical Office of the Republic of Serbia<sup>6</sup> with the technical and financial support of UNICEF in 2014 indicates the social and health vulnerability of Roma men and women: estimated infant mortality rate among children in Roma settlements amounts to 13 per thousand live births, which is double the rate of national average; 10% of children in Roma settlements are undernourished, and 19% have growth disorder, which is about five times higher compared to children from other ethnic groups. Regarding the inclusion of children in recommended vaccination, only 13% of Roma children received all vaccines in the prescribed time, i.e. by the end of the first year of life, and in children from the general population, this inclusion is 71%. According to this data, of the total number of beneficiaries of services provided by social welfare centers, 45,050 are Roma, almost a third of the total number of Roma men and women registered in 2011. This means that in the Roma population, the share of social security beneficiaries is almost four times higher than in the total population in the Republic of Serbia. In the age structure of Roma men and women who are users of the social security system, 47.2% are adults, 31.1% are elderly and children, and 21.7% are the young. Children aged under 17 make up 27.6% of all beneficiaries of social welfare centers, and together with the young (18-26 years old) who make up 9.8%, represent a total of 37.3% of all beneficiaries of social welfare centers, and thus the second largest group of users of the centers. It is most often emphasized that education is the way in which Roma

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<sup>6</sup> The Survey of Multiple Indicators on the Position of Women and Children in the Republic of Serbia 2014 and The Survey of Multiple Indicators on the Position of Women and Children in Roma Settlements in the Republic of Serbia 2014, Statistical Office of the Republic of Serbia and UNICEF 2014.

men and women will most effectively overcome the issue of poverty. However, the data from the aforementioned research of Multiple Indicators of the Position of Women and Children Indicate that institutional conditions have not been created yet, since only 80% of Roma children who attended the first grade of primary school attended the pre-school preparatory program (in the general population, the coverage is 98%), and only 69% of Roma children started primary school in time (97% of the general population), 64% of Roma children completed primary school (93% in the general population), and finally, only 22 % of Roma children attend high school (89% of the general population), of which only 15% of Roma girls continue their education by enrolling in secondary school.

A particular problem is the fact that girls leave school and start families between the age of 15 and 19. As many as 43% of Roma girls in this age stop their schooling in order to marry. For girls of the same age in the general population, this percentage is 4%. The consequences of the exclusion from education affect the competitiveness of Roma women in the labour market - the share of illiterates in the total Roma population older than nine which is 15.1% is still above the national average of 2%. The data indicating the acquired level of education are concerning: over 1/3 of Roma men and women - 34.2%, does not have primary school; 1/3 Roma men and women has primary education; the share of Roma and Roma women with high school education is 11.5%, and with university education only 0.7%.

A survey on the prevalence of violence against Roma women<sup>7</sup> implemented in 2017 shows that violence against Roma women in the family and intimate partnership is a serious social problem. Out of the total number of respondents in this study, 91.9% of them were exposed to some form of physical and/or sexual violence after the age of 18. In the last incident described, most respondents were exposed to combined physical and psychological violence - 57%. In the last case of violence they described, the respondents were mostly abused by their partners: husband (68.4%) or ex-husband (15.3%). The data obtained from the survey shows that only 63 (27.6%) of respondents, after the last act of violence, sought help from an institution or organization (one or more institutions and/or organizations). Only 8.8% of respondents, after the last case of violence, contacted the police for help. In the majority of cases, respondents did not go to the police for fear of even greater violence (34.9%) and because of being ashamed (31.5%). In addition, the reasons for not reporting to the police were: "I thought that violence was not so serious to call

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<sup>7</sup> *Violence against Roma women in the family and intimate partnership in Belgrade: Structure, Characteristics and Social Reaction*, Victimology Society of Serbia and Roma Women's Center BIBIJA, project *For Active Inclusion and Rights of Roma Women in the Western Balkans II*, CARE International Balkans, Sarajevo 2018

the police (14.4%); "I do not believe that the police could help because I am a Roma woman (5%); "I know from the experience of others that the police will not intervene and provide assistance to Roma women (3%); "I know from my experience that the police will not intervene because I am Roma (2%)" and "I did not know what to do (1%)". In addition, the respondents cited other reasons why they did not go to the police, such as not wanting to have more problems after reporting, fear that the abuser would take their children away after reporting, because they did not want the abuser to be punished with imprisonment, because they wanted to solve the problem themselves or because to report the violence to the police did not come to their mind.

Economic violence is also largely present in the sample surveyed: more than two thirds of respondents have been or are still exposed to this type of violence. At the same time, the research has shown that the link between economic violence, on the one hand, and physical and sexual violence, on the other is significant. Thus, respondents who are economically dependent on abusers and who suffer economic violence are at greater risk of being exposed to both physical and sexual violence. This speaks of the need for further work on economic empowerment and independence of respondents in order to act in the direction of preventing not only economic, but also other forms of violence against them. The Roma women's organizations pay special attention to the activities for prevention and stopping of child marriages. The common denominator for all causes of child marriages is poverty and social exclusion, and the interconnectedness of a number of causal factors makes the network of patriarchal relationships, uneven distribution of power, control of women's bodies and their sexuality, gender stereotypes and prejudices hard for breaking. The economic dependence of women in an already poor family reduces their influence in the family. Acceptance of traditional practices based on stereotypes about sexuality and the role of women in society contribute to the prevalence of child marriages.

Causes and drivers of early marriages in the Republic of Serbia are similar to the causes of child marriages around the world. Gender-based discrimination, structural inequality, poverty, lack of education, accepted cultural practices, inadequate institutional responses to child marriages and many other factors contribute to the emergence and maintenance of the practice of child marriages.

**Application of the Concluding Observations on the Second and Third  
Report of the Republic of Serbia to the UN Committee on the  
Elimination of Discrimination against Women (2013)**

**Recommendation from Paragraph 7 of the Concluding Observations**

**National Assembly**

The National Assembly of the Republic of Serbia, performing the legislative and control function of the government, takes the necessary measures in order to fulfil the recommendations of the Committee on the Elimination of Discrimination against Women. After the Concluding observations of the CEDAW Committee were adopted in July 2013 and the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was ratified in November 2013, the National Assembly held a public hearing on 3 December 2013 on the subject: "National Implementation of the Recommendations of the CEDAW Committee of the United Nations and the CAHVIO Convention of the Council of Europe". The President of the Assembly Committee for Human and Minority Rights and Gender Equality attends the sessions of the Council of the Government of the Republic of Serbia for monitoring the implementation of the recommendations of the UN mechanisms for human rights. Also, on 14 February 2013, the Women's Parliamentary Network was formed, which functions as an informal group in which all members of the Serbian Parliament, regardless of their party affiliation, voluntarily participate in order to monitor the implementation of existing legal solutions in the field of health and education of women, combating violence against women and economic empowerment of women.

Every year, at the time of the Month of Roma Women's Activism campaign conducted by the Roma Women's Network, the National Assembly responds to the call to organize a special session of the Committee for Human and Minority Rights and Gender Equality on the status of Roma women. **In addition to this activity, the National Assembly does not implement any other activity aimed at improving the status of Roma women.**

**Although among the priorities of the Women's Parliamentary Network are: encouragement of women in Serbia for greater participation in political and public life, spreading awareness about women's solidarity, affirmation of gender equality at all levels of decision-making, combating violence against women and children, as well as economic empowerment of women, this important group with**

the largest number of members of parliament in its membership of all other informal groups and networks in the National Assembly of the Republic of Serbia, has not so far established a stronger link with the representatives of Roma women's organizations, nor it particularly promotes by its work women belonging to multiple marginalized social groups. Also, the work of the Women's Parliamentary Network is slowed down due to the impossibility of parliamentarians from various parliament groups to represent the interests of women above the interests of their political leaders.

**Recommendations:**

- o To implement all conclusions and recommendations from the special sessions of Committee for Human and Minority Rights and Gender Equality within National Assembly of Republic of Serbia, dedicated to the status of Roma women.

**Recommendation from Paragraph 9 of the Concluding Observations**

**Absence of the concept of multiple discrimination in the anti-discrimination laws of the state**

The Republic of Serbia adopted the Law on the Prohibition of Discrimination<sup>8</sup> in 2009, which prohibits all forms of direct and indirect discrimination. In Article 13, which describes severe forms of discrimination, paragraph 5 states that a severe form of discrimination against a person is based on two or more similar personal characteristics (multiple or cross-related discrimination).

The National Strategy for Gender Equality, for the period 2016 to 2020, is the basic strategic document of the Republic of Serbia, adopted with a goal of eliminating discrimination against women and establishing gender equality through the pursuit of a policy of equal opportunities. This document recognizes in the description of the actual state the concept of multiple discrimination (1.9 multiple discrimination and vulnerable groups), based on which the Specific objective 2.6 is defined: Improved position of multi-discriminated and vulnerable groups of women.

Although the notion of multiple discrimination has been introduced into the Anti-Discrimination Law, as well as in the Gender Equality Strategy, we emphasize that in order to improve the position of Roma women, it is not enough to prohibit

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<sup>8</sup> ("Official Gazette of RS", No. 22/2009)

multiple discrimination without application of special measures. Roma women are still in a vicious circle of poverty, poor health care, exposure to violence and discrimination, etc. It is especially important to mention the lack of implementation of the recommendations of the Strategy for Gender Equality, in the section related to equal access of Roma women to legal protection, justice and fair compensation, as well as employment, political participation, identifying the needs of Roma women in local development plans in the Republic of Serbia.

In addition to the aforementioned problems, the Republic of Serbia does not conduct research, i.e. collect data on the specificities of the position of multiple discriminated groups, with recommendations for improving their position and eliminating discrimination.

### **Recommendation from Paragraph 9 of the Concluding Observations**

#### **Trainings for Judges, Prosecutors and Lawyers**

In the Republic of Serbia, a Judicial Academy<sup>9</sup> is established that provides training for judges and prosecutors, as well as the Law Academy<sup>10</sup> that trains lawyers. The annual training program for judges, judicial assistants, public prosecutors and deputies includes topics on human rights, prevention of family violence, introducing the concepts of gender equality and discrimination, as well as considering factors that affect the status of women, multiple discriminated groups of women, the social situation of marginalized groups of women with a focus on the situation of Roma women and women with disabilities, as well as the discriminatory treatment of institutions. The purpose of the training is introduction of the new legal regulations with the aim of their correct and proper implementation. The Judicial Academy has so far conducted training for over 400 judges and prosecutors regarding the implementation of the Law on the Prevention of Domestic Violence that came into force on 1 June 2017.

**However, these efforts still seem insufficient to raise the sensitivity of representatives of judicial institutions to the problems faced by Roma men and**

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<sup>9</sup> In 2002, as a Judicial Center for training and professional development, which in 2010 was transformed into the Judicial Academy, in order to continuously improve the professional knowledge and skills of judges, prosecutors and other employees in the judiciary.

<sup>10</sup> Established in 2013 with the Bar Association of Serbia, aimed at training of lawyers, continuous professional training of lawyers, law trainees, graduated lawyers and persons employed in law offices and companies

women. In practice, Roma women do not have access to free legal aid and do not have enough information on the proper regulations. Their position in this area is made difficult both by direct and indirect discrimination of the judiciary, backed by prejudices and stereotypes about the Roma way of life and values.

**Recommendations:**

- o Introduce more intensive training for representatives of judicial authorities on the specificities of socially vulnerable groups.
- o Collect and regularly publish good practices in resolving cases whose participants are members of socially vulnerable groups in the form of handbooks for judges, prosecutors and lawyers.

**Recommendation from Paragraph 11 of the Concluding Observations of the  
Committee**

**Legislative and Legal Regulations**

Although the relevant institutions, with the support of international actors and independent bodies, the Ombudsman and the Commissioner for the Protection of Equality, worked on amendments of two important anti-discrimination laws: Draft Law on Gender Equality and Draft Amendments to the Law on the Prohibition of Discrimination. The Draft Law on Gender Equality should define more clearly and prohibit multiple discrimination and provide free legal aid, while amendments to the Anti-Discrimination Law should define the definition of indirect discrimination. Both laws with proposed novelties are important for improving the status of Roma women. However, none of them has yet been adopted. The third law, which will mean important support to Roma women, the Law on Free Legal Aid<sup>11</sup>, although adopted at the end of 2018, applies from October 1, 2019, except for the provisions of Articles 44 to 52 which shall apply from the date of accession of the Republic of Serbia to the European Union.

**Recommendations:**

- o To adopt the Law on Gender Equality in compliance with civil society.
- o To adopt the Law on the Prohibition of Discrimination.

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<sup>11</sup> "Official Gazette of RS", No. 87/2018

o Monitor the implementation of the new Law on Free Legal Aid.

**Recommendation from Paragraph 15 of the Concluding Observations of the  
Committee**

**The National Mechanism for the Advancement of Women**

The Coordination Body for Gender Equality (CBGE) was established by the Government Decision in 2014, and is headed by the Deputy Prime Minister of the Republic of Serbia. The local mechanisms for gender equality, prescribed by the existing Gender Equality Law, play an important role in achieving greater equality.<sup>12</sup> Most of the local mechanisms for achieving gender equality at the local level were established in 2010, that is, with the entry into force of the Gender Equality Law, and a large number of them came from some of the projects of international organizations, such as the Serbia OSCE Mission project. By mid 2016, about 70% of local self-government units formed a mechanism for achieving gender equality, while only 15% of LSGU adopted an act regulating and promoting gender equality at the local level. We emphasize the necessity of resolving the dilemma whether city municipalities (e.g. in Belgrade, Nis, Vranje) that do not have the status of local self-government units are obliged to implement the provisions of the Gender Equality Law. This dilemma should be eliminated in the new legal solution for gender equality issues and with the accompanying bylaws and instructions accompanying the Law on Local Self-Government. Regarding the issue of efficient and sustainable work of local gender equality bodies, it is important to point out the fact that there are usually no rules of procedures of these bodies, and therefore there is no clear definition of work procedures, areas and deadlines for reporting. Also, there is a lack of knowledge and experience in team work, the lack of horizontal coordination of the work of local development teams, and an evident problem of effective sensitization of stakeholders to actively engage in the work of local bodies and development teams.

**Please note that it is not irrelevant that there are no clearly defined procedures for involving members coming from civil society organizations or defining their position in the local mechanism.** Not more than 15% of local self-government units have included position of the entity/person in charge of gender equality to their job catalogues, while in other LSGU, this role is only added to the basic jobs the persons

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<sup>12</sup> The Gender Equality Law, Official Gazette RS no. 104/2009.

in charge for gender equality usually do. This fact clearly shows the marginalization of this topic and the mere satisfaction of formalities. It is justified to conclude that the level of understanding of gender equality is very different and goes from declarative statements on developing equal opportunities policies to achieving "equal" activities of women in society. It is noticeable that gender equality is reduced to the equality of men and women, to women's participation in decision-making, or to employment of women. **In the statement on the role of the mechanism, none of the existing mechanisms mentioned LGBTIQ persons, nor minority women, for example, Roma women, as well as persons and/or women with disabilities.** In addition to universality and generalization, slightly surprisingly, the issue of combating violence against women has been regarded as one of the functions of the local mechanism. It seems that in most cases the scope of activities and competencies of this body is not clearly defined. We conclude that the units of local self-government lack more detailed instructions on how to ensure gender equality within their competencies, and it is clear that the articles of the Law related to gender-sensitive statistics, participation in decision-making, etc. are insufficiently recognized.

**The typical composition of the local gender equality mechanism in the LSGU:**

- at least 90% are women;
- more than 90% were nominated by political parties;
- there are few LSGU that have civil society organizations in its structure;
- even fewer local mechanisms have representatives of CSOs in their membership representing the interests of social groups with an increased risk of discrimination, such as Roma women and women with disabilities, women living in villages or members of the LGBT population;
- in a number of mechanisms, members are not positioned at any of the municipal decision-making positions;
- members coming from outside the municipal administration, are mainly consisted of representatives of the Social Welfare Center and Health Centers;
- very few local mechanisms have representatives of local police administration units in their membership;
- representatives of the prosecution, municipal courts, are even less represented.

By analysing the typical composition of working bodies, we can again conclude that gender equality policies are seen as a women's issue and that they are mainly dealt by those who are in charge of social security policies, and much less from the perspective of women's participation. The composition of permanent working

bodies, although partly made up of committee members, that is, according to the political line, in practice is more open to representatives of civil society organizations and other municipal institutions.

#### **Recommendations:**

- o **Adopt a new Law on Gender Equality that will clearly define the status of the working body/mechanism for gender equality at the local level.**
- o **Encourage local self-governments to include representatives of civil society organizations dealing with vulnerable social groups such as Roma women, women with disabilities, women from rural areas, survivors of violence, women of sexual orientation different than heterosexual, etc., as an active member in the work of the local gender equality mechanism.**
- o **Consistent implementation of the legislative provision on the obligation to keep gender statistics at all levels.**
- o **In addition to keeping gender statistics, it is also necessary to keep nationality statistics for the purposes of creating adequate public policies.**

<p><b>Recommendation from Paragraph 17 of the Concluding Observations of the Committee</b></p>
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<p><b><u>Compliance of Strategic Documents and Action Plans</u></b></p>
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The Republic of Serbia today has over 100 national strategies followed by the action plans. The biggest threat to the implementation of these strategic documents is very limited, most often almost non-existing budget, as well as the lack of a single mechanism for monitoring and evaluating the achieved results. What further complicates the complete and successful implementation of these strategic goals are gender-insensitive, and most often gender-neutral measures, which, with the absence of the principle of gender budgeting results in even greater deepening of the gap between women and men.

Although we can confirm that the interests of Roma, and slightly less the interests of Roma women, are significantly included in different national strategic documents, the general problems characteristic of all these documents are: unrealistic goals, insufficient, if any, budgetary allocations and excessive reliance on foreign donations. Two strategies are important for Roma women in the past period:

Strategy on Advancement of Roma in the Republic of Serbia 2009-2015<sup>13</sup> and Strategy on Advancement of Women and Improvement of Gender Equality in Serbia and NAP for its Implementation 2009-2015<sup>14</sup> - both dated until 2015.

The implementation of the Strategy on Advancement of Roma 2009-2015 and the accompanying Action Plan has encountered a number of problems in establishing coordination between the relevant ministries and other actors. A special problem was the absence of monitoring mechanisms, as well as weak, almost no reporting on the results achieved. Most national strategies are not harmonized with local documents that should improve the development of municipalities and cities. Local governments do not usually consult the Roma population in the process of creating their strategic documents, especially the Roma women, about their problems, needs and ways in which these needs can be met.

However, **no line ministries have allocated funds** for the area that defines the needs of Roma women in the Roma Strategy and the accompanying Action Plan 2012-2015. This document, which has its operational significance, defines measures that should result in an improved policy of equal opportunities and rights of Roma women through: the work of associations, promotion, information and education of Roma women on human rights and the possibilities for their exercise, improvement of Roma education, gender sensitive monitoring of the implementation of this AP at the national and local level.

Another important document is the *Strategy on Advancement of Women and Improvement of Gender Equality in Serbia and NAP for its Implementation 2009-2015* provides a comprehensive overview of women's problems in Serbian society with very detailed measures that need to improve their position. The harmonization of this and the Roma Strategy (in the field of women's status) is reflected in the activities for creating conditions for the participation of women from dual and multiple discriminated groups in public and political life, and the indicators for this activity are the number of pilot projects and seminars for women from dual and multiple discriminated groups for increase of participation in public and political life. To the best of our knowledge, **no such seminar has been held**. Also, one of the activities is organizing three territorially arranged workshops for Roma women on the topic: how to participate in the political decision-making process, which requires compliance with the Strategy on Advancement of Roma and the Strategy for the Improvement of the Status of People with Disabilities, but this activity was also **not**

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<sup>13</sup> Strategy on Advancement of Roma in the Republic of Serbia <http://www.ljudskaprava.gov.rs/index.php/nacionalne-manjine2/propisi-i-strategije>, accessed on 15/06/2015

<sup>14</sup> Strategy on Advancement of Women and Improvement of Gender Equality in Serbia and NAP for its Implementation 2009-2015

**implemented**, nor the organization of a promotional campaign to improve the capacity of Roma women.

**One of the six topics set out in the *Strategy on Advancement of Women and Improvement of Gender Equality in Serbia and NAP for its Implementation 2009-2015* is to improve the economic status of women. Unfortunately, while implementing this part of the Strategy, the participation of Roma women's interests was not taken into account sufficiently.**

During 2009, the Gender Equality Administration, which operated within the Ministry of Labour and Social Policy of the Republic of Serbia, in cooperation with the United Nations Development Program (UNDP), through a project funded by the Delegation of the European Commission, launched a contest on the subject of Advancement of women from dual and/or multiple marginalized social groups. This contest was intended for local organizations that can contribute to changes in their communities. The funds for the implementation of the projects were provided from the budget of the Gender Equality Administration, from the position 481, as well as by the UNDP. 9 projects of local women's organizations were selected at the contest, each of which relates to one marginalized social group, such as women living in villages, women with disabilities, women victims of violence, single mothers, etc. Two projects were awarded to the organization dealing with the rights of lesbians<sup>15</sup>, as well as the organization dealing with the rights of Roma women<sup>16</sup>. All projects were financed by the Administration's funds, except those relating to lesbians and Roma women financed by UNDP funds, indicating that the budget funds do not fund activities related to Roma women and lesbians.

**Except for the one of the following contests of the Gender Equality Administration<sup>17</sup>, which was fully targeted at Roma women's organizations and several Roma women's organizations that were beneficiaries of the budget line 481 for civil society organizations, for 10 years of the Decade of Roma Inclusion, there were no other activities.** Participation in public and political life is an

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<sup>15</sup> Organization for Lesbian and Human Rights "Labris" from Belgrade

<sup>16</sup> Organization Women Space from Nis.

<sup>17</sup> By the public invitation of the Gender Equality Administration on October 7, 2013, for submitting project proposals intended for associations that can contribute to creating the conditions for advancement of Roma women in accordance with national priority goals, the following were selected:

1. Project of the Association Humane Team from Belgrade called *Equality for All*.
2. Project of the Academic Initiative "Forum 10" from Novi Pazar under the title *Join to hear, see, know*.
3. The project of the Association of Powerful Women from Sombor under the title "Strengthening the capacity of Roma Women's NGO"
4. The project of the Roma Development Center from Arandjelovac named *The Hands of Friendship*
5. Project of Roma Association Prokuplje from Prokuplje entitled "Sexual Education of Roma Women", <http://gendernet.rs/news.php?id=157> Accessed 18/06/2015

important goal mentioned by this, but also the Roma Strategy and the indicator for this activity is the number of pilot projects and seminars for women from dual and multiple discrimination groups in order to increase their participation in public and political life. To the best of our knowledge, **no such seminar was held**. Also, one of the planned activities, harmonised with the Roma Strategy, is organizing three territorially arranged workshops for Roma women on the topic: how to participate in political decision-making, but **this activity is also not implemented, nor the organization of promotional campaigns**.

The new National Strategy for Gender Equality for the period 2016-2020 and the accompanying Action Plan (2016-2018) do not have specific measures targeting Roma women. Roma women's organizations were not invited to participate in the development, nor did the needs of Roma women taken into account.

Since 2015 and the accession of the Republic of Serbia to the so called Second Roma Decade a new Strategy for Social Inclusion of Roma Men and Women for the Period 2016-25 was adopted<sup>18</sup>. The process of negotiations between Serbia and the European Union has significantly contributed to putting the Roma issue very high on the agenda of the Government of the Republic of Serbia. However, the gender dimension in defining the Roma issue is absent or occurring sporadically. Although several Roma activists were involved in writing the new Roma Strategy, the texts contained 5 strategic areas (education, employment, health, social policy and housing) and the proposed measures in the Operational Action Plan are mostly gender neutral, while the indicators are somewhat gender marked. **However, the issue of budgeting, which also means issue of implementation of measures, remains open. The practice of adopting strategic documents to meet the expectations of the European Union or international bodies leads us to the situation that we have many strategies that do not get its implementation. Additionally, the new Roma Strategy and AP largely rely on international donors, so the sustainability of the measures taken is disputed.**

In March 2017, the Government of the Republic established a special Coordination Body for monitoring the implementation of the Strategy for Social Inclusion of Roma Men and Women and discussing all issues in this area, chaired and managed by the Deputy Prime Minister and the Minister of Construction, Transport and Infrastructure. This body is authorized to coordinate the work of state bodies, bodies of local self-government units, public enterprises and other forms of organization related to the advancement, as well as full inclusion of Roma in social, economic, cultural and political life, especially in the areas of education, housing, health and social security and employment. In addition to coordinating tasks, it is also

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<sup>18</sup> <https://www.minrzs.gov.rs/lat/strategija-za-socijalno-ukljuc.html>

responsible for improving inter-sectoral cooperation in this area; reviewing and giving recommendations for resolving urgent situations, which may result in additional vulnerability of Roma men and women; and proposing ways to achieve prescribed, but also additional, measures/activities that contribute to greater social inclusion of the Roma national minority, as well as to the process of European integration. Except for the several sessions held, the Coordination Body did not undertake the activities of coordinating the work of the relevant institutions. The issue of the status of Roma women has not been considered. **The work of the Coordination Body is mainly to participate in the programs of international organizations, while the funds for these programs have been obtained only by international organizations, without participation of the Republic of Serbia.**

For the advancement of the Roma national community, especially Roma women, the local action plans are important documents. There are two main characteristics of local strategic documents dealing with the advancement of Roma men and women:

1. The complete "rewriting" of the national strategic document, without local specificities - clearly shows, on one hand, the declarativity and unwillingness of the local self-government to work on the elimination of the issue, and on the other hand, it also refers to the weak capacities of the local self-government to know the needs (instead of the issue - the issues are general and more or less familiar) and setting up adequate measures for particular social groups, such as Roma women, women with disabilities, women who survived domestic violence and intimate partnership violence, or are still in a situation of violence.
2. Poor and insufficient funding without a gender allocated budget.

Harmonization of strategic documents and better coordination were the request of the Directorate-General for Neighbourhood and Enlargement Negotiations during the regular Seminar on Social Inclusion of Roma men and women (June 2015, October 2017)<sup>19</sup>. The operational conclusions that have emerged as a result of these seminars, held every two years, are binding on the Government of the Republic of Serbia and line ministries and are an attempt to network institutions and coordinate their activities. Establishment of the Public Policy Secretariat of the Republic of Serbia (PPSRS) in 2014 as an expert service that provides support to the Government in creating and adopting public policies and regulations could contribute to increasing the quality, compliance and efficiency of the implementation of measures.

## **Recommendations**

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<sup>19</sup> <http://socijalnoukljucivanje.gov.rs/rs/seminar-o-socijalnom-ukljucivanju-roma-i-romkinja-u-republici-srbiji/>

- o Strategic documents at the national and local levels must set realistic targets, achievable with clearly defined budget allocations, without excessive reliance on foreign donations.
- o The measures and activities should reflect the real needs of Roma men and women, and the indicators should be measurable and gender-specific.
- o An integral part of strategic documents should be a methodology that will contribute to the compliance of public policies with the principles of gender equality, as well as the establishment of a methodology for gender analysis of legislative solutions and monitoring of their impacts on men and women, with a special focus on women from deprived and marginalized social groups, such as Roma community.
- o During creation of the local strategic documents, local organizations dealing with the advancement of Roma men and Roma women must be consulted.

**Recommendations from paragraph 23 of the Committee's Concluding  
Observation**

**Prevention of violence and awareness-raising**

Data from Roma women's organizations show that domestic and intimate partner violence against Roma women continues to be a serious social problem. Threats of physical violence, psychological and physical violence predominate. About 90% of Roma women who are included in Roma women's programs have experienced physical form of domestic violence after reaching the age of majority. Economic violence is also largely present: more than two thirds of Roma women were or continue to be exposed to this type of violence. In addition, the research<sup>20</sup> has shown that the link between economic violence, on one hand, and physical and sexual violence, on the other hand is not negligible. Therefore, Roma women who are economically dependent on abusers and who suffer economic violence are at greater risk of being exposed to both physical and sexual violence. This speaks of the need to further work on the economic empowerment and independence of Roma women in order to act in the direction of preventing not only economic but also other forms of violence. Data show that intimate partner violence predominates in the structure of domestic violence against Roma women. Also, when it comes to the structure of the

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<sup>20</sup> Research Report "Violence against Roma Women in the Family and in Intimate Partnerships in Belgrade: Structure, Characteristics and Social Reaction ", 2017, Victimology Society of Serbia-VDS and BIBIJA-Roma Women's Center, within the project" For Active Inclusion and Rights of Roma Women in the Western Balkans II "CARE International Balkans, Sarajevo.

perpetrators, the males are predominant. The indicators of an extensive presence of violence against children in situations where there is violence committed against the mother are alarming. This imposes the need to develop a more effective multidisciplinary approach to the prevention of victimization of children and to fight against it. Particularly important is timely detection and appropriate support and assistance to children from families in which violence occurs, in order to avoid, among other things, the transmission of violent patterns of behaviour and victimization. Only 27.6% of Roma women turn to one or more than one institution for help, the lowest number of them turn to the police, while most of them choose to seek help from a non-governmental organization. The majority of women were not happy with what the police did and how they were treated. Inertia, lack of interest, not understanding the problem and absence of empathy are the key reasons for dissatisfaction with the work of the police. This indicates that there is a need for further work on education and raising the awareness of police officers on domestic violence in the case of marginalized groups of women, such as Roma women, and the necessity to respond in a timely and effective manner in order to provide them with protection. Similar reasons for dissatisfaction are also found when Roma women are referred to social welfare centers, while the level of support is somewhat higher in healthcare institutions. The main reasons for satisfaction were supportive attitude, professionalism, listening, support and provision of adequate information.

When it comes to the outcome of court proceedings, in most cases the abuser was given a suspended sentence, in 16.7% of cases the abuser was sentenced to imprisonment, while in 8.3% of cases the abuser was fined. Also, just several urgent measures of protection against domestic violence under the Law on Prevention of Domestic Violence were recorded<sup>21</sup>, in only 3.5% of cases of violence against Roma women. The data show that the key reasons why Roma women fail to ask state authorities, institutions and organizations for help are the fear of escalation of violence, embarrassment and the stance that the violence they survived is not that serious. These findings support the conclusion that there is a strong influence of patriarchal stereotypes that discourage Roma women to contact the state authorities, institutions and establishments, and even non-governmental organizations for assistance.

The Republic of Serbia adopted the Law on Prevention of Domestic Violence in 2016 (entered into force on June 1, 2017),<sup>22</sup> which regulates the prevention of domestic

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<sup>21</sup> "The Official Gazette of the RS", No. 94/2016, [https://www.paragraf.rs/propisi/zakon\\_o\\_spreccavanju\\_nasilja\\_u\\_porodici.html](https://www.paragraf.rs/propisi/zakon_o_spreccavanju_nasilja_u_porodici.html) , visited on 01.12.2018

<sup>22</sup> "The Official Gazette of the RS", No. 94/16

violence and the actions of state authorities and institutions in preventing domestic violence and providing protection and support to victims of this form of violence. The basic purpose of the Law is to regulate the organization and actions of state authorities and institutions in a general and unified way, and thus enable the effective prevention of domestic violence and urgent, timely and effective protection and support for victims of domestic violence (Article 2). The same year the Criminal Code of the Republic of Serbia was amended<sup>23</sup> and new criminal acts of gender-based violence were prescribed, which had not been incriminated before: female genital mutilation, stalking, sexual harassment, and forced marriage. In practice, many Roma women do not trust in the institutions of the system, since they feel that they would not help them or they have had bad previous experiences, and therefore they decide not to seek help in order to protect themselves against domestic violence and violence against women.

Participants in the focus group from Valjevo believe that a Roma woman who is a victim of violence is aware that she will not get the right protection and support from institutions and therefore will not report violence. Many women, as an explanation why only a small number of women decide to report violence, cite poor institutional care and negative experiences of other women. Although they know that there are mechanisms of protection against violence and that protection is available to Roma women, participants in the focus group from Leskovac state that they rarely decide to report violence to the competent institutions because of their ethnicity and distrust in institutions. Similarly, participants in the focus group from Pancevo believe that the key problems are that institutions do not believe them when they report violence, they downplay the problem and try to reconcile them with the abusers. They also tell them „that this is nothing and that they will reconcile again, that that’s normal”. Some participants in this focus group had the impression that workers at the social welfare center seemed unable to provide support to Roma women, which does not strengthen confidence in the institution considering that the institution does not have the power to fight against this problem.

To support these views, here are the experiences of two Roma women who contacted the competent state authorities requesting protection from domestic violence.

*I experienced violence from my own brother who lived with us and allowed himself to*

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<sup>23</sup> "The Official Gazette of the RS", No. 85/05, 88/05 – amend, 107/05 – amend, 72/09, 111/09, 121/12, 104/13, 108/14 and 94/16

*physically attack our mother, father, me and my daughter. I reported the case to the police, who did nothing, they just patted him on the shoulder and said: "Come on, don't cause problems". Then I contacted the social welfare center where they scheduled my interview in 15 days. The situation was tense with great fear what could happen at any moment. On the day when I had the scheduled interview, I could not get out of the house because we were exposed to intensified violence, and our mother and I had minor bodily injuries. I called the social welfare center, explained the situation, and they formed a team and came to see us. They said that it was best for us to leave the apartment for security reasons, to take only the most important things, and to leave in 10 minutes, my daughter and I to a safe house, and our parents to a shelter. I protested why they were throwing us out, and not him. Our father was the owner of the apartment, they were sick and old, and my child was underage and was going to school. The answer was that they were not throwing us out, but rather moving us to avoid major problems and if we hadn't wanted to accept the offer, they would have taken the child because she was underage. We did not have a choice and in agreement with them we went to our weekend cottage 30 km away. After two months, the abuser received the measure of restraining order that he violated countless times, to which the police did not react adequately and in accordance with the law. After eight months, we managed to get back in the apartment through court, and he was subjected to a psychiatric treatment that lasted for a month. This happened in 2016, and we still have not solved the problem. I am disappointed in the institutions, both in the police and the social welfare center, and I wonder what the purpose of reporting violence is.*

M.A. (aged 44)

*I got married out of love when I was 18 years old to a boy of the same age. I gave birth to three girls. The problems began after a month of our life together. He started drinking, coming home late, mistreating me. I thought it would pass, that he was young. But I was wrong, he increasingly drank and harassed me more and more. I left him several times, went to my parents and returned each time, thinking it would be better, that he would change. I came back in vain, he continued to do the same, started to beat me, throw and break everything in the house. The children screamed, I tried to protect them so he wouldn't hurt them and he continued to beat me. I was always in bruises. We ended up on the streets several times, I would ask my neighbours to take us overnight. In the morning, when we would get back home, the house would always be in a mess. He would be asleep and we could not talk in order not to wake him up. That's how my married life went on for 18 years. I did not dare to leave him out of fear and disapproval of my surroundings, I did not work and I did not have the support of my parents. I repeatedly reported him to the police, but I did not get their understanding. With the support of my daughters who were all grown up and*

*understood the situation I was in, I left him and after 18 years freed myself from the painful life and returned to my parents.*

S.S. (aged 51)

The Law on Prevention of Domestic Violence, Chapter IV (articles 24-26) regulates the cooperation and coordination of institutions in the prevention of domestic violence. Although this is undoubtedly a positive step in protecting women from violence, there is still no information available as to how this form of coordinated cooperation affects the protection of Roma women from violence.

While gathering data for this Report, we spoke to the representatives of the Social Welfare Center in Novi Sad who stated that at the beginning of December 2017, an internal team for prevention of violence in this center was formed. The team has eight employees who work solely on cases of violence. "This means that all cases are included, even when there is a suspicion of violence, cases where emergency measures were issued, but also where the police reacted (there was an intervention, a complaint, or something else, but no urgent measures were imposed), because we assessed that there is a suspicion of the existence of violence. Two people make the team, they take the cases and evaluate them together. Under the new law, the Prosecutor's Office has a coordinating role, and the SWC's role is to provide support and empowerment to the victims of violence. We have drafted the internal team procedure, we call the potential victim and potential perpetrator of violence and other family members. Of course not together, everyone is scheduled separately, in order to better evaluate and diagnose the problem itself. Sometimes the victim may not recognize the risk and is inclined to diminish it or to resist, but if we see the perpetrator, hear his views, then we estimate whether the risk is high or not. That is, when we see his behaviour. We make a report or a notification regarding each case which we send to the police and the Prosecutor's Office, so that everyone is informed about it." The Representatives of the Social Welfare Center in Novi Sad stated in an interview that the Prosecutor's Office is in charge of coordination and that they meet with the police and SWC representatives once every 15 days. To those meetings "victims and other institutions that are helpful or important in a particular case or the process of empowering the victim can be invited, for example if the victim is placed in the shelter, we can invite the representative of the shelter". However, they emphasized that "it is a rare practice in Vojvodina and also in the whole of Serbia to invite the victim. Besides, the meetings do not follow that pace, there is a lack of space, people... Conditions are simply very problematic, but as far as SWC is concerned, the interviews are conducted with and all information is provided to everyone who comes, responds to our call or is identified by the field visit. We make

a protection plan together with the victim, where she declares what she needs - whether it is accommodation in the shelter or we inform her that if she does not want it at that moment, she can contact us when necessary, we empower her to report any form of violence, we make her understand that it is a criminal offence, tell her about the risks and the opportunities. We check if she wants to file a lawsuit, explain that she has the right to protection measures in a civil procedure, ask her to consider them. In the following couple of months, we call her and check the situation. We also give her a phone number to call if something happens again, tell her to let us know of all important events or the way we can protect her.”

Notwithstanding the prescribed mandatory cooperation between the authorities in the prevention of domestic violence, a participant in the focus group held in Valjevo told the experience of her relative who reported her husband to the police when he came home drunk and harassed her and her child. However, as she said, the police came, talked to him and told her that if it "happens again" she should contact the social welfare center.

The Law on Prevention of Domestic Violence regulates the keeping of records of reported cases of domestic violence and prescribes that the competent police directorate shall keep the records of reported cases of domestic violence, on the imposition and execution of urgent measures and the execution of measures of protection against domestic violence (Article 32). The data that should be kept in the records of state authorities do not contain data on national affiliation<sup>24</sup> of women, nor on other personal characteristics of victims of domestic violence, and therefore they don't allow to determine the number of Roma women exposed to domestic violence. Also, electronic records, prescribed by the Law on Prevention of Domestic Violence, have not been established even after one year since the beginning of the implementation of this Law (June 1, 2017), which further complicates the collection of reliable data from organizational units in an efficient manner, but also the direct activities of competent state authorities. In the meantime, the Ministry of Interior has created electronic records.<sup>25</sup> The sources of the data on family violence to which Roma women are exposed (prevalence, forms, manifestations, perpetrators, etc.) are still civil society organizations that directly provide assistance and support to Roma women in situations of domestic violence. The importance of information is confirmed by many participants in the focus groups and they emphasize that they are mostly informed through workshops and forums organized in the Roma settlement in which they live. They state that they know which institutions to contact

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<sup>24</sup> Here Article 46 of the Constitution of the Republic of Serbia should be cited, which stipulates that the expression of national affiliation is on voluntary basis, and that no one is obliged to declare his/her nationality.

<sup>25</sup> The Sixth Independent Report on the Implementation of the Law on Prevention of Domestic Violence for the Period April-June 2018 and a Review of the Main Annual Findings and Conclusions, Autonomous Women's Center, 2018.

and know that there are cases of restraining orders, but they are sceptical about the functioning of these orders. Although they have certain information, most women still believe that the abuser would find a way to reach the victim and that he would not respect the imposed measure/sentencing. Some focus group participants say that adequate protection against violence consists in agreeing with the husband and obeying him, but they also stated that if violence did occur, it should immediately be reported. In some focus groups, it could be noticed that when asked how they could get informed about protection from violence, and how they would know whom to call, several participants answered that they didn't know. The employees of the SWC in Novi Sad indicated that Roma women who "seek asylum in Western European countries" change a lot, that they have noticed their increased awareness, that they come from abroad more educated and with broadened perspectives. "From all sides, various organizations offer help and compete who will help more families, mothers and children. There they work with them, and I think it affects specifically these Roma women. But in the Roma settlement of Bangladesh that's not the situation, as this settlement is much poorer and rarely anyone applies for asylum. Even if somebody leaves, they remain there briefly and return quickly, but the women who leave and return are evidently changed. They are dressed differently, groomed and confident."

To support the above mentioned, K.G. (aged 67) tells her story:

*I did not know I was a victim of violence. I thought that was the way all women lived, suffering in silence, mostly because of the children. I was married when I was 16. I didn't want that, my father sold me, and now I'm 67. We all lived in the same house: my husband, his mother and father, his brother and his wife, and I. We had two rooms. My husband and I slept on the floor. I was the youngest and my job was to bring firewood and prepare food every day. Once I woke up late. It had never happened before. My husband's mother said that I spent my days idling and she was going to kick me out. When my husband heard what had happened, he immediately came home. He found me lighting the fire and pushed me off the chair. He told me: "You humiliate me, you do not want to wake up early" and then he hit me for the first time. I didn't say anything. I did not know then, but I overslept because I was pregnant. They did not let me see a doctor. During my pregnancy, my husband beat me and so did my mother-in-law. I kept silent all the time. I thought it was normal. When my first son was born, we moved to another house, we were kicked out. Since there was no work, my husband was getting more and more drunk, and all his rage was redirected towards me. He often returned drunk home in the middle of the night and beat me. Days after that I did not go out. He often insulted me, but I did not know it was violence. When our second son was born, violence became daily. He told me that the child was not his and that I was cheating on him with whomever I met. Because of all the work I did, I had no time to think of myself, I took care of two children alone and cleaned the whole house. When I gave birth to the third*

*child, a girl, he told me that he would sell her. That's when I first confronted him. I could stand all the beatings and the insults, but to sell my child, I did not allow it. That day, he beat me so hard that if the neighbours had not found me, I would have died. I wanted to leave him, but I had no place to go. I lived in violence until he died 10 years ago from alcohol. My children could not protect me from him, and I realized late that I was a victim of violence.*

**Recommendations:**

- o Further work on raising the awareness of Roma women that violence is not a private matter and informing them how and in what way they can seek help, support and protection.
- o Continuous training for the employees of the institutions that provide protection against domestic and intimate partner violence on the specificities of the situation of Roma women in the family and in the society.
- o Imposing prison sentences on the abusers.
- o Empowering Roma women to report violence to the competent authorities that will react to the report in accordance with their competencies.
- o Economic empowerment of Roma women.
- o Faster response and better coordination of competent institutions.
- o Empowering institutions in support of women who are victims of violence and facilitating the accommodation of women with children, providing the financial assistance or employment, as well as psycho-social support in every way for her and her children.
- o More field work by institutions (for example by social welfare centers) and visits to families at risk of domestic or intimate partner violence.

**Recommendations from paragraph 31 of the Committee's Concluding  
Observation**

**Women's Work and Employment**

The main feature of the socio-economic position of the majority of Roma men and women is the low level of economic activity, high unemployment and high exclusion from public institutions. Two basic factors contributing to the unfavourable situation of the Roma population in the labour market that are limiting most Roma to low paid and temporary employment are the low level of education and vocational training and discrimination by potential employers. The effectiveness of the application of existing programs largely depends on the preconditions, such as qualifications and professional competencies of potential beneficiaries of the

employment and self-employment programs. Monitoring these measures by the relevant institution, and evaluation, which is currently not the case, would contribute to defining more appropriate and higher quality new measures directly targeted at the poorest and socially most vulnerable groups, especially in less developed areas. Roma women in Serbia are one of the categories most at risk of poverty. They also constitute a large share of the shadow economy, which remains the Roma community's basic strategy for surviving. The inability to adequately respond to market demands and free entrepreneurship diminishes the efficiency and degree of integration of the Roma population. Most programs of the National Employment Service require certain qualifications and professional skills. Roma women, who traditionally leave the education system early, do not have the necessary skills and professional competences, so even when the National Employment Service and other institutions give them a certain advantage, Roma women fail to meet all the conditions required for inclusion in these programs. National Employment Strategy for the period 2011-2020 cites the improvement of human capital and greater social inclusion of individuals and groups living in a state of social exclusion, including the Roma population. The National Action Plan that accompanies this Strategy defines Roma men and Roma women as a category of hard-to-employ individuals who have been given a certain priority in inclusion in all programs and active employment policy measures. Apart from general calls for participation in programs, the NAP for Employment also prescribes special programs and measures aimed at encouraging employment and improving the employability of members of the Roma community. However, it is only since 2009 that the NES has been keeping data sorted by national affiliation, which is in line with the Roma Strategy and the accompanying Action Plan. The measures of active employment policy, such as active job search training, job search club, self-efficacy training, employment fairs, acquiring practical knowledge, training for the labour market, training for a prominent employer, subsidies for self-employment, subsidies for employers to create new jobs and public works did not achieve a desired goal - increasing the employability of the Roma community. Although the intentions were positive, this action found Roma women unprepared. Without previous knowledge and skills to run their own businesses and without adequate professional qualifications, and also unable to fulfil some of the requests of banks such as ownership of property as a collateral, most Roma women do not use subsidized funds for self-employment. It is shown that these measures are inadequate, they are not accessible to Roma women, and it is particularly important to emphasize the lack of information about existing measures and lack of motivation to use them. The motivation of Roma women is particularly insufficient, due to the absence of support from the primary Roma community, but there is also a lack of support from

institutions and the wider society. The growth of the shadow economy intensifies exploitation and discrimination of women. Early school dropout makes them non-competitive in the labour market, while their families most often prevent them from continuing their education or from complementing it with new skills that are necessary even for the lowest paying jobs. The opportunities offered to them are very limited and they are becoming threatened. Among the unemployed and those who wait for a job for more than two years, at least 65% are women. Over 70% of them are Roma women, followed by the internally displaced persons and refugees from the former Yugoslavia, as well as returnees under a readmission agreement. The results of the focus groups held with Roma women<sup>26</sup> show a causative link between insufficient measures for employment of Roma women and staying in situations of violence. Roma women stay with their abusers because they are mostly unemployed and economically dependent on their spouses and have no place to live with children. An Employment Advisor at the National Employment Service (NES) pointed out that around 95% of Roma living in the territory of the municipality are included in the records, equally women and men. All support measures for hard-to-employ groups are available to everyone, public works and trainings are the most current, but he also stated that very few Roma women use these measures. Although the Advisor did not know how many Roma women had been employed in the last five years, he said that the number of employed Roma women is lower compared to other women. He stated that Roma women often do not want to be employed when they are offered a job due to their family responsibilities, especially because of large number of children who do not attend kindergarten. Also, he stated that Roma women get registered in the NES records in order to exercise the right to social assistance and that those who are temporarily unable to work (due to pregnancy or illness) do not have the individual employment plans. Employers have prejudices regarding the employment of the Roma population, and in particular do not want to employ Roma women in certain profiles of the food industry (cooks, waitresses, pastry cooks). Lastly, he stated that Roma women are not interested enough in self-employment programs and that only one Roma woman has entered this program in the last five years. He stated poor education and insufficient knowledge of Serbian language as reasons. Participation of Roma women in the total number of Roma

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<sup>26</sup> Report by the Roma Women's Center BIBIJA, "IMPLEMENTING CEDAW in the Field of Employment, Health Care and Their Connection with the Situation of Violence Against Roma Women in the Republic of Serbia", within the project "For Active Inclusion and Rights of Roma Women in the Western Balkans II" CARE International Balkans, Sarajevo.

population included in the measures of active employment policy in the period 01.07.- 31.12.2013 amounted to 45.90%; in 2014, 48.09%; in 2015, 44.31%; and in 2016, 42.98%. In addition to training for active job search, in the second half of 2013, a program of motivational - activation training for Roma was prepared, attended by 544 Roma individuals (246 Roma women). In the period 2013-2016, the special public invitation for disbursement of self-employment subsidies was realised and, on this basis, a total of 217 Roma individuals (87 Roma women) started their own businesses. Also, in 2013, a special public invitation for disbursement of subsidies to employers for creating new jobs for the employment of unemployed Roma people was realised.

*Chart No. 1. Roma women registered with the National Employment Service*

	TOTAL	Women	Roma	
			Total	WOMEN
01.07.- 31.12.2013	44,268	24,289	1,819	<b>835</b>
01.01.- 31.12.2014	108,664	58,417	3,552	<b>1,708</b>
01.01. - 31.12.2015	150,953	79,631	4,241	<b>1,879</b>
01.01. - 31.12.2016	146,627	77,637	4,307	<b>1,851</b>

The circle that for a Roma woman begins when she gives up on education continues with the impossibility of employment, early marriage and maternity, which leads to economic dependence on her husband, so therefore the women from multiply marginalized groups constitute the financially weakest and socially the most vulnerable part of the population. During the focus groups, some Roma women spoke about the problem and difficulties in finding employment.

*I'm 26 years old and I finished high school. Three years ago, through the National Employment Service, I got a job at a company that produces clogs. The first day at work I introduced myself to everyone, but when I gave my hand to the woman head of the group, she looked at me, said her name, and went to my workplace. I was stunned and I followed her. My job was to apply adhesives to processed clogs and put them on pallets. The first few days I was a little slower, but after that I managed to do everything. The workers wouldn't speak with me much and when I would offer them something, nobody would take anything from me. I felt very uncomfortable, but I went on, thinking that it would be better, I was new, although I knew it was because I was a Roma woman. They all whispered something,*

looking at me with disgust and hatred. One day, before the end of working hours, I packed a lot of pallets, and the women head of the group passed by and deliberately pushed three pallets, under the pretence that it was by accident. I stayed longer to clean everything, because the dust stuck to the glue. The same thing happened several times. One day I was not well, one of the workers came to me to take me out, and her comment was: "Are you really going to touch her, don't you feel disgusted? ". I suffered various insults and humiliations for 27 days, after which I went to the owner and told him everything. The owner told me: "Come on, do not be annoyed, it will all be good, and you and I have something in common, you have the letter „c“, and I also have the letter „c“ - you're a Gypsy (Ciganka) and I'm a Montenegrin (Crnogorac)". After hearing these words, I asked him to pay me up, which of course he did not do, and I left. Very bad experience, just because I'm darker-skinned and I'm hurt by the fact that everyone saw my colour, but not my other qualities.

R.D (aged 26)

I graduated from the High School of Economics, got registered in the National Employment Service and applied for all job openings that were announced. For four years I was rejected everywhere. I wanted to get a job, to work anywhere because my conditions were very poor when I got married. I was the only Roma woman with the completed High School in Economics, my schoolmates got better jobs as clerks without any problem, and I managed to find work in a textile factory and worked as a machine operator with women who were not qualified. They were the only ones who wanted to employ me, and in other places I got rejected because I was a dark-skinned Roma woman, although no one would ever admit it.

G.D. (aged 32)

I came from a family that had never lived in Roma settlements and therefore I felt that discrimination is something that could never happen to me. Starting high school, I attracted attention because the question arose how someone who is Roma could enrol in the gymnasium, the most elite school in the city. Later in the course of my education I did not have major problems. I do not know, maybe people finally got to know me and saw that I did not differ in any way from the others. When I managed to get a job in one primary school I was over the moon. Everything was fine until one day when I was passing through the hallway and I heard a fifth grade student say: "Lets go, here comes the Gypsy". As never before, I felt very bad, so humiliated. So many bad manners and rudeness coming from that child ... no respect, if not because I was a teacher, at least because I was older than him. Perhaps the child is not to blame, I think that parents are responsible for such an educational failure. I think that before then I had never felt what it meant to be discriminated against.

*We spent the whole lesson talking about it. Above all, I wanted to show them, through various examples, that it was only important to be a good person. That people should be divided into good and bad, not by skin colour, that we could all be equally successful if we made enough effort. Although hurt, to the extent that I was on the verge of tears, I remained strong, in desire to contribute to the change of their way of thinking.*

B.P. (aged 39)

### **Recommendations:**

- o To introduce the practice of analyzing the long-term effects of programs aimed at unemployed Roma and especially intended for Roma women, as well as programs aimed at launching small businesses, building up the mechanism for monitoring and evaluation of the long-term effects of the program.
- o To oblige employers who use budgetary incentives to hire Roma women, women with disabilities, survivors of violence and other vulnerable groups.
- o To create a special program for the economic empowerment of current and potential Roma entrepreneurs.
- o To stimulate the development of local business centers for the provision of non-financial business services to Roma women entrepreneurs that would include general and tailored training for successful business, mentoring support in the field of conducting business, legal and bookkeeping support, assistance in applying for funds and donations, marketing assistance, participation in fairs.
- o To strengthen the cooperation between existing entrepreneurship development entities (development agencies, business incubators, clusters, consulting agencies, etc.) and Roma women who are interested in starting a business.

## Recommendations from paragraph 33 of the Committee's Concluding Observation

### Women's Health Care

Although more than 90% of Roma women are entitled to compulsory health insurance, health care is not at a satisfactory level. The results achieved in relation to the partial improvement of the health of Roma men and women and their access to health care and health insurance coincide with the beginning of the Roma health care mediators' activities, as they made about 40,000 first visits to Roma families, where 140,408 Roma men and Roma women were registered - women 46,453; men 43,201 and children 50,754; more than two hundred thousand visits were made to families who needed help in obtaining personal documents, health insurance, in inclusion in the health care system (gynaecological exam, choosing a doctor, vaccination of children and choosing a paediatrician), enrolment of children to school, obtaining various types of assistance (financial one-time assistance, Red Cross assistance, child benefit, scholarships, etc.) and another 170,278 visits to families or family members for the purpose of implementing health education through a planned interview. Roma health mediators provided personal documents and health insurance cards to 16,330 citizens; helped 28,003 citizens of Roma ethnicity choose a doctor; influenced an increase in the number of vaccinated children (30,018) and adults (2,719), as well as an improvement in health monitoring for 4,500 pregnant and postpartum women, and influenced 11,177 women to choose their gynaecologist, while 12,617 of women were provided with physical examinations.

**However, although the model of support to the Roma community through the mediation activities has yielded excellent results, the employment and legal status of 75 Roma health mediators is uncertain. Although they are financed from the budget of the Republic of Serbia, the Ministry of Health does not take the necessary measures for their institutionalization.**

When it comes to discrimination, most Roma women who participated in focus groups<sup>27</sup> think that they are most often exposed to discriminatory treatment in the field of health care and employment. For example, all participants in the focus groups stated that they had health insurance cards, both for themselves and for

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<sup>27</sup> Report by the Roma Women's Center BIBIJA, "IMPLEMENTING CEDAW in the Field of Employment, Health Care and Their Connection with the Situation of Violence Against Roma Women in the Republic of Serbia", within the project "For Active Inclusion and Rights of Roma Women in the Western Balkans II" CARE International Balkans, Sarajevo.

children and all other members of the household. However, they do not see a doctor regularly, except in the case of an emergency, when they "really get very sick and cannot self-medicate at home". Their explanation for not going to see a doctor is that they do not like doctors, they are afraid, they can self-medicate with teas and they prefer to buy medicines in the pharmacy without consulting a doctor. They declare that they self-medicate with teas, balms, and home remedies (brandy, potatoes, onions...), because they think that doctors only prescribe medicines without examining them completely or adequately. The participants said that often the nurse sized them up, how they were dressed, and that they were looked at "differently" when they came to the doctor with children. Some of them sometimes waited longer, although they had arrived before other patients. They state that they received an invitation for screening from health mediators, but none of them responded. They think that the biggest reason for them generally having poor health is that they do not go to see a doctor in time, because it sometimes happens that a disease that started with harmless symptoms progresses and women are late to go to the doctor. Health mediators occasionally visit them and remind them when to vaccinate their children. None of the participants have ever complained to the Protector of Citizens, the Protector of Patients' Rights and other institutions regarding the problems they face in terms of health care.

This problem is attested by the individual stories shared by the participants of individual focus groups, who talked about discrimination experienced in health care institutions.

*I remember, as if it were yesterday. I had strong, intolerable pain. My sister told me that those were contractions and that I would soon give birth. She called for an ambulance and nervously explained what was going on, she said: „Please, come. My sister is going to give birth, I do not have money for a taxi and there is nobody who could take us to the hospital“. The nurse on call asked for the address, and when she realized that we lived in a Roma settlement, from the other side we heard her say: „Dirty Gipsy, well you just don't know how to do anything else except breed“ and she hung up. My sister frantically ran out and called our neighbour who drove me to the hospital. I gave birth shortly. After delivery, I was placed in the maternity ward, in a room with five more women, all of whom were Roma women. It was strange to me that the Roma women were in a separate room, while other women - Serbian women were divided in groups of two to three in other rooms. I knew very well that this was about discrimination, because I learned a lot of things by attending workshops, if anything, I learned to recognize discrimination. I have never reported this kind of discrimination and treatment which we had that day. Maybe I could have. I certainly know*

*that if something similar happened again, I would react.*

S.R. (aged 21)

*I got labour pains and I came to the admission infirmary of the gynaecology department. First childbirth, terrible pains, and even more fear of what I was about to go through. At the admission infirmary, a nurse came out and very unkindly asked me what was wrong with me, and I frightfully said that I was in severe pain. She told me to wait. In the meantime, two other women, both Serbs, came in, and they were immediately examined and placed in the ward. After a long wait, the doctor examined me and said I was ready and that they were to take me to the maternity ward. The delivery was very difficult, they brought me in a wheelchair to a crowded room, where there was another Roma woman and placed me in the same bed with her. We asked why we were two in one bed, they said there was no place. We felt very bad because they only treated us in this manner, while all other women had their own bed. We barely made through that night somehow. In the morning, after rounds, one woman was discharged home and I went to that unmade bed without asking anybody. This event remained in my memory and whenever I remember it, I feel angry, sad and disappointed. How long will they treat us this way, as second-class citizens and do we deserve this?*

A.B. (aged 40)

*I had a very difficult delivery and in the end I had to have stitches. It hurt so much that I screamed with pain. At one point, the nurse who attended the delivery, shouted at me and said: „Come on Cassandra, don't shout so much, shut up!“ That made me quiet down momentarily. The doctor immediately reacted angrily: „Don't call her that, she has a very nice name and don't silence her, she is free to shout, this hurts terribly!“ The nurse's words deeply affected me, I felt miserable and labelled. The night passed, but I have never forgotten those words, they are deeply engraved in my memory. Why are we Roma women always labelled, regardless of whether we are literate, polite, neat or not? People are sometimes so inconsiderate that they make the hardest moment even harder and the words they say can be more painful than severe childbirth pains. And most importantly, they will never admit that they discriminate against and humiliate us.*

V.G. (aged 39)

Discrimination in access to health care remains a problem that is slowly detected and even more slowly resolved. The fact that the National Health Insurance Fund didn't receive any complaint from the Roma for failing to exercise the right to health insurance and that no appeal procedure was initiated on these grounds speaks of the lack of information the Roma community has about their health care rights. On the other hand, during 2013 and 2014, a significant number of complaints were filed to the Protector of Citizens and the Commissioner for the Protection of the Equality of Roma, as Roma, due to legal uncertainty, could not exercise their right to health care. We present the case of a postpartum woman called B. B. from Belgrade who gave birth at the Clinical Hospital Center in Zemun at the beginning of January 2015. In the process of controlling the legality and regularity of the activities, the Protector of Citizens discovered a number of omissions:

- *“After the provision of a health service - delivery of a child - to a woman who belongs to a particularly vulnerable population group and who does not have a health insurance card, the health care institution that provided the service attempted to charge for the service provided in a manner that is not in accordance with the law, using the position of dependency of the mother.*
- *The patient and members of her family were denied timely and complete information on health insurance rights and procedures for exercising these rights, as well as information on the names, surnames and professional statuses of health care workers who participated in the treatment of the patient;*
- *The Clinical Hospital Center Zemun failed to provide adequate information and training of health care workers on:*
  - *powers and obligations in cases when the professional attitude and assessment of the health care worker regarding the best interests of the child conflicts with the decisions and requests of the parents;*
  - *obligations of health care institutions and health care workers in relation to patients belonging to a particularly sensitive population, especially when they do not have health insurance cards;*
  - *powers and responsibilities of the Protector of Citizens and obligations of the employees in the institutions subject to the control authority of the Protector of Citizens”<sup>28</sup>.*

The Protector of Citizens further states that during the dialogue healthcare workers presented a number of discriminatory attitudes about the Roma national minority, but also refused to cooperate with the Protector of Citizens "by not making available all the information they have at disposal, by refusing to talk with the persons authorized by the

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<sup>28</sup><http://www.ombudsman.rs/index.php/lang-sr/2012-02-07-14-03-33/3645-2015-01-14-12-21-43>, accessed on 20/12/2018

*Protector of Citizens and by attempting to prevent the persons authorized by the Protector of Citizens from performing the direct supervision”<sup>29</sup>. This is one of a number of cases of discrimination in the area of health care. During the realization of focus discussions, we witnessed that this was not an isolated incident despite the intervention of independent bodies.*

**Recommendations:**

- o To solve the employment and legal status of Roma health mediators by permanently employing them.
- o To increase the number of Roma health mediators by hiring new ones in local self-governments with a higher percentage of Roma population.
- o To establish a continuous obligation to educate healthcare workers on the specific position of Roma women in the society and on the prohibition of the discriminatory behaviour.

**Recommendation from Paragraph 36 of the Concluding Observations of the Committee**

**Disadvantaged groups of women**

The Agreement on Readmission between the Republic of Serbia and the European Union provides for readmission to home countries of persons not entitled to seeking asylum in those countries. The number of readmitted irregular migrants, as well as voluntary returnees, cannot be accurately determined but it is evident that the majority of these persons are Roma.

In Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW) from 2013, the Committee is concerned about the lack of state monitoring of the conditions of women refugee, asylum seeking and internally displaced women and the lack of sex disaggregated data, in particular with regard to violence against women.

The Committee is particularly concerned that the birth registration procedures for undocumented persons remain at the discretion of the Ministry of Interior.

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<sup>29</sup> Idem

Even though the persons with no permanent residence are enabled by regulations of the Republic of Serbia to register at the nearest Social Welfare Center, in order to exercise their legitimate right to personal identification document and health insurance card, in reality we are encountering several issues, particularly being the case in big cities.

The persons without personal documents cannot exercise any of the rights they are entitled to, thus encountering several types of discrimination. The following example brings out the statement of a young woman not being able to exercise her right to personal identification document for two years, thus illustrating discrimination based on several personal properties.

*I was born in Kosovo. When I was a child, my mother brought me to Italy. My mother had ten children and we used to live in a camp. All of us were supposed to beg, but since I didn't like it I ran away from home. I was in different foster homes in Italy and never attended school, not for a single day. Whenever I wasn't in foster home, I was left to my own.*

*After being deported to Serbia, I didn't know what to do. I was completely lost and all alone, with no one to turn to. The only thing I knew was I had an aunt somewhere in Belgrade, so I found out where she lives and went to her. After I told her that I am a lesbian and that I would not look for a husband she kicked me out of her place. She told me she had very young daughter-in-law at home and that she didn't want me around her. Afterwards I went to some other cousins in Kosovo, but they also forced me to find a husband while some of them forced me to have sex with them. When I refused all that, I was told to leave. In Kragujevac, I spent some time with another cousin since her husband promised to help me obtain a personal ID. He requested 3,000 Euros in order to cover the expenses for the ID, so my mother and my siblings from Italy sent me the money to pay for it. Finally, that man took all the money providing me with no documents at all. When I objected, he kicked me out so I had to go to Belgrade again since it was impossible to stay with them anymore.*

*Having no money, I had no other place to go. I just got off the bus and saw some refugees in the park near the bus station. I spent a lot of time there living next to them. Some people brought them food so I took it the same way. They figured out I did not speak Arabic but Italian, and after realizing the way I looked they called some lesbian organization. Soon some women from that organization appeared and afterwards they brought in a woman who spoke Italian, and shortly afterwards several women were trying to help me. At present they pay my accommodation at*

*the hostel and buy me food trying all the time to help me in getting my ID. If it's not for them, I don't know how I would make it.*

*Quite often I am requested by the police to show my ID in the street. They also inspect my personal belongings. Once, I was slammed by a policeman when I told him I did not have ID and that I lived in a hostel. He did not believe me and said I was lying. In the end they put me in the police car and went with me to the hostel to check if I was living there. Once they realized I was telling the truth, they just left. On one occasion I was caught by the police while smoking marijuana with some guys in the street, so I had to go to the court and was ordered to do some community service by cleaning parks. I am not hanging out with those guys any more but I am kind of feeling bad since no ID was required for the punishment itself while I need it for everything else.*

*I really want to have a life of my own and to do any kind of job. Meanwhile, I am waiting for my ban of returning to Italy to expire so I could go back to my family. Since I was in Serbia, having no health insurance card, I have never visited a doctor. Every time I get my period I feel great pain in my stomach. Every single day I encounter racism. Once, an unknown man, Roma as I am, asked me in the street to give him some money. I realized he was drunk so I told him I had no money and just wanted to pass by. Then he caught me by the sleeve and became violent. He grabbed me with his hands and started kicking me. I called out for help but nobody did anything. Only some cab drivers who stood there told us to get out of there, although they saw that I had nothing to do with that violent man. Once he let me go, I asked those cab drivers why they did not help me and they just ignored me. Women from women organizations several times called me to come to their places but every once in a while when I got into their buildings someone asks what I was looking for. Those women tried to find me a job; however, no one would hire me when I have no ID. I am sure they don't want to hire me because I am homeless and I am Roma woman. I also put an ad to walk the dogs and clean the houses, and since I do not speak Serbian I gave phone numbers of those women to make all the arrangements. But the moment they see me, no one ever calls.*

*God only knows after how many times I once again started the procedure for getting an ID last year. I usually manage to get citizenship certificate and birth certificate through PRAXIS organization and there I stuck with those documents soon become invalid. In Kosovska Mitrovica, Kragujevac and Kraljevo I was sent from one police station to another. Last time I was there with those helping women who told me we would be able to exercise my right in the police and that I am entitled to register with Social Welfare Center. However, in Social Welfare Center they couldn't help before the police have done some paperwork. I do not know how many times I was in the police station, alone or with those helping women, and each time they were*

*unkind so finally I didn't manage to do anything.*

*Whenever some of those helping women comes with me, if it happens that she enters the police office first, the staff behave quite normal, but the moment I appear they change their attitude and expression on their faces. And every single time people working there are simply not interested in even thinking about the reasons why I was there. Several times I was told it is impossible for me to get an ID, the whole case being quite complicated requiring them to check where I live, so that I will have to register with Social Welfare Center since I have no permanent residence. On several occasions at the police station they yelled at me and those helping women and we were kicked out of the office. Quite recently one woman standing in a queue waiting to submit documents for her own ID yelled at us as well. The police officer (woman) was making remarks to my helping woman that she could only imagine what I had been doing in Italy having deserved to be deported afterwards. It seemed to me as she was trying to dissuade her from helping me. My helping woman replied to her that I certainly am entitled to personal document being citizen of the Republic of Serbia; however, the officer told her the whole procedure is rather complicated with almost impossible outcome. I couldn't help feeling I was not supposed to live or to exist since it was rather complicated for the police to go to Social Welfare Center and to check the hostel where I temporary lived. I am still waiting to get my ID card. One of the helping women finally got in touch with the Ministry and was told I could get my personal document in Belgrade. We are still waiting, even though they informed me I should first go to Commissariat for Refugees. I do not know how long it will take before I finally start living normally.*

*S. M. (aged 28)*

#### **Recommendations:**

- o To enhance data collection regarding achieving rights on personal documents and regarding achieving rights of refugees, deported and relocated persons.*
- o To enhance cooperation mechanism between the civil society organizations and the state institutions.*
- o The state needs to support activities of the civil society organizations working to aid persons affected by multiple discrimination.*

**Recommendation from Paragraph 39 of the Concluding Observations of the  
Committee**

**Early marriages**

Roma families traditionally live out of wedlock. The issue of early marriages and early motherhood does not arouse special interest of institutions, either in health or social care sectors. The cause and effect relationship between early marriage and school dropout is clearer over the past few years, even though it is not sufficiently emphasized. In fact, data on the prevalence of this phenomenon is not sufficient, as a comprehensive research that would embody a representative sample has not been carried out. The experiences of Roma women's organization testify to the great resistance of the Roma community in relation to this issue and the closed nature of their community. On the one hand, marriages of minors are firmly linked to tradition and culture, and on the other hand, we encounter indifferent public, and quite often very inappropriate approach of institutions to this issue, leading to even greater community resistance. Therefore, Roma Women's Center BIBIJA<sup>30</sup> advocates that early marriages in Roma community are treated primarily as a matter of the rights of women and children instead of being a criticism against the tradition. The fact that this issue is poorly covered in strategic documents and measures, and the lack of recently conducted comprehensive research<sup>31</sup>, above all, on the causes of and effects to possibilities of education, point out the necessity of the problem being considered properly by Roma women themselves and proposing appropriate measures that will be supported by the Roma community itself.

Although the phenomenon of early marriages, marriages of minors, and quite often of arranged marriages is not typical only to the Roma community<sup>32</sup>, the most common early marriages are in Roma community. **The consequences** of early marriages can be perceived from multiple angles. Given that in at least 70% cases of marriages of minors, a woman getting married is a juvenile, we can rightly talk about violated children's rights and women's right to choose a partner. Upon getting married, a young girl gives up her education, drastically reduces her job prospects, thus increasing her vulnerability to domestic violence, deteriorating of her health, including reproductive health. The proliferation of poverty and the kind of "feminization of poverty" is one of the most alarming consequences of early marriages. The estimate is that about 6,000 children leave regular education in one

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<sup>30</sup> *Policy paper "Early marriages and implications for the education of Roma women"*, BIBIJA, Roma Women's Center, within the project "Active inclusion and rights of Roma women in Western Balkans II", CARE International Balkans, Sarajevo.

<sup>31</sup> "Virginity: Freedom of choice", 2006, BIBIJA Roma Women's Center, Belgrade, <http://www.bibija.org.rs/>

<sup>32</sup> The occurrence of marriages of minors is also found in the Vlachs of northeastern Serbia, and again in the south of Serbia

academic year in one generation over the course of primary education, and that the highest rate of dropout is between grades 5 and 6<sup>33</sup>. According to the *Strategy for development of education in Serbia until 2020*, between 10–15% of children from one generation in Serbia do not enroll or not finish elementary school.<sup>34</sup> According to Multiple Indicator Cluster Survey (MICS) data<sup>35</sup>, over 40% of girls and young women aged 15–19 live in wedlock or out of wedlock, and over 15% have been „married” before their age of 15. At the time of the census held in 2011 there were registered 420 out of wedlock families in the Republic of Serbia where one of the partners was below age of 16<sup>36</sup>.

Advocacy for addressing the problem of marriages of minors (children marriages) and its effect on education, as well as pointing out the clear connection between marriages of minors and school dropouts is posed as one of the main issues.

The Strategy for Social Inclusion of Roma in the Republic of Serbia for the period from 2016 to 2025, as well as the National Strategy for Gender Equality laid out measures with regard to the prevention and reduction of the number of marriages of minors, forced marriages and juvenile pregnancies in the Roma community, however, these measures haven't yet been given proper significance nor the funds for their implementation were allocated. The positive development is the amendment to the Criminal Code of November 23, 2016 introducing forced marriage as a criminal offence. Over the last few years, and above all due to Recommendation from Paragraph 39 of the Concluding Observations of the UN Committee on the Elimination of Discrimination against Women with regard to preventing early marriages, the interest in this issue has been increased with international donors, and the topic itself was made priority in call for projects of national institutions. The Office for Human and Minority Rights supports civil society organizations that implement programs promoting awareness raising and education primarily of young Roma women, as well as the wider population and representatives of educational and other institutions involved in prevention of early marriages, marriages of minors and forced marriages. However, this remains insufficient for systematic solution of this several decades long problem. Only NGOs are still dealing with this challenge, while the institutions still regard this problem as a „family affair” and the tradition of the Roma people.

The importance of solving this problem has been also indicated by the data obtained from MICS survey<sup>37</sup> showing that, while the percentage of early marriages at the

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<sup>33</sup> Jovanović, Čekić Marković, Veselinović, Vušurović & Jokić, 2016

<sup>34</sup> Ministry of Education and Science of the Republic of Serbia, 2012

<sup>36</sup> Aleksić, 2015, p. 40

<sup>37</sup> Multiple Indicator Survey on the position of women and children in Roma settlements in Serbia 2014, Statistical Office of the Republic of Serbia and UNICEF, 2014 (Multiple Indicator Cluster Survey-MICS)

general population level declines steadily, in the Roma communities this percentage is increasing. Thus, in 2004 it was 45.9% of girls who were married before the age of eighteen, in 2010 this share was increased to 53.7%, reaching 57% of girls who were married before the age of eighteen in 2014. There are multiple reasons for this situation: ranging from difficult social and economic situation of the Roma, which has additionally worsened over the years of transition, to the social and cultural norms being maintained and reproduced in the Roma communities themselves and having great impact on the definition of the life prospects of Roma boys and girls.

Measures taken by state institutions, whether they involve affirmative action or sanctions, in real life do not show results in favor of reducing this practice. On the other hand, Roma in Serbia are quite often subjected to various types of prejudices and discrimination at a wider social level, having been socially marginalized. Such a social perception of the Roma communities in practice leads to the fact that their problems are perceived as if they are happening somewhere else and to someone else. As a result, the widespread phenomenon of early marriages, which would be regarded as unacceptable social practice at wider social level, persist in socially marginalized communities such as Roma. The respect for the cult of virginity, the concept of family honor, gender roles in which women do not have ability to be educated and economically productive, altogether represent factors creating internal constraints acting within those communities, predefining early marriage as a desirable social practice. On the other hand, the discrimination and marginalization of members of the Roma communities by the majority environment constitutes a fundamentally limiting factor in their efforts to abandon the constraints imposed by their community.

*My folks were very poor, quite often having no money even for bread every day. It so happened that one day my father came home with a certain man. The mother took us girls right away to the other room. Later on they called me and asked if I would like to live better life so that my folks as well have more food. I didn't know what that meant. I just sad it was okay.*

B. B. (aged 58)

The common denominator of all causes of marriages of minors is poverty and social exclusion. The interconnection of a number of causal factors makes this network quite difficult to break: patriarchal relations, uneven distribution of power, control of women's bodies and their sexuality, gender stereotypes and prejudices. The economic dependence of women in the already poor family reduces their influence in the family. Acceptance of traditional practices based on stereotypes about

sexuality and the role of women in society contributes to the prevalence of marriages of minors.

Causes and drivers of early marriages in the Republic of Serbia are similar to those around the world. Gender-based discrimination, structural inequality, poverty, lack of education, accepted cultural practices, inadequate institutional responses to marriages of minors and many other factors contribute to the emergence and maintenance of the practice of early marriages.

*At the time I was 11. I was in the 4th grade of elementary school. Some people came to see my sister and to arrange marriage with my father. However, they saw me and since they liked me even more they made arrangement with my father that I marry their son. My father gave his word that I would marry their son. We call it besa, to keep the promise, something like a word of honor, you call it. It is customary for us for the girl to be „sold“, with payment made to her father. I was sold for 8 thousand Euros. My parents took me out of the school and forbade me to play with other kids. They told me that I was promised to someone and that I belong to the people to whom I was promised. When I turned 16 those people came with a boy I was supposed to marry. We saw each other only for a second when I served them coffee. I said that I would not marry him, but my father told me it was out of the question since he already gave his word, and that I would definitely disgrace them by refusing to marry him. When I was 18, I married him and lived with him for the following 5 years. At the age of 19 I got my first baby girl. When she turned 1 I wanted to take her to the jeweler to have her ears pierced. Having figured out what I was about to do, my father-in-law has beaten the hell out of me. It started on-going quarrel making me go to my parents every once in a while, but every time I got back. And every time it was even worse. My mother told me that I had to return to my husband, because in their house I am practically dead, and that the place I entered in my wedding dress is the place where I am supposed to die. The moment I got my second child, my in-laws started harassing me. I was beaten by my brother-in-law, my father-in-law and my mother-in-law. My mother-in-law told me I was paid for and that I do not have the right to sit, no matter if I am pregnant or not. The man I married got mentally sick since his parent sold everything that he had, car, shop, and the stall he was working at, for the sake of his younger brother who was a drug addict. Once we got our third child my husband wasn't even aware of the fact that the child was born. Then my biggest troubles began, it was really horrible. All of them harassed me and him. He was mentally ill, so his parents finally told me he was no longer good for me and that I should marry his brother (my brother-in-law). I could not have married my brother-in-law whom I appreciated as my own brother. Afterwards they took all of my documents: ID card, health insurance card, employment booklet (workman's pass-book). They forbade me to see and call my parents. They forced me to call my parents and tell them that I had given up on them and that I lived well, even though every single one of them beat me all the time, even then when I was pregnant. I was*

*not supposed to protect my own children; they told me I had no rights.*

A. M. (aged 55)

Until recently, the problem of early marriages was almost invisible in Serbia. With the exception of UNICEF Multiple Indicator Cluster Survey (MICS) and several surveys and reports of Roma women's organizations, it was not possible to find any reliable information in the literature on the prevalence of marriages of minors. Therefore, it is not surprising that, in practice, nothing really prevents early marriages. For decades, Roma women's organizations have been warning against this harmful traditional practice in Serbia, mostly by means of working directly with the Roma community. Work on identifying negative consequences and raising awareness is only part of a possible solution. Without the involvement of all actors from the community and institutions, a sustainable solution to this problem cannot be expected.

One of the key causes is seen in the lack or low level of education, among other things, due to inaccessibility of education, poor quality of education, with poverty and gender-based violence increasing the chances of reaching early marriages. In addition, caring for the safety and protection of Roma girls is also important and by tradition marriage is seen as a way to protect girls from sexual violence, to prevent relationships before marriage and to prevent the potential loss of a "family honor". Finally, inadequate institutional responses to early marriages and ineffective law enforcement also contribute to the incidence of early marriages.

*I got married when I was 13. I loved him and wanted to marry him, so I ran off to live with his folks. That's where I grow up, having my first period as an already married woman. At the time he was 18. I lived in a small town in Kosovo, populated mostly by Albanians. I wouldn't dare go to school with their children since we were all afraid. Now I see how much the education is important. I can't even put a signature on my own, so that is the reason I have no proper or regular job. It is such tradition for us that girls get married very young, have their own children as soon as possible and have their own families, that woman devotes herself only to her husband, which is possible only when she gets married young enough, so not to embarrass herself and her own family. Once I got married I had some good and some bad times. No matter I came to the family of my husband when I was a child, they never considered me as a daughter, as a little girl, but at the very instance as a grown up woman who must obey, who has to do all the housework, to have a child of her own at the age of 14, so I really grew up before my time. The first night after the wedding, in a room with me and*

*my husband there was a woman making sure that I was a virgin. I was so ashamed and afraid that I started to cry. Once all this was over and when she brought out sheets with my virginity blood on it, everybody was happy and so was I finding out that everything turned out well. They made me dance, even though I didn't feel like dancing at all, having pain all over my body, but I had to dance. The girl not being a virgin at the time she gets married faces a lot of problems; she's got beaten and asked to go back to her parents. There is an example of a girl being raped by her uncle before marriage, and once they discovered she was not a virgin she had to tell the whole story. In my marriage I do suffer a lot, being beaten regularly and having lot of troubles. There 13 of us in the house, my brother-in-law with his family, my husband, me, our children and my mother-in-law. Sometimes it's good to live with so many people around, sometimes it's not, and even then when it is bad you have to be quiet and nothing should be said. I have four children. The eldest daughter got married and now lives in Italy. Two younger daughters and the son live with me and my husband. The eldest daughter was 15 when she got married. The groom's family heard about us, they came from another city to see my daughter, they liked her and the marriage was arranged. We are from a very poor family, completely aware of the fact that we cannot provide our kids with everything they deserve. It is quite possible that I mentioned something like how her life would turn out if she married him, what kind of life she would have with him and his family, but if she said not, of course there would be no marriage. She agreed and we respected her wish. If she refused, she probably wouldn't have a chance like that again, anyway that would also be her own will. Apart from covering wedding expenses, we did not ask for more money. The expenses were around one thousand Euros, so that much we got, and we arranged the wedding. We made a deal with the groom's family and that is how much money we actually got. In some families people „sell“ their daughters for lot of money, ranging from 4,000 to 7,000 Euros. It all depends on the girl's look, her health; whether she is hardworking person or has a white skin. The custom is still present due to poor living and severe poverty. You'd better give your child for some better life. Sometimes it's much better the parents are those to make decision whom their daughter will marry instead of her making the wrong choice. I know for so many bad examples. At present my husband doesn't beat me anymore, but there were times he did it a lot and regularly. Heavily drinking and gambling always were the reason for quarrel and beatings. I never reported him; I have endured everything for the sake of my children. When sober, he is a good man. My husband is the master of our family. I am not allowed to say a word; he is the one to do the final saying. If I was young again, I would have never married, I would finish my school, find a job, become independent, and then I would consider who to marry. That's what I advise my children today.*

*B. D. (aged 49)*

The implications of marriages of minors are, above all, violations of the basic human rights of girls. The possibility that a girl or a young girl is exposed to physical violence, which is often combined with economic and psychological, and quite often

with sexual violence, is the biggest in minors who have left school due to their marriage and are economically dependent because they have very little opportunity to find a job. The interrupted childhood, sudden entry into the world of adults with expectations that often exceed their physical and mental maturity, with the poor living conditions that prevail in most Roma substandard settlements, result in poor quality of life and an extremely short life expectancy that is on average up to 20 years shorter than for the rest women in Serbia. Acquiring a number of roles of which the wife and daughter-in-law are most often, soon afterwards to be accompanied by the role of mother, result in social exclusion and **abandoning education** that leads to a lack of basic competences, as well as opportunities for learning throughout life. Since education is the path to breaking the vicious circle of social exclusion, the responsibility for educational failure has no longer been sought in the child itself, having instead been placed on parents, as well as on society and education system.

*I left school when I finished the 5<sup>th</sup> grade of elementary school. My parents were very poor, so they didn't have money to send us to school. There were seven of us brothers and sisters and we had no money to wear proper clothes or buy books for school. The brothers continued their education becoming craftsmen afterwards. We, girls, did not. At the time the mother said that we girls would marry and that our husbands wouldn't let us work, so what was the point in attending school. I did not quite understand what she was saying then. But now, I do. I don't think it was a good idea I never finished school, and now that I have four children of my own I would like all of them to finish it and become educated people.*

*In my opinion the school is important. Once you have it finished you can get employed like all the other people. My two children are already attending school, and I will enroll the other two in due course. I have one daughter and would like her to finish the school and become independent.*

*If I could turn back the time I would definitely go to school.*

J. aged 35

A system that has not sufficiently contributed to the equalization of the initial positions of children starting their educational path does not provide adequate support to Roma children until the end of education. Although a certain responsibility is borne by parents, and even by children themselves, in recent decades, the education system becomes more and more responsible for the

achievements of pupils from deprived environments and to some extent attempts to equate the social differences that children bring into the education system. It can be said that with the increase in equity, the education system is more aware of its responsibility to generate desirable social outcomes of marginalized groups coming from deprived environments. Children coming from poor environments have begun to be perceived as children who do not have equal starting conditions, like other children, to achieve certain educational achievements. In addition to what is happening in school itself, there is a number of contributing negative factors coming from their immediate environment - ranging from the difficulties in meeting the basic existential needs of children to the reduced support they can obtain in mastering school materials because their parents are mostly under-educated and have no means to provide children with additional educational support outside the school, which is indisputably necessary. In particularly disadvantaged position are girls in the Roma family, who at a very early age are expected to take a number of roles and responsibilities leaving them no time or motivation to learn and for regular school attendance. The data obtained from our educational system show that prior to adopting measures related to inclusive education there were as many as 30% of Roma students in the special schools classes (on a sample of 85% of special schools, the data refer to the 2007/2008 academic year) and that the percentage of Roma students in special classes of regular schools was extremely high - 38%<sup>38</sup>, which far exceeds the percentage of Roma boys and Roma girls in the total population. The research on schools and classes for children with developmental difficulties "Roma children in 'special education' in Serbia - overrepresentation, underachievement, and impact on life" has confirmed the assumption that there is too high representation of Roma in special education. Based on data obtained from 85% of special schools, in the 2007/2008 academic year, their total number of pupils was 5,369, of which Roma boys and Roma girls accounted for 1,683 i.e. 30% of all pupils. In the 2008/2009 academic year, based on data obtained from 88% of special schools, the total number of pupils was 5,579, out of which 1,775 or 32% of pupils were pupils of Roma nationality. Twelve regular schools reported that they have Roma students in their special classes. In the 2007/2008 academic year, these classes attended a total of 273 pupils, out of whom 103 were Roma boys and girls (38%). For the 2008/2009 academic year 13 regular primary schools reported that there were 330 students in special classes, out of whom 126 were Roma boys and girls. In the 2014/2015 academic year of the total number of pupils in special education, 18% were from Roma families. More than half of Roma pupils were in elementary schools for the education of children with disabilities, with similar classes for children with

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<sup>38</sup> Open Society Institute, 2010

disabilities being available in secondary schools<sup>39</sup>. It is quite clear that the cognitive efficiency of Roma children, as well as of the other non-Roma children coming from non-stimulating and poor environments, *must be seen in the context of poverty and cultural diversity*, as well as in the context of the specific (unfavorable) circumstances in which they grow up. This means that the school should replace the inadequate conditions in which these children grow up, provide them with a more stimulating environment, and offer them a chance to realize their potentials, rather than dismissing these children from the regular education system at the outset on the basis of the wrong assumption that they are not capable enough to adequately follow the teaching and to successfully complete the regular school. The school should also be more sensitive to the cultural context from which these children come from. This means that it is not rational to give up on investment in their education, because successful education can increase their academic achievements. Of course, this does not mean that these children will reach the educational level of their peers who do not come from deprived environments, but that with the additional work that will be provided to them at school, Roma children will achieve the same educational outcomes as other pupils.

Bearing in mind the economic side of education in general, one of the main positive educational outcomes, viewed from a wider social perspective, is increasing employability and competitiveness in the labor market, which also leads to the economic strengthening of individuals and families as a whole. With the increase in the level of education and skills acquired during formal and non-formal education, access to better paid jobs is also increased. Having in mind pupils and children from vulnerable groups who have problems in exercising their rights to education, including Roma students, it can be said that the low educational achievements of these students represents a barrier on their way to their employment and social inclusion. This means that the state is forced to, as it was the case prior to the introduction of inclusive education, pay higher price for special education for these pupils with allocation of additional funds from the budget for their health and social assistance. Bridging the difficulties in employment of the Roma population would lead to annual fiscal benefits that would be 3.3 times higher in the Republic of Serbia in relation to education allocations<sup>40</sup>. In other words, according to the economic calculation, every dinar invested in the education of children coming from vulnerable groups in Serbia will be tripled. Costs of investment in inclusive education are much lower than the profits it yields, especially when having in mind demographic changes, i.e. the fact that the demographically younger Roma

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<sup>39</sup> Analysis of the quality of education in schools and classes for education of children with disabilities - Draft report, UNICEF, Ipsos, Ministry of Education, Science and Technological Development, December 2015

<sup>40</sup> The World Bank, 2010.

population will take on an increasing share of the working-age population, which in turn will have to deal with the economic challenges of the population that is getting older, which represents a social and economic argument, among others, for the implementation of inclusion.

For its goal, inclusive education has, above all, a sustainable and complete inclusion of the Roma population in society. Education should serve as a path to full social inclusion. Therefore, the goals of inclusive education of Roma men and Roma women, which are an integral part of the main national, but also important local strategic documents, are the inclusion of as many Roma children as possible in regular education, increasing the coverage of pre-school and primary education), reduction of dropouts, i.e. ensuring that Roma pupils, and above all, girls do not leave or stop further education, as well as enabling them to attain educational achievements that will enable them to do adequate jobs.

In addition to educational policy measures aimed at inclusive education of Roma men and Roma women, there are also measures directly aimed at providing educational assistance to Roma pupils (such as, e.g. pedagogical assistants, affirmative action measures and anti-discrimination laws). There are also those measures that do not have to be aimed directly towards Roma boys and Roma girls, but to all poor students or those who need additional educational support (free textbooks, social assistance, creating individual education plans - IEPs), as well as measures being regular school procedures and which can be used to help Roma students (additional and supplementary classes, internal professional support, profiling, adjustment and differentiation of teaching).

*I have finished 7<sup>th</sup> grade of elementary school, afterwards dropping out my further education. My mother died when she was very young so my father needed help at home. Being the only daughter with three brothers, I simply couldn't manage attending school any longer. I made my decision on not continuing further education, having in mind my father and my brothers. The brothers continued to go school; I made them do so, so they could have their own piece of bread, if I wasn't that lucky.*

*I think it was not a good idea that I dropped out of school, but those were the circumstances and the way it turned out. Later on I have married and got my own child, so there was no way in continuing my education. If only I had finished elementary school so that I could apply to Employment Service Agency. This way, there is no job without elementary education and no one wants to hire you if you are illiterate. These days, even with elementary education you are considered to be illiterate, let alone having no education at all. In my opinion, it's good idea to finish school, so that you know to read and write not depending on other people doing that for you. I have just one child, little daughter of 3. Once she grows up enough I would definitely enroll her in school.*

*And there is no way of her dropping out of school. She has to finish elementary school and continue her further education.*

M. (aged 21)

#### **Recommendations:**

- o **Strengthening of the intersectoral coordination of various institutional mechanisms in the sectors of education, social and health care, judiciary and employment with the aim of preventing marriages of minors.**
- o **Creating protocols for implementation and application of procedures related to prevention of and response to marriages of minors.**
- o **Work on empowering Roma families, particularly mothers, young girls and boys being a priority.**
- o **Motivation for continuing education - materially, as well as intangible, e.g. through mentoring support.**
- o **Stimulation through employment of the best students.**
- o **Emphasizing the examples of good practice through locally sponsored entrepreneurship, as an opportunity for self-employment with requirement of compulsory education.**

## ABBREVIATIONS

UN - United Nations

UNWOMEN - United Nations Entity for Gender Equality and the Empowerment of Women

UNICEF - United Nations International Children's Emergency Fund

UNDP - United Nations Development Programme

UNMIK - United Nations Interim Administration Mission in Kosovo

EU - European Union

EC - The European Commission

OSCE - Organization for Security and Co-operation in Europe

RS - Republic of Serbia

RWN-Roma Women Network

AP K&M - Autonomous Province of Kosovo and Metohija

MLEVSA - Ministry of Labour, Employment, Veteran and Social Affairs

MESTD - Ministry of Education, Science and Technological Development

MH - Ministry of Health

MIA - Ministry of Internal Affairs

MJ - Ministry of Justice

MPALSG - Ministry of Public Administration and Local Self-Government

MFA - Ministry of Foreign Affairs

MD - Ministry of Defence

SAF - Serbian Armed Forces

MCI - Ministry of Culture and Information

MYS - Ministry of Youth and Sports

MAEP - Ministry of Agriculture and Environmental Protection

CBGE - Coordination Body for Gender Equality

OHMR - The Office for Human and Minority Rights

CRM - Commissariat for Refugees and Migration

OCCS - The Office for Cooperation with Civil Society

SIPRU - Social Inclusion and Poverty Reduction Unit

SORS - Statistical Office of the Republic of Serbia

RISP - Republic Institute for Social Protection

PPSRS - The Public Policy Secretariat of the Republic of Serbia

SWC - Social Welfare Center

LSGU - Local Self-Government Units

CSO - Civil society organizations

IDP - Internally displaced persons

IPA - The Instrument for Pre-accession Assistance

LGBTI - Lesbian, Gay, Bisexual, Transgender/Transsexual and Intersexed

NAP - National Action Plan for the Implementation of UN Security Council Resolution 1325  
- Women, Peace and Security in the Republic of Serbia (2016-2020)

GB - Gender Budgeting

SPL- Social Protection Law

CPC - Criminal Procedure Code

LESF - Law on the Education System Foundations