



Civil Society Monitoring

on the Implementation of the National Roma Integration Strategy
and Decade Action Plan in

CROATIA

in 2012 and 2013

Civil Society Monitoring

on the Implementation of the National Roma Integration Strategy
and Decade Action Plan in

CROATIA

in 2012 and 2013

Prepared by a civil society coalition comprising the following organizations

Institute of the Association for Transitional Researches and National Education – STINA (lead organisation)
Roma National Council ■ Centre for Peace, Legal Advice and Psychosocial Assistance

Institut
STINE



Center for Peace, Legal Advice
and Psychosocial Assistance

Written by

Ljubomir Mikić ■ Milena Babić

Coordinated by

the Decade of Roma Inclusion Secretariat Foundation
in cooperation with the Making the Most of EU Funds for Roma Program of the Open Society Foundations



Published by

Decade of Roma Inclusion Secretariat Foundation
Teréz körút 46.
1066 Budapest, Hungary
www.romadecade.org

Design and layout: www.foszer-design.com

Proofreading: Christopher Ryan

©2014 by Decade of Roma Inclusion Secretariat Foundation

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any forms or by any means without the permission of the Publisher.

ISSN: 2064-8413

All civil society monitoring reports are available at www.romadecade.org/civilsocietymonitoring

This report was prepared by a civil society coalition comprising the following organisations: Institute of the Association for Transitional Researches and National Education – STINA Institute (lead organization), Roma National Council, and Centre for Peace, Legal Advice and Psychosocial Assistance. The lead researcher of the coalition is Ljubomir Mikić (Centre for Peace, Legal Advice and Psychosocial Assistance) and the project manager is Stojan Obradović (STINA Institute).

The authors of the report are: Ljubomir Mikić and Milena Babić (Centre for Peace, Legal Advice and Psychosocial Assistance) in consultation with Bibijana Papo and David D. Orlović (Roma National Council). The following researchers have been involved in the project: Agron Tahiri, Siniša Senad Musić, Čedo Todorović, Samanta Malkoč Hendeković and Branislav Tekić.

The following organizations have been involved in advising on the report: the Decade of Roma Inclusion Secretariat Foundation, the Central European University's Department of Public Policy, the European Roma Rights Centre, Habitat for Humanity, the Roma Education Fund, and from the Open Society Foundations: Making the Most of EU Funds for Roma program and the Roma Health Project.

In 2013–2014, the Decade Secretariat has supported reports from civil society coalitions in eight countries: Bosnia-Herzegovina, Croatia, France, Germany, Italy, Montenegro, Serbia, and the United Kingdom. In the pilot year of 2012, reports from the following countries were supported: Albania, Bulgaria, Czech Republic, Hungary, Macedonia, Romania, Slovakia, and Spain.

In the reports, civil society coalitions supplement or present alternative information to Decade Progress Reports submitted by Participating Governments in the Decade of Roma Inclusion and to any reports submitted by State parties to the European Commission on implementation of their NRIS. These reports are not meant to substitute for quantitative monitoring and evaluation by State authorities but to channel local knowledge into national and European policy processes and reflect on the real social impact of government measures. The civil society reports provide additional data to official ones, proxy data where there is not official data, or alternative interpretation of published data.

The project is coordinated by the Decade of Roma Inclusion Secretariat Foundation in cooperation with Open Society Foundation's Making the Most of EU Funds for Roma program. Funding for the project comes from the OSF Roma Initiatives Office.



TABLE OF CONTENTS

Executive Summary	7
Recommendations	15
List of Abbreviations	19
Introduction	21
1. Structural Requirements	23
2. Anti-Discrimination	35
3. Education	47
4. Employment	57
5. Health Care	63
6. Housing	69
Bibliography	75



EXECUTIVE SUMMARY

This report is developed by a coalition of three Croatian civil society organizations, as an alternative contribution to the monitoring and evaluation of the achievements of national strategies for integration of Roma in Croatia. It does not aim to be a comprehensive source of information on the situation of persons belonging to the Roma community in Croatia over the past decade or to substitute relevant state reports on this issue. Following a detailed monitoring template prepared by the Decade of Roma Inclusion Secretariat (in cooperation with the Open Society Foundation's Roma Initiatives and Make the Most of EU Funds for Roma), the report attempts to provide a brief overview of the relevant Roma integration policies and strategies and to assess their impact in the period 2012–2013. In accordance with the specified reporting framework, the report includes information on structural requirements, anti-discrimination, education, employment, health care and housing, which is presented in separate thematic chapters.

Structural Requirements

The Government Office for Human Rights and Rights of National Minorities (GOHRRNM) is the national contact point for the implementation of the National Roma Integration Strategies (NRIS). Although understaffed and with limited financial resources provided from the State budget, the efficiency and effectiveness of GOHRRNM in performing a wide range of tasks was maintained at a reasonably satisfactory level. Professionally and administratively supported by GOHRRNM, a specialized cross-sectoral Monitoring Commission is designated to oversee operational components of NRIS. This Commission should further improve its work, primarily by strengthening the capacities of its Roma members.

Involvement of local and regional authorities in NRIS remained at a low level and can be considered the “weakest link”. By the end of 2013, out of 33 local and regional self-government units (LRSUGs), only four had fulfilled their task to adopt local/regional action plans for implementation of NRIS 2013–2020. Being largely dependent on the adoption of LRSUG action plans, broad involvement of Roma CSOs and local Roma representatives did not happen in 2013.

Efficient coordination between the different layers of governance in the implementation and monitoring of NRIS and accompanying Decade of Roma Inclusion Action Plans (DRAP) was generally missing. More formal coordination was rather rare. The impression is that institutions at the same or different levels of authority were often not familiar with each other's implementation of certain Roma integration measures. They usually acted in an uncoordinated manner; independently and on their own initiative. Integrated monitoring and evaluation were lacking. NRIS 2013–2020 notes that the successful implementation of its objectives and measures requires concerted and co-ordinated action by all implementing partners and other stakeholders, which implies the establishment of mechanisms to ensure well-tuned vertical and horizontal co-ordination and action. It also reiterates that cross-sector collaboration between, *inter alia*, governmental authorities at all levels should be reinforced, to which effect the practice of cross-sector meetings, introduced in 2010, needs to be continued. However, it is noticeable that the central mechanism for monitoring the overall implementation of all operational components of the Strategy – the National Monitoring Commission – does not formally involve representatives of local and regional authorities.

A certain discrepancy between mainstream and Roma-targeted policies can be seen above all in the area of housing, where there is a gap between the measures targeted at improving living conditions in segre-

gated settlements and general policy efforts for the social inclusion of Roma in the wider community and the suppression of discrimination against them.

The 2003 NRIS monitoring and evaluation system formally existed, but proved to be ineffective and not sufficiently systematic or appropriate to provide for the comprehensive review of the implementation of envisaged policy measures in continuum. NRIS 2013–2020 envisages the establishment of a robust new system and mechanisms for monitoring and evaluation but, apart from the formal establishment of the 2013–2020 Monitoring Commission, not much progress was made in this regard in 2013.

NRIS 2013–2020 sets general principles for securing financial means for its implementation by 2020. Although this refers rather to a mid-term commitment, it can be concluded that the long-term financial commitment to sustainable implementation of NRIS was basically/initially confirmed by the adoption of the NRIS Action Plan 2013–2015. The Plan envisages the provision of around 6 million EUR in the three-year period, or about 2 million EUR annually, from the State budget alone. However, it does not explicitly refer to financing from EU funds. Potential funding from EU sources over the financial period 2014–2020 was difficult to assess bearing in mind that the overall planning process is expected to be completed some time in June/July 2014. Several public events to raise awareness and encourage Roma and non-Roma stakeholders to participate in the process of public consultations on draft programming documents were organized by interested CSOs and GOHRRNM in late 2013 and early 2014.

Involvement of Roma CSOs in the implementation of EU funded projects was at a relatively low level. Analysed data suggest that only four Roma CSOs participated in the implementation of IPA projects before 2013. Some progress was achieved in 2013 under IPA IV component. By 2013, the most important individual beneficiary and stakeholder in the disbursement of IPA funds for projects aimed at the Roma community (financially more demanding infrastructure services in two Roma settlements in particular) was GOHRRNM.

Anti-Discrimination

Adequate legal status is an essential prerequisite for ensuring an individual's equal access to public services and various rights. However, there are no precise data on the number of Roma who need to regulate their status in Croatia. Some recent estimates suggest that 500 to 1,000 Roma in Croatia are *de facto* stateless, while another 1,000 to 2,000 are of unidentified citizenship and at risk of statelessness. Furthermore, it is roughly estimated that 25% of the current Roma population, mainly those who moved to Croatia more recently, lack personal identity documents or citizenship and birth certificates from their country of origin. In addition, an unknown number of Roma do not have official residential status in Croatia and/or personal identity documents issued by the respective Croatian authorities. Dealing with the Roma status issues has thus far been assisted by the mobile teams formed pursuant to the 2003 NRIS, several non-governmental organizations, UNHCR and the Ombudsman. NRIS 2013–2020 reiterates the problem and sets its aim as completing the process (100%) of regulation of citizenship or permanent residence status in accordance with the relevant legal framework for all Roma with a strong connection with the Republic of Croatia by 2020.

Raising public awareness of the unacceptability of discriminatory behaviour and mechanisms for protection was conducted through several mainstream and Roma-targeted projects. Deputy Prime Ministers that chaired NRIS coordinating and monitoring bodies have served as role models in promoting respect for Roma. However, racial or ethnic origin was the most common basis of discrimination about which citizens, particularly Roma and Serbs, complained to the Ombudsman in 2012.

Targeted measures to reduce institutional discrimination against Roma continued to be implemented within the framework of DRAP for 2011 and 2012 in all four priority areas of action. In addition, measures to enhance the anti-discrimination system and raise awareness of public servants and officials on the anti-discrimination legislative framework were conducted through projects implemented by the Office of the Ombudsman and GOHRRNM; a comprehensive system for monitoring the state of discrimination was developed within the framework of an IPA-funded project.

The Ombudsman co-operates closely with GOHRRNM and, among other things, took part in the public consultations via the Internet on the draft Action Plan for the implementation of NRIS for the period 2013–2015. In 2011, the Ombudsman interfered in one civil procedure: a special lawsuit submitted for determination of discrimination against Roma. In 2012, the competent Court ruled that this was a case of discrimination and awarded compensation to the Roma victims.

The Government reported on a number of general measures taken to comply with the 2007 European Court for Human Rights judgement on a violation of the right to protection from torture or inhuman or degrading treatment and discrimination suffered by one Roma. The new Criminal Code came into force on 1 January 2013. The Code defines hate crime as a crime committed because of the racial origin, colour, religion, national or ethnic origin, disability, gender, sexual orientation or gender identity of another person and stipulates that such action, except when the Code expressly stipulates more severe punishment for a particular criminal act, shall be taken as an aggravating circumstance of the offence committed. It also defines the offence of public incitement to violence and hatred as a specific criminal offence against public order. Following through the 2012 ECRI conclusion that racially motivated violence against Roma remained an issue of concern, the rather small number of officially reported offences motivated by hatred against Roma should be treated with caution.

Roma children were paid special attention particularly in the Decade priority fields of education and health; measures aimed at improvement were conducted within the framework of the Action Plan for the Decade of Roma Inclusion for 2011 and 2012.

Roma women continue to be exposed to multiple discrimination both from mainstream society and from members of their own communities, particularly in marginalized and non-urbanized communities. NRIS 2013–2020 reiterates the problem and envisages a number of measures to address the complexity of marginalization and multiple discrimination against Roma women.

NRIS 2013–2020 recognizes and emphasizes the potential risk for Roma girls and women of becoming victims of human trafficking and suggests that the risk may even be increased in light of Croatia's accession to EU due to the opening of state borders and the reduced border controls. Strategic goals and measures towards combating human trafficking are contained in the 2012 National Plan for Combating Trafficking in Human Beings 2012–2015. The Ministry of the Interior collects and presents annual statistics on the number of identified victims by nationality (citizenship) but not by ethnicity, which indicates the need for ethnically disaggregated data collection.

So far, no cases of particular discrimination based on nationality of EU citizens, including Roma who are EU citizens of other member states, in exercising of their right of free movement guaranteed by EU and national regulations have been evidenced or reported.

Most of the Roma immigrants in Croatia who face problems in regulating their legal residential status and Croatian citizenship come from other ex-Yugoslav federal units (former republics). Some of them, who have resided in Croatia for a long time, including some who were born in Croatia during the existence of the former Yugoslavia or even later, have not been able to regulate their status properly under the relevant Croatian regulations. This problem affects not only persons of Roma ethnic origin but some other former Yugoslav citizens of non-Croat ethnic origin, such as Serbs and Bosnians, as well.

In 2013 the Migration Policy of the Republic of Croatia for the period 2013–2015 was adopted. The Policy makes no specific references to Roma, similarly to the Action Plan for the Removal of Obstacles to the Exercise of Particular Rights in the Area of Integration of Foreigners 2013–2015.

Education

It appears that in general measures for de-segregation in education have not yielded practical results. According to the observations of interviewed representatives of the Međimurje County authorities, the

number of classes attended solely by Roma pupils is constantly rising and is now higher than at the time of the 2010 European Court for Human Rights judgement in the case of *Oršuš and others v. Croatia*. This trend may lead to the creation of segregated Roma schools. However, the methodology used for determining the number of segregated and integrated classes remained problematic.

NRIS 2013–2020 aims at establishing a system of support for educational institutions for the development of educational programmes and the application of educational practices that will ensure adequate preparation of children for school and the conditions for genuine social integration while respecting diversity in the multicultural milieu by 2015. Experimental implementation and monitoring of the Civic Education Curriculum was launched in August 2012. Starting from the school year 2014–2015 Civic Education is envisaged to become a compulsory subject in all primary and secondary schools. However, the curriculum of Romani language and culture for elementary school students is not yet accredited and minority rights to school education in minority languages used by Roma in Croatia, either Romani Chib or Bajashi (Old-Romanian), remain unrecognised and unexercised. Content related to Roma history and culture remains largely inaccessible and invisible in mainstream education.

Implementation of measures to prevent discrimination by reducing marginalization and the impact of social exclusion and poverty, such as co-financing of the parental contribution to the pre-school education programmes and the creation of the pre-conditions for increasing enrolment of children of both genders in primary and secondary schools, continued. Between September 2011 and June 2012, all the Roma children in Međimurje who started in elementary schools in 2012 had participated in pre-school education programmes.

The absence of official data and relevant comprehensive research findings generally prevents proper assessment of the state and the scope of the placement of Roma children in special education. Data for the school year 2013/2014 from the Čakovec Centre for Education, a special educational institution for elementary school students with severe developmental impairments in Međimurje County, shows that Roma children make up 41.12% of the entire number of 197 students at the Centre. These data, particularly bearing in mind the official proportion of Roma in the general population of Međimurje (4.49% according to the 2011 State Census), indicate a significant over-representation of Roma students in special education in Međimurje County.

Elementary education lasting eight years is compulsory and free for all children with permanent residence in Croatia from the age of six to fifteen. While the number of Roma elementary school students has increased more than five-fold over the past eight years, many of them leave school at the age of 15 without completing the entire eight-year education cycle. In the absence of strategic plans to specifically tackle early school leaving in Croatia, several measures designed to promote the completion of compulsory education by Roma pupils were implemented under the framework of NRIS. To track the progress in Roma compulsory education, the Ministry of Science, Education and Sports collects and provides quantifiable and comparable data on the number of Roma pupils in elementary schools; pupils who leave school; re-attenders/repeating pupils; pupils who are provided with Croatian language-learning support and pupils included in the extended day programme. Although data on the number of Roma students who completed primary school in comparison to the total number of members of the Roma minority over the age of 15 are not yet available, the collection of such data is envisaged under NRIS 2013–2020.

NRIS 2013–2020 aims at developing mechanisms to increase the inclusion of Roma children of both genders in pre-school education programmes lasting a minimum of one year (five hours per day during the academic year) up to 2020, at the same time recommending a minimum of two years of pre-school. Meanwhile, the measures conducted since the adoption of the 2003 NRIS have contributed to improving the inclusion of Roma children in pre-school education, although there is some lack of uniformity in implementation in all areas of the country. Official data provided by school years indicate higher or lower variations in the number of Roma children in pre-school education at the beginning and at the end of the year. In 2012 and 2013, a number of projects to foster the integration of Roma pre-school children, as well as the involvement of parents in pre-school education, were implemented countrywide.

Various support measures continued to be provided to Roma included in secondary education (such as provision of scholarships and dormitory accommodation, and financial support for additional activities and graduate travel) and post-secondary education (scholarships). The Croatian Employment Institute (CEI) has implemented measures to co-finance and finance the education of Roma through vocational training and training together with work (on-the-job training), which included 21 beneficiaries in 2012 and 15 in 2013.

Employment

Under the framework of the National Employment Promotion Plan 2011–2012 (with extended validity until the end of 2013), CEI measures aimed at empowerment and at boosting the employability of Roma included: Co-financing/subsidizing the employment of young Roma and other Roma with qualifications; Co-financing Roma involvement in public work schemes; Co-financing/financing participation by Roma in vocational training and training together with work (on-the-job training); Co-financing of self-employment for Roma; and Vocational training for work without employment for unemployed young Roma who have completed their secondary education in four-year colleges and universities. In 2012 and 2013, a total number of 1,421 Roma (471 of them female) benefited from the incentive employment measures.

The public work schemes implemented under the framework of the National Employment Promotion Plan 2011–2012 targeted the long-term unemployed who were at a disadvantage in the labour market, including Roma. They were implemented as short-term measures with the aim of mitigating the social consequences of unemployment and mainly involved employment on communal tasks and other jobs of lower complexity in local self-government units and their companies. People involved in public works were paid only a minimum wage (including health insurance) and transport costs; half of the necessary funding was provided by CEI and the other half from local budgets. The total number of people involved in public works was 17,826 in 2012 (43% more than in 2011) and 15,405 in 2013, of whom 3.55% and 4.65% respectively were Roma. Some Roma leaders expressed concern about the inappropriate use of NRIS funds for Roma public works employment to pay non-Roma people who signed statements declaring that they belonged to Roma minority; however CEI reported that the allegations were investigated and that no irregularities were found.

With the exception of the public work employment schemes, measures such as subsidizing the employment of youngsters, subsidizing participation in vocational training and training together with work (on-the-job training) and vocational training for work without employment included few Roma. However, the educational structure is extremely unfavourable.

In the employment and economic inclusion area of intervention, NRIS 2013–2020 sets its main goal as bridging the gap between the Roma minority and the majority population on the labour market. Specific objectives and measures envisaged by the Strategy substantially coincide with the measures contained in DRAP 2005–2015 that were implemented under the framework of the National Employment Promotion Plan 2011–2012. However, NRIS 2013–2020 concludes that despite measures, funds and efforts invested by Croatia in improving the economic status of the Roma to increase their employment, satisfactory results have not been achieved. Although CEI does not track the unemployed by nationality but estimates the number of unemployed Roma by, for example, their residence, certificates required for the exercise of rights under the social welfare system and knowledge of Romani, it keeps quite detailed statistics on the state and characteristics of Roma included in CEI registers for the purpose of monitoring progress in the implementation of relevant NRIS measures. Efforts to raise awareness and build public understanding of the benefits of Roma integration (including the integration of Roma women) for the whole of society were, *inter alia*, supported by continuous CEI staff field visits to potential employers and by sharing information on the employment opportunities for unemployed Roma. 170 Roma (76 female) registered by CEI were employed on the open market in 2012 and 226 (114 female) in 2013.

CEI has implemented Roma targeted training aimed at self-employment through informative workshops and counselling. The initiative included 43 (7 women) Roma beneficiaries in 2012 and 61 (13 women) in 2013. For comparison, 38 (6 women) Roma were included in the same measure in 2011, while in 2009 and

2010 not even a single beneficiary was registered. In 2013, 5 Roma male and 2 female persons benefited from the targeted measure of co-financing the self-employment of Roma.

The issue of the labour market mobility of Roma from rural areas was not considered by NRIS in particular, partly due to the absence of systematic data on the specifics of individual micro-regions. Neither NRIS 2013–2020 nor other strategic documents mention Roma as a specific target group within the agricultural subsidies programmes.

Health Care

Progress in the extension of the right to basic health care and access to health-care services was relatively difficult to track due to the absence of adequate data records broken down by ethnicity.

The problem of health insurance cover among the Roma population should be considered as a key formal impediment to their access to health services. NRIS 2013–2020 points to the unresolved status issues (lack of personal documents) and untimely registration at the Institute for Health Insurance once they complete or drop out of school or end their employment, as problems that impede regulation of the health insurance cover for a number of Roma. The 2011 UNDP-World Bank-European Commission Regional Roma Survey suggests that 82% of adult Roma aged 16 or more exercise the right to medical insurance, while 92% of them have access to health services when needed. According to the results of the same survey, 97 and 98% respectively of the non-Roma population exercise these rights.

DRAP 2005–2015 measures in the area of health protection, including access to health care, have targeted different Roma communities (urban, rural, segregated, etc.) and were implemented in different geographical locations, either in the premises of health and other public institutions or (by mobile teams) in the field. However, official data on the number and type of activities undertaken, their beneficiaries and the results achieved remain largely non-systematic and non-unified, as well as incomplete at both national and local levels. Therefore, the officially collected data generally do not provide a solid basis for measuring the overall scale and impact of NRIS and other strategic interventions in the area of Roma health protection.

NRIS 2013–2020 considers the issue of discrimination of Roma by concluding that the prejudices against the Roma population which result in discrimination also appear in the field of health-care and among health-care professionals, but also points to the lack of precise data in this regard. Therefore, it can be concluded that some indications of discrimination and violations of Roma rights in the health-care system do exist, although their range and frequency of appearance remain officially unrecorded.

The National Health Care Strategy 2012–2020 states that the adoption of the 2004 Law on the Protection of Patients' Rights did not significantly contribute to the protection of the rights of patients, mainly due to the lack of institutional capacities and political will, and of transparency in its implementation. The Strategy indicates that patients are not sufficiently aware of their rights and that a proper system for monitoring the exercise of their rights should be developed. The Ombudsman points out that the Law does not include an effective legal remedy for the protection of patients' rights.

The competent national and regional authorities and health-care institutions reported on a number of Roma beneficiaries covered by informational and educational measures, implemented in the counties and localities with more significant Roma populations. The most recognizable progress in implementing the above measures has been made in increasing the number of vaccinated Roma pre-school and school children, which in some local areas reached 100% coverage and was equal to the rate of vaccinated non-Roma children of the same ages. Regarding the perceived vaccination rate among Roma children, the 2011 UNDP-World Bank-European Commission Regional Roma Survey suggests that it reached 97% of pre-school Roma children aged up to 6 and 96% of school age children at the age of 6.

More significant coordination among the health care sector and other sectors, in the sense of a systematic and integrated approach to health, has not been recorded.

Housing

Although it refers to the principles of “de-stigmatization, de-segregation and de-ghettoization” in dealing with Roma housing issues, NRIS 2013–2020 does not envisage clear and systematic plans and measures to promote the residential de-segregation of segregated Roma localities. Similarly to the 2003 NRIS, it rather focuses its goals and measures on research into the spatial organization of Roma settlements, physical planning and environmental protection, as well as legalisation and raising the standard and adequacy of Roma housing facilities in segregated local Roma environments. The exact number of Roma living in segregated environments is difficult to determine, primarily due to the fact that many segregated “Roma settlements” are not officially registered by competent local and regional authorities and included in their land-use plans. There are no quantifiable or other systematic indications as to the change in the number of Roma living in segregated environments in 2012 and 2013.

The implementation of NRIS physical planning policies and the legalization of Roma housing facilities and settlements are considered as key legal and technical requirement for the development of public utility and social service infrastructures in and around segregated Roma settlements and, as such, remained highly prioritized during 2012 and 2013. The final deadline for the submission of applications for the legalization of illegally constructed buildings was set at 30 June 2013. As the process of legalization requires additional funding that Roma often do not have, the authorities provided funds for the legalization of more than 350 Roma houses in 2013. The authorities report on a number of interventions towards the development of public utility and social service infrastructures in and around segregated Roma settlements in 2012 and 2013; mainly referring to the building of access roads and mains water networks and the reconstruction of housing facilities in Varaždin, Međimurje, Sisak-Moslavina and Osijek-Baranja counties.

The biggest investment in the improvement of infrastructure in Roma settlements in 2012 and 2013, valued at more than 1.9 million EUR, was realized through the IPA 2008 “Roma Support Project – Phase III: Infrastructure Improvements in Roma Settlements of Orehovica and Sitnice” in Međimurje County. The project aimed at building communal infrastructure, including roads and water and power supply systems. Although the above interventions had positive effects on some local Roma communities, more precise quantifiable indications on the change in the number of Roma with improved access to public utilities and social services infrastructure in 2012 and 2013 are not officially provided and are difficult to estimate unofficially. However, residents of segregated Roma settlements in Slavonski Brod and Sisak who were interviewed for the purpose of this study pointed out that building the water-supply, power and sewerage networks did not produce appropriate results in terms of improving their living conditions because legal access to the existing networks is conditioned by the clear legal status of the housing property. In fact, the respective communal companies do not allow buildings to be connected to the communal infrastructure networks without proper documentation, which includes decisions on legalization, building permits or a decision on the construction status of the building.

No separate regulations on the state’s obligation in the area of housing for socially vulnerable populations, including Roma, exist. Specific measures regarding social housing are mainly conducted by a very few local self-government units. However, NRIS 2013–2020 envisages the application of social programmes to secure housing for Roma families and individuals where necessary. Furthermore, it envisages exchanges for Roma housing units that cannot be legalized and the construction of houses for Roma in compliance with the Law on the Areas of Special State Concern, according to the plans of regional and local governments. These targeted measures are further elaborated and incorporated in the Action Plan for the implementation of NRIS for the period 2013–2015, but no precise data on their impact, the affordability of social housing and the number of Roma beneficiaries in 2013 have been officially reported so far.

NRIS 2013–2020 concludes that housing should be an integral component of most national strategies and programmes, and also measures, as an issue which encompasses all major sectors, while the activities tied to housing should be part of an integrated approach, including, in particular, human rights, education, health-care, social issues, employment and public safety and de-segregation. However, there were no significant or more visible improvements in broadening the scope of housing interventions, urban planning and rural development or in making them part of a comprehensive cross-sectoral approach.

Since the adoption of the 2003 NRIS regional and local authorities have been mainly involved in creating the conditions for the urbanisation of Roma settlements; primarily in the area of spatial planning, by creating and adopting relevant spatial plans and other documentation. By early 2013, all 14 county programmes for the improvement of the space and environment in locations inhabited by Roma had been created, out of which 13 were adopted. At the same time, a total of 25 spatial plans were created and adopted for 17 locations in 16 local self-government units in 13 counties.

RECOMMENDATIONS

The recommendations that follow are based on the analyses of the implementation and impact of the national Roma integration strategies that are provided in this report. They are grouped by the thematic chapters of the report and by targeted stakeholders.

Structural Requirements

National Authorities

- The Government should ensure that the Government Office for Human Rights and Rights of National Minorities (GOHRRNM) is provided with appropriate organizational, financial and human resources to efficiently and effectively perform a wide range of tasks as the national contact point for the implementation of the National Roma Integration Strategies (NRIS).
- All members of the NRIS 2013–2020 Monitoring Commission should be provided with the relevant information, knowledge and skills necessary to undertake participatory monitoring of the overall implementation of all operational components of NRIS in an effective and efficient manner. Comprehensive training, field visits and advisory meetings with relevant stakeholders should be organised in this regard.
- Efficient coordination between the different layers of governance in the implementation and monitoring of NRIS should be promoted and put in place.
- An integrated system for monitoring and evaluation of the implementation of NRIS 2013–2020 at all levels of governance and in all areas of action should be established. The system should be systematized and appropriate to provide for the comprehensive and detailed review of the implementation of envisaged policy measures, their concrete results and financial impacts in continuum.
- Clear benchmarks and indicators need to be developed and incorporated in NRIS action plans.
- It should be ensured that the mainstream and targeted Roma integration policies are appropriately harmonized and not in disagreement. All interventions should meet relevant anti-discrimination criteria and be designed for sustainability.
- Mid-term evaluation of the implementation of NRIS 2013–2020 should be conducted by roughly mid-2014, as envisaged and planned by NRIS. Particular attention in the revision should be paid on the issue of the precision and clarity of benchmarks and indicators of success of specific measures envisaged by NRIS and accompanying Action Plan 2013–2015. The need for revision and amendments to NRIS should be broadly discussed with the participation of Roma stakeholders and experts.

National Authorities and EU

- Roma integration issues should be adequately included and emphasized in the European Commission – Croatia Partnership Agreement and Operational Programmes that will define strategic and investment priorities of the Republic of Croatia under the EU 2014–2020 Cohesion Policy framework. Access to EU funds should be secured.
- Coordination among various EU funds and programmes to enable integrated interventions at all levels should be ensured.

Local and Regional Authorities

- All local and regional self-government units (LRSGUs) tasked with adopting local and regional action plans for NRIS 2013–2020 implementation should fulfil their obligations in the shortest possible period of time. LRSGUs plans should be developed in cooperation with local Roma communities, based on identified local needs and priorities with clear and measurable goals, deadlines, sources of financing and implementation bodies. Consequently, local and regional Monitoring Commissions and regional Roma information centres should be established. In this regard, LRSGUs should be provided with clear guidelines and all necessary support from GOHRRNM and NRIS Monitoring Commission established at the national level.

National Authorities/Local and Regional Authorities/Development and Donor Agencies

- All appropriate stakeholders should strengthen, support and promote measures aimed at the sustainable strengthening of organizational and individual capacity building of local and national Roma stakeholders. Particular attention should be paid to creating sustainable capacity of Roma CSOs and LRSGUs for obtaining and using EU funds for Roma inclusion.

Anti-Discrimination

National Authorities

- Measures to support resolving the Roma status issues, including immigrants and asylum seekers, should be accelerated and expanded. Appropriate legal aid and financial support must be provided to all Roma in need.
- Campaigns and targeted interventions to raise public awareness on suppressing discrimination and racism and preventing institutional discrimination should be continued and expanded. Special attention should be paid to the issues of multiple discrimination against Roma women, children and other particularly vulnerable categories of the Roma community. Participation by Roma representatives in these activities should be secured.
- Free legal aid and protection from discrimination should be made accessible to all Roma in need and at all levels of governance.

Education

National Authorities

- It is necessary to continue to implement measures for de-segregation in education. The methodology used for determining the number of segregated and integrated classes should be precisely defined, standardized and implemented. New, appropriate and effective measures towards educational integration should be developed and promoted with the participation of all relevant non-Roma and Roma stakeholders.
- Intercultural education should be further promoted and implemented. Content related to Roma history and culture should be appropriately incorporated into mainstream education, including the subject of the genocide (*Porajmos*) committed against the Roma in World War II.
- The curriculum of Romani language, culture and history for elementary school students should be developed and adopted. School education in the Roma minority language (Romani Chib) and other languages used by Roma in Croatia (Bajashi/Old-Romanian), should be secured in line with the Law on Education in Minority Languages. Human, financial and technical resources for this purpose, including qualified Romani teachers, should be planned and secured as appropriate.
- The issue of (possible) wrongful placement of Roma children in special education programmes or facilities, as well as the issue of allowing Roma students to pass grades without the required minimal knowledge should be thoroughly investigated and appropriately addressed.

- Measures to assist completing compulsory education and to prevent high drop-out rates amongst Roma pupils should be further elaborated and extended. Enrolment in secondary school education programmes, especially those that allow the continuation of education at universities, should be further promoted and supported. Measures should target Roma students (children) and parents, schools and the social welfare system.
- Pre-school education should be accessible for all Roma children and uniformity in implementation of targeted measures should be secured in all areas of the country inhabited by Roma. A minimum of two years of pre-school should be promoted.
- A model of scholarships for high school and university students should be reformed in order to be more successful.
- Vocational training and training together with work (on-the-job training) programmes should be extended, secured with more financial resources and properly aligned with the needs of the labour market. A system of validation of non-formal and informal learning should be put in place.

Employment

National Authorities

- Programmes of job search assistance, including vocational training and training together with work (on-the-job training) programmes, should be more personalised, closely correlated to social and educational activities and in line with Roma labour capacities and the needs of the labour market.
- New measures modelled on the existing public work schemes to develop new skills and obtain new qualifications should be designed and extended, with a longer duration of employment. Innovative approaches should be encouraged.
- A comprehensive system of assistance for Roma without elementary or high school education should be put in place in order to increase employment possibilities.

National Authorities/Local and Regional Authorities/Development and Donor Agencies

- Self-employment and entrepreneurship measures should be further elaborated and supported. In this regard, they should contribute to reducing the rate of informal employment amongst Roma.

Health Care

National Authorities/Local and Regional Authorities

- Appropriate models for mapping and monitoring the health protection of Roma and their health situation should be developed in cooperation with Roma stakeholders. The models should provide for the collection of ethnically disaggregated data for better planning and tracking of strategic interventions in the area of Roma health protection.
- Outreach and disease prevention activities should be intensified and expanded.
- Discrimination in the health-care system should be prevented and understanding of patients' rights should be improved. Effective mechanisms to enforce patients' rights and to obtain redress and appropriate compensation for discrimination and/or violation of Roma rights in the health sector should be put in place.
- Targeted awareness campaigns on health protection and prevention, access to health services and rights of patients should be developed and implemented country-wide in cooperation with Roma representatives and CSOs.
- Coordination among the health care sector and other sectors, in particular sectors of education, employment, social-welfare, housing and non-discrimination, to secure a systematic and integrative approach to the health protection, should be planned and implemented.

Housing

National Authorities

- De-segregation in resolving Roma housing issues, integrated housing schemes and a comprehensive cross-sectoral approach to targeted interventions, including housing, should be elaborated and carefully planned. Concrete measures and interventions should be developed and implemented in cooperation with Roma stakeholders and LRSGUs.
- A Law on Social Housing or other appropriate forms of national regulation in the area of housing for the socially vulnerable population, including Roma, should be developed and passed.

National Authorities/Local and Regional Authorities

- Concrete implementation of physical planning policies and legalization of Roma housing facilities and settlements should be prioritized and accelerated, so that the legal and technical preconditions for the development of public utility and social service infrastructures and/or access to them in and around segregated Roma settlements are in place. Implementation should be adequately supported by making financial, technical and legal means available to the Roma population.

LIST OF ABBREVIATIONS

CEI	Croatian Employment Institute
CSO	Civil Society Organization
ECRI	European Commission against Racism and Intolerance
EU	European Union
ERRC	European Roma Rights Centre
ESF	European Social Fund
GOHRRNM	Government Office for Human Rights and Rights of National Minorities
HRK	Croatian Kuna (Croatian national currency)
IPA	Instrument for Pre-Accession
NGO	Non-governmental organisation
NRIS	National Roma Integration Strategies
OSCE/ODIHR	Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights
PHARE	<i>(Pologne et Hongrie – Aide á Restructuration Economique)</i> Programme of European Community aid to the countries of Central and Eastern Europe
REF	Roma Education Fund
TWG	Thematic Working Group
UNDP	United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees

INTRODUCTION

Background

According to the 2011 State Census results, Roma are the fifth largest national minority in the Republic of Croatia and officially make up 0.40% of the entire population of the country.¹ The latest Census registered 16,975 persons who identified themselves as Roma. Over the decade, in comparison to 9,463 Roma as of the 2001 Census, the number of officially registered Roma in Croatia increased by almost 45%. The actual number of Roma in Croatia, however, reaches much higher figures; between 30,000 and 40,000 individuals as estimated by the Council of Europe.² The discrepancy in figures mainly results from the fact that a number of people do not declare their Roma ethnicity or live in Croatia without officially regulated residence or citizenship status.

Roma live throughout the country. However, there are significant differences in the concentration of the population by regional and local self-government units. Almost one third of the total Roma population officially registered in Croatia live in Međimurje County. More than 1,000 Roma live in the City of Zagreb and Osijek-Baranja, Sisak-Moslavina, Brod-Posavina and Primorsko-Goranska County, while in nine counties their official number does not exceed 26 individuals. Uneven dispersion is even more noticeable at the level of the cities and municipalities; in which Roma often significantly inhabit individual (often segregated) settlements or certain marginalized areas.

As in other European countries, the position of Roma in Croatia is largely determined by their long-term marginalization and exclusion from mainstream society. Numerous inherited problems, specificities of local Roma communities and mutual divisions within the entire community on the one hand and exposure to discrimination, intolerance and prejudice on the other hand, remain some of the key obstacles to their full integration into the wider society. Despite certain achievements over the past decade, the quality of life of many Roma is generally rather poor and characterized by high levels of poverty and unemployment, low education, poor housing conditions and inadequate health care.

In October 2003, by adopting the National Programme for the Roma, the Croatian government formally expressed and reaffirmed its commitment to providing more systematic assistance and support for the inclusion of members of the Roma community in the wider community. The 2003 strategic document for the protection and integration of Roma was further developed and strengthened by the adoption of the National Action Plan for the Decade of Roma Inclusion 2005–2015 in March 2005. Taking into account relevant international human rights standards, EU strategies and achievements in the previous period and current needs, the Government has adopted the National Strategy for Roma Inclusion 2013–2020 of November 2012; later accompanied by the Action Plan for the Implementation of the National Roma Inclusion Strategy for the period 2013–2015 of April 2013.

1 Source: Croatian Bureau of Statistics. See at "Census of Population, Households and Dwellings 2011", available online at: www.dzs.hr.
2 See Council of Europe, *Estimates and official numbers of Roma in Europe, updated July 2012*, available at: http://hub.coe.int/c/document_library/get_file?uuid=3f6c4a82-0ca7-4b80-93c1-fef14f56df8&groupId=10227.

Objectives

This report is developed by a coalition of three Croatian civil society organizations, as an alternative contribution to the monitoring and evaluation of the achievements of national strategies for the integration of Roma in Croatia. It does not aim to be a comprehensive source of information on the situation of persons belonging to the Roma community in Croatia over the past decade or to substitute relevant state reports on this issue. Following a detailed monitoring template prepared by the Decade of Roma Inclusion Secretariat (in cooperation with the Open Society Foundation's Roma Initiatives and Make the Most of EU Funds for Roma), the report attempts to provide a brief overview of the relevant Roma integration policies and strategies and to assess their impact in the period 2012–2013. In accordance with the specified reporting framework, the report includes information on structural requirements, anti-discrimination, education, employment, health care and housing, which is presented in separate thematic chapters.

Methodology

The research methods utilized in the process of collecting the information for this report included:

- Desk research aimed at collecting and analysing available national and international documents on the state of the Roma and on relevant Roma integration policies in Croatia;
- Formal and informal interviews and communication with targeted Roma and non-Roma stakeholders; and
- Thematic focus-group discussions with the participation of solely Roma or both Roma and non-Roma stakeholders from different regional and local self-government units that were carried out along with the production of case studies, some of which are included in the respective thematic chapters.

In addition, useful information was collected by the members and representatives of the coalition of civil society organizations at conferences and thematic discussions organized at national and local level. The Roma National Council, which gathers more than 40 Roma civil society organizations, continuously aggregated and analysed updated information and data collected from its members and associates throughout the reporting process.

1. STRUCTURAL REQUIREMENTS

Institutional Structure for Coordination and Monitoring of NRIS at National Level

Government Office for Human Rights and Rights of National Minorities

The Government Office for Human Rights and Rights of National Minorities (GOHRRNM) is a central national body for the Roma inclusion processes in the Republic of Croatia. The Office was established in April 2012, pursuant to the Decision of the Government of the Republic of Croatia.³ It has taken over the role of the central body for Roma inclusion from the former Office for National Minorities, which has ceased to exist. Until the adoption of the National Roma Inclusion Strategy 2013–2020 in November 2012,⁴ GOHRRNM bore, *inter alia*, the main responsibility for designing, coordinating and monitoring the implementation of the national Roma inclusion strategies contained in the 2003 National Programme for Roma and the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015.⁵ Since then, GOHRRNM has played the role of the contact point in the implementation of the Strategy and bears the principal responsibility for monitoring and overall reporting on the progress of strategic measures, communicating and cooperating with all relevant Roma and non-Roma stakeholders, and for collecting and providing all necessary data and information to external evaluation teams and the interested public, as appropriate.

It seems that almost all of the GOHRRNM tasks related to the integration of Roma fall within the scope of work of the internal Unit for the Implementation of National Programmes and Projects for Minorities. However, the work of the Unit is additionally supported by the staff of three other internal units established within GOHRRNM, as needed and appropriate.⁶ More specifically, the Unit is responsible for the implementation of the following core tasks:

- Coordinating and monitoring the implementation of National Roma Integration Strategies (NRIS) and participating in proposing amendments to NRIS in accordance with EU guidelines, strategic and programming documents;
- Designing long-term policy and strategy of improving the rights of the Roma minority, coordinating the preparation and monitoring the implementation of relevant strategic documents, analysing and preparing expert information, and reporting on the implementation of these documents;
- Performing expert and administrative tasks for the *National Roma Inclusion Strategy 2013–2020 Monitoring Commission*;
- Taking relevant measures to improve the status of national minorities, particularly Roma;
- Encouraging cooperation between government bodies and local and regional authorities and associations and organizations of national minorities, particularly with Roma associations and organizations;

3 Vlada Republike Hrvatske, *Uredba o Uredu za ljudska prava i prava nacionalnih manjina [Decree on the Office for Human Rights and Rights of National Minorities]*, 5 April 2012, Official Gazette (Narodne novine) No. 42/2012.

4 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, November 2012, available at: <http://www.uljppnm.vlada.hr/images/23102013/national%20roma%20inclusion%20strategy%202013–2020.pdf>.

5 The 2003 National Programme for the Roma and the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015 were replaced by the new 2012 Strategy and no longer apply.

6 Units for Combating Trafficking and International Relations; for Monitoring the Implementation of the National Programme for the Protection and Promotion of Human Rights and the Ombudsman's Recommendations, and Cooperation with Civil Society Organizations; and for Developing and Implementing Policies and Strategies for National Minorities.

- Monitoring national regulations and international documents concerning the rights of national minorities, particularly the Roma minority;
- Performing tasks related to the use of funds and implementation of projects funded from national and international sources, including the EU, particularly those intended for zoning, regulation and infrastructure development of Roma settlements;
- Providing technical supervision of the implementation of projects and participating in the preparation of tender documentation and in the publication and implementation of tenders; and
- Cooperating with the competent authorities in the implementation of programmes financed by the European Union.⁷

The total predicted number of civil servants in the Office indicated in the Government's Decision on GOHRRNM is 27, out of which six, including one assistant director of GOHRRNM, are planned for the Unit for the Implementation of Programmes and Projects for National Minorities.⁸ In 2013, GOHRRNM staff counted 17 civil servants, out of which one was Roma. The work of the Office was additionally supported by four temporary trainees and two Roma interns. Although understaffed and with limited financial resources provided from the State budget, the efficiency and effectiveness of GOHRRNM in performing a wide range of tasks were maintained at a reasonably satisfactory level.⁹ The Office managed to ensure fair visibility amongst Roma and non-Roma stakeholders, and the wider professional public. Its structurally weaker position in relation to the line ministries involved in the implementation of NRIS is strengthened by the participation of the Office representatives in the work and by the work of specialized cross-sectoral coordinating and monitoring bodies.¹⁰

Specialized Cross-Sectoral Coordinating and Monitoring Bodies

In order to monitor and coordinate the implementation of the measures envisaged in the 2003 National Programme for the Roma and the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015, the Government established two cross-sectoral bodies – the *National Roma Programme Monitoring Commission* and the *Decade of Roma Inclusion Action Plan Monitoring Working Group* – both of which included appointed representatives of Roma organizations and institutions.

Upon the adoption of the National Roma Inclusion Strategy 2013–2020, by establishing the *National Roma Inclusion Strategy 2013–2020 Monitoring Commission*, the Government set up a mechanism to monitor the overall implementation of all operational components of the Strategy. The Monitoring Commission was established in July 2013.¹¹ It replaced two previously mentioned cross-sectoral bodies. The President, Deputy President and 14 members of the Commission were appointed by the Government of the Republic of Croatia in October 2013¹² but it was not fully operational until the end of the year.

The Monitoring Commission is chaired by the President, who is the vice-president of the Croatian Government and National Coordinator of the Decade for Roma Inclusion, while the Deputy President of the Commission is the Roma representative in the Croatian Parliament. Fourteen members of the Commission are appointed representatives of six line ministries,¹³ a representative of GOHRRNM and seven representatives of

7 Vlada Republike Hrvatske, *Uredba o Uredu za ljudska prava i prava nacionalnih manjina [Decree on the Office for Human Rights and Rights of National Minorities]*, Article 6.

8 *Ibid.*, Indicative number of civil servants of GOHRRNM.

9 Interview with Branko Sočanac, director of GOHRRNM. Zagreb, Croatia: 30 January 2014.

10 GOHRRNM is the expert body of the Government. It coordinates the implementation of NRIS but lacks authority to influence the work of the line ministries more directly.

11 Vlada Republike Hrvatske, *Odluka o osnivanju Povjerenstva za praćenje provedbe Nacionalne strategije za uključivanje Roma, za razdoblje od 2013. do 2020. [Decision on establishing the Commission for monitoring implementation of the National Strategy for Roma Inclusion 2013–2020]*, 4 July 2013., Official Gazette (Narodne novine) No. 86/2013.

12 Vlada Republike Hrvatske, *Rješenje o imenovanju predsjednice, zamjenika predsjednice i članova Povjerenstva za praćenje provedbe Nacionalne strategije za uključivanje Roma, za razdoblje od 2013. do 2020. godine [Decision on the appointment of the President, Vice-President and members of the Commission for monitoring implementation of the National Strategy for Roma Inclusion 2013–2020]*, 3 October 2013, Official Gazette (Narodne novine) No. 125/2013.

13 Ministry of Regional Development and EU Funds; Ministry of Social Policy and Youth; Ministry of Construction and Physical Planning; Ministry of Health; Ministry of Science, Education and Sports; and Ministry of Labour and the Pension System.

the Roma minority, including three Roma women, proposed by Roma institutions and associations. Members of the Commission representing Roma institutions and organizations were appointed at GOHRRNM's proposal, following a public call for the nomination of candidates that was widely circulated among relevant Roma stakeholders. GOHRRNM provides professional and administrative assistance to the Commission.

The Commission is tasked to:

- Conduct systematic monitoring and coordinate the implementation of the National Strategy;
- Propose measures to improve the implementation of the Strategy and the Action Plan for its implementation;
- Draft recommendations, opinions, expert explanations and reports and guidelines related to the implementation of the Strategy;
- Propose amendments to the Strategy and related Action Plan;
- Monitor the distribution and expenditure of the state budget funds allocated for implementing the Strategy; and
- Allocate financial resources for solving problems and improving the living conditions of persons belonging to the Roma national minority.¹⁴

Funding for the work of the Commission is secured from the State budget, at the budget position of GOHRRNM. In the course of 2014, aiming to improve the work of the Commission and strengthen the capacity of its members, primarily those belonging to the Roma minority, GOHRRNM plans to organize several rounds of targeted training with support from the Open Society Foundations – Making the Most of EU Funds for Roma Programme (OSF-MtM).

Involvement of Local/Regional Authorities, Civil Society and Elected Roma Institutions at Local/Regional Level

Experience and some independent analysis of conducting NRIS and national Decade Action Plans in the previous period pointed to the need to strengthen the role and responsibilities of local and regional authorities in the implementation of relevant policy measures, as well as to improve vertical, inter-ministerial and inter-sectoral cooperation.¹⁵ A similar conclusion was reached some time ago by the National Roma Programme Monitoring Commission, stating that the systematic implementation of appropriate measures requires additional efforts and coordination of activities of the state bodies and local and regional authorities.¹⁶ Although it improved over time, participation and contributions by local and regional authorities in the implementation and monitoring of strategic integration measures remained at a relatively low level and were concentrated in particular areas with substantial Roma populations. Representatives of (regional) self-government with greater numbers of Roma, as well as the representative of the Association of the Municipalities in the Republic of Croatia, were included in the National Roma Programme Monitoring Commission,¹⁷ but not in the Decade of Roma Inclusion Action Plan Monitoring Task Force. Generally, in terms of their contribution and participation in the entire process, local and regional authorities are evaluated as “the weakest link”. Their involvement was determined by vaguely defined duties and tasks, and concrete engagement largely depended on their particular interests and was left to their own initiative.

14 Vlada Republike Hrvatske, *Odluka o osnivanju Povjerenstva za praćenje provedbe Nacionalne strategije za uključivanje Roma, za razdoblje od 2013. do 2020.* [Decision on establishing the Commission for monitoring implementation of the National Strategy for Roma Inclusion 2013–2020], Point II.

15 Jagoda Novak, Ivana Faletar and Aron Pecnik, *Provedba Akcijskoga plana Desetljeća za uključivanje Roma za Hrvatsku u periodu 2009.–2010. godina (u kontekstu Okvira za praćenje Desetljeća za uključivanje Roma, UNDP, 2008)* [Implementation of the Action Plan for the Decade of Roma in Croatia in the period 2009 - 2010 (in the context of the Framework for the Decade of Roma Inclusion, UNDP, 2008)], February 2011, 55, available at: http://www.ombudsman.hr/dodaci/584_Integracija%20Roma-kinja%20-%20Centar%20za%20ljudska%20prava.pdf.

16 Povjerenstvo za praćenje provedbe Nacionalnog programa za Rome, *Izvješće o provođenju Nacionalnog programa za Rome za 2007., 2008. i 2009. godinu* [Report on the implementation of the National Programme for Roma for 2007, 2008 and 2009], 10, available at: http://www.uljppnm.vlada.hr/images/pdf/izvjescje_o_%20provodjenju_nacionalnog_programa_za_rome_2007_08_09.pdf.

17 Representatives of Međimurje and Osijek-Baranja counties and the City of Zagreb.

Before the establishment of the National Roma Inclusion Strategy 2013–2020 Monitoring Commission (see Chapter 1 above) Roma organizations and councils of the Roma national minority at local and regional level¹⁸ were involved in the implementation and monitoring of NRIS and Decade Action Plans primarily through their representatives in the National Roma Programme Monitoring Commission and its thematic working groups, and in the Decade of Roma Inclusion Action Plan Monitoring Task Force. As of May 2013, out of 27 members of the Monitoring Commission, nine were chosen among members of Roma organizations and institutions, including four Roma women.¹⁹ At the same time, three male Roma representatives were members of the Decade Monitoring Task Force that had a total membership of eleven.²⁰ With the exception of the elected representatives, most of the Roma organizations and local institutions, particularly those from the socially and territorially most marginalized and less numerous Roma communities, were quite passive and not involved or were unsatisfactorily involved in the design, implementation and monitoring of national integration measures. To some extent, such limited involvement of Roma CSOs was caused by the actual inactivity of a large number of registered Roma organizations and their insufficient human and financial capacities for appropriate action.²¹ In addition, the issue of adequate representation of a wide spectrum of Roma communities and their specific interests in the implementation and monitoring of NRIS seems to be constantly challenged by personal rivalry and the absence of adequate cooperation amongst leaders of various Roma organizations.

The existing gap in inclusive policy planning and partnership with local and regional authorities and Roma organizations in designing the major policy interventions of NRIS was widely recognized by the national authorities. During the process of planning and drafting the National Roma Inclusion Strategy 2013–2020, aiming to overcome this weakness and achieve an appropriate synergic effect, the Government has particularly emphasised the need for further strengthening and establishing functional cooperation between the various stakeholders, including local and regional authorities and Roma organizations.²²

Launched in late 2011, the National Strategy development process secured the participation and involvement of a wide range of relevant local, national and international stakeholders. Local and regional authorities, Roma organizations and non-Roma CSOs participated in relevant discussions, workshops and regional public debates. They were also represented in the working groups that were tasked with elaborating specific areas of intervention. In addition, the transparency and inclusiveness of the Strategy development process was further, although still to a rather limited extent, strengthened by e-consultations with the interested public on the draft Strategy, conducted by GOHRRNM.²³ Similarly, including public consultations via the Internet, representatives of local and regional authorities and Roma organizations participated in the design of the Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015, adopted in April 2013.²⁴ However, it should be noted that a relatively small number of

18 A national minority council at local or regional level is a specific minority institution elected pursuant to the Constitutional Law on the Rights of National Minorities. The councils represent minority interests in their local communities and secure participation of minorities in public life. Furthermore, they have an advisory role in the work of local and regional authorities.

19 See Vlada Republike Hrvatske, "Nacionalni program za Rome – Članovi povjerenstva" [National Programme for Roma – Committee Members], 28 May 2013, available at: http://www.vlada.hr/hr/aktualne teme_i projekti/aktualne teme/nacionalni_program_za_rome/nacionalni_program_za_rome/clanovi_povjerenstva.

20 See Vlada Republike Hrvatske, "Akcijski plan Desetljeća za uključivanje Roma 2005.–2015 – Radna skupina" [Action Plan for the Decade of Roma Inclusion 2005–2015 – Working Group], 28 May 2013, available at: http://www.vlada.hr/hr/aktualne teme_i projekti/aktualne teme/nacionalni_program_za_rome/akcijski_plan_desetljeća_za_ukljucivanje_roma_2005_2015/radna_skupina.

21 For more details see, e.g., Jagoda Novak, Ivana Faletar and Aron Pecnik, *Provedba Akcijskoga plana Desetljeća za uključivanje Roma za Hrvatsku u periodu 2009.–2010. godina (u kontekstu Okvira za praćenje Desetljeća za uključivanje Roma, UNDP, 2008)* [Implementation of the Action Plan for the Decade of Roma in Croatia in the period 2009 - 2010 (in the context of the Framework for the Decade of Roma Inclusion, UNDP, 2008)], 9-10; Jagoda Novak, Aron Pecnik and Bajro Bajrić, *Analiza i smjernice za osnaživanje romskog civilnog sektora u Republici Hrvatskoj* [Analysis and guidelines for Roma civil society capacity building in Croatia], 2012, available at: http://www.ombudsman.hr/dodaci/628_Analiza%20i%20smjernice%20za%20osnazivanje%20kapaciteta%20romskog%20civilnog%20sektora%20u%20RH.doc.

22 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 22–24.

23 For details on e-consultations and comments and suggestions submitted by the interested public, including Roma and non-Roma CSOs and other stakeholders, see "Okončano savjetovanje na nacrt Nacionalne strategije za uključivanje Roma za razdoblje od 2013. do 2020. godine/Očitovanja zainteresirane javnosti" [Completed consultation on the draft National Strategy for Roma Inclusion 2013–2020/Comments by interested public], available at: http://www.uljppnm.vlada.hr/index.php?option=com_content&view=category&layout=blog&id=4&Itemid=80.

24 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, April 2013, available at: <http://www.uljppnm.vlada.hr/images/23102013/action%20plan%20for%20the%20implementation%20of%20nrism%202013-2015.pdf>.

interested stakeholders participated in the above-mentioned public consultations via the internet. For example, from a total of 10 stakeholders that took a part in e-consultations on the draft Action Plan, four were Roma organizations and institutions while local and regional authorities submitted only one response.²⁵

In comparison to the previously applied national Roma integration strategic documents, the Strategy more precisely describes and emphasises the role and tasks of the local and regional authorities and Roma organizations in the implementation and monitoring of the National Strategy and the pertaining Action Plans.

The National Strategy indicates that local and regional self-government units with a relevant number of Roma should:

- participate in the mapping of Roma communities in their territories;
- prepare and adopt local and regional action plans that will be in line with the identified needs and challenges, and appropriately harmonized with the national Strategy and its appertaining Action Plans;
- set up local/regional National Strategy Monitoring Commissions to monitor the implementation of the Strategy in their respective areas;
- set up regional outreach centres for support and information (Romani information centres) in counties with a significant Roma population/sizeable Roma communities;
- collaborate with central administrative bodies on the implementation of the Strategy and participate in the evaluation and revision of the national strategic documents and the planning and creation of revised or new documents;
- conduct measures defined in their local Roma inclusion action plans, and secure and allocate the resources required for their implementation; and
- improve the quality of life and the situation of Roma in their respective local communities by establishing more intensive co-operation with Roma national minority councils and individuals in implementing measures for Roma inclusion.²⁶

According to the Strategy, 33 local and regional self-government units are tasked with preparing and adopting local and regional action plans for its implementation.²⁷ The Strategy states that the preparation of local and regional action plans should involve participation by all stakeholders at the local level, including above all Roma minority councils and representatives, Roma associations and local Roma community members.²⁸

The time-frame for the implementation of the Strategy sets the first quarter of 2013 as the deadline for completing this task.²⁹ However, available information suggests that only four regional self-government units (counties) had adopted their action plans by the end of 2013,³⁰ while one county was in the process of drafting it³¹. Development of two regional action plans in 2013 was supported by technical/operational assistance provided by UNDP Croatia. In this regard, some weaknesses of the 2012 National Strategy are reflected in the fact that specific roles and tasks envisaged for local and regional authorities rather indicate what “should be done” than what “has to be done”. In addition, the Strategy fails to specify the time-frame

25 See *Savjetovanje sa zainteresiranom javnošću – Nacrt Akcijskog plana za provedbu Nacionalne strategije za uključivanje Roma, za razdoblje 2013.–2015.* [Public consultation – Draft Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015], available at: <http://www.uljppnm.vlada.hr/images/01012014/objedinjene%20primjedbe.pdf>.

26 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 129–130.

27 The Strategy states: “Local and regional self-government units where Roma minority members are entitled to elect their councils and representatives will, on the basis of this Strategy and its appertaining/accompanying Action Plans, prepare and adopt local and regional action plans providing for priority measures, agencies responsible for their implementation, and time-frames for the inclusion of Roma minority members and the improvement of their situation at the local level – all in line with the specific needs and challenges that have been identified”, see pages 129–130. In this regard, at the 2011 elections for national minority councils and individual representatives, Roma minority was entitled to elect 18 councils and 15 individual representatives in 12 counties, 13 cities and 8 municipalities.

28 *Ibid.*, 130–131.

29 *Ibid.*, Chapter VI.3 Implementation time-frame, 137.

30 The City of Zagreb and Međimurje, Varaždin and Osijek-Baranja counties.

31 Sisak-Moslavina County.

for performing specific tasks. The sources of funding and exact amounts needed for the fulfilment of tasks are not clearly determined, either. Potentially, this could further strain the already limited budgets of local and regional units and/or jeopardize their role in implementing Roma integration measures envisaged by the Strategy and its pertaining national and local action plans.

As regards the regional Romani information centres, the Strategy foresees their establishment pursuant to decisions passed by the National Strategy Monitoring Commission, on the basis of proposals made by GOHRRNM in co-operation with Roma associations and local and regional self-government units. However, establishment of these centres did not start in 2013. Problems in the functioning of Roma and non-Roma councils of national minorities at the level of local and regional self-government units have, with some exceptions, been present for years. Despite some efforts by the central authorities and progress achieved in the previous period,³² there are examples of inadequate acceptance of their advisory role in the work of local and regional authorities and poor capacities, including insufficient funding of their work.

The Strategy generally reiterates a major role for civil society, including Roma associations and local and regional Roma minority councils, in the accomplishment of Strategy goals. Accordingly, it also emphasizes the requirement for their systematic and appropriate education. The Action Plan 2013–2015 adopted at the national level envisages their contribution to the implementation of a number of measures in the capacity of “the participants in the implementation”. However, their participatory role in the implementation and monitoring of the Strategy and its pertaining national Action Plan remain largely dependent on particular local actions that, *inter alia*, include the adoption of local and regional plans of action and the establishment of local/regional Strategy Monitoring Commissions, as well as setting up the regional Roma information centres. So far, the participatory role of Roma CSOs and local and regional minority councils can only be considered through the involvement of their representatives in the National Strategy Monitoring Commission established at the national level.

Coordination Between Different Layers of Governance

Formal frameworks and effective mechanisms for efficient coordination between the national and local/regional authorities in the implementation and monitoring of the 2003 National Programme for the Roma and the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015 were generally missing. As mentioned above, the participation of local and regional authorities in the processes is considered to be “the weakest link”. Examples of more formal coordination were very rare and mainly related to actions that were carried out in the framework of specific locally implemented EU funded projects. The impression is that governmental institutions at the same or different levels of authority were often not familiar with each other’s implementation of certain Roma integration measures. They usually acted in an uncoordinated manner, e.g. independently and on their own initiative. This significantly worsened the problem of collecting and organizing the appropriate data and information, which additionally hampered integrated monitoring and evaluation of the effects of the implementation of the NRIS and national Decade Action Plans.

The 2012 National Strategy notes that the successful implementation of its objectives and measures requires concerted and co-ordinated action by all implementing partners and other stakeholders, which implies the establishment of mechanisms to ensure well-tuned vertical and horizontal co-ordination and action.³³ It also reiterates that cross-sector collaboration between, *inter alia*, governmental authorities at

32 For example, some financial support from the state budget and training for members of national minority councils, including Roma, and local authorities were provided within the frame of the implementation of the Government Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013.

33 In addition, the Strategy emphasizes that “co-ordination and concerted action needs to be achieved among key stakeholders, including the Government Office for Human Rights and Rights of National Minorities as a focal point for Roma inclusion processes in the Republic of Croatia, governmental administrative bodies, public institutions and services, local and regional self-government units, the civil sector in general and stakeholders from among the Roma minority, including the members of targeted Roma communities. This implies action and co-operation involving efforts by higher and lower structures in ministries and local- and regional-level public institutions and services, top-down and bottom-up initiatives by the Roma community, as well as cross-sector collaboration among stakeholders at all levels.” See Chapter VI.1 Roles of implementing bodies and partners, 128–131.

all levels should be reinforced, to which effect the practice of cross-sector meetings, introduced in 2010, needs to be continued.³⁴ However, it is noticeable that the central mechanism for monitoring the overall implementation of all operational components of the Strategy – the National Monitoring Commission – does not formally involve representatives of local and regional authorities,³⁵ while they used to be represented in the 2003 National Roma Programme Monitoring Commission by three members.

Discrepancies Between Mainstream and Targeted Policies

As one of the 22 constitutionally recognized national minorities in Croatia, Roma are guaranteed specific rights regulated by the 2002 Constitutional Law on the Rights of National Minorities³⁶ and other regulations that regulate the rights of national minorities. In 2003, by adopting the National Programme for Roma, the national government formally expressed and reaffirmed its commitment to providing systematic assistance and support to Roma in Croatia, “deeming that Roma cannot overcome the existing gap on their own and determinedly striving to change the existing situation, with a view to exercising the rights guaranteed by the Constitution and the legal system of the Republic of Croatia, and removing all the forms of discrimination.”³⁷ The targeted Roma integration policies were further strengthened by the adoption of the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015, including the adoption of updated plans of action for 2009–2010 and 2011–2012. These policies, including the 2012 National Strategy and the 2013 Action Plan for its implementation, complemented and are complementing relevant legal provisions and policy measures contained in the mainstream strategic documents.³⁸

In general, the mainstream and targeted policies are mutually harmonized to a large extent. However, certain discrepancies between them may be primarily identified in the area of targeted housing and physical planning policies in segregated Roma settlements.³⁹ The issue mainly refers to a gap that can arise between the targeted measures towards improving general living conditions in these segregated settlements and general policy efforts for social inclusion of the Roma in the wider community and suppressing discrimination against them.⁴⁰ It seems reasonable to ask whether such targeted policies and measures, even unintentionally, contribute to maintaining or deepening social exclusion of members of segregated Roma communities, and to what extent? This is because there is a risk that opportunities for wider social integration of Roma population in marginalized and segregated Roma settlements and for improving their access to various (integrated) public services will remain fairly low despite the improvements in housing and communal infrastructure in segregated Roma communities. Accordingly, the issue may have negative long-term run effects on other targeted and mainstream policies (e.g., those directed towards Roma access to integrated public education and adequate access for citizens to various social and health services) and increase discrepancy between them, as well as raise the question of exercising the right to “adequate housing.”⁴¹ Another example that can be con-

34 *Ibid.*

35 See Vlada Republike Hrvatske, *Rješenje o imenovanju predsjednice, zamjenika predsjednice i članova Povjerenstva za praćenje provedbe Nacionalne strategije za uključivanje Roma, za razdoblje od 2013. do 2020. godine* [Decision on the appointment of the President, Vice-President and members of the Commission for monitoring implementation of the National Strategy for Roma Inclusion 2013–2020].

36 *Ustavni zakon o pravima nacionalnih manjina* [Constitutional Law on the Rights of National Minorities], Official Gazette (Narodne novine) No. 155/2002, 47/2010, 80/2010 and 93/2011.

37 Government of the Republic of Croatia, *National Programme for the Roma*, October 2003, available at: http://www.dijete.hr/en/documents/national-plans-and-strategies/doc_view/221-the-national-program-for-the-roma.raw?tmpl=component.

38 Such as the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013; National Plan for Combating Discrimination 2008–2013; the 2007 Joint Inclusion Memorandum (JIM); the 2008 Joint Assessment of the Employment Policy Priorities of the Republic of Croatia (JAP); National Employment Promotion Plan 2011–2012; Strategy for the Development of Social Welfare in Croatia 2011–2016; National Policy for Gender Equality 2011–2015; National Programme for the Protection and Promotion of Human Rights 2013–2016; National Health Care Strategy 2012–2020, etc.

39 For instance, there was a targeted policy measure implemented in 2011–2013 within the frame of IPA 2008 Roma Support Project – Phase III. The measure/project aimed at improving living conditions in two Roma settlements in the municipalities of Orehovica and Mursko Središće in Međimurje County, by providing access to communal infrastructure and utilities – roads and water and electricity supply.

40 For more about this issue see, e.g., European Union Agency for Fundamental Rights – FRA, *Housing conditions of Roma and Travellers in the European Union: Comparative report*, October 2009, available at: http://fra.europa.eu/sites/default/files/fra_uploads/703-Roma_Housing_Comparative-final_en.pdf.

41 The elements of adequate housing include legal security of tenure; availability of services, materials and infrastructure; affordability; habitability; accessibility; location, allowing access to employment, health, education, child care and other social facilities; and cultural adequacy. *Ibid.*, 13.

sidered in the light of possible discrepancies between the mainstream and targeted policies is the IPA-funded “Extended stay for the pupils of Roma national minority” project implemented in 2013/2014 by Međimurje county authorities and the Roma Education Fund. The component of this project that included ensuring hot meals exclusively for Roma children was met with negative reactions from some parents of non-Roma children.⁴² Some non-Roma parents believe that this targeted measure places Roma children in a privileged and unequal position in comparison to non-Roma children and this belief can lead to a deepening of the existing social gap between Roma and non-Roma children instead of contributing to the opposite process. For this reason, although it should be considered a positive measure towards Roma, it may have a negative impact on the achievement of the de-segregation and integration objectives of the entire project.

Monitoring and Evaluation of the NRIS and Decade Action Plans

The monitoring and evaluation system under the framework of the 2003 National Programme for Roma and the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015 (see Chapter 1 above) was formally established and operational, but proved to be ineffective and not sufficiently systematized and appropriate to provide for the comprehensive consideration and overall review of the implementation of envisaged policy measures in continuum. The system has failed to establish a unified methodology and framework for the uniform collection of data on the activities, specific measures taken and their results and sustainability, as well the financial impact. It was to a large extent dependent on the often fragmented and non-systematised information and data provided by the line bodies of the state administration responsible for implementing and monitoring measures in specific areas of action, such as education, employment, housing and health. Lack or insufficiency of relevant data on the Roma community in some areas of action (e.g. health) – particularly those disaggregated by, *inter alia*, ethnic background, sex and age – was another significant weakness of the system.

By clearly referring to the weaknesses recognized in the monitoring and evaluation of the 2003 National Programme for Roma and previous Decade Action Plans, the 2012 National Strategy envisages the establishment of a robust new system and mechanisms to monitor and evaluate implementation of national Roma integration policies and specific measures. Chapter V of the National Strategy, “Framework for monitoring implementation (progress)”, describes the monitoring framework and mechanisms, as well as the roles of various stakeholders in the monitoring process. With the aim of ensuring appropriate monitoring, evaluation and reporting on the implementation of the 2013–2020 NRIS and, *inter alia*, Roma socio-economic inclusion in the framework of the Europe 2020 process, the Strategy sets specific objectives and definitions of the initiatives aimed at:

- ensuring the collection of statistics on the Roma minority (subject to personal data protection requirements), with a breakdown by gender and age;
- improving the methodology for collecting data on poverty rates, material and social deprivation, education, employment and quality of life among the Roma population;
- improving the methodology for collecting data on health, sanitary habits and other health indicators for the Roma population; and
- improving the methods for monitoring the inclusion, representation and participation of the Roma minority in the social, political and cultural life of the community.

Implementation of measures for the achievement of stated objectives is the responsibility of the line ministries and GOHRRNM in cooperation with the State Bureau for Statistics and relevant research institutions. The core mechanism for monitoring the implementation of the Strategy is the *National Roma Inclusion Strategy 2013–2020 Monitoring Commission* (see Chapter 1 above). Special roles in the monitoring process are assigned to the relevant implementing agencies, GOHRRNM, the Roma community, relevant public institutions and National Strategy Monitoring Commissions established at the level of local and regional

42 See, e.g., Index.hr, “Jesu li u Međimurju zahvaljujući EU romska djeca ‘jednakija od drugih?’ [Are, thanks to EU, Roma children in Međimurje ‘more equal than others?’], 20 November 2013, available at: <http://www.index.hr/vijesti/clanak/jesu-li-u-medjimurju-zahvaljujuci-eu-romska-djeca-jednakija-od-drugih/712467.aspx>.

self-government units and other domestic and international organisations and agencies. In general, overall monitoring of the implementation of the Strategy will be conducted through the reports on the implementation of the accompanying Action Plan. In this regard, GOHRRNM bears responsibility for appointing an expert team to develop a methodology and a uniform reporting format for monitoring the implementation of the Strategy by each line agency, at each implementation level. Pursuant to this, it should be noted that the Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015 specifies appropriate indicators of results, sources of verification data and collection methods, available baseline information, deadlines and funding for each of the respective measures.

The content and implementation of the National Strategy are subject to periodical evaluation and revision. The strategy specifies two evaluations: mid-term evaluation to be conducted in mid-2014; and independent external evaluation in 2015, at the end of implementation of the Action Plan 2013–2015. Regular or extraordinary revision of the National Strategy and/or its accompanying Action Plan may be initiated by the National Monitoring Commission, in accordance with the identified needs. It is envisaged that any revision of the National Strategy would be co-ordinated by GOHRRNM, in co-operation with other national and local stakeholders, including Roma as the target group.

However, apart from the formal establishment the National Roma Inclusion Strategy 2013–2020 Monitoring Commission, not much progress was made in the establishment and functioning of an integrated monitoring system in 2013. For example, due to delays in adopting local and regional action plans for the implementation of the Strategy, respective authorities failed to establish local and regional monitoring commissions within the planned timeframe – by the end of the second quarter of 2013.⁴³

Allocation of Budgetary Resources

Since the adoption of the 2003 National Programme for the Roma, financial resources for its implementation were regularly allocated within the State Budget. In 2004 these resources amounted to 122,000 EUR, while in 2009 they reached the amount of 5,287,400 EUR, including financing from EU funds.⁴⁴ For the implementation of the 2003 National Programme and the Decade Action Plan in 2009–2010 the State Budget has provided about 2.75 million EUR.⁴⁵ In the next biennium, 2011–2012, funds from the State budget allocated for the implementation of the Action Plan increased by almost 50% and amounted to around 3.75 million EUR.⁴⁶ Due to the lack of comprehensive systematic data, the previously mentioned amounts do not include the State budget funds spent for the implementation of the other national strategies aimed at protecting and promoting human rights and improving the quality of life of all citizens, as well as those aimed at protecting and promoting the rights of national minorities. The same applies to funds for the integration of Roma allocated from local and regional budgets, EU funds and other available resources, including relevant international organizations.

The State budget funds intended for the purpose of Roma inclusion were allocated at the budgetary position of the line ministries and other state institutions in charge of the implementation of specific policies and measures under NRIS.⁴⁷ To date, most EU funding and associated financial participation and contributions from the state budget have been spent in the territory of Međimurje County, which is inhabited by almost one third of the entire Roma population of Croatia. While some local Roma communities remained under-supported by appropriate financial means, it can be concluded that the distribution of available EU funding by other counties generally matched the number of local Roma population, with minor vari-

43 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, Chapter VI.3 Implementation time-frame, 137.

44 *Ibid.*, 21.

45 *Ibid.*

46 See Ured za ljudska prava i prava nacionalnih manjina, *Akcijski plan Desetljeća za uključivanje za 2011. i 2012. godinu [Action Plan for the Decade of Roma Inclusion 2011–2012]*, May 2011, 3, available at: http://www.uljppnm.vlada.hr/images/pdf/akcijski_plan_2011_12.pdf.

47 E.g. at the budgetary position of GOHRRNM, Ministry of Construction and Physical Planning, Ministry of Science, Education and Sports, Croatian Employment Institute, etc.

ations.⁴⁸ Some measures, such as the awarding of scholarships for Roma students and co-financing of the parental contribution to the cost of pre-school education by the Ministry of Science, Education and Sports, targeted all Roma (students) throughout the country.

Overall coordination of the ongoing 2014–2020 operational planning and programming process is the responsibility of the Ministry of Regional Development and EU Funds. The process is carried out by the Steering Committee for the development of programme documents through seven thematic working groups (TWG), led by line ministries and composed of representatives of relevant ministries and other relevant stakeholders, including one representative of CSOs in each TWG. It should be noted that such limited representation of (non-Roma) CSO representatives in TWGs does not necessarily ensure adequate representation of the interests of Roma (organizations) and greater transparency of the process.⁴⁹ However, by participating in the work of five TWGs, GOHRRNM actively advocates adequate targeted measures and the mainstreaming of Roma and their needs within the process and contributes to ensuring the introduction of Roma inclusion priorities in the appropriate programme documents.

Several public events to raise the awareness and encourage participation by Roma and non-Roma stakeholders in the process of public consultations on draft planning-programming documents of the Republic of Croatia for the financial period 2014–2020 were organized by interested CSOs and GOHRRNM in late 2013 and early 2014. At one of them, held in mid-January 2014, GOHRRNM presented and promoted translation of the EU-Roma manual “Addressing the needs of Roma in the programming period of the Structural Funds 2014–2020”.

By the end of 2013 participation by Roma organizations in the process of public consultations remained rather limited, mainly due to their undeveloped capacities for action. Strengthening the capacity of Roma organizations remains the subject of thorough planning and improvement that is, *inter alia*, clearly stated in the 2012 National Strategy.⁵⁰ In this regard, it is worth mentioning that the programming for the European Social Fund (ESF) 2013 included two lines for grant contracts to support “Micro-projects for Funding Innovative Actions of Small CSOs on Local Levels” for a total amount of 1 million EUR and “Capacity Building of Civil Society Organisations Active in the Field of Social Services Delivery” for an amount of 2 million EUR.

Long Term Financial Commitment for the Sustainable Implementation of NRIS

The 2012 National Strategy sets out general principles for securing financial means for its implementation by 2020.⁵¹ According to these, relevant funding should be secured from the State and local/regional budgets and available international sources, primarily from IPA and EU cohesion policy instruments. The Strategy notes that funding for each policy measure will be precisely defined in the accompanying Action Plans, with target amounts for each of the implementing agencies included. In terms of viability, *inter alia*, the Strategy emphasizes that special attention needs to be accorded to the processes of drafting the National Reform Programme and 2014–2020, programming, and ensuring that the objectives, measures and activities defined by the Strategy are appropriately incorporated in the relevant documents to provide for a broad spectrum of interventions until 2020.

Although it refers rather to a mid-term commitment, it can be concluded that long-term financial commitment to sustainable implementation of the Strategy was basically/initially confirmed by the adoption of the Action Plan 2013–2015. The Plan envisages the provision of around 6 million EUR in a three-year period or about 2 million EUR annually from the State budget alone.⁵² However, the Plan does not explicitly refer

48 Ljubomir Mikić, *Korištenje fondova EU za integraciju Roma u Republici Hrvatskoj: Iskustva i izazovi [Use of EU funds for Roma inclusion in Croatia: Lessons learned and future challenges]*, November 2013, available at: http://www.center4peace.org/images/PDF/Romi_EU%20fondovi_11%20studeni%202013.pdf.

49 *Ibid.*

50 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, Chapter IV.4.6 Inclusion in social and cultural life, 92–94.

51 *Ibid.*, Chapter VI.2 Financial framework for Strategy implementation, 131–136.

52 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 4.

to the financing of the implementation of measures from EU funds. Potential funding from EU sources over the financial period 2014–2020 is difficult to assess at present (early 2014) bearing in mind that the overall programming process is expected to be completed sometime in June/July 2014.

Access to EU Funds

Facilities for providing non-refundable financial support (matching funds) for non-governmental organizations in the implementation of EU funded projects were established by The Government Office for Cooperation with NGOs and the National Foundation for Civil Society Development. In 2013/2014 the National Foundation for Civil Society Development launched the (pilot) programme “Europe Plus”, intended to facilitate interim financing liquidity of NGOs in the implementation of approved pre-structural and structural EU projects by awarding repayable interest-free means of financial support.

The involvement of Roma CSOs in the implementation of EU funded projects has remained at a relatively low level to date, which has limited their access to non-refundable financial support provided through the above-mentioned facilities established at the national level. Despite good awareness of relevant EU tenders and calls for project proposals, Roma associations submitted a relatively small number of applications and, consequently, obtained relatively small sums from available EU funds. The level of application and use of EU funds by Roma organizations is to a large extent influenced by, *inter alia*, very demanding criteria for the awarding of grants and inability to respect the arcane rules of their use, as well as lack of the ability to prepare competitive applications. Available and analyzed data indicate that only four Roma NGOs participated in the implementation of IPA projects by 2013 – two in the capacity of project leader and two as junior partners.⁵³ It should be noted that the most important individual beneficiary and stakeholder in the withdrawal of IPA funds for projects (services) aimed at the Roma community by 2013 was GOHRRNM. However, some progress was achieved in 2013 under IPA IV component – of 15 projects directly aimed at Roma as end users and 2 projects in which Roma are one of the target groups, six projects involve a total of seven Roma NGOs, all acting as project partners.

53 See Ljubomir Mikić, *Korištenje fondova EU za integraciju Roma u Republici Hrvatskoj: Iskustva i izazovi [Use of EU funds for Roma inclusion in Croatia: Lessons learned and future challenges]*.

2. ANTI-DISCRIMINATION

Registration and Identity Documents

Adequate legal status is an essential prerequisite for ensuring equal access to public services and various rights. However, there are no precise data on the number of Roma who need to sort out their status issues in Croatia. Some recent estimates suggest that 500 to 1,000 Roma in Croatia are *de facto* stateless, while another 1,000 to 2,000 are of unidentified citizenship and at risk of statelessness.⁵⁴ Furthermore, it is roughly estimated that 25% of the current Roma population, mainly those who moved to Croatia more recently, lack personal identity documents or citizenship certificates from their country of origin.⁵⁵ In addition, an unknown number of Roma do not have official residential status in Croatia and/or birth certificates and personal identity documents issued by the respective Croatian authorities. The 2003 National Programme for Roma, *inter alia*, foresaw specific measures to facilitate and assist Roma with long-term residence in Croatia in clarifying their status rights and obtaining personal documentation. Pursuant to the Programme, mobile teams consisting of representatives of relevant line ministries, public bodies and services, including Roma representatives, were established and became active in mid-2004. Consulted by local Roma representatives, the mobile teams conducted field visits to a number of Roma settlements in the counties with the most numerous Roma communities aiming to assess the situation and specific needs of the local Roma population, and to advise and assist them in the registration processes and other relevant matters. Resolving the Roma status issues was assisted by several non-governmental organizations, UNHCR and the Ombudsman,⁵⁶ as well. According to the Ministry of the Interior, 234 persons of Roma origin were granted Croatian citizenship during the period of 30 August 2007 to 4 January 2012,⁵⁷ while 20 Roma individuals obtained citizenship status in 2012.⁵⁸ In 2012, ECRI stated that it understood that this project had been successful and considered that it should be further reinforced and accompanied by the removal of all administrative obstacles, in order to make birth/civil registration and procedures more simple and accessible.⁵⁹

The 2012 National Strategy reiterates the importance of regulating the status of Roma in Croatia in compliance with the legal framework and sets the status solutions as one of main strategic areas of action. It foresees strengthening and expanding the work of mobile teams, as well as forming of multi-disciplinary information counters in all areas inhabited by Roma. The general aim regarding the status solutions is to complete the process (100%) of regulation of citizenship or permanent residence status in accordance with the relevant legal framework and with considerable support from the relevant bodies for all Roma who have a firm tie to the Republic of Croatia (meaning those born in the territory of Croatia, with close family ties and residence in Croatia, being of interest to Croatia and similar) by

54 Lower figures are reported by the Ombudsman of the Republic of Croatia – see Pučki pravobranitelj, *Izvješće o pojavama diskriminacije za 2012. [Report on manifestations of discrimination for 2012]*, June 2013, 43, available at: <http://www.ombudsman.hr/index.php/hr/izvjesca/izvjesca/finish/21-2012/2-izvjesce-o-pojavama-diskriminacije-za-2012-godinu>; while higher figures are reported by the European Commission Against Racism and Intolerance (ECRI) – see ECRI, *ECRI Report on Croatia (fourth monitoring cycle) [CRI(2012)45]*, 20 June 2012, 34, available at: <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Croatia/HRV-CbC-IV-2012-045-ENG.pdf>.

55 See ECRI, *ECRI Report on Croatia (fourth monitoring cycle)*, 33.

56 Eg. in 2009 and 2010 UNHCR and the Office of the Ombudsman realized an IPA funded project “Social Inclusion: Regional support to marginalized communities”.

57 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 103.

58 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 98.

59 See ECRI, *ECRI Report on Croatia (fourth monitoring cycle)*, 33.

2020.⁶⁰ The Strategy sets one of the objectives towards achieving the general goal as ascertaining the number of persons who encounter considerable difficulties in regulating their status through detection by the mobile teams.⁶¹

Raising Public Awareness About suppressing Discrimination and Racism

By adopting the 2008 Law on Combating Discrimination (which came into force on 1 January 2009) Croatia obtained a complete and comprehensive legal act governing the issue of discrimination and the system of its elimination in a unique way.⁶² In accordance with the Law, the Ombudsman has become a central body responsible for combating discrimination. Practical application of the Law was enhanced by the implementation of the 2008 National Plan to Combat Discrimination 2008–2013 and pertaining biannual action plans. Furthermore, *inter alia*, the 2011 Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 envisaged targeted measures for the protection of national minorities, including Roma, from any activity that may endanger the exercise of their rights and freedoms, and for promoting tolerance for diversity and combating discrimination.

Certain measures aimed at combating anti-Roma discrimination and racism, and raising wider public awareness of the unacceptability of discriminatory behaviour and mechanisms for protection were conducted through the implementation of several mainstream and Roma targeted projects. For example, a public anti-discrimination campaign was organized within the framework of the EU-funded (PROGRESS) project “Supporting the Implementation of the Law on Combating Discrimination”, implemented in 2009 and 2010 by the Office of the Ombudsman in cooperation with GOHRRNM and one NGO partner. The campaign included billboards and advertising in electronic media. In 2010 and 2011, GOHRRNM in co-operation with two organizations from Zagreb implemented the EU-funded (PROGRESS) project “Promoting Diversity in the Croatian Labour Market”, which aimed to strengthen the capacities of the key stakeholders in the employment process for identification, prevention and tackling discrimination in the labour market. The project primarily targeted representatives of the employers, the Croatian Employment Service, trade unions and regional co-ordinations for human rights and commissions for gender equality at county level and focused, among other things, on increasing their knowledge of national and EU anti-discrimination policies and national legislation in the area of employment. In 2011 and 2012 the Croatian Employment Service, the Office of the Ombudsman and GOHRRNM jointly implemented the EU-funded (PROGRESS) project “Equally Diverse” aimed at strengthening the capacity of the key labour market stakeholders in combating discrimination, and at developing and promoting good anti-discriminatory practices among employers. The project had a strong and wide anti-discrimination campaigning component that included distribution of promotional materials through various communication channels, promotion through the media, regional roundtable discussions, commemoration of the Day of anti-discrimination and diversity, presentation of the project results at a roundtable discussion and film screening as part of the Human Rights Film Festival in Zagreb. Commemoration of the Day of anti-discrimination and diversity and the Human Rights Film Festival were accompanied by two debates on the status of Roma. In late 2013, the Ministry of Social Policy and Youth launched a national campaign “No to hate speech on the Internet!” (envisaged to last until the end of 2014) aiming at informing and sensitising the public, especially children and young people, about respect for human rights and the negative effects of hate speech.

An example of a Roma-targeted project (although not a sustainable one, owing to the subsequent unsustainability of the institutional structure, the “Romani” Centre for counselling, support and information (CASI “Romani”), that was developed within the framework of the project) is IPA “Better Prospects for Roma Women in the Labour Market” with, *inter alia*, strong community empowerment, awareness raising, outreach and advocacy components. The project was implemented in 2010 and 2011 by the Croatian Employment Institute (CEI) – Regional Office in Zagreb, the City of Zagreb authorities and two NGOs, one of which was a

60 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 110.

61 *Ibid.*

62 *Zakon o suzbijanju diskriminacije [Law on Combating Discrimination]*, Official Gazette (Narodne novine) No. 85/2008 and 112/2012.

Roma women's organization.⁶³ Furthermore, several targeted public awareness-raising measures were conducted under the wider Council of Europe campaign "Enough! Go beyond prejudice, discover the Roma!" that Croatia joined in 2008.⁶⁴

The example of individuals in presidential positions in NRIS cross-sectoral coordinating and monitoring bodies (who were appointed from amongst the Deputy Prime Ministers) provides the best illustration that high-ranking officials have served as role models in promoting respect for Roma (see Chapter 1.1).

However, despite the mainstream and Roma-targeted measures mentioned above, it should be noted that racial or ethnic origin was the most common basis of discrimination about which citizens, particularly those belonging to Roma and Serb communities, complained to the Ombudsman in 2012.⁶⁵ At the same time, although recognizing that significant financial resources have been invested in addressing inequalities faced by Roma in their day-to-day lives,⁶⁶ ECRI states that Roma continue to be excluded from mainstream Croatian society and endure difficult living conditions.⁶⁷ Media coverage of the Roma presents a mixed picture, with a number of examples of reporting on Roma in an extremely negative context. Generally, it is worth mentioning that reducing discrimination against Roma and raising the level of availability and accessibility of free legal aid to them in the forthcoming period are among eight priority policies of the 2012 National Strategy, as well.⁶⁸

Measures for Addressing Institutional Discrimination

Apart from the public awareness measures described in Chapter 2.3, a number of measures to enhance the anti-discrimination system in Croatia were implemented throughout 2012 and 2013. The Office of the Ombudsman and GOHRRNM implemented the IPA-funded project "Establishing a comprehensive system for protection against discrimination" aimed at improving the existing system of protection against discrimination by strengthening the capacities of these two bodies and by informing and training employees in the state and regional administration bodies, at courts and in the state attorney offices and in the public services on the legislative framework of anti-discrimination. A comprehensive system for monitoring discrimination complaints, collecting and monitoring data on equity and further enhancing support to the victims of discrimination was developed within the framework of the project. Throughout 2012 special training for police officers on dealing with hate crimes was continuously conducted and included several hundred trainees (border, traffic and crime police officers and contact police officers in local communities).⁶⁹ In 2013, as the central body for the collection and publication of data on cases of hate crime, GOHRRNM implemented the British Embassy-funded project "Support the Combat against Hate Crimes" which was focused on hate crimes on the basis of ethnicity and sexual orientation.⁷⁰ The project included the organization of two educational seminars for police officers, state attorneys, judges and representatives of non-governmental organizations and two round table discussions.

63 Association of Roma Women of Croatia "Better Future" ["*Bolja budućnost*"] from Zagreb.

64 See Vlada Republike Hrvatske, *Izješće o provedbi Akcijskog plana za provedbu Ustavnog zakona o pravima nacionalnih manjina za razdoblje od 2011.–2013. godine, za 2012. godinu* [Report on the Implementation of the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 for 2012], July 2013, 65–66, available on: <http://www.uljppnm.vlada.hr/images/26072013/izvjescje%20o%20provedbi%20ap-a%20za%20provedbu%20uzpnm-a%20-%20za%202012.pdf>.

65 See Pučki pravobranitelj, *Izješće o pojavama diskriminacije za 2012.* [Report on manifestations of discrimination for 2012], 38–39.

66 "Through its pre-accession programmes, the EU has allocated four million Euros for the achievement of the Decade's main goals in Croatia. In addition, the State budget funds allocated for the implementation of assistance programmes for the Roma have recorded a 14-fold increase since the starting year and amount now to over five million Euros.", see ECRI, *ECRI Report on Croatia (fourth monitoring cycle)*, 33.

67 *Ibid.*

68 The 2012 National Strategy priority policies are: education; employment and economic inclusion; health care; social welfare; physical planning, housing and environmental protection; inclusion in social and cultural life; status resolution, combating discrimination and assistance in exercising rights for the Roma minority; and improvements in statistics gathering.

69 Vlada Republike Hrvatske, *Izješće o provedbi Akcijskog plana za provedbu Ustavnog zakona o pravima nacionalnih manjina za razdoblje od 2011.–2013. godine, za 2012. godinu* [Report on the Implementation of the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 for 2012], 69–70.

70 E-mail correspondence with Aleksa Đokić, OHRRNM: 10 February 2014.

GOHRRNM reported on a number of targeted measures to reduce institutional racism and discrimination against Roma among public authorities and service providers in all four priority areas of the 2005–2015 Decade that were continuously conducted by role ministries within the framework of the Action Plan for the Decade of Roma Inclusion for 2011 and 2012.⁷¹ Implemented measures and their impact in all four priority areas of the Decade are provided in the GOHRRNM Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012, which contains some quantitative and qualitative indicators of progress achieved in comparison to the previous period. In the field of education, the number of Roma children and students in pre-school, primary, secondary and higher education was significantly increased; parental contributions to pre-school education programmes were subsidized; a number of elementary school students were involved in a programme of extended stay in schools; high school students and students in colleges were awarded scholarships; etc. In the field of health, systematic efforts to improve the health of Roma infants and the rate of vaccination among Roma children; implementation of health education for parents and preventive and curative health care measures, as well as the implementation of other measures whose aim was to improve the health and health care of Roma, were continued. Measures for the inclusion of unemployed Roma men and women in the active labour market and policies aimed at recruiting and training unemployed Roma were continued, while special attention was paid to the establishment of a positive climate among employers for hiring unemployed Roma through continuous field visits and informing employment counsellors and employers about the employment opportunities for unemployed Roma. Targeted measures in the area of housing were focused on the co-funding and development of local physical plans for Roma settlements and creating conditions for their integration into functional communal and social infrastructures.

However, some examples of institutional discrimination against Roma were recorded during the reporting period as well. For example, the Ombudsman particularly emphasized a case of negative behaviour by one municipal mayor in the Dalmatian hinterland (the Municipality of Škabrnja), whose statements further encouraged negative behaviour by local citizens towards a Roma family who moved to the area, resulting in the expulsion of the family.⁷² The Ombudsman acted in this case and the competent County State Attorney's Office issued an indictment against the mayor for the criminal offence of racial and other discrimination.

The municipal mayor holds the executive power in the municipality and is the embodiment of local authorities.

The Ombudsman

The 2008 Law on Combating Discrimination introduced the Ombudsman as a central body responsible for combating discrimination in Croatia (see also Chapter 2.2). Although not directly involved in the implementation of measures envisaged by NRIS, within its competences the Ombudsman performs activities and takes measures aimed at combating all forms of discrimination against all citizens, including Roma. The Office of the Ombudsman co-operates closely with GOHRRNM on anti-discrimination matters and, *inter alia*, it took a part in the public consultations via the Internet on the draft Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015.⁷³ The 2012 National Strategy particularly refers to the Ombudsman's reports as source of information for measuring progress towards the Strategy's goal of reducing discrimination of Roma minority by 2020.

The competences of the Ombudsman according to the Law on Combating Discrimination are:

- receiving reports of all the natural and legal persons of reasonable suspicions of discrimination;
- providing necessary information to natural and legal persons that have filed a complaint on ac-

71 Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provođenju Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu* [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012], March 2013.

72 See Pučki pravobranitelj, *Izvešće o pojavama diskriminacije za 2012.* [Report on manifestations of discrimination for 2012], 96.

73 For comments under the public consultations on the draft Action Plan submitted by the Office of the Ombudsman see at: http://www.uljppnm.vlada.hr/images/13012014/b/Ured_puckog_pravobranitelja.pdf.

- count of discrimination with regard to their rights and obligations and to possibilities of court and other protection;
- examining individual reports and taking actions falling within his/her competence required for the elimination of discrimination and protection of rights of discriminated persons in cases where court proceedings have not yet been initiated;
- warning the public about the occurrence of discrimination;
- conducting mediation with the parties' consent with a possibility of reaching an out-of-court settlement;
- filing criminal charges related to discrimination cases to the competent state attorney's office;
- collecting and analysing statistical data on discrimination cases;
- informing the Croatian Parliament about the occurrence of discrimination in his/her annual and, when required, extraordinary reports;
- conducting surveys concerning discrimination, giving opinions and recommendations, and suggesting appropriate legal and strategic solutions to the Government of the Republic of Croatia.⁷⁴

Certain activities to combat discrimination among the duties of the Ombudsman are performed by special ombudsmen when this is regulated by a special law.⁷⁵ The Ombudsman's work particularly focuses on the cases of discrimination based on racial or ethnic origin that was the most common basis according to which the citizens complained to the Ombudsman on discrimination throughout 2012.⁷⁶

An example of the Ombudsman's intervention against discrimination of Roma is the 2010 case of two Roma high-school students from Međimurje whose applications to conduct mandatory practical training within the ordinary course of secondary education were rejected.⁷⁷ In 2011, the Ombudsman interfered in the civil procedure concerning the special lawsuit submitted for determination of discrimination. In 2012, the First Instance Court ruled that this was a case of discrimination and awarded compensation to two Roma victims of discrimination. The judgement was upheld in April 2013 by the Court of the Second Instance, but the compensation was reduced.⁷⁸

The Ombudsman cooperates widely with CSOs. Within the framework of EU funded project "Equally Diverse" (see Chapter 2.2) the Office of the Ombudsman in 2012, *inter alia*, further strengthened cooperation with CSOs at regional and local level and selected five CSOs that have become regional antidiscrimination contact points for the Ombudsman. Cooperation and consideration of further improvements and possible models of cooperation with a broad range of CSOs was also emphasized within the course of the IPA-funded project "Establishing a comprehensive system for protection against discrimination" implemented in 2012 and 2013 (see Chapter 2.3). 14% of the total number of complaints about individual cases of discrimination received by the Ombudsman in 2012 were delivered by CSOs.⁷⁹

Implementation of the European Court of Human Rights Rulings

The European Court for Human Rights has ruled in three cases that involved issues of the racist attacks against Roma in Croatia. In two of the cases (*Beganović v. Croatia* and *Đurđević v. Croatia*) the Court found violations under Article 3 of the European Convention on Human Rights and Fundamental Freedoms by referring to the state's failure to carry out sufficiently thorough and effective investigations in relation to the right to protection from torture or inhuman or degrading treatment,⁸⁰ while in one case (*Šečić v. Croatia*)

74 *Zakon o suzbijanju diskriminacije [Law on Combating Discrimination]*, Article 12.

75 *Ibid.*, Article 13. There are three special Ombudsmen/Ombudspersons in Croatia – the Ombudsperson for Persons with Disabilities, the Ombudsperson for Gender Equality and the Ombudsperson for Children – whose scope of work is stipulated by special laws.

76 See Pučki pravobranitelj, *Izvješće o pojavama diskriminacije za 2012. [Report on manifestations of discrimination for 2012]*, 38.

77 See Pučki pravobranitelj, *Izvješće o pojavama diskriminacije za 2011. [Report on manifestations of discrimination for 2011]*, June 2012, 33–34, available at: <http://www.sabor.hr/fgs.axd?id=21206>.

78 See Pučki pravobranitelj, *Izvješće o pojavama diskriminacije za 2012. [Report on manifestations of discrimination for 2012]*, 44–45.

79 *Ibid.*, 104.

80 See European Court of Human Rights, *Beganović v. Croatia (Application no. 46423/06)*, Judgement of 25 June 2009, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-93258>; *Đurđević v. Croatia (Application no. 52442/09)*, Judgement of 19 July 2011, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-105691>.

the Court ruled on a violation of Article 3 and, together with Article 3, of Article 14 that stipulates the right to enjoyment of the rights and freedoms under the Convention without discrimination.⁸¹ In the latter judgement the Court, *inter alia*, noted that “[...]when investigating violent incidents, State authorities have the additional duty to take all reasonable steps to unmask any racist motive and to establish whether or not ethnic hatred or prejudice may have played a role in the events”⁸² Furthermore, the Court considered it unacceptable “[...] that, being aware that the event at issue was most probably induced by ethnic hatred, the police allowed the investigation to last for more than seven years without undertaking any serious steps with a view to identifying or prosecuting the perpetrators”⁸³ Although just satisfaction awarded to the applicant has been paid within a designated deadline, individual measures are not taken due to the expiration of the statute of limitation for conducting criminal procedures in the respective case.⁸⁴ However, in 2012 the Government reported on several general measures taken to comply with the ruling, namely: translation, dissemination and publication of the ruling; legislative changes of the Criminal Code and the Law on Criminal Procedure; and institutional activities that include establishing of the Working Group for Monitoring Hate Crime Cases, adopting the 2011 Rules of Procedure in Hate Crime Cases, monitoring (track-record) of hate-crime cases, educational activities within the Ministry of Interior conducted by OSCE/ODIHR, preventive campaigns, continuous international cooperation with OSCE/ODIHR, and collection of relevant statistical data.⁸⁵ It is worth mentioning that the Criminal Code,⁸⁶ which entered into force on 1 January 2013, defines hate crime as a crime committed because of racial origin, colour, religion, national or ethnic origin, disability, gender, sexual orientation or gender identity of another person and stipulates that such action, except in cases where the Code expressly stipulates more severe punishment for a particular criminal act, shall be taken as an aggravating circumstance of the offence committed.⁸⁷ In addition, the Code defines the offence of public incitement to violence and hatred as a specific criminal offence against public order.⁸⁸

In 2012, ECRI concluded that racially motivated violence against Roma remained an issue of concern and strongly recommended that Croatian authorities should ensure that all acts of racist violence be promptly and thoroughly investigated with a view to prosecution of the perpetrators.⁸⁹ The Ministry of the Interior registered 18 criminal offences motivated by national, ethnic, racial or religious hatred during 2012, of which two were offences motivated by hatred against Roma, and reported that 18 of a total of 26 offences for which the criminal investigation found that they were motivated by hatred were dealt with over the year.⁹⁰ However, it can be concluded “that officially reported figures concerning racially motivated violence seldom reflect the true picture and should be treated with caution”⁹¹

The 2010 ruling in the case of *Oršuš and others v. Croatia* found, *inter alia*, violation under Article 14 in conjunction with Article 2 Paragraph 1 of Protocol 1 (right to education) of the Convention.⁹² Namely, the Court found indirect discrimination against Roma children due to their placement in segregated Roma-only classes in two primary schools in Međimurje County based on their inadequate command of the Croatian language. Meanwhile, positive developments in eliminating segregated classes and the inclusion of Roma children in the mainstream education system were, *inter alia*, recognized by the relevant bodies

81 See European Court of Human Rights, *Šečić v. Croatia* (Application no. 40116/02), Judgement of 31 May 2007, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-80711>.

82 *Ibid.*, para.66.

83 *Ibid.*, para.69.

84 See Council of Europe, Secretariat of the Committee of Ministers, *Action Report/Communication from Croatia concerning the case Šečić against Croatia* (Application No. 40116/02), 17 April 2012, DH-DD(2012)410, available at: <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2075824&SecMode=1&DocId=1882062&Usage=2>.

85 *Ibid.*

86 *Kazneni zakon [Criminal Code]*, Official Gazette (Narodne novine) No. 125/2011 and 144/2012.

87 *Ibid.*, see Article 87. Paragraph 21.

88 *Ibid.*, Article 325.

89 See ECRI, *ECRI Report on Croatia (fourth monitoring cycle)*, 27.

90 Vlada Republike Hrvatske, *Izveštje o provedbi Akcijskog plana za provedbu Ustavnog zakona o pravima nacionalnih manjina za razdoblje od 2011.–2013. godine, za 2012. godinu [Report on the Implementation of the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 for 2012]*, 68.

91 See ECRI, *ECRI Report on Croatia (fourth monitoring cycle)*, 27.

92 See European Court of Human Rights, *Oršuš and others v. Croatia* (Application no. 15766/03), Judgement of 16 March 2010, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-97689>.

of the Council of Europe.⁹³ However, the Ministry of Science, Education and Sport reported that there was no significant reduction in the number of elementary school classes attended by Roma-only pupils in the biennium 2011/2012, mainly due to the increase in the overall number of Roma students, their more regular school attendance and higher pass rates.⁹⁴ At the same time, the Ombudsman emphasizes that the segregation of Roma elementary school students in Međimurje deserves further attention and continuous action due, among other things, to the attempts of local majority citizens to prevent Roma children from attending pre-school programmes in 2012.⁹⁵

The Law on Combating Discrimination contains provisions that are in accordance with the EU Race Directive, the Employment Equality Directive and relevant gender equality directives.⁹⁶ It allows for joint legal action for protection against discrimination (collective complaint)⁹⁷ and stipulates seven special forms of discrimination, including segregation.⁹⁸

Protection of Roma Children

The issue of the protection of Roma children as a specific vulnerable group received special attention particularly in the Decade priority fields of education and health. In this regard, a number of positive measures towards the improvement of the state and integration of Roma children and pupils were taken within the framework of the Action Plan for the Decade of Roma Inclusion for 2011 and 2012 (see Chapter 2.3).

Since the adoption of the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015 the number of Roma children in pre-school education increased from 350 in the 2005/2006 school year to 811 at the beginning of the 2012/2013 school year, while at the same time the number of Roma children enrolled in primary education increased from 1,013 to 5,173 pupils.⁹⁹ In the 2012/2013 school year, 23 Romani teaching assistants in primary education were provided by the line ministry and two more were engaged and paid by local authorities.¹⁰⁰ A total of 700 Romani primary school students in seven counties were provided with assistance in learning Croatian in the 2011/2012 school year.¹⁰¹ At the level of secondary education, 480 Roma high-school pupils were given scholarships in the 2012/2013 school year, while in the 2011/2012 academic year scholarships were given to 29 Roma students at the level of higher education.¹⁰² It should be pointed that for the 2012/2013 school year students received their scholarships only in May 2013, which created many financial difficulties for them. However, it should also be mentioned that the awarded scholarships were not counted as special income of Roma families and, thus, did not jeopardize the exercise of their social welfare rights. The line ministry reported that envisaged measures aimed at creating preconditions for greater involvement of Roma parents in supporting their children in learning and more regular at-

93 See, e.g., Council of Europe, Committee of Ministers, *Resolution CM/ResCMN(2011)12 on the implementation of the Framework Convention for the Protection of National Minorities by Croatia*, 6 July 2011, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1812557&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383>; Council of Europe, Committee of Ministers, *Supervision of the execution of the judgment in the case of Oršuš and others against Croatia*, 2 November 2011, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1862497&Site=COE>.

94 Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provođenju Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, 1.

95 See Pučki pravobranitelj, *Izvešće o pojavama diskriminacije za 2012. [Report on manifestations of discrimination for 2012]*, 44.

96 See *Zakon o suzbijanju diskriminacije [Law on Combating Discrimination]*, Article 1.a. The Article explicitly underlines compliance of the Law with the Council directives 2000/78/EC, 2000/43/EC, 2004/113/EC and with the Parliament and the Council Directive 2006/54/EC.

97 *Ibid.*, Article 24.

98 *Ibid.*, Article 5. The other six special forms of discrimination are: direct and indirect discrimination (Article 2), harassment and sexual harassment (Article 3) and encouragement to discrimination and failure to make reasonable adaptation (Article 4). Further on, the Law defines more serious forms of discrimination as multiple, repeated and continued discrimination (Article 6) and protection from victimization (Article 7).

99 Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provođenju Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, 3.

100 *Ibid.*, 19–20.

101 *Ibid.*, 23–24.

102 *Ibid.*, 3.

tendance were not carried out due to lack of funding.¹⁰³ Under the IPA IV call for proposals “The integration of disadvantaged groups into the regular education system”, the implementation of 12 projects directly aimed at the education of Roma children and two projects that include Roma children as one of the target groups were launched in August 2013. The 2013 IPA IV projects are implemented by pre-school, primary school and public university institutions, national and foreign NGOs and self-government units, with the participation of 6 Roma NGOs in the capacity of partnering organizations in 5 projects.¹⁰⁴

In the field of health, a noticeable shift in vaccination cover of pre-school children living in Roma settlements was noted and according to the reports of selected primary care physicians it almost reached overall coverage of vaccinated non-Roma children.¹⁰⁵ Field medical teams conducted visits to Roma settlements to raise awareness of the importance of vaccination among parents of unvaccinated children and to invite unvaccinated children to receive vaccination. Field medical teams cooperated, *inter alia*, with county institutes of public health and social welfare centres, hospitals, epidemiological services, general practitioners and paediatricians. Children who were not vaccinated regularly before they had reached school age were vaccinated afterwards according to the current programme of compulsory vaccination.¹⁰⁶

Addressing Multiple Discrimination Faced by Roma Women

Issues of marginalization of Roma women and their greater exposure to discrimination were generally emphasized in the 2003 National Programme for the Roma. The 2012 National Strategy reiterates and elaborates in more detail the problem of the greater social exclusion of Roma women in comparison to Roma men and other women from the overall population. Roma women are exposed to (multiple) discrimination based on their ethnicity, gender and social status, while their exclusion is reflected in all four priority fields of the Decade, as well as in access to social welfare and aid, financial services and participation in public and political life.¹⁰⁷ Generally, it can be concluded that Roma women continue to experience multiple discrimination both from mainstream society and from the members of their own communities,¹⁰⁸ particularly in marginalized and non-urbanized communities. In this regard, the 2012 National Strategy envisages a number of measures to address the complexity of marginalization as well as multiple discrimination against Roma women. Specific measures for the improvement of Roma women’s status were envisaged in some national mainstream policy documents including, for example, the National Policy for Gender Equality 2011–2015.¹⁰⁹

Targeted measures conducted within the framework of the 2003 NRIS and accompanying Decade Action Plans were focused on the improvement and empowerment of the position of Roma women in the fields of education, employment and health. However, the 2012 National Strategy concludes that the status of Roma women has not changed despite the fact that the Decade of Roma Inclusion is now in its eighth year.¹¹⁰ Similarly, while emphasizing that attention towards conditions of Roma women has increased over the past decade, some independent researchers concluded that the improvement of Roma women’s situation in recent years was very low, partly due to the barriers Romani women face in accessing public life and in participating in the policy-making process.¹¹¹ Analysis of the experience and insights gained through implementation of the meas-

103 *Ibid.*

104 Milena Babić, “Korištenje IPA Fondova za poboljšanje položaja romske zajednice u Hrvatskoj” [Use of IPA funds for improving the situation of the Roma community in Croatia] (PowerPoint presentation, public event “Use of EU funds for Roma inclusion in Croatia: Lessons learned and future challenges”, Zagreb, 4 October 2013).

105 Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provođenju Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu* [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012], 4.

106 GOHRRNM, *Roma Decade Progress Report 2012, 2013, 12*, available at: <http://www.uljppnm.vlada.hr/images/pdf/croatia%20%20roma%20decade%20progress%20report%202012.pdf>.

107 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 76–78.

108 See, e.g., Niall Crowley, Angela Genova and Silvia Sansonetti, *Country Report on Croatia, Empowerment of Romani Women within the European Framework of National Roma Inclusion Strategies – Study* (Brussels: European Parliament, 2013), 7, available at: [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/493020/IPOL-FEMM_ET\(2013\)493020_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/493020/IPOL-FEMM_ET(2013)493020_EN.pdf).

109 *Nacionalna politika za ravnopravnost spolova, za razdoblje od 2011. do 2015. godine* [National Policy for Gender Equality 2011–2015], 15 July 2011, Official Gazette (Narodne novine) No. 88/2011.

110 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 76.

111 See Niall Crowley, Angela Genova and Silvia Sansonetti, *Country Report on Croatia, Empowerment of Romani Women within the European Framework of National Roma Inclusion Strategies – Study*, 7–8.

ures under the 2003 NRIS and accompanying Decade Action Plans indicate the particular exclusion of Roma women from the active creation, implementation and evaluation of interventions.¹¹² Therefore, the 2012 National Strategy envisages paying particular attention to spurring more active involvement by both Roma women and men, particularly those from marginalized and deprived Roma communities, in relevant NRIS activities.

Tackling Human Trafficking

The 2012 National Strategy recognizes and emphasizes the potential risk of Roma girls and women becoming victims of human trafficking.¹¹³ It further states that Roma women are additionally exposed to the risk of becoming victims of human trafficking due to their poorer socio-economic status, lower education and high unemployment rates and suggests that the risk may be even increased in light of Croatia's accession to the European Union, due to the opening of state borders and reduced control over the passage of persons from one country to another. By referring to Roma women associations' opinions, the Strategy stresses that Roma often become victims of human trafficking for the purpose of coerced marriage of minors and aggressive begging. In this regard, the Strategy prescribes the special goal and actions of enhancing the capacity of local Roma communities to recognize the risks of exposure to human trafficking, sexual exploitation and other forms of violence with emphasis on women and children.

Strategic goals and measures towards combating human trafficking are contained in the 2012 National Plan for Combating Trafficking in Human Beings 2012–2015.¹¹⁴ The National Plan envisages a variety of measures divided into eight thematic areas of action: normative framework; identification of victims; detection, prosecution and punishment of the perpetrators of the crime of trafficking in human beings; assistance to and protection of victims; prevention; education; international cooperation; and coordination of activities.¹¹⁵ During the implementation of the previous National Plan for Combating Trafficking in Persons 2009–2011 great attention was paid to new trends in human trafficking and it was reported, *inter alia*, that the number of Roma victims had increased over the past four years and that related behaviours associated to trafficking in human beings were identified.¹¹⁶ Consequently, it was concluded that attention should be paid to the victims belonging to the Roma minority and to direct preventive actions to increase awareness amongst Roma about the various forms of trafficking.¹¹⁷

The Ministry of the Interior collects and presents annual statistics on the number of identified victims by nationality (citizenship), but not by ethnicity, which may point to the need for ethnically disaggregated data collection.¹¹⁸ However, the Ministry states that through the relevant ministries, the Croatian Red Cross and relevant NGOs it has initiated the provision of adequate assistance and protection, including regulating the status of residence in the Republic of Croatia and safe return to the country of origin if the identified victim is a foreign national, to all identified victims of trafficking.¹¹⁹

Non-Discrimination of EU Citizens of Roma Ethnic Origin Based on Nationality

The Republic of Croatia became a fully fledged EU member state on 1 July 2013. Since then, EU rules on free movement are equally guaranteed to all Croatian and other EU member states' citizens. So far, no cases

112 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 24.

113 *Ibid.*, 77.

114 Vlada Republike Hrvatske, *Nacionalni plan za suzbijanje trgovanja ljudima za razdoblje od 2012. do 2015. godine [National Plan for Combating Trafficking in Human Beings 2012–2015]*, 2012, available at: http://www.mup.hr/UserDocImages/nacionalni_programi/trgovanje_ljudima/2012/NACIONALNI%20PLAN%20FINALNO.pdf.

115 *Ibid.*, 3.

116 Ured za ljudska prava i prava nacionalnih manjina, *Izješće o provedbi Nacionalnog plana za suzbijanje trgovanja ljudima za razdoblje od 2009. do 2011. godine, za 2011. godinu [Report on the implementation of the National Plan for Combating Trafficking in Persons 2009–2011 for 2011]*, 2012, 30, available at: http://www.uljppnm.vlada.hr/images/pdf/izvjescje_za_2011god.pdf.

117 *Ibid.*

118 See Ministarstvo unutarnjih poslova Republike Hrvatske, "Trgovanje ljudima" [Human Trafficking], available at: <http://www.mup.hr/31.aspx>.

119 *Ibid.*

of particular discrimination based on nationality of EU citizens from other member states, including Roma who are EU citizens of other member states, in exercising their right of free movement guaranteed by EU and national regulations have been evidenced or reported.

Measures Towards Immigrants of Romani Origin

The status of immigrants of Romani origin and relevant targeted measures and their impacts are discussed in Chapter 2.1.

However, it can be added that most Roma immigrants in Croatia who face problems in regulating their legal residential status and Croatian citizenship originate from other ex-Yugoslav federal units (former republics). Some of them, who have resided in Croatia for a long time, including some who were born in Croatia during the existence of the former Yugoslavia or even later, have not been able to regulate their status appropriately under the relevant Croatian regulations. This problem does not affect only persons of Roma ethnic origin but also some other former Yugoslav citizens of non-Croat ethnic origin, such as Serbs and Bosnians. Although the 2003 National Programme for Roma foresaw specific measures to facilitate and assist primarily Roma with long-term residence in Croatia (e.g. 20 years or more) in regulating their status rights and obtaining personal documentation, the requests for the resolution of status of persons who came to the Republic of Croatia from neighbouring countries and do not have documented residence in Croatia, or persons seeking resolution of their status in the Republic of Croatia although they currently reside abroad, were also evidenced.¹²⁰

It should be noted that foreigners may be granted Croatian citizenship by naturalisation if they fulfil a set of criteria stipulated by the Law on Croatian citizenship, including that they have been released from foreign citizenship or have evidence that they would be released if admitted to Croatian citizenship and that they have been registered with the status of permanently residing foreigner in Croatia for eight years continuously before submission of the application has been approved.¹²¹ With regard to the regulation of legal residence or citizenship status the same rules apply to immigrants of Romani origin as to other non-EU migrants in a comparable situation.

In 2013 the Migration Policy of the Republic of Croatia for the period 2013–2015 was adopted.¹²² The Policy establishes measures to be implemented in the areas of visa policy, status of foreigners, acquiring Croatian citizenship, asylum, integration policies, irregular migration etc. but makes no specific references to Roma, similarly to the Action Plan for the Removal of Obstacles to the Exercise of Particular Rights in the Area of Integration of Foreigners 2013–2015.¹²³

Adequate schemes of mobility management between “sending” and “receiving” localities have not been developed so far.

Solutions for Stateless, Refugee and Internally

Displaced Persons of Romani Origin

The figures on stateless persons of Romani origin and information on relevant targeted measures and their impacts are discussed in Chapter 2.1.

120 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 105.

121 *Zakon o hrvatskom državljanstvu [Law on Croatian citizenship]*, Official Gazzete (Narodne novine) No. 53/1991, 70/1991, 28/1992, 113/1993, 4/1994 and 130/2011.

122 Republika Hrvatska, *Migracijska politika Republike Hrvatske za razdoblje 2013. - 2015. godine [Migration Policy of the Republic of Croatia for the period 2013–2015]*, 22 February 2013, Official Gazzete (Narodne novine) No. 27/2013.

123 GOHRRNM, *Action Plan for the Removal of Obstacles to the Exercise of Particular Rights in the Area of Integration of Foreigners 2013–2015*, July 2013, available at: http://www.uljppnm.vlada.hr/images/30092013/Integration_Action_Plan.pdf.

According to UNHCR estimates there are 674 refugees and no displaced persons in the Republic of Croatia as of 30 June 2013.¹²⁴ UNHCR data on the number of refugees are divided by country of origin, but not by ethnicity, so the possible number of refugees of Romani origin is hard to estimate.

It should be noted that over the past few years there has been a general increase in the number of legal and illegal migrants as well as asylum seekers in the Republic of Croatia. For example, there were 290 asylum seekers registered in 2010; 807 in 2011; 1,194 in 2012; and 716 over the first half of 2013.¹²⁵ However, by the end of 2013 only 106 persons had been granted international protection in Croatia – 57 persons were granted asylum status and 49 “subsidiary” protection.¹²⁶ Regarding this “subsidiary” protection, the Law on Asylum stipulates that “subsidiary protection shall be granted to an alien who does not fulfil conditions for being granted asylum, but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his/her country of origin, would face a real risk of suffering serious harm and who is unable, or, owing to such risk, is unwilling to avail himself/herself of the protection of that country.”¹²⁷

AN EXAMPLE OF REGULATION OF PERMANENT RESIDENCE STATUS

R.N. was born in 1984 in Nova Gradiška (the Republic of Croatia) and is currently living in Sisak. Her father was born in 1960 in Bosnia-Herzegovina (BiH). Her mother was born in 1966 in Sisak, and is a citizen of Croatia. Due to the place of birth of her father, a note had been recorded in the Croatian Register of Citizens that R.N. was a citizen of BiH. However, that note has never been introduced and recorded in the Register of Citizens of BiH. R.N. had been living in Croatia for years as a stateless person, without any official document with photo.

In order to resolve her status in Croatia, R.N. sought assistance with the civil society organization (CSO) Civil Right Project (CRP) in Sisak. CRP is officially registered as an organization that provides free legal advice and assistance to citizens in need and when required cooperates with similar CSOs in BiH. During a check on the citizenship status of R.N.'s father in the Register of Citizens of BiH, it was found that neither he nor his parents were registered in the BiH Register. Therefore, R.N. was not able to obtain the right of subsequent registration in the Register of Citizens of BiH so that she could settle her civil status in BiH and request issue of a BiH passport. By obtaining a BiH passport R.N. would then be able to commence the procedure for regulating her status in Croatia as a foreigner with residence.

After having carried out the check in BiH, in 2011, in behalf of R.N., CRP submitted a request to the respective bodies of the Republic of Croatia for approval of temporary residence on humanitarian grounds. The status was approved. and so far R.N. has extended it three times. CRP continued with the process, and in January 2014 R.N. was informed that she was granted the status of a foreigner with permanent residence in Croatia. By obtaining the status of foreigner with permanent residence, R.N. wins the opportunity, in accordance with the current legislation, to apply for Croatian citizenship through naturalization. One of the main conditions for obtainment Croatian citizenship through naturalization is that the foreigner who submits the request for citizenship has to live in Croatia continuously with recorded residence for 8 years and has the status of foreigner with permanent residence in order to gain the right to apply for citizenship.

continued on p.46

124 UNHCR, *Estimate of Refugees and Displaced Persons still seeking solutions in South-Eastern Europe, As at 30 June 2013*, available at: http://www.unhcr.hr/media/com_form2content/documents/c2/a56/f9/SEE_EstimateOfRefIDPs_MapA3LC_30-06-2013.pdf.

125 Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o radu Stalnog povjerenstva za provedbu integracije stranaca u Hrvatsko društvo za 2013. godinu* [Report of the Permanent Commission for the Implementation of the Integration of Foreigners into Croatian Society for 2013], January 2014, 2, available at: <http://www.uljppnm.vlada.hr/images/izvjescje%20o%20radu%20stalnog%20povjerenstva%20-%202013.pdf>.

126 *Ibid.*

127 *Zakon o azilu* [Law on Asylum], Official Gazette (Narodne novine) No. 79/2007, 88/2010 and 143/2013, Article 7.

Although positive, the case presented above shows, at least to some extent, how demanding, complex and financially burdening it can be to deal with the status issues of Roma in Croatia. Since most often it affects uneducated and deprived Roma people, resolving status issues of Roma depends to a large extent on the availability and accessibility of the appropriate informative, financial and technical, and free legal assistance. This, especially in view of the number of the potential beneficiaries and their segregation and physical dispersion, remains a huge problem.

3. EDUCATION

School (De)Segregation

The National Roma Inclusion Strategy 2013–2020 points to the non-enforcement of measures to prevent segregation as one of the biggest problems in the primary school education of Roma.¹²⁸ The case of *Oršuš and others v. Croatia* has raised the issue of Roma segregation in education and directly influenced the competent institutions to devote much more attention to this problem (see Chapter 2.5). Meanwhile, certain positive de-segregation developments were observed by both national and international stakeholders in this regard.

Core de-segregation measures that have been conducted in Međimurje for several years include: pre-school programmes for all Roma children with transport and board secured, Croatian language instructions and extended boarding programmes, professional training for teachers and work with parents. However, de-segregation of Roma pre-school and elementary school pupils remains one of the challenges, particularly in Međimurje County. Therefore, abolishing all classes attended solely by Roma children by 2020 is set as one of specific aims of the National Roma Inclusion Strategy.¹²⁹ Towards accomplishing this aim the Action Plan 2013–2015 envisages the Ministry of Science, Education and Sport adopting an ordinance on the prevention of segregation in education and on de-segregation modalities.¹³⁰ Wide discussion amongst local and national Roma and non-Roma stakeholders on (de)segregation in education was one component of the “De-segregation – practical aspects of strategic objectives” seminar organized by GOHR-RNM and the European Roma Rights Centre (ERRC) in December 2013 in Zagreb.¹³¹

The problem of segregation in education is particularly evident in the pre-school institutions and elementary schools that are located in areas of the county with a higher concentration of Roma population, in the vicinity of settlements or parts of settlements exclusively or to a large extent inhabited by Roma. In Međimurje County there are 12 of these, so called, “Roma” settlements.¹³²

Although the available data are relatively difficult to compare over time due to the difference in scope and methodology of their presentation and their systematic collection,¹³³ it generally appears that measures for de-segregation in education have not yielded practical results over the past ten years. The data for the 2001/2002 school year, for example, showed that 511 out of total of 865 Roma elementary school pupils in Međimurje County were assigned to 24 segregated classes in four schools.¹³⁴ Ten years later the competent authorities reported that at the beginning of the 2012/2013 school year Roma students in Croatia were allocated to a total of 2,028 classes, out of which 1,978 were mixed and 50 were segregated.¹³⁵

128 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 40.

129 *Ibid.*, 47.

130 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 12.

131 Seminar was organized within the framework of ERRC’s “Dare Net Project: De-segregation and Action for Roma in Education–Network”.

132 UNDP, *Atlas romskih naselja u Međimurskoj županiji [Atlas of Roma settlements in Međimurje County]*, 2014, available at: <http://www.hr.undp.org/content/dam/croatia/docs/Research%20and%20publications/socialinclusion/UNDP-HR-ATLAS-ROMA-MEDJIMURJE-2014.pdf>.

133 E.g. Systematic monitoring of the number of Roma-only classes has been carried out since the 2008/2009 school year. See National Roma Programme Monitoring Commission, *Report on the Implementation of the National Programme for Roma for 2007, 2008 and 2009*, 73.

134 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 41.

135 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 12.

The existence of segregated “Roma” classes was recorded in four counties: Sisak-Moslavina County (2 classes), Varaždin County (5 classes), Koprivnica-Križevci County (4 classes) and Međimurje County (39 classes).¹³⁶ In the 2012/2013 school year the total number of segregated classes in Croatia fell by two in comparison to the school year 2011/2012.¹³⁷ Recent data on 2013/2014 pre-school education in Međimurje County show that pre-school care and education programmes are implemented by 15 nursery schools and 5 elementary schools with a total of 289 children divided into 39 educational groups – 33 mixed and 6 groups attended by only Roma children.¹³⁸ However, it should be mentioned that one of the problems associated with the statistical data relates to the methodology used for determining the number of segregated and integrated (“mixed”) classes. More specifically, the question is whether a majority “Roma” classes with, for example, one or two non-Roma students should be considered as an integrated or segregated class. Clear criteria on this issue have not yet been established.

According to the observations of interviewed representatives of the Međimurje County authorities, the number of classes attended solely by Roma pupils is constantly rising and nowadays is higher than at the time of the 2010 European Court for Human Rights judgement in the case of *Oršuš and others v. Croatia*. Bearing in mind the age structure of the Roma population in Croatia¹³⁹ and increasing participation by Roma children in pre-school and primary school programmes, especially in areas with numerous Roma communities, it seems that the trend of an increasing number of segregated classes will continue. This trend potentially leads to the creation of segregated “Roma” schools, too.¹⁴⁰ Interviewed Roma and non-Roma stakeholders conclude that the quality of education in predominantly “Roma” classes in Međimurje is of poorer and declining quality and overall education criteria in comparison to “mixed” or “non-Roma” classes. Due to the lower quality of education in predominantly “Roma” classes non-Roma parents often transfer their children to other classes or schools, which contributes to the establishment of a purely “Roma” classes and further segregation in education. Further on, attitudes of interviewed Roma parents indicate that the widespread animosity and distrust of the majority population towards Roma additionally contribute to educational segregation in Međimurje.

Inclusive Education

The National Roma Inclusion Strategy 2013–2020 concludes that the greatest results in the implementation of previous (2003) NRIS were achieved in the field of the inclusion of Roma children in the education system.¹⁴¹ Despite the fact that certain measures aimed at inclusive education and de-segregation in education were on the agenda of relevant inclusion strategic documents, inclusive education was not discussed and elaborated in all of its complexity as a specific matter in particular. With regard to the ethnically inclusive education the 2013–2020 Strategy refers, *inter alia*, to the intention of establishing a system of support for educational institutions for the development of educational programmes and the application of educational practices that will ensure adequate preparation of children for school and the conditions for genuine social integration while respecting diversity in the multicultural milieu by 2015.

The adoption and the starting of the experimental implementation and monitoring of the Civic Education Curriculum in August 2012 was a rather significant step towards the promotion of inclusive education and non-discrimination. The Curriculum, *inter alia*, contains the intercultural dimension which predicts the development of a cultural identity and intercultural competences, as well as mutual understanding and respect between minorities and majority populations and their distinctive cultures. Based on the decision

136 See Ured za ljudska prava i prava nacionalnih manjina, *Izveštće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu* [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012], 20–22.

137 *Ibid.*, 20.

138 See UNDP, *Atlas romskih naselja u Međimurskoj županiji* [Atlas of Roma settlements in Međimurje County].

139 The 2011 State Census results show that children under 15 years of age make up 15.23% of the population of the Republic of Croatia, while this proportion among Roma population is 44.65%. Source: Croatian Bureau of Statistics.

140 In the school year 2013/2014 Roma children make up more than 50% of the entire number of student in four elementary schools in Međimurje: Macinec (73,20%), Kuršanec (70,77%), Pribislavec (59,93%) and Orehovica (58,84%). See UNDP, *Atlas romskih naselja u Međimurskoj županiji* [Atlas of Roma settlements in Međimurje County].

141 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 38.

of the Minister of Science, Education and Sports the Curriculum is experimentally implemented in twelve primary and secondary schools during the 2012/2013 and 2013/2014 school years. Schools with recorded segregated classes in the 2012/2013 school year are not included in the experimental programme. However, one of the experimental schools is located in Međimurje County – the 3rd Elementary School in Čakovec. Starting from the 2014/2015 school year Civic Education is envisaged to become a compulsory subject in all primary and secondary schools in Croatia.¹⁴²

In 2012 and 2013, the Croatian Education and Training Agency provided various forms of professional training, expert assistance and guidance to educational workers engaged in the education of Roma students. In 2012 the Agency held 13 expert meetings for 1,075 teachers engaged in Roma education,¹⁴³ while 13 more meetings for 532 teachers were organized in 2013. Specific training sessions on, for example, individualization and adaptation of language and mathematics teaching content and on the principles of Croatian language teaching in the context of communication and the humanistic model of education were organized for primary school teachers in Međimurje County.¹⁴⁴

Since July 2010, the Law on Education in Primary and Secondary Schools¹⁴⁵ has obliged schools to provide special assistance for children who do not know or do not have insufficient knowledge of the Croatian language.¹⁴⁶ Data from the Ministry of Science, Education and Sports indicate that 14.5% of Roma elementary schools pupils in the 2011/2012 school year and 12.8% of them in the 2012/2013 school year were provided with special assistance in learning Croatian.

Although envisaged, the curriculum of Romani language and culture for elementary school students has not yet been accredited by the Ministry of Science, Education and Sports. Thus, the minority right stipulated by the Law on Education in Minority Languages¹⁴⁷ to school education in minority languages used by Roma in Croatia, either Romani Chib or Bajashi (Old-Romanian), remains unrecognized and unexercised. Teaching of Roma related content is mainly conducted by Roma associations through special types of non-institutional education (summer and winter schools), co-financed from the State budget. In the 2012/2013 school year, 162 students attended special types of education that were implemented by three Roma associations.¹⁴⁸ Content related to Roma history and culture remains largely inaccessible and invisible in mainstream education. In this regard, for example, the Roma National Council supports and advocates for the appropriate inclusion of content and information about the sufferings of Roma and the genocide perpetrated against Roma (*Porajmos*) during World War II in the regular school curriculum.¹⁴⁹ However, with regard to the promotion of inclusive education efforts it can be mentioned that linking the Decade of Roma Inclusion success in education with EU education policy and the status of the Romani language, as well as linking historical experiences of Roma in Europe with the advancement

142 On 25 April 2014 the Ministry of Science, Education and Sports opened via the Internet a one-month public consultation on the Draft Programme and Curriculum for Civic Education in Primary and Secondary Schools.

143 See Vlada Republike Hrvatske, *Izveštje o provođenju Ustavnog zakona o pravima nacionalnih manjina i o utrošku sredstava osiguranih u državnom proračunu Republike Hrvatske za 2012. godinu za potrebe nacionalnih manjina* [Report on the implementation of the Constitutional Law on the Rights of National Minorities and the expenditure of funds allocated from the state budget of the Republic of Croatia for national minorities in 2012], July 2013, 18, available at: <http://www.uljppnm.vlada.hr/images/26072013/izvjescje%20o%20provedbi%20uzpnm-a%20-%20za%202012.pdf>.

144 See Vlada Republike Hrvatske, *Izveštje o provedbi Akcijskog plana za provedbu Ustavnog zakona o pravima nacionalnih manjina za razdoblje od 2011.–2013. godine, za 2012. godinu* [Report on the Implementation of the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 for 2012], 23.

145 *Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi* [Law on Education in Primary and Secondary Schools], Official Gazette (Narodne novine) No. 87/2008, 86/2009, 92/2010, 105/2010, 90/2011, 5/2012, 16/2012, 86/2012, 126/2012 and 94/2013.

146 *Ibid.*, Article 43.

147 *Zakon o odgoju i obrazovanju na jeziku i pismu nacionalnih manjina* [Law on Education in Minority Languages], Official Gazette (Narodne novine) No. 51/2000 and 56/2000.

148 See Vlada Republike Hrvatske, *Izveštje o provedbi Akcijskog plana za provedbu Ustavnog zakona o pravima nacionalnih manjina za razdoblje od 2011.–2013. godine, za 2012. godinu* [Report on the Implementation of the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 for 2012], 26–27.

149 For example, under the 2012/2013 Croatian presidency of the Decade of Roma Inclusion the Roma National Council initiated and organized the international conference “Linkage of the historical experience of Roma in Europe with the promotion of tolerance and non-discrimination of Roma”. The Conference was held on 23 and 24 May 2013 and, inter alia, resulted in the adoption of “Jasenovac Declaration”. Text of the Declaration is available at: http://www.romadecade.org/cms/upload/file/9470_file1_jasenovac_-declaration.pdf.

of the tolerance and non-discrimination of Roma, were among the specific priorities of the 2012/2013 Croatian presidency of the Decade. One study conducted in 2010 found no significant differences in self-assessment of adaptation in the education system results by Roma and non-Roma elementary school pupils.¹⁵⁰

Addressing Discrimination in Education

Generally, measures envisaged by NRIS to address the issue of Roma discrimination in education have been continuously carried out in 2012 and 2013. They were mainly related to the prevention of discrimination by reducing levels of marginalization and social exclusion and the impact of poverty and included continuation of co-financing of parental contributions to pre-school education programmes and the creation of the pre-conditions for increasing enrolment of children of both genders in primary and secondary schools. These measures of positive action were also directed towards combating segregation, as a special form of discrimination and the most visible form of discriminatory treatment of Roma pupils in school. Segregation of Roma in education is discussed in Chapter 3.1.

The authorities conducted measures related to the enforcement of the judgment in the case of *Oršuš and others v. Croatia* (see Chapter 2.5). Mainly for this purpose, the State budget expenditure for inclusion of Roma children in the pre-school education programmes in 2012 was increased by more than 20% in comparison to the previous year, from 1,537,849.72 HRK in 2011 to 1,929,108.06 HRK in 2012.¹⁵¹ As a result, all Roma children in Međimurje enrolled in elementary schools in 2012 had previously been included in pre-school education programmes between September 2011 and June 2012.¹⁵² In 2013, expenditure on pre-school education programmes for Roma was additionally increased and reached the amount of 3,131,967.31 HRK.

Addressing Wrongful Placement in Special Education

Neither the 2003 National programme for Roma nor the 2012 National Roma Inclusion Strategy 2013–2020 make references to the issue of (possible) wrongful placement of Roma children in special education programmes or facilities.

The 2012 National Strategy generally mentions that children with developmental impairments are educated in regular schools under regular, adapted or special programmes or, when this is truly the sole option, in special institutions under special programmes with the appropriate rehabilitation and social support.¹⁵³ However, the Strategy points to the problem of inadequate monitoring of the proportion of Roma children being educated under special needs programmes.¹⁵⁴ Furthermore, it also indicates problems in precise determination of the exact number of Roma children with developmental impairments, primarily due to the lack of ethnically disaggregated statistics.¹⁵⁵ Thus, the absence of official data and relevant comprehensive research generally prevents proper assessment of the state and the scope of Roma children placement in special education in Croatia. In the chapter which examines the health of Roma children, the Strategy concludes that “[...] Roma children with developmental impairments facing the same challenges confronted by children with develop-

150 Nacionalni centar za vanjsko vrednovanje obrazovanja, *Analiza rezultata istraživanja provedenog u sklopu projekta „Pristupačnije i kvalitetnije obrazovanje Roma u Republici Hrvatskoj“* [Analysis of the research results within the project “More accessible and better quality education of Roma in the Republic of Croatia”], August 2010, 12–13, available at: http://dokumenti.ncvvo.hr/Kvaliteta_obrazovanja/Romi/analiza_rezultata.pdf.

151 See Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu* [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012], 12–13.

152 The programme was conducted for five hours a day, with meals and transportation provided. See Vlada Republike Hrvatske, *Izvešće o provođenju Ustavnog zakona o pravima nacionalnih manjina i o utrošku sredstava osiguranih u državnom proračunu Republike Hrvatske za 2012. godinu za potrebe nacionalnih manjina* [Report on the implementation of the Constitutional Law on the Rights of National Minorities and the expenditure of funds allocated from the state budget of the Republic of Croatia for national minorities in 2012], 19.

153 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 40.

154 *Ibid.*

155 *Ibid.*, 72.

mental impairments in the population at large are more frequently institutionalized than such children in the rest of the population [...]. Also, due to the conditions in which they grow and the frequent impossibility of early socialization and pre-school learning which would bring their abilities to the same level as that of the remaining population among children of the same age, they are evaluated as children with reduced mental capacity to a much higher degree, i.e., they are diagnosed as children 'with mild mental retardation', which results in unequal status in the school system and reduced possibilities for quality education."¹⁵⁶

Data for the school year 2013/2014 from the Čakovec Centre for Education, a special educational institution for elementary school students with severe developmental impairments in Međimurje County, show that Roma children make up 41.12% of the entire number of 197 students in the Centre.¹⁵⁷ These data, particularly bearing in mind the official share of Roma in general population of Međimurje (4.49% according to the 2011 State Census), indicate a significant over-representation of Roma students in special education in Međimurje County.

Completion of Compulsory Education

Elementary education lasting eight years is compulsory and free for all children with permanent residence in the Republic of Croatia from the age of six to fifteen. While the number of Roma elementary school students has increased more than five-fold in the past eight years (see Chapter 2.6), many of them leave school at the age of 15 without completing the entire eight-year education cycle.¹⁵⁸ In the absence of strategic documents to specifically tackle early school leaving in Croatia, several measures to assist completing compulsory education by Roma pupils were envisaged and implemented under the framework of NRIS. Targeted measures particularly included: enrolment of children of both genders in primary school, creating preconditions for the inclusion and involvement of students in the school extended day programmes, providing special assistance in learning Croatian, providing training and involving Roma teaching assistants in the education process and creating preconditions for reducing the number of classes attended only by Roma pupils.¹⁵⁹

Among other objectives, the National Roma Inclusion Strategy 2013–2020 envisages bringing the inclusion of Roma children in primary education and the completion of primary education by Roma up to the average nation-wide level (inclusion rate of 98% and completion rate of 95%).¹⁶⁰ In this regard, the Strategy aims to ensure inclusion of all children of Roma nationality in primary education regardless of their familial status with regard to citizenship, residence and existence of documentation on the identity of the child.¹⁶¹ Although not determined yet, the envisaged baseline values for measuring progress towards the objective include: 1. Proportion of Roma children involved in primary education in comparison to the total number of Roma children of primary school age in 2012 and 2. Number of members of the Roma minority who completed primary school in comparison to the total number of members of the Roma minority over the age of 15.¹⁶² Nevertheless, the 2011 UNDP-World Bank-European Commission findings suggest that the enrolment rate in compulsory education for Roma children stands at 87%, in comparison to 93% for non-Roma children.¹⁶³

To track the progress in Roma compulsory education, the Ministry of Science, Education and Sports collects and provides quantifiable and comparable data on the number of Roma pupils in elementary schools; pupils who leave school; re-attenders/repeating pupils; pupils who are provided with the Croatian language learning-support and pupils included in the extended day programme. Data are collected at the begging and at end of each school year and are disaggregated by gender.

¹⁵⁶ *Ibid.*, 62.

¹⁵⁷ See UNDP, *Atlas romskih naselja u Međimurskoj županiji [Atlas of Roma settlements in Međimurje County]*.

¹⁵⁸ See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 41.

¹⁵⁹ See Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, 14–20.

¹⁶⁰ See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 46.

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*, 46–47.

¹⁶³ UNDP-World Bank-European Commission Regional Roma Survey 2011, web page. Data on Croatia available at: http://www.eurasia.undp.org/content/dam/rbec/docs/Roma_survey_data___Croatia_2011.xls.

Table 1.
Roma in elementary/compulsory education

School year	2010/2011 (Male/Female)		2011/2012 (Male/Female)		2012/2013 (Male/Female)		2013/2014 (Male/Female)	
	Beginning	End	Beginning	End	Beginning	End	Beginning	End
Roma pupils	4,435 2,246/2,189	4,723 2,409/2,314	4,915 2,509/2,406	4,822 2,449/2,433	5,173 2,612/2,561	5,311 2,671/2,640	5,470 2,769/2,701	
Pupils who leave school		173 101/72		189 102/87		153 83/70		
Re-attender/Repeating students	587 348/239	643 347/296	604 331/273	550 333/217	431 258/173	464 250/214	428 235/193	
Pupils provided with the Croatian language learning-support	865 435/430	555 289/266	568 282/286	700 341/359	681 345/336	455 237/218	511 251/260	
Pupils in the extended day programme	340 183/157	246 142/104	256 141/115	362 165/197	367 183/184	362 190/172	548 293/255	

Source: Ministry of Science, Education and Sports (provided by GOHRRNM in April 2014)

Enrollment in Pre-School Education

The 2012 National Roma Inclusion Strategy aims at developing mechanisms to increase the inclusion of Roma children of both genders in the pre-school education programmes lasting a minimum of one year (five hours per day during the academic year) up to 2020, at the same time recommending a minimum of 2 years of pre-school.¹⁶⁴ Meanwhile, the measures conducted by competent bodies since the adoption of the 2003 National programme have contributed to improving the inclusion of Roma children in pre-school education (particularly in Međimurje County – see Chapter 3.3), although there is no uniformity in implementation of these programmes in all areas of the country.¹⁶⁵ The results of the 2011 UNDP-World Bank-European Commission survey indicate significant differences in the rate of Roma and non-Roma children of age 3 to 6 in pre-school education programmes, at 21% versus 45%.¹⁶⁶

As it can be seen from the table below, official data provided by school years indicate higher or lower variations in the number of Roma children in pre-school education at the beginning and at the end of the year.

Table 2.
Roma in pre-school education

School year	2010/2011 (Male/Female)		2011/2012 (Male/Female)		2012/2013 (Male/Female)		2013/2014 (Male/Female)	
	Beginning	End	Beginning	End	Beginning	End	Beginning	End
Regular pre-school education and care programmes	399 198/201	276 136/140	289 137/152	420 205/215	455 233/222	351 160/191	390 180/210	
Pre-school programmes	400 196/204	310 156/154	334 185/149	320 173/147	356 186/170	413 203/210	379 184/195	
Pre-school education TOTAL	799 394/405	586 292/294	623 322/301	740 378/362	811 419/392	764 363/401	769 364/405	

Source: Ministry of Science, Education and Sports (provided by GOHRRNM in April 2014)

164 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 45.

165 *Ibid.*, 39.

166 See UNDP-World Bank-European Commission Regional Roma Survey 2011.

During 2012 and 2013, involvement of parents in pre-school education was enhanced by several projects implemented in various localities, such as “Through pre-school to full integration”, implemented by Međimurje County authorities and the Ministry of Science, Education and Sports with the support of the Roma Education Fund (REF); “Empowering Roma parents to support upbringing and education of their children”, implemented by the “Step by Step” Open Public Academy in cooperation with four elementary schools from Međimurje (3) and Sisak-Moslavina (1) counties; The “Morning Flower” Children’s Centre in Vodnjan’s “Pre-school and extracurricular programmes for Roma children”, led by the “Merlin” Association for the Promotion of Creativity of Pula (Istria County), etc. A number of new projects to foster the integration of Roma pre-school children countrywide were launched in 2013 under the IPA IV call for proposals “The integration of disadvantaged groups into the regular education system” (see Chapter 2.6).

It should be mentioned that the 2013 study of children’s opinions about nursery school and school, conducted by the “Ivo Pilar” Institute of Social Sciences and the “Step by Step” Open Public Academy, indicated a very positive experience of Roma children in attending pre-school education in nursery schools. However, the study indicated some negative experiences that are mainly associated with exposure of Roma children in elementary school pre-school education programmes to discrimination by educational staff and peers.¹⁶⁷

Promotion of Vocational Training and Parental Awareness and Improving Teacher Training and School Mediation

CEI has implemented measures to co-finance and finance the education of Roma through their participation in vocational training sessions and training together with work (on-the-job training) programmes. Implementation of these measures included 21 individuals in 2012¹⁶⁸ and 15 in 2013.¹⁶⁹

Parental awareness about the importance of education was continuously promoted through a variety of measures and projects (see Chapter 3.6).

Over the two years, a total of 26 expert meetings for 1,607 teachers engaged in Roma education were organized by the Croatian Education and Teacher Training Agency (see Chapter 3.2).

In 2012, the Croatian Centre for Drama Education project “Drama Education and Theatre Means to Encourage Inclusion of Roma” involved 161 teachers and other educational staff involved in the education of Roma pupils (including Roma teaching assistants) from Međimurje County, Zagreb, Sisak and Slavonski Brod. In late 2011, schools were granted permission by the line Ministry to conclude permanent employment contracts with Roma teaching assistants (instead of concluding temporary working contracts, which had been the practice until the school year 2011/2012).¹⁷⁰ Salaries for all 26 Roma teaching assistants in 2013 were provided from the State budget.

The IPA-funded “Mediators for Integration” project, implemented by the Llere Association (Spain) and the Roma National Council, can be mentioned in the context of new initiatives in the area of school mediation. Launched in 2013, the project targets elementary schools, professionals, social welfare centres, students of social sciences and Roma activists from areas with significant Roma populations; namely Kutina, Sisak, Slavonski Brod and Darda.

167 Pravobraniteljica za djecu, *Izvješće o radu pravobraniteljice za djecu za 2013. [Report on the Activities of the Ombudsperson for Children for 2013]*, March 2014, 120, available at: http://www.dijete.hr/hr/izvjemainmenu-93/izvjeo-radu-pravobraniteljica-za-djecu-mainmenu-94/doc_download/410-izvjee-o-radu-pravobraniteljice-za-djecu-za-2013-godinu.html.

168 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2012. godine [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2012]*, January 2013, 10.

169 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013]*, January 2014, 11.

170 See Ured za ljudska prava i prava nacionalnih manjina, *Izvješće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, 19–20.

In addition to support provided to the pre-school and elementary school students discussed in previous chapters, various support measures continued to be provided to Roma included in the secondary education (such as the provision of scholarships and dormitory accommodation and financial support for additional activities and graduate travel) and post-secondary education (scholarships).¹⁷¹

PRE-SCHOOL AND ELEMENTARY (COMPULSORY) SCHOOL ROMA EDUCATION IN MEĐIMURJE – A ROUGH ESTIMATE OF THE IMPACT OF MEASURES IMPLEMENTED UNDER NRIS

According to the results of the 2011 census, there are 5,107 Roma living in the territory of Međimurje County, which represents 4.49% of the total population of the County and 1/3 of the total Roma population in Croatia. A significant number of the national strategic measures in the domain of education were implemented in Međimurje County, which was (apart from the significant concentration of Roma in that area) the result of the ruling of the European Court of Human Rights in the case Oršuš and others v. Croatia. The measures implemented were mainly focused on the improvement of the integration of Roma children in pre-school and compulsory school education as well as on combating and eliminating segregation of the Roma in schools. During March 2014, for the purpose of creating this case study, interviews were conducted with representatives of Međimurje County (Department for Social Affairs, Section for Health Care, Social Welfare and National Minorities) and elementary schools in Kotoriba and Orehovica, as well as with the representatives of Roma and non-Roma CSOs and Roma parents whose children were enrolled in the educational system.

Based on the interviews conducted, a rough estimate of the current status of implementation of the focused NRIS measures for Roma education in Međimurje County was made, and the main findings point to the following facts and problems:

- There is increase in the number of Roma children who attend pre-school and compulsory education; however the County does not keep particular records on the percentage of Roma children who attend school;
- In schools which are dominated by classes with only Roma children, or with a higher concentration of Roma children, the quality of education is falling, which is one of the reasons why non-Roma parents withdraw their children from those schools. This subsequently contributes to the increase of Roma-only classes, or in other words, to increasing the incidence of indirect discrimination and segregation;
- The number of purely Roma classes is increasing and by 2020 this may result in the appearance of exclusively Roma schools. The reasons for this lie partly in the increase in the number of Roma that are entering the educational process, but also in the decline in the quality of education in the schools with higher concentrations of Roma students, which induces non-Roma children to leave those schools.
- The intolerance and distrust of non-Roma parents towards Roma are evident and are reflected in their determination that despite the difficult economic situation they will pay fees in other nursery schools and travel to distant schools so to keep the distance from Roma children.
- In order to avoid the de-motivation of Roma children towards school attendance as well as to reduce drop-out rates, the criteria and educational standards are being lowered, which also results in non-Roma children leaving those schools and in an increase in the number of exclusively Roma classes.
- Roma children lack a sufficient level of knowledge of the Croatian language as well as the necessary technical, material and other conditions for quality follow-up and participation in all parts of the education process. That creates difficulties and obstacles to following the classes and achieving good results.

171 See Vlada Republike Hrvatske, *Izvešće o provođenju Ustavnog zakona o pravima nacionalnih manjina i o utrošku sredstava osiguranih u državnom proračunu Republike Hrvatske za 2012. godinu za potrebe nacionalnih manjina* [Report on the implementation of the Constitutional Law on the Rights of National Minorities and the expenditure of funds allocated from the state budget of the Republic of Croatia for national minorities in 2012], 21.

- All participants in the discussion agreed that the teachers' expert knowledge is of a high level; however, it is not fully utilized. The school mediators programme is functioning and its quality is improving, but it is not yet fully accepted in all educational institutions.
- Information about subsidies for the parents' contribution to the costs of pre-school education is not sufficiently disseminated; the employees in nursery schools are often not informed about those benefits and the ways in which they can be obtained and used.

Bearing in mind the emphasized de-segregation policy enshrined in the NRIS, it is interesting to learn that, according to the opinions of a certain number of Roma parents, even enrolment in exclusively Roma classrooms may positively influence the motivation of Roma children to enter and remain within the educational process.

DROP-OUT OF ROMA FROM THE SECONDARY SCHOOL EDUCATION – EXAMPLE FROM THE TRADE SCHOOL IN ZAGREB

The Trade School in Zagreb is attended by a relatively high number of Roma students, in comparison with the low overall number of Roma students in secondary education. According to the school Pedagogue's opinion, the education of Roma students is rather challenging because a significant number of enrolled Roma students do not complete the education cycle. The School is aware of this problem and is making efforts to deal with it, primarily through discussions with Roma students. Certain changes and improvements have been recorded in the past few years; however the school Pedagogue considers it insufficient. In the 2011/2012 school year a total of 20 students enrolled in the educational programmes of the Trade School, ten of whom completed the school year successfully. Five repeated the grade, while five of them abandoned education. Out of seven Roma students at the beginning of the 2012/2013 school year four successfully completed the year while three of them abandoned education.

At the beginning of the 2013/2014 school year, eleven Roma students enrolled in the school, five of whom had abandoned schooling by April 2014 at the request of their parents for the following reasons: lack of desire to continue education, frequent absence from classes, family problems, intention to enrol in another programme, and unknown.

Positions and Experiences of Some Roma Students in Secondary School Education

During the focus group discussions, organized for the purpose of collecting information for the creation of this case study and not related to the example of the Zagreb Trade School, several young Roma, most of whom had completed secondary school education, provided the following thoughts on improvement of secondary school education of Roma:

- The first step should be the education of parents in order to make them understand the importance of education for their children, so that they support and stimulate their children to continue education.
- Young Roma and their parents should be more acquainted with and made more aware of the feeling of self-worth, independence, self-respect, and contentment that come by/through completion of education and belonging to educated part of the society.
- Good examples of educated and successful young Roma should be promoted and their visibility in society should be increased.
- It is necessary to stimulate various forms of cooperation and socializing between Roma and non-Roma children.

continued on p.56

- *It is necessary to face intolerance and hidden discrimination present in the school environments (both among the teachers and professors and among the students) and to seek and develop adequate ways to address those occurrences.*
- *It is important to ensure the continuity and regularity of scholarships so that the lack of financial means needed for schooling does not de-motivate students from continuing schooling or make them turn their sights to other jobs.*

The focus group participants emphasized the importance of adequately addressing intolerance and hidden discrimination of Roma students both by teachers and by other students. The importance of adequately addressing intolerance and discrimination was supported by the following statement by one of the drop-out students: "Six of us, students of the Roma national minority, enrolled the School for Road Traffic. We were all placed in the same class. It felt odd to us and we were not satisfied with that solution. We felt as if we were separate. In the classroom we could feel discriminated by other students and by teachers as well. They did not treat us correctly and they did not fully accept us into their company. That was one of the main reasons why I left the school."

4. EMPLOYMENT

Job Search Assistance

In 2012 and 2013, several NRIS measures aimed at empowerment and boosting the employability of Roma were implemented by CEI, under the framework of the National Employment Promotion Plan 2011–2012 (with extended validity until the end of 2013). These targeted measures of incentive employment particularly included:

- co-financing/subsidizing employment of young Roma and other Roma with qualifications (completed education) or previous work experience lasting 24 months, with 10 (4 female) beneficiaries in 2012 and 17 (6 female) in 2013;
- co-financing Roma involvement in public work schemes lasting up to 6 months a year. The measure was partly subsidized by local self-government units and included a total of 633 (211 female) Roma beneficiaries in 2012 and 717 (241 female) in 2013.
- co-financing/financing participation of Roma, particularly young people and women, in vocational training and training together with work (on-the-job training), with 21 (1 female) beneficiaries in 2012 and 15 (5 female) in 2013;
- co-financing of self-employment of Roma, with 7 (2 female) beneficiaries in 2013;
- vocational training for work without employment of unemployed young Roma who have completed their secondary education in four-year colleges and universities, with 1 female beneficiary in 2013.¹⁷²

Therefore, during the past two years a total number of 1,421 Roma (471 of them female) benefited from the above-mentioned subsidized measures. Regarding the stated number of Roma beneficiaries, it is worth mentioning that the estimated number of unemployed Roma registered by CEI was 4,711 (2,334 female) at the end of 2012 and 5,059 (2,424 female) at the end of 2013.¹⁷³ However, although implemented countrywide, the vast majority or more than 86% of the entire Roma beneficiaries were from five counties with high Roma populations: Osijek-Baranja (665), Međimurje (322), the City of Zagreb and Zagreb County (150) and Bjelovar-Bilogora County (86).¹⁷⁴ Beside the employment incentive measures, CEI and its regional offices conducted a number of other regular activities and activities aimed solely at unemployed Roma, such as group informing; individual and group counselling; assessment capabilities, interests and motivation of unemployed Roma in education, training and employment and the like, which involved a total of 8,260 (3,658 female) Roma beneficiaries in 2012 and a total of 7,260 (3,355 female) in 2013. With the purpose of promoting the employment opportunities of Roma, CEI also organized 1,646 (863 in 2012 and 783 in 2013) targeted employment counsellors' visits to various employers as well as 204 (123 in 2012 and 81 in 2013) meetings with employers' associations, trade unions, associations of Roma and representatives of local and regional self-government units.¹⁷⁵

172 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2012. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2012], 10–11; *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 11–12.

173 *Ibid.* 1; 1.

174 *Ibid.* 11; 12.

175 *Ibid.*, 11–13; 12–14.

Transitional Public Work Schemes

The public work schemes implemented under the framework of the National Employment Promotion Plan 2011–2012 targeted the long-term unemployed persons disadvantaged in the labour market, including Roma. They were implemented as short-term measures with the aim of mitigating the social consequences of unemployment and mainly involved employment in communal affairs and other jobs of lower level of complexity in local self-government units and their companies. People involved in public work were paid only a minimum wage (including health insurance) and transport costs; half of the funding was provided by CEI and the other half from local budgets. The total number of people involved in public works was 17,826¹⁷⁶ in 2012 (43% more than in 2011) and 15,405¹⁷⁷ in 2013, out of whom 3.55% and 4.65% respectively were Roma (see Chapter 4.1). By comparison, the proportion of Roma in the total unemployment of Croatia was estimated by CEI at 1.3% at the end of 2012 and 1.4% at the end of 2013.¹⁷⁸ Regarding these figures, some Roma leaders expressed their concern about the inappropriate use of NRIS funds for Roma public works employment to pay non-Roma people who signed statements declaring that they belonged to the Roma minority; however CEI reported that the all public works contracts under NRIS had been checked and that no irregularities were found.¹⁷⁹

It can be generally concluded that the public work schemes provide only a temporary solution for reducing the unemployment rate amongst the Roma, with rather sparse opportunities for upgrading their professional competences and work qualifications. Members of the Roma community of Slavonski Brod who were interviewed for the purpose of this study expressed some dissatisfaction with the public work schemes implemented in their boroughs. They pointed out that many Roma interested in public works did not get the opportunity to be employed, particularly if they were not affiliated with influential Roma associations. Additionally, they expressed the opinion that only employment for at least 12 months can lead to results in the integration and improvement of the position of local Roma residents.

First Work Experience Programmes

In 2013, young Roma of up to 35 years of age comprised 54.1% of the total estimated number of 5,059 unemployed Roma registered with CEI, with the largest share among those aged between 20 and 25 (17.9%).¹⁸⁰ The 2011 UNDP-World Bank-European Commission Regional Roma Survey indicates that the unemployment rate of youngsters aged 15–24 is 76% amongst Roma and 34% amongst non-Roma. In addition, the survey suggests that 73% of Roma of the same age have no previous employment experience, while that proportion amongst non-Roma youngsters stands at 77%.¹⁸¹ In this regard, however, it should be mentioned that Roma enter CEI records of the unemployed at a rather early age, often only 15, and that those aged between 15 and 20 constitute 8.7% of the total number of unemployed Roma registered by CEI in 2013.¹⁸²

176 See Moj-posao.net, "0 javnim radovima" [0n public works], 18 January 2013, available at: <http://www.moj-posao.net/Vijest/72338/0-javnim-radovima/2/>.

177 Hrvatski zavod za zapošljavanje, "Rezultati provedbe Mjera aktivne politike zapošljavanja u 2013. godini – Ukupni korisnici Mjera aktivne politike zapošljavanja u 2013. godini do 31.12.2013. godine" [Results of the implementation of the active employment policy measures – Total beneficiaries of the active employment policy measures in 2013, till 31 December 2013], available at: <http://www.hzz.hr/default.aspx?id=11818>.

178 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2012. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2012], 1; *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 1.

179 See, e.g. Index.hr, "Hrvatski zavod za zapošljavanje tvrdi: Nema malverzacija, na ugovoru krivo piše ima programa" [Croatian Employment Institute states: No misappropriations, the contract incorrectly writes the name of the program], 25 April 2014, available at: <http://www.index.hr/vijesti/clanak/hrvatski-zavod-za-zaposljavanje-tvrdi-nema-malverzacija-na-ugovoru-krivo-pise-ima-programa/741862.aspx>.

180 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 2–3.

181 See UNDP-World Bank-European Commission Regional Roma Survey 2011.

182 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 3.

In 2012 and 2013, several measures to tackle the issue of obtaining first work experience for young Roma were continued under the framework of the National Employment Promotion Plan 2011–2012 (see Chapter IV.1). However, with the exception of the public work employment schemes, measures such as subsidizing employment of youngsters, subsidizing participation in vocational training and training together with work (on-the-job training) and vocational training for work without employment included relatively few Roma in comparison to the total number of beneficiaries. In 2013, for example, the measure of subsidized employment of youngsters included only 17 Roma beneficiaries; 15 Roma benefited from the vocational training and on-the-job training (in comparison to 21 beneficiaries in 2012); while only one Roma benefited from the vocational training for work without employment of youngsters with secondary education in four-year colleges and universities (see Chapter 4.1). These data, however, should be viewed in light of the extremely unfavourable educational structure of unemployed Roma, 68.7% of whom are those with no formal education or with incomplete elementary school, while the proportion of those who completed elementary school is 23.9%.¹⁸³ During 2013, all CEI active employment policy measures involved a total of 42,827 new beneficiaries,¹⁸⁴ of whom 757 were newly included Roma.¹⁸⁵

Eliminating Barriers (Including Discrimination) to the Labour Market

In the employment and economic inclusion area of intervention, the 2012 National Strategy sets its main goal as bridging the gap between the Roma minority and the majority population on the labour market. In this regard, specific objectives and measures envisaged by the Strategy substantially coincide with the measures contained in the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015 that were implemented under the framework of the National Employment Promotion Plan 2011–2012. It should be mentioned that funding from the State budget for the implementation of measures for employment and training of unemployed Roma registered by CEI increased significantly between 2006 and 2012; from 2,544,700.64 HRK in 2006 to 7,065,000.00 HRK in 2011 and 7,500,000.00 HRK in 2012.¹⁸⁶ However, the 2012 National Strategy states that “despite [...] measures, funds and efforts invested by the Republic of Croatia in improving the economic status of the Roma minority to increase their employment, a satisfactory effect has not been achieved”, partly due to the absence of systematic data on the specifics of individual regions and, therefore, poorly adjusted local policies and interventions.¹⁸⁷ Furthermore, it concludes that “the basic obstacles to Roma employment on the open market are low levels of education and non-acceptance of additional qualification, employer prejudice, and the erroneous self-perception by the Roma that they are a discriminated minority and that it they will not find jobs no matter what they do; there is also the marginalization of the Roma population and their life in poverty.”¹⁸⁸

Although CEI does not track unemployed people by nationality but estimates the number of unemployed Roma by, e.g., their residence, certificates required for the exercise of rights under the social welfare system and knowledge of the Romani language, it should be mentioned that it keeps quite detailed statistics on the state and characteristics of Roma included in CEI registers for the purpose of, *inter alia*, monitoring the progress in implementation of relevant NRIS measures.¹⁸⁹

The key measures discussed in Chapter 4.1 of some particularly targeted youngsters and women contributed, among other things, to higher employment of Roma registered by CEI on the open market – 170

183 *Ibid.*, 3–5.

184 See Hrvatski zavod za zapošljavanje, “Rezultati provedbe Mjera aktivne politike zapošljavanja u 2013. godini – Ukupni korisnici Mjera aktivne politike zapošljavanja u 2013. godini do 31.12.2013. godine” [Results of the implementation of the active employment policy measures – Total beneficiaries of the active employment policy measures in 2013, till 31 December 2013].

185 See Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 11.

186 See Ured za ljudska prava i prava nacionalnih manjina, *Izvješće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu* [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012], 74–76.

187 Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 53.

188 *Ibid.*, 51.

189 Available data and statistics are broken down by age, gender, length of unemployment, regional (un)employment, the main activity of employers, etc.

Roma (76 female) in 2012¹⁹⁰ and 226 (114 female) in 2013,¹⁹¹ some 72% of whom had no formal education or had completed elementary school and 65% of whom were aged 15–35.

An example of a CEI active employment policy measure that targeted exclusively Roma was “Fifty-fifty for people belonging to the Roma national minority”. The measure was intended to stimulate potential employers to employ Roma by subsidizing 75% of the relevant costs of gross wages for each employee for a period of 24 months.¹⁹²

In addition, several local projects aimed at increasing the human capital of the undereducated and eliminating barriers for the inclusion of Roma on the labour market were conducted in 2012 and 2013 under IPA IV – Human Resources Development by various actors, e.g., the 2011/2012 project “New Tomorrow for the Roma Community of Đurđevac”,¹⁹³ led by the Đurđevac Social Welfare Centre in Koprivnica-Križevci County; the 2013/2014 “Gastrostart” project¹⁹⁴ led by the Social Welfare Centre in Čakovec in Međimurje County; and the 2013/2014 project “Sustainable Future through the Integration of Roma”,¹⁹⁵ led by the Youth Centre of Osijek.

Efforts to raise awareness and build public understanding of the benefits of Roma (including Roma women) integration for the entire society were, *inter alia*, enhanced by continuous CEI staff field visits to potential employers and sharing information on employment opportunities for unemployed Roma, the implementation of various measures with an emphasized inter-ethnic dimension, as well as by the implementation of the targeted anti-discrimination interventions and campaigns discussed in Chapters 2.2–5.

Support for Self-Employment and Entrepreneurship

The 2011 UNDP-World Bank-European Commission Regional Roma Survey indicates a generally very low self-employment rate in Croatia – 1.58% amongst Roma and 3.95% amongst the non-Roma population aged 15–65. Furthermore, it suggests that the rate of informal employment incidence amongst Roma is seven times higher than amongst non-Roma (40.4% versus 5.85%).¹⁹⁶

One of the specific objectives envisaged by the 2012 National Strategy is to raise the formal self-employment rate of members of the Roma minority by conducting a wide range of targeted interventions and measures, including the co-financing of the gross minimum wages of self-employed persons in the first two years of operation, as well as the opening of credit lines for micro-financing with specially adapted conditions for micro- and small businesses which are traditionally led by Roma.¹⁹⁷ The Strategy also points to Roma women as a specific target group.

In 2012 and 2013, under the framework of the National Employment Promotion Plan 2011–2012, CEI has implemented a number of Roma-targeted training sessions aimed at self-employment through informative workshops and counselling. The measure included 43 (7 women) Roma beneficiaries in 2012 and 61

190 See Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2012. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2012], 7.

191 See Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 7.

192 See Hrvatski zavod za zapošljavanje, *Potpore za zapošljavanje* [Employment Subsidies], available at: http://www.hzz.hr/UserDocsImages/Paket_potpore_Letak.pdf.

193 See, e.g., Veljko Kajtazi, “Novo sutra za romsku zajednicu – Đurđevac” [New Tomorrow for Roma Community of Đurđevac], 1 June 2012, available at: <http://veljokajtazi.com/wordpress/novo-sutra-za-romsku-zajednicu-durdevac/>.

194 See Centar za socijalnu skrb Čakovec, “Gastrostart”, available at: http://czss-ck.hr/?Projekti___Gastrostart.

195 See Youth Centre Osijek, “Project: Sustainable Future through the integration of Roma”, 28 August 2013, available at: <http://www.cnc.hr/projekti/Project-Sustainable-Future-through-the-integration-of-Roma---/32.html>.

196 See UNDP-World Bank-European Commission Regional Roma Survey 2011.

197 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 57–58.

(13 women) in 2013.¹⁹⁸ For comparison, 38 (6 women) Roma were included in the same measure in 2011, while in 2009 and 2010 not even a single beneficiary was registered. In 2013, 5 Roma male and 2 female persons benefited from the targeted measure of co-financing of self-employment of Roma.

The 2013/2014 “Social inclusion and employment of Roma through bio-dynamic agriculture” project led by the Autonomous Centre – ACT of Čakovec and implemented in Međimurje County, can be mentioned as an example of a local self-employment and entrepreneurship intervention aimed at Roma under IPA IV scheme.

Addressing the Labour Market Mobility of Roma From Rural Areas

Neither the 2012 National Strategy nor the previous NRIS address the issue of the labour market mobility of Roma from rural areas in particular, partly due to the absence of systematic data on the specifics of individual micro-regions as already mentioned in Chapter 4.4. However, it should be mentioned that the Strategy generally points out that the situation of Roma communities differs depending on the region where they live, and mentions the need to secure a better insight and understanding of such regional disparities. In this regard, the Strategy envisages the activity of mapping disadvantaged Roma micro-regions and segregated or marginalised neighbourhoods.¹⁹⁹

While NRIS and other strategic documents do not mention Roma as a specific target group within the agricultural subsidies programmes, the Strategy refers to the use of relevant EU sources of funding for Strategy implementation purposes, such as IPA and EU programmes and cohesion policy instruments.²⁰⁰

INCLUSION OF ROMA IN PUBLIC WORKS PROGRAMMES IN BROD-POSAVINA COUNTY

According to the 2011 Census the Brod-Posavina County counts 1,178 Roma, who make up 0.78% of the total population. In comparison to the 2001 Census which counted 586 persons belonging to the Roma national minority, the official number of Roma in the County has increased by approximately 50%. Since 2007, in line with the 2003 National Programme for Roma and the National Action Plan of the Decade of Roma Inclusion 2005–2015, CEI has been implementing measures for Roma employment within the framework of the public works programme through two focused programmes “Roma for Roma” and “Roma for the Local Community”. The “Roma for Roma” programme was focused on inclusion of Roma in the public works on the construction and maintenance of infrastructure in Roma settlements, while within the “Roma for the Local Community” programme Roma were engaged mostly on environmental protection programmes, communal activities, forestry, agriculture, etc. These focused programmes have, despite initial difficulties, become functional and can serve as positive examples of employment models for Roma. In 2012 and 2013 in the area of Brod-Posavina County within the framework of those employment programmes a total number of 65 members of Roma community were employed – 45 Roma (including three women) in 2012, and 20 Roma (only male) in 2013. Within the scope of both programmes the employed Roma were mainly performing the jobs of maintaining the public spaces in the City of Slavonski Brod, including the “Roma settlement”.

continued on p.62

198 Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2012. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2012], 13; *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013], 14.

199 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 121.

200 *Ibid.*, 131–135.

The opinions and positions of local Roma community members on the employment of Roma through the public works programmes were assessed at the focus group which assembled at the end of March 2014 for the purpose of creating this case study. The focus group included 17 Roma persons from the "Roma settlement" in Slavonski Brod, including the president of the City Council of Roma National Minority and representatives of three Roma civil society organizations.

The focus group participants made an overall assessment of the initiation of the focused public works through regional offices of CEI that provided employment for the Roma population. The opinion of the participants was that the public works are good because they enable employees to gain working habits and valuable practice in working on other kinds of jobs. An especially good aspect of the public works programmes, in the opinion of the focus group participants, is that these works provide solutions to the problems of the Roma settlements (Roma settlements are being cleaned and communal problems solved) and the overall opinion was that such practice should be continued. In the opinion of most participants, the public works programmes are the only opportunity for employment of young Roma and therefore this model of employment should be continued and expanded. Another positive aspect in the opinion of the focus group participants was the engagement of the Council of Roma National Minority in the public works activities, because the Council contributed to the fairness of the employment process, making efforts to provide equal opportunities for all Roma who wanted to get employment. Therefore the bad practices of favouring the members and sympathizers of local Roma organizations were avoided.

The participants were of the opinion that the key limitations of the programmes were that they provided relatively short-term employment, failing to contribute to sustainable long-term reduction of unemployment among the Roma population; and the programmes do not provide job opportunities to a greater number of interested applicants. The surveyed participants were mainly of the opinion that it would be necessary to enable at least 12-month employment through public works as only longer-term employment would ensure achievement of the more substantial and sustainable results in terms of the integration and improvement of the situation of the Roma population. In addition, the participants expressed the need for more efficient resolution of the status of Roma included in the public works after the end of the employment period. This particularly relates to the need to speed up the process of obtaining their rights after they register at CEI and Social Welfare Service.

5. HEALTH CARE

Extension of Health and Basic Social Security Services

The Law on Health Protection stipulates that every person has a right to health care and the possibility of achieving the highest possible level of health, in accordance with the provisions of this Law and the Law on Compulsory Health Insurance.²⁰¹ Compulsory health insurance is guaranteed to all children aged up to 18 with resident status in Croatia.²⁰² For Roma who do not have Croatian citizenship (foreigners with permanent residence permits in Croatia and nationals of other EU member states and non-EU member states with registered temporary residence in Croatia), conditions and ways of acquiring and financing compulsory health care are regulated by the Law on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia.²⁰³

Unlike the measures envisaged by the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015, the 2012 National Strategy makes clear reference to the issue of the health insurance cover of the Roma population in Croatia.²⁰⁴ Aiming at increasing the health insurance cover for Roma, the Strategy envisages the establishment of mechanisms for the systematic dissemination of information and encouragement of the Roma population to resolve the status issues that will facilitate their exercise of rights to health insurance. Furthermore, the Strategy sets the objective to (by 2020) secure 100% access to health-care services for Roma, with emphasis on the elderly, the disabled and persons with physical impairments and special needs, and mobile Roma groups.²⁰⁵

Although it is well-known that a certain number of Roma are not included in the system of compulsory health insurance (mainly due to unresolved status issues and lack of appropriate information about the system), progress in the extension of the right to basic health care and access to health-care services was relatively difficult to track because of the absence of adequate records disaggregated by ethnicity. The Croatian Institute for Public Health and the Croatian Institute for Health Insurance did not have data on the health status, health care and compulsory health insurance of Roma.²⁰⁶ The 2011 UNDP-World Bank-European Commission Regional Roma Survey suggests that 82% of adult Roma aged 16 or more exercise the right to medical insurance, while 92% of them have access to health services when needed.²⁰⁷ According to the results of the same survey, the non-Roma population exercise these rights at 97 and 98% respectively. However, the survey indicates that 44% Roma have no access to essential drugs in comparison to 16% of non-Roma with the same problem.

201 *Zakon o zdravstvenoj zaštiti [Law on Health Protection]*, Official Gazette (Narodne novine) No. 150/2008, 71/2010, 139/2010, 22/2011, 84/2011, 154/2011, 12/2012, 35/2012, 70/2012, 144/2012, 82/2013, 159/2013 and 22/2014, Article 3.1.

202 *Zakon o obveznom zdravstvenom osiguranju [Law on Compulsory Health Insurance]*, Official Gazette (Narodne novine) No. 80/2013 and 137/2013, Article 9.

203 *Zakon o obveznom zdravstvenom osiguranju i zdravstvenoj zaštiti stranaca u Republici Hrvatskoj [Law on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia]*, Official Gazette (Narodne novine) No. 80/2013.

204 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 66.

205 *Ibid.*, 67.

206 *Nacionalna strategija razvoja zdravstva 2012.–2020. [National Health Care Strategy 2012–2020]*, September 2012, Official Gazette (Narodne novine) No. 116/2012, Chapter 2.7.6 Health of Roma.

207 See UNDP-World Bank-European Commission Regional Roma Survey 2011.

Formal Barriers to Accessing Health Services

The problem of health insurance cover amongst the Roma population should be considered as a key formal impediment for their access to health services. In this regard, *inter alia*, the 2012 National Strategy points to unresolved personal status, meaning the lack of relevant registration documents, and untimely registration at the Institute for Health Insurance once individuals complete or drop out of school or end their employment, as serious problems that impede arrangements for health insurance cover for a number of Roma.²⁰⁸ Establishing certain mechanisms envisaged by the National Strategy to tackle these formal barriers in getting access to health services are mentioned in the previous chapter; while the concrete measures set by the Action Plan 2013–2015 for its implementation include:

- routinely informing Roma within the existing public administration bodies on their rights to health care and the related status issues; and
- creating an educational programme for Roma mediators for the issue of health in Roma communities and for providing support in exercising the right to health care.²⁰⁹

However, no official data on achievements in the implementation of these measures have been made available yet.

It should be mentioned that the respective institutions report that an unspecified number of (mainly unemployed) Roma without health insurance obtain health care at the expense of budgetary resources, in accordance to the Rulebook on the Criteria and Procedure for the Determination of Incapacity for Independent Life and Work and the Lack of Means of Subsistence for Residents of Croatia who do not Exercise Health Care on Other Grounds.²¹⁰

Improving Access to Health Services

In the past two to three years, the main focus in the area of health protection, including access to health care, has continued to be placed on the implementation of the Decade Action Plan 2005–2015 measures that particularly included:

- improving the vaccination coverage of Roma children;
- improving the health of Roma infants and children through health care measures aimed at eliminating the most frequent causes of mortality, education of parents and prevention and treatment;
- conducting health education about family planning and protection of reproductive health, as well as measures promoting safe motherhood (especially among pregnant and recently delivered women);
- improving hygienic and sanitary conditions in Roma dwellings and settlements in order to prevent infectious diseases (rodent control); and
- educating and training Roma for health care and medical jobs.²¹¹

According to available official data, the above measures have targeted different Roma communities (urban, rural, segregated, etc.) and were implemented in different geographic locations, either in the premises of health and other public institutions or (by mobile teams) in the field.²¹² However, official data on the number and type of activities undertaken, their beneficiaries and achieved results remain largely unsystematised and non-unified, as well as being incomplete at both national and local levels. In

208 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 59.

209 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 41–42.

210 See, e.g., *Nacionalna strategija razvoja zdravstva 2012.–2020. [National Health Care Strategy 2012–2020]*, Chapter 2.7.6 Health of Roma.

211 See, e.g., Ured za ljudska prava i prava nacionalnih manjina, *Akcijski plan Desetljeća za uključivanje za 2011. i 2012. godinu [Action Plan for the Decade of Roma Inclusion 2011–2012]*, 16–19.

212 See, e.g., Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, 38–71.

this regard, the 2012 National Strategy, *inter alia*, notes that “[...] gathering data on the health and living conditions of the Roma population at the level of regional self-government has largely been absent [...]” and “[...] that most counties have only modestly defined their priorities pertaining to Roma health, which prevents implementation of measures and programmes aimed at improving the general health of the Roma minority.”²¹³ Therefore, also bearing in mind the lack of data disaggregated by ethnicity, it can be concluded that officially collected data, including data from several pilot research projects in individual counties conducted within the framework of the 2003 National Programme for Roma and action plans for the Decade of Roma Inclusion, generally do not provide a solid basis for measuring the overall scale and impact of NRIS and other relevant strategic interventions in the area of Roma health protection.

Discrimination in the Health-Care System and Patients’ Rights

The 2012 National Strategy considers the issue of discrimination against Roma in the health-care system in a separate, although rather short, chapter.²¹⁴ The chapter generally concludes that “the prejudices against the Roma population which result in discrimination also appear in the field of health-care and among health-care professionals”, but also points to the lack of precise data in this regard. Therefore, it can be concluded that some indications on discrimination and violations of Roma rights in the health-care system exist, although their range and frequency of appearance remain officially unrecorded. With the aim of eliminating prejudices and suppressing discrimination against Roma in the health-care system, the 2012 National Strategy sets specific objectives on increasing the sensitivity of health-care professionals for work with Roma and improving communication between Roma and family practitioners. Progress towards this aim is envisaged to be measured by the level of satisfaction of the Roma population with the attitude of health-care professionals toward them, through surveys to be carried out each year.²¹⁵

Discrimination in the areas of health insurance and health protection is generally prohibited by the 2008 Law on Combating Discrimination (for more on discrimination and the role of the Ombudsman as a central body responsible for combating discrimination in Croatia see Chapter 2.4).

Patients’ Rights

The 2004 Law on the Protection of Patients Rights is the basic legal act that regulates the rights of patients in Croatia.²¹⁶ According to the Law, commissions for the protection of the rights of patients at the county level (consisting of representatives of patients, CSOs and experts in the field of patients’ rights) and the Commission of the competent ministry at the national level (consisting of representatives of relevant CSOs, the Ministry of Health and the media) were established. The commissions are entitled, among other things, to monitor the implementation of relevant regulations, as well as violations of individual patients’ rights.

However, the National Health Care Strategy 2012–2020 states that the adoption of the Law did not significantly contribute to the protection of the rights of patients, mainly due to the lack of institutional capacities and political will, as well as the absence of transparency in its implementation.²¹⁷ Furthermore, the Strategy indicates that patients are not sufficiently aware of their rights and that a proper system for monitoring the exercise of patients’ rights should be developed. In its annual reports 2010–2013, the Ombudsman points out that the Law does not include an effective legal remedy for the protection of patients’ rights and, in this respect, continuously makes recommendations for appropriate amendments of the Law.²¹⁸

213 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 65–66.

214 *Ibid.*, 63–64.

215 *Ibid.*, 68.

216 *Zakon o zaštiti prava pacijenata [Law on the Protection of Patients Rights]*, Official Gazette (Narodne novine) No. 169/2004 and 37/2008.

217 See *Nacionalna strategija razvoja zdravstva 2012.–2020. [National Health Care Strategy 2012–2020]*, Chapter 3.7.2 State of Patients’ Rights.

218 Pučka pravobraniteljica, *Izvešće pučke pravobraniteljice za 2013. godinu [Report of the Ombudsperson for 2013]*, 31 March 2014, 96–97, available at: <http://www.ombudsman.hr/index.php/hr/izvjesca/izvjesce-pucke-pravobraniteljice/finish/20-2013/55-izvjesce-pucke-pravobraniteljice-za-2013-po-prvi-puta-objedinjeno-izvjesce-o-stanju-ljudskih-prava-u-hrvatskoj-i-radu-ureda>.

The National Health Care Strategy 2012–2020 pays attention to and considers the problem of corruption in the health sector under a separate subchapter.²¹⁹ According to the results of the Transparency International Global Corruption Barometer 2013, on a scale from 1 (no corruption) to 5 (complete corruption), the health sector in Croatia is evaluated at 3.8.²²⁰

Targeted Health Awareness Campaigns

In 2011 and 2012, the targeted awareness activities and interventions focusing on Roma health were primarily implemented through the Decade Action Plan 2005–2015 measures (see Chapter 5.3). The competent national and regional authorities and health-care institutions reported on a number of Roma beneficiaries covered by informational and educational measures, implemented in the counties and localities with a significant Roma population.²²¹ Although they varied in their scope and in the numbers of beneficiaries depending on targeted location, the measures included activities for the prevention and control of infection diseases, including pre-school and school-age vaccination campaigns; epidemical inspections of Roma settlements and schools for early detection of sources of infection and ways of transmission; check-ups for children in the period of infancy; health education on family planning and maintenance of reproductive health and maternity and hygiene; regular health work and informing during visits about preventive health care measures and regular medical checks, including those within specific health campaigns and projects; distribution of educational publications, etc. The most recognizable progress in the implementation of the above measures is visible in the increasing proportion of vaccinated Roma pre-school and school-age children, which in some local areas reached 100% coverage and was equal to the rate of vaccinated non-Roma children of the same ages. Regarding the perceived vaccination rate among Roma children, the 2011 UNDP-World Bank-European Commission Regional Roma Survey suggests that it reached 97% of pre-school Roma children up to the age of six and 96% of six-year-old school-age children.²²²

It should be mentioned that the Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015 further develops and expands to some extent measures implemented in the period of the application of the previous (2003) NRIS and the Decade action plans. For example, the 2013–2015 Action Plan explicitly envisages measures aimed at designing and implementing education programmes and campaigns (media shows, leaflets, printed materials, public discussion forums, lectures, workshops, playgroups) to raise Roma awareness of the individual's responsibility for her/his own health. Furthermore, it envisages support to CSOs; particularly to their projects aimed at raising awareness of disease prevention, healthy lifestyles and mental health protection.²²³ The "Preventive health and the fight against addiction" workshops, conducted by the "Kali Sara" Association for the promotion of education of Roma in Croatia, can be mentioned as an example of the implementation of these measures in 2013. These workshops were financially supported by the Ministry of Health and included 50 participants, mostly Roma women, from Sisak, Grubišno Polje, Palanek, Zagreb, Kutina, Gračnica, Koprivnica, Čakovec and Varaždin.

Coordination Between Health and Other Sectors

As already discussed in Chapter 1.3, formal frameworks and effective mechanisms for efficient coordination between different layers of governance in the implementation of the 2003 National Programme for the Roma and the 2005 Action Plan for the Decade of Roma Inclusion 2005–2015 were generally missing. So far, more significant coordination among the health care sector and other sectors, in the sense of a systematic and integrative approach to health, has not been recorded.

219 See *Nacionalna strategija razvoja zdravstva 2012.–2020. [National Health Care Strategy 2012–2020]*, Chapter 3.7.5 The problem of corruption.

220 See Transparency International Croatia, "Građani Hrvatske najkorumpiranijim smatraju političke stranke, sudstvo i javne službenike" [Croatian citizens consider political parties, the judiciary and public officials the most corrupted], 2013, available at: <http://www.transparency.hr/hr/sto-radimo/globalni-barometar-korupcije/41>.

221 See, e.g., Ured za ljudska prava i prava nacionalnih manjina, *Izvešće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, 38–71.

222 See UNDP-World Bank-European Commission Regional Roma Survey 2011.

223 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 45–47.

IMPLEMENTATION OF MEASURES FOR IMPROVING THE HEALTH SITUATION AMONGST ROMA CHILDREN AND YOUTH IN THE CITY OF ZAGREB

At the beginning of 2014, in order to better evaluate the practical implementation of specific measures of the actual national and city strategy for Roma inclusion in the domain of health care of children and young people, a member of the Roma National Council conducted interviews with selected representatives of Roma and non-Roma stakeholders.

The case study focused on assessing the implementation and results of two specific measures:

- Systematic work to improve the health of Roma infants and children by making the level of vaccination of Roma children equal to that of the rest of the population (increasing the proportion of vaccinated Roma children).
- Health education on family planning, reproductive health presentation and safe motherhood, especially among child-bearing women and midwives (education of Roma assistants, education of Roma families through home visiting teams).

The interview with the Head of the Health Department in the City Office for Health revealed, among other things, the problem of the non-existence of precise information on vaccination of children disaggregated by ethnicity, as such data were not collected. On the question of the extent of vaccination of Roma children the answer was that the Office does not have such data and that the respective physicians do not provide such data in their reports. The Head of the Department expressed the opinion that she could not even share such information as it might be considered as discrimination.

A representative of one paediatric dispensary at the Medical centre in Zagreb-Istok, who estimates that this dispensary covers the highest number of Roma in the whole of Zagreb, pointed out the following challenges to implementation of the planned measures:

- In some cases there is a problem in establishing appropriate contact and cooperation with Roma parents.
- Roma parents often do not fulfil their obligations when it comes to bringing the children to vaccination or systematic medical examinations (in that dispensary 80% of Roma children did not receive complete vaccination).
- The physician alerts visiting nurses in cases when parents fail to bring their children for vaccination; however the work of visiting-nurse service in the field is rather difficult due to bad conditions in Roma settlements.
- Roma children are brought to the physician only when they are severely ill, very seldom preventively.
- The inadequate hygienic standards and conditions in which they live are often visible on the Roma children.

During the discussion of the focus group attended by members of the Roma community from several city settlements with significant concentrations of Roma (e.g. Kozari putevi, Trnava, Petruševac, Struge), the following opinions and ideas on implementation of the targeted health protection measures were expressed:

- It is necessary to invest more in the education of young Roma related to early marriage (common-law marriage) and family planning as well as in education on reproductive health, STD protection and improvement of living conditions.
- Roma girls who attended counselling on health/reproductive health protection and family planning consider such counselling very useful.
- Roma parents often do not provide sufficient care to their children because of hardship and bad living conditions.

continued on p.68

- *In the urban Roma settlements children are insufficiently reached by the vaccination measures.*
- *Roma CSOs could and should contribute more to health education.*
- *In general, the position of Roma has been slightly improved, however the situation should be better in view of the financial investments and projects targeting the Roma population.*

The case study reiterates the problem of the failure to collect data disaggregated by ethnicity and, therefore, the problem of inadequate monitoring of Roma coverage by the specific integration measures in the field of health and in achieving targeted results. Furthermore, it points to the need to improve and intensify activities aimed at informing and educating Roma on access to health services and the functioning of health systems, with particular emphasis on parents and adolescents. The study also suggests that proper planning of co-operation, and the promotion of co-operation between competent health institutions and local Roma stakeholders, particularly local Roma NGOs and institutions, as well as accepting their mutual responsibility in the implementation of strategic measures in the field of health, can significantly contribute to envisaged outreach actions and to improving the health of Roma, especially those living in segregated and marginalized Roma settlements.

6. HOUSING

De-Segregation and Non-Discriminatory Access to Housing

Although it refers to the principles of “de-stigmatization, de-segregation and de-ghettoization” in dealing with Roma housing issues,²²⁴ the 2012 National Strategy does not envisage clear and systematic plans and measures to promote the residential de-segregation of segregated Roma localities. The exact number of Roma living in segregated environments is difficult to determine, primarily due to the fact that many segregated “Roma settlements” are not officially registered by competent local and regional authorities or included in their land use plans.

Similarly to the 2003 National programme, the Strategy rather focuses its goals and measures on research into spatial organization and the spatial organization of Roma settlements, physical planning and environmental protection, as well as legalisation and raising the standard and adequacy of Roma housing facilities in segregated local Roma environments. These measures, including several plans for securing social housing for Roma families in need, are envisaged as key “de-segregation” interventions in the area of housing.²²⁵ Therefore, by planning and conducting most housing interventions in segregated environments, the Strategy goes against the principles of de-segregation and de-ghettoization that it generally promotes. An example of a certain discrepancy between the mainstream integration/de-segregation and targeted housing and physical planning policies in segregated Roma settlements that could maintain spatial and social separation between Roma and non-Roma population is discussed in Chapter 1.4.

There are no quantifiable or other systematized indications as to the change in the number of Roma living in segregated environments in 2012 and 2013.

Access to Public Utilities and Social Services Infrastructure

Implementation of NRIS physical planning policies and the legalization of Roma housing facilities and settlements are considered as key legal and technical assumptions for the development of public utility and social service infrastructures in and around segregated Roma settlements and, as such, remained highly prioritized during 2012 and 2013. In this regard, it should be mentioned that newly adopted legislation of 2012²²⁶ (which regulates the conditions, procedures and legal consequences of bringing illegal buildings within the legal system) set the final deadline for submission of applications for legalization of illegally constructed buildings in Croatia at 30th of June 2013. As the process of legalization requires additional funding that Roma often do not have, the authorities provided funds for the legalization of more than 350 Roma houses in 2013.²²⁷

The authorities report a number of interventions aimed at the development of public utility and social service infrastructures in and around segregated Roma settlements in 2012 and 2013; mainly referring to the construction of access roads and water supply networks and reconstruction of housing facilities in

224 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 83.

225 *Ibid.*, 87.

226 *Zakon o postupanju s nezakonito izgrađenim zgradama [Law on the Procedures with Illegally Constructed Buildings]*, Official Gazette (Narodne novine) No. 86/2012 and 143/2013.

227 Information presented by Veljko Kajtazi, Roma MP and the president of RNC, at a ceremony on the occasion of the International Roma Day held in Zagreb, 8 April 2014.

Varaždin, Međimurje, Sisak-Moslavina and Osijek-Baranja counties.²²⁸ Funding for these purposes was mainly (but not exclusively) provided from the State budget, through the Commission for the Monitoring of the National Roma Programme and the (National) Council for National Minorities. For example, at its session of 13 June 2013, the (National) Council for National Minorities approved financial support/co-financing for local interventions to the total amount of 550,000.00 HRK to: Varaždin County (for establishing a children's playground in the Municipality of Petrijanec), City of Grubišno Polje (for renovating one street), City of Kutina (for constructing the Roma social centre); City of Đurđevac (for reconstructing roads in a local Roma settlement); the Municipality of Petlovac (for completing facilities in a Roma settlement in Torjanci); and the Municipality of Darda (for constructing the Cultural Centre of Roma in Baranja region).²²⁹ However, the biggest investment in the improvement of infrastructure in Roma settlements in 2012 and 2013, valued at more than 1.9 million EUR was realized through the IPA 2008 "Roma Support Project – Phase III: Infrastructure Improvements in Roma Settlements of Orehovica and Sitnice" in Međimurje County. This project involved the building of communal infrastructure, including roads and water and power supply systems.²³⁰

Regarding the data on the proportion of Roma with no access to certain communal infrastructure services, the 2011 UNDP-World Bank-European Commission Regional Roma Survey suggests that some 35% of Roma households do not have piped water inside the dwelling or in the garden/yard; 45% lack an inside toilet or bathroom; while 88% have access to electricity in their residential facilities.²³¹

Although the interventions mentioned above positively impacted some local Roma communities, more precise quantifiable indications on the change in the number of Roma with improved access to public utilities and social services infrastructure in 2012 and 2013 are not officially provided and are difficult to estimate unofficially.

Social Housing

It should be said that there are no separate regulations governing the state's obligation in the area of housing for socially vulnerable populations, including Roma, while specific measures regarding social housing are mainly conducted by a very few local self-government units.

Under the objectives in the area of housing, the 2012 National Strategy, *inter alia*, envisages the application of "social programmes to secure housing for Roma families and individuals where necessary".²³² Furthermore, the Strategy envisages exchanges for Roma housing units that cannot be legalized and the construction of houses for Roma in compliance with the Law on Areas of Special State Concern, according to the plans of regional and local governments.²³³ These targeted measures are further elaborated and incorporated in the Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015, but no precise data on their impact, the affordability of social housing and the number of Roma beneficiaries in 2013 have been officially reported so far.

Cross-Sectoral Approach to Housing Interventions

The 2012 National Strategy concludes that "housing should be an integral component of most national strategies and programmes, and also measures, as an issue which encompasses all major sectors, while the activities tied to housing should be part of an integrated approach, including, in particular, human rights,

228 See, e.g., GOHRRNM, *Roma Decade Progress Report 2012*.

229 See Savjet za nacionalne manjine, *Zapisnik sa 53. sjednice Savjeta za nacionalne manjine [Minutes of the 53rd Session of the Council for National Minorities]*, 11 September 2013, available at: http://www.savjet.nacionalne-manjine.info/files/2013/zapisnik_53_2013.doc.

230 See Ured za ljudska prava i prava nacionalnih manjina, "Projekti u okviru programa Phare i IPA" [Projects under Phare and IPA programmes], available at: http://www.uljppnm.vlada.hr/index.php?option=com_content&view=article&id=50&Itemid=9.

231 See UNDP-World Bank-European Commission Regional Roma Survey 2011.

232 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 87.

233 *Zakon o područjima posebne državne skrbi [Law on the Areas of Special State Concern]*, Official Gazette (Narodne novine) No. 86/2008, 57/2011, 51/2013, 148/2013 and 76/2014. The Law targets former war-affected areas and under-developed regions of the country.

education, health-care, social issues, employment and public safety and de-segregation.²³⁴ During 2012 and 2013, however, there were no significant and more visible improvements in broadening the scope of housing interventions, urban planning and rural development and making them part of a comprehensive cross-sectoral approach.

Involvement of Regional and Local Authorities and Communities

The involvement of regional and local authorities and communities in the implementation of NRIS measures is generally problematized in Chapters 1.2 and 1.3.

However, since the adoption of the 2003 National Programme regional and local authorities have been mainly involved in creating the conditions for the urbanisation of Roma settlements; primarily in the area of spatial planning, by creating and adopting relevant spatial plans and other documentation. In the period between 2004 and early 2013, all 14 county programmes for the improvement of the space and environment on locations inhabited by Roma were created, out of which 13 were adopted.²³⁵ At the same time, a total of 25 spatial plans have been created and adopted for 17 locations in 16 local self-government units in 13 counties.²³⁶

Furthermore, involvement of regional and local authorities in the implementation of housing measures of relevance for Roma can be observed through their participation in PHARE 2005, PHARE 2006 and IPA 2008 Roma Support projects Phase I - III, which were implemented in 6 Roma settlements located in Međimurje County.²³⁷ According to GOHRRNM, despite a number of challenges in their preparation and implementation, experience gained from these three EU funded projects should contribute to better planning of similar interventions and to improving co-operation amongst central and local-level stakeholders in the future.

MEASURES FOCUSED ON IMPROVEMENT OF THE HOUSING AND LIVING CONDITIONS OF ROMA IN THE CITY OF SLAVONSKI BROD

According to the results of the 2011 census, the City of Slavonski Brod is inhabited by 59,141 people, of whom 1,142 (1.93%) are Roma. The City area includes one segregated "Roma settlement". Since 2006 within the framework of the 2003 National Programme for Inclusion of Roma and the National Action Plan of the Decade of Roma Inclusion 2005–2015, the City of Slavonski Brod has started on the implementation of activities focused on providing the possibility for retaining and legalizing all Roma housing facilities and equipping the "Roma settlement" with the necessary infrastructure.

In line with this, the particular objectives and activities of the City of Slavonski Brod in the previous period were:

1. *To settle property-legal affairs: the procedures were commenced in order to provide Roma minority members, as the actual inhabitants of the family dwellings, with legal ownership of the buildings. In 2013 an elaborate territorial subdivision of the "Roma settlement" was created as one of the pre-conditions for settling property-legal affairs.*
2. *To launch the process of legalization of illegally built objects: approximately 400 requests for legalization of illegally built objects in the "Roma settlement" were submitted. However due to incomplete documentation, those cases could not be settled and therefore a procedure for completion of the documentation and the processing of the cases was initiated.*

continued on p.72

234 See Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020*, 84.

235 See Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015*, 74.

236 *Ibid.*, 75.

237 See Ured za ljudska prava i prava nacionalnih manjina, "Projekti u okviru programa Phare i IPA" [Projects under Phare and IPA programmes].

3. *To develop the communal infrastructure: the rainfall drainage system in one street was improved and the modernisation of the macadam roads conducted (gravelling and asphaltting).*

At the end of March 2014, a focus group consisting of Roma community members assembled in the "Roma settlement" in order to discuss and review the so-far implemented activities and actual results of the measures focused on improving living conditions.

The participants of the focus group confirmed that the local authorities have invested copious efforts and resources for the improvement of the infrastructure in the settlement (water-supply network, power network, road asphaltting), however, they emphasize that there are still parts of the settlement that cannot be connected to the water-mains and power networks and therefore those mains/networks should be expanded and upgraded, and the road asphaltting should be completed. The participants also said that the land subdivision process was initiated, but only thanks to the high level of engagement of the Council of Roma National Minority, and pressure brought to bear by the Council on the city authorities. As a result of the initiative of the Association of Roma "Ludari of Romanian Origin" a bus stop shelter was built in the settlement.

The highest priority issues remain the issues of the legalization of illegal objects, and connection to water-mains, power and sewerage systems. Actually, building the water-mains, power and sewerage networks in the Settlement did not produce appropriate results in terms of the improvement of living conditions because legal connection to the existing networks is conditional upon the clear legal status of the housing objects. The respective communal companies do not allow connection to the communal infrastructure networks without proper documentation, which includes the decision on legalization, the building permit, or the decision on the construction status of the building. In line with this, the City Council of the Roma National Minority requested the respective institutions to consider the possibility of providing temporary connections to water-mains and power networks until the processes of land sub-division and legalization are completed.

The work on cleaning the drainage network was conducted, but the participants of the focus group complained about the quality of the work as the waste water is still flowing back into the settlement.

The participants of the focus groups assessed the living conditions and quality of life in the Settlement as poor, despite the measures implemented in the domain of housing, as according the estimates of the participants, 95% of the inhabitants survive on the social welfare allowance.

INTER-SECTORAL COOPERATION FOR CREATION OF THE PRECONDITIONS FOR LAND SUB-DIVISION AND LEGALIZATION OF THE ROMA SETTLEMENT IN CAPRAŠKE POLJANE IN THE CITY OF SISAK

According to the 2011 Census, the City of Sisak has 47,768 citizens, of whom 648 are Roma. Capraške Poljane is the Roma settlement in Sisak, situated on the city outskirts; it is the biggest Roma settlement in Sisak-Moslavina County. The settlement counts approximately 150 houses in which, according to some unofficial estimates, approximately 1,700 Roma live. In the settlement Roma live in illegally built houses, most of which are in rather bad condition. The settlement has water-mains and power networks. However, most of the inhabitants do not have access to the power network. A serious problem for the settlement is the lack of a sewerage system. The roads are only partially asphalted, which creates difficulties especially in rainy and winter periods. There is no community house in the settlement, nor is there access to a shop, a dispensary, a post office or any other services. There is no public transportation apart from the school bus for children who attend elementary school.

The settlement is situated on land mainly owned by the City of Sisak (c. 78,000 square meters). The City of Sisak has created a detailed plan for spatial arrangement of the settlement based on which the land

subdivision should be carried out. Creation of land division based on the detailed spatial arrangement plan for the settlement of Capraške Poljane is a precondition for the legalization of illegally built housing objects and the whole settlement and for the planning and construction of the missing infrastructure (sewerage, power network, waste water drainage, roads, etc.) as well as for the legal connection of the houses to the infrastructural networks.

In 2013 the City of Sisak allocated insufficient financial resources to cover the costs of land division in Capraške Poljane – only 10–15% of the necessary funds. At the beginning of 2013 the Roma representatives in the city of Sisak and Sisak-Moslavina County, in cooperation with the Sisak civil society organization Civil Right Project (CRP), organized a meeting with the City authorities in order to discuss the issue of insufficient funding allocation. The purpose of the meeting was to find possible solutions for securing additional financial means for the land division process. However, the local elections in May 2013 brought changes in the political scene, and therefore another meeting had to be held with the new city authorities. The meeting was also attended the representatives of UNDP Croatia, to which CRP appealed for financial support in co-financing the land subdivision project. The new city authorities confirmed the cooperation and promised to secure the planned financial allocation in the process of amending the budget. Subsequently, at the end of 2013 UNDP signed an agreement with the city of Sisak on the co-financing of the land subdivision project. Thus the procedure could be commenced and is currently in progress.

It should be mentioned that in February 2014, in accordance with the National Roma Inclusion Strategy 2013–2020, Sisak-Moslavina County adopted the County Action Plan for Roma Inclusion 2013–2015, which foresees implementation of the measures related to settling issues of ownership and property-legal affairs as well as the implementation of the legalisation process in the Roma settlements. That measure, in the particular case of Capraške Poljane, is linked to finalization of the land subdivision process as a precondition for legalization of the illegally built Roma housing objects. Currently in 2014 local Roma representatives, the Roma MP, local authorities and the respective ministry are engaged in resolving the issues of legalisation.

BIBLIOGRAPHY

- Centar za socijalnu skrb Čakovec, "Gastrostart", web page, available at: http://czss-ck.hr/?Projekti___Gastrostart (accessed: 11 May 2014)
- Council of Europe, Committee of Ministers, *Resolution CM/ResCMN(2011)12 on the implementation of the Framework Convention for the Protection of National Minorities by Croatia*, 6 July 2011, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1812557&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383> (accessed: 11 May 2014)
- Council of Europe, Committee of Ministers, *Supervision of the execution of the judgment in the case of Oršuš and others against Croatia*, 2 November 2011, available at: <https://wcd.coe.int/ViewDoc.jsp?id=1862497&Site=COE> (accessed: 11 May 2014)
- Council of Europe, *Estimates and official numbers of Roma in Europe*, updated on 2 July 2012, web page, available at: http://hub.coe.int/c/document_library/get_file?uuid=3f6c4a82-0ca7-4b80-93c1-fef14f56fdf8&groupId=10227
- Council of Europe, Secretariat of the Committee of Ministers, *Action Report/Communication from Croatia concerning the case Šečić against Croatia (Application No. 40116/02)*, 17 April 2012, DH-DD(2012)410, available at: <https://wcd.coe.int/com.instranet.InstraServlet?command=com.instranet.CmdBlobGet&InstranetImage=2075824&SecMode=1&DocId=1882062&Usage=2> (accessed: 11 May 2014)
- Croatian Bureau of Statistics (www.dzs.hr) (accessed: 11 May 2014)
- European Commission Against Racism and Intolerance (ECRI), *ECRI Report on Croatia (fourth monitoring cycle) [CRI(2012)45]* (Strasbourg, 20 June 2012), available at: <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Croatia/HRV-CbC-IV-2012-045-ENG.pdf> (accessed: 11 May 2014)
- European Court of Human Rights, *Beganović v. Croatia (Application no. 46423/06)*, Judgement of 25 June 2009, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-93258> (accessed: 11 May 2014)
- European Court of Human Rights, *Đurđević v. Croatia (Application no. 52442/09)*, Judgement of 19 July 2011, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-105691> (accessed: 11 May 2014)
- European Court of Human Rights, *Oršuš and others v. Croatia (Application no. 15766/03)*, Judgement of 16 March 2010, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-97689> (accessed: 11 May 2014)
- European Court of Human Rights, *Šečić v. Croatia (Application no. 40116/02)*, Judgement of 31 May 2007, available at: <http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-80711> (accessed: 11 May 2014)
- European Union Agency for Fundamental Rights – FRA, *Housing conditions of Roma and Travellers in the European Union: Comparative report* (Vienna, October 2009), available at: http://fra.europa.eu/sites/default/files/fra_uploads/608-ROMA-Housing-Comparative-Report_en.pdf (accessed: 11 May 2014)
- GOHRRNM, *Action Plan for the Removal of Obstacles to the Exercise of Particular Rights in the Area of Integration of Foreigners 2013–2015* (Zagreb, July 2013), available at: http://www.uljppnm.vlada.hr/images/30092013/Integration_Action_Plan.pdf (accessed: 11 May 2014)
- GOHRRNM, *Roma Decade Progress Report 2012* (Zagreb, 2013), available at: <http://www.uljppnm.vlada.hr/images/pdf/croatia%20%20roma%20decade%20progress%20report%202012.pdf> (accessed: 11 May 2014)
- Government of the Republic of Croatia, *Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015* (Zagreb, April 2013), available at: <http://www.uljppnm.vlada.hr/images/23102013/action%20plan%20for%20the%20implementation%20of%20nris%202013-2015.pdf> (accessed: 11 May 2014)
- Government of the Republic of Croatia, *National Programme for the Roma* (Zagreb, October 2003), available at: http://www.dijete.hr/en/documents/national-plans-and-strategies/doc_view/221-the-national-program-for-the-roma.raw?tmpl=component (accessed: 11 May 2014).

- Government of the Republic of Croatia, *National Roma Inclusion Strategy from 2013 to 2020* (Zagreb, November 2012), available at: <http://www.uljppnm.vlada.hr/images/23102013/national%20roma%20inclusion%20strategy%202013-2020.pdf> (accessed: 11 May 2014)
- Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2012. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2012] (Zagreb, January 2013)
- Hrvatski zavod za zapošljavanje, *Izvješće o aktivnostima Hrvatskog zavoda za zapošljavanje u području zapošljavanja osoba romske nacionalne manjine za period siječanj – prosinac 2013. godine* [Report on the activities of the Croatian Employment Institute in the area of employment of persons belonging to Roma national minority for the period January – December 2013] (Zagreb, January 2014)
- Hrvatski zavod za zapošljavanje, *Potpore za zapošljavanje* [Employment Subsidies], available at: http://www.hzz.hr/UserDocsImages/Paket_potpore_Letak.pdf (accessed: 11 May 2014)
- Hrvatski zavod za zapošljavanje, "Rezultati provedbe Mjera aktivne politike zapošljavanja u 2013. godini - Ukupni korisnici Mjera aktivne politike zapošljavanja u 2013. godini do 31.12.2013. godine" [Results of the implementation of the active employment policy measures – Total beneficiaries of the active employment policy measures in 2013, till 31 December 2013], web page, available at: <http://www.hzz.hr/default.aspx?id=11818> (accessed: 11 May 2014)
- Index.hr, "Hrvatski zavod za zapošljavanje tvrdi: Nema malverzacija, na ugovoru krivo piše ima programa" [Croatian Employment Institute states: No misappropriations, the contract incorrectly writes the name of the program], web page, 25 April 2014, available at: <http://www.index.hr/vijesti/clanak/hrvatski-zavod-za-zaposljavanje-tvrdi-nema-malverzacija-na-ugovoru-krivo-pise-ima-programa/741862.aspx> (accessed: 11 May 2014)
- Index.hr, "Jesu li u Međimurju zahvaljujući EU romska djeca 'jednakija od drugih?'" [Are, thanks to EU, Roma children in Međimurje 'more equal than others?'], web page, 20 November 2013, available at: <http://www.index.hr/vijesti/clanak/jesu-li-u-medjimurju-zahvaljujuci-eu-romska-djeca-jednakija-od-drugih/712467.aspx> (accessed: 11 May 2014)
- Jagoda Novak, Aron Pecnik and Bajro Bajrić, *Analiza i smjernice za osnaživanje romskog civilnog sektora u Republici Hrvatskoj* [Analysis and guidelines for Roma civil society capacity building in Croatia] (Zagreb: Centar za ljudska prava i Udruga Romi za Rome Hrvatske, 2012), available at: http://www.ombudsman.hr/dodaci/628_Analiza%20i%20smjernice%20za%20osnazivanje%20kapaciteta%20romskog%20civilnog%20sektora%20u%20RH.doc (accessed: 11 May 2014)
- Jagoda Novak, Ivana Faletar and Aron Pecnik, *Provedba Akcijskoga plana Desetljeća za uključivanje Roma za Hrvatsku u periodu 2009. - 2010. godina (u kontekstu Okvira za praćenje Desetljeća za uključivanje Roma, UNDP, 2008)* [Implementation of the Action Plan for the Decade of Roma in Croatia in the period 2009 - 2010 (in the context of the Framework for the Decade of Roma Inclusion, UNDP, 2008)] (Zagreb: Centar za ljudska prava, February 2011), 55, available at: http://www.ombudsman.hr/dodaci/584_Integracija%20Roma-kinja%20-%20Centar%20za%20ljudska%20prava.pdf (accessed: 11 May 2014)
- Jasenovac Declaration, 2013, available at: http://www.romadecade.org/cms/upload/file/9470_file1_jasenovac_declaration.pdf (accessed: 11 May 2014)
- Ljubomir Mikić, *Korištenje fondova EU za integraciju Roma u Republici Hrvatskoj: Iskustva i izazovi* [Use of EU funds for Roma inclusion in Croatia: Lessons learned and future challenges] (Vukovar: Centre for Peace, Legal Advice and Psychosocial Assistance – Vukovar and Roma National Council, November 2013), available at: http://www.center4peace.org/images/PDF/Romi_EU%20fondovi_11%20studenti%202013.pdf (accessed: 11 May 2014)
- Milena Babić, "Korištenje IPA Fondova za poboljšanje položaja romske zajednice u Hrvatskoj" [Use of IPA funds for improving the situation of the Roma community in Croatia] (PowerPoint presentation, public event "Use of EU funds for Roma inclusion in Croatia: Lessons learned and future challenges", Zagreb, 4 October 2013)
- Ministarstvo unutarnjih poslova Republike Hrvatske, "Trgovanje ljudima" [Human Trafficking], web page, available at: <http://www.mup.hr/31.aspx> (accessed: 11 May 2014)
- Moj-posao.net, "O javnim radovima" [On public works], web page, 18 January 2013, available at: <http://www.moj-posao.net/Vijest/72338/O-javnim-radovima/2/> (accessed: 11 May 2014)
- Nacionalni centar za vanjsko vrednovanje obrazovanja, *Analiza rezultata istraživanja provedenog u sklopu projekta „Pristupačnije i kvalitetnije obrazovanje Roma u Republici Hrvatskoj“* [Analysis of the research results within the project "More accessible and better quality education of Roma in the Republic of Croatia"] (Zagreb, August 2010), available at: http://dokumenti.ncvvo.hr/Kvaliteta_obrazovanja/Romi/analiza_rezultata.pdf (accessed: 11 May 2014)

- Niall Crowley, Angela Genova and Silvia Sansonetti, *Country Report on Croatia, Empowerment of Romani Women within the European Framework of National Roma Inclusion Strategies – Study* (Brussels: European Parliament, 2013), available at: [http://www.europarl.europa.eu/RegData/etudes/etudes/Join/2013/493020/IPOL-FEMM_ET\(2013\)493020_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/Join/2013/493020/IPOL-FEMM_ET(2013)493020_EN.pdf) (accessed: 11 May 2014)
- Povjerenstvo za praćenje provedbe Nacionalnog programa za Rome, *Izvješće o provođenju Nacionalnog programa za Roma za 2007., 2008. i 2009. godinu* [Report on the implementation of the National Programme for Roma for 2007, 2008 and 2009], available at: http://www.uljppnm.vlada.hr/images/pdf/izvjesce_o_%20provodjenju_nacionalnog_programa_za_rome_2007_08_09.pdf (accessed: 11 May 2014)
- Pravobraniteljica za djecu, *Izvješće o radu pravobraniteljice za djecu za 2013.* [Report on the Activities of the Ombudsperson for Children for 2013] (Zagreb, March 2014), available at: http://www.dijete.hr/hr/izvjemainmenu-93/izvjeo-radu-pravobranitelja-za-djecu-mainmenu-94/doc_download/410-izvjee-o-radu-pravobraniteljice-za-djecu-za-2013-godinu.html (accessed: 11 May 2014)
- Pučka pravobraniteljica, *Izvješće pučke pravobraniteljice za 2013. godinu* [Report of the Ombudsperson for 2013] (Zagreb, 31 March 2014), available at: <http://www.ombudsman.hr/index.php/hr/izvjesca/izvjesce-pucke-pravobraniteljice/finish/20-2013/55-izvjesce-pucke-pravobraniteljice-za-2013-po-prvi-puta-objedinjeno-izvjesce-o-stanju-ljudskih-prava-u-hrvatskoj-i-radu-ureda> (last accessed: 24 July 2014)
- Pučki pravobranitelj, *Izvješće o pojavama diskriminacije za 2011.* [Report on manifestations of discrimination for 2011] (Zagreb, June 2012), available at: <http://www.sabor.hr/fgs.axd?id=21206> (accessed: 11 May 2014)
- Pučki pravobranitelj, *Izvješće o pojavama diskriminacije za 2012.* [Report on manifestations of discrimination for 2012] (Zagreb, June 2013), available at: <http://www.ombudsman.hr/index.php/hr/izvjesca/izvjesca/finish/21-2012/2-izvjesce-o-pojavama-diskriminacije-za-2012-godinu> (last accessed: 24 July 2014)
- Republika Hrvatska, *Kazneni zakon* [Criminal Code], Official Gazette (Narodne novine) No. 125/2011 and 144/2012
- Republika Hrvatska, *Migracijska politika Republike Hrvatske za razdoblje 2013. - 2015. godine* [Migration Policy of the Republic of Croatia for the period 2013–2015], 22 February 2013, Official Gazette (Narodne novine) No. 27/2013
- Republika Hrvatska, *Nacionalna politika za ravnopravnost spolova, za razdoblje od 2011. do 2015. godine* [National Policy for Gender Equality 2011–2015], 15 July 2011, Official Gazette (Narodne novine) No. 88/2011
- Republika Hrvatska, *Nacionalna strategija razvoja zdravstva 2012.–2020.* [National Health Care Strategy 2012–2020], September 2012, Official Gazette (Narodne novine) No. 116/2012
- Republika Hrvatska, *Ustavni zakon o pravima nacionalnih manjina* [Constitutional Law on the Rights of National Minorities], Official Gazette (Narodne novine) No. 155/2002, 47/2010, 80/2010 and 93/2011
- Republika Hrvatska, *Zakon o azilu* [Law on Asylum], Official Gazette (Narodne novine) No. 79/2007, 88/2010 and 143/2013
- Republika Hrvatska, *Zakon o hrvatskom državljanstvu* [Law on Croatian Citizenship], Official Gazette (Narodne novine) No. 53/1991, 70/1991, 28/1992, 113/1993, 4/1994 and 130/2011
- Republika Hrvatska, *Zakon o obveznom zdravstvenom osiguranju* [Law on Compulsory Health Insurance], Official Gazette (Narodne novine) No. 80/2013 and 137/2013
- Republika Hrvatska, *Zakon o obveznom zdravstvenom osiguranju i zdravstvenoj zaštiti stranaca u Republici Hrvatskoj* [Law on Compulsory Health Insurance and Health Care of Foreigners in the Republic of Croatia], Official Gazette (Narodne novine) No. 80/2013
- Republika Hrvatska, *Zakon o odgoju i obrazovanju na jeziku i pismu nacionalnih manjina* [Law on Education in Minority Languages], Official Gazette (Narodne novine) No. 51/2000 and 56/2000
- Republika Hrvatska, *Zakon o odgoju i obrazovanju u osnovnoj i srednjoj školi* [Law on Education in Primary and Secondary Schools], Official Gazette (Narodne novine) No. 87/2008, 86/2009, 92/2010, 105/2010, 90/2011, 5/2012, 16/2012, 86/2012, 126/2012 and 94/2013
- Republika Hrvatska, *Zakon o područjima posebne državne skrbi* [Law on the Areas of Special State Concern], Official Gazette (Narodne novine) No. 86/2008, 57/2011, 51/2013, 148/2013 and 76/2014
- Republika Hrvatska, *Zakon o postupanju s nezakonito izgrađenim zgradama* [Law on the Procedures with Illegally Constructed Buildings], Official Gazette (Narodne novine) No. 86/2012 and 143/2013
- Republika Hrvatska, *Zakon o suzbijanju diskriminacije* [Law on Combating Discrimination], Official Gazette (Narodne novine) No. 85/2008 and 112/2012

- Republika Hrvatska, *Zakon o zaštiti prava pacijenata [Law on the Protection of Patients Rights]*, Official Gazette (Narodne novine) No. 169/2004 and 37/2008
- Republika Hrvatska, *Zakon o zdravstvenoj zaštiti [Law on Health Protection]*, Official Gazette (Narodne novine) No. 150/2008, 71/2010, 139/2010, 22/2011, 84/2011, 154/2011, 12/2012, 35/2012, 70/2012, 144/2012, 82/2013, 159/2013 and 22/2014
- Savjet za nacionalne manjine, *Zapisnik sa 53. sjednice Savjeta za nacionalne manjine [Minutes of the 53rd Session of the Council for National Minorities]*, 11 September 2013, available at: http://www.savjet.nacionalne-manjine.info/files/2013/zapisnik_53_2013.doc (accessed: 11 May 2014)
- Transparency International Croatia, "Građani Hrvatske najkorumpiranijim smatraju političke stranke, sudstvo i javne službenike" [Croatian citizens consider political parties, the judiciary and public officials the most corrupted], web page, 2013, available at: <http://www.transparency.hr/hr/sto-radimo/globalni-barometar-korupcije/41> (accessed: 11 May 2014)
- UNDP, *Atlas romskih naselja u Međimurskoj županiji [Atlas of Roma settlements in Međimurje County]*, web page, 2014, available at: <http://www.hr.undp.org/content/dam/croatia/docs/Research%20and%20publications/socialinclusion/UNDP-HR-ATLAS-ROMA-MEDJIMURJE-2014.pdf> (accessed: 11 May 2014)
- UNDP-World Bank-European Commission Regional Roma Survey 2011, *Data on Croatia*, web page, available at: http://www.eurasia.undp.org/content/dam/rbec/docs/Roma_survey_data___Croatia_2011.xls (accessed: 11 May 2014)
- UNHCR, *Estimate of Refugees and Displaced Persons still seeking solutions in South-Eastern Europe, As at 30 June 2013*, web-page, available at: http://www.unhcr.hr/media/com_form2content/documents/c2/a56/f9/SEE_EstimateOfRefIDPs_MapA3LC_30-06-2013.pdf (accessed: 11 May 2014)
- Ured za ljudska prava i prava nacionalnih manjina, *Akcijski plan Desetljeća za uključivanje za 2011. i 2012. godinu [Action Plan for the Decade of Roma Inclusion 2011-2012]* (Zagreb, May 2011), available at: http://www.uljppnm.vlada.hr/images/pdf/akcijski_plan_2011_12.pdf (accessed: 11 May 2014)
- Ured za ljudska prava i prava nacionalnih manjina, *Izvješće o provedbi Akcijskog plana Desetljeća za uključivanje Roma za 2011. i 2012. godinu [Report on the Implementation of the Action Plan of the Decade for Roma Inclusion for 2011 and 2012]*, (Zagreb, March 2013)
- Ured za ljudska prava i prava nacionalnih manjina, *Izvješće o provedbi Nacionalnog plana za suzbijanje trgovanja ljudima za razdoblje od 2009. do 2011. godine, za 2011. godinu [Report on the implementation of the National Plan for Combating Trafficking in Persons 2009–2011 for 2011]* (Zagreb, 2012), available at: http://www.uljppnm.vlada.hr/images/pdf/izvjescje_za_2011god.pdf (accessed: 11 May 2014)
- Ured za ljudska prava i prava nacionalnih manjina, *Izvješće o radu Stalnog povjerenstva za provedbu integracije stranaca u Hrvatsko društvo za 2013. godinu [Report of the Permanent Commission for the Implementation of the Integration of Foreigners into Croatian Society for 2013]* (Zagreb, January 2014), available at: <http://www.uljppnm.vlada.hr/images/izvjescje%20o%20rau%20stalnog%20povjerenstva%20-%202013.pdf> (accessed: 11 May 2014)
- Ured za ljudska prava i prava nacionalnih manjina, "Okončano savjetovanje na nacrt Nacionalne strategije za uključivanje Roma za razdoblje od 2013. do 2020. godine/Očitovanja zainteresirane javnosti" [Completed consultation on the draft National Strategy for Roma Inclusion 2013–2020/Comments by interested public], web page, available at: http://www.uljppnm.vlada.hr/index.php?option=com_content&view=category&layout=blog&id=4&Itemid=80 (accessed: 11 May 2014)
- Ured za ljudska prava i prava nacionalnih manjina, "Projekti u okviru programa Phare i IPA" [Projects under Phare and IPA programmes], web page, available at: http://www.uljppnm.vlada.hr/index.php?option=com_content&view=article&id=50&Itemid=9 (accessed: 11 May 2014)
- Ured za ljudska prava i prava nacionalnih manjina, *Savjetovanje sa zainteresiranom javnošću – Nacrt Akcijskog plana za provedbu Nacionalne strategije za uključivanje Roma, za razdoblje 2013.–2015. [Public consultation – Draft Action Plan for the implementation of the National Roma Inclusion Strategy for the period 2013–2015]*, available at: <http://www.uljppnm.vlada.hr/images/01012014/objedinjene%20primjedbe.pdf> (accessed: 11 May 2014)
- Veljko Kajtazi, "Novo sutra za romsku zajednicu – Đurđevac" [New Tomorrow for Roma Community of Đurđevac], web page, 1 June 2012, available at: <http://veljkokajtazi.com/wordpress/novo-sutra-za-romsku-zajednicu-durdevac/> (accessed: 11 May 2014)
- Vlada Republike Hrvatske, "Akcijski plan Desetljeća za uključivanje Roma 2005.–2015 – Radna skupina" [Action Plan for the Decade of Roma Inclusion 2005–2015 – Working Group], web page, 28 May 2013, available at: http://www.vlada.hr/hr/aktualne teme_i_projekti/aktualne teme/nacionalni_program_za_rome/akcijski_plan_desetljeca_za_ukljucivanje_roma_2005_2015/radna_skupina (accessed: 11 May 2014)

- Vlada Republike Hrvatske, *Izvešće o provedbi Akcijskog plana za provedbu Ustavnog zakona o pravima nacionalnih manjina za razdoblje od 2011.–2013. godine, za 2012. godinu* [Report on the Implementation of the Action Plan for the Implementation of the Constitutional Law on the Rights of National Minorities 2011–2013 for 2012] (Zagreb, July 2013), available at: [http://www.uljppnm.vlada.hr/images/26072013/izvjesce%20o%20provedbi%20uzpnm-a%20-%20za%202012.pdf](http://www.uljppnm.vlada.hr/images/26072013/izvjesce%20o%20provedbi%20ap-a%20za%20provedbu%20uzpnm-a%20-%20za%202012.pdf) (accessed: 11 May 2014)
- Vlada Republike Hrvatske, *Izvešće o provođenju Ustavnog zakona o pravima nacionalnih manjina i o utrošku sredstava osiguranih u državnom proračunu Republike Hrvatske za 2012. godinu za potrebe nacionalnih manjina* [Report on the implementation of the Constitutional Law on the Rights of National Minorities and the expenditure of funds allocated from the state budget of the Republic of Croatia for national minorities in 2012] (Zagreb, July 2013), available at: <http://www.uljppnm.vlada.hr/images/26072013/izvjsce%20o%20provedbi%20uzpnm-a%20-%20za%202012.pdf> (accessed: 11 May 2014)
- Vlada Republike Hrvatske, *Nacionalni plan za suzbijanje trgovanja ljudima za razdoblje od 2012. do 2015. godine* [National Plan for Combating Trafficking in Human Beings 2012–2015] (Zagreb, 2012), available at: http://www.mup.hr/UserDocImages/nacionalni_programi/trgovanje_ljudima/2012/NACIONALNI%20PLAN%20FINALNO.pdf (accessed: 11 May 2014)
- Vlada Republike Hrvatske, "Nacionalni program za Rome – Članovi povjerenstva" [National Programme for Roma – Committee Members], web page, 28 May 2013, available at: http://www.vlada.hr/hr/aktualne teme_i_projekti/aktualne teme/nacionalni_program_za_rome/nacionalni_program_za_rome/clanovi_povjerenstva (accessed: 11 May 2014)
- Vlada Republike Hrvatske, *Odluka o osnivanju Povjerenstva za praćenje provedbe Nacionalne strategije za uključivanje Roma, za razdoblje od 2013. do 2020.* [Decision on establishing the Commission for monitoring implementation of the National Strategy for Roma Inclusion 2013–2020], 4 July 2013, Official Gazette (Narodne novine) No. 86/2013
- Vlada Republike Hrvatske, *Rješenje o imenovanju predsjednice, zamjenika predsjednice i članova Povjerenstva za praćenje provedbe Nacionalne strategije za uključivanje Roma, za razdoblje od 2013. do 2020. godine* [Decision on the appointment of the President, Vice-President and members of the Commission for monitoring implementation of the National Strategy for Roma Inclusion 2013–2020], 3 October 2013, Official Gazette (Narodne novine) No. 125/2013
- Vlada Republike Hrvatske, *Uredba o Uredu za ljudska prava i prava nacionalnih manjina* [Decree on the Office for Human Rights and Rights of National Minorities], 5 April 2012, Official Gazette (Narodne novine) No. 42/2012
- Youth Centre Osijek, "Project: Sustainable Future through the integration of Roma", web page, 28 August 2013, available at: <http://www.cnc.hr/projekti/Project-Sustainable-Future-through-the-integration-of-Roma---/32.html> (accessed: 11 May 2014)

This report was prepared by a civil society coalition comprising the following organisations: Institute of the Association for Transitional Researches and National Education – STINA Institute (lead organization), Roma National Council, and Centre for Peace, Legal Advice and Psychosocial Assistance. The lead researcher of the coalition is Ljubomir Mikić (Centre for Peace, Legal Advice and Psychosocial Assistance) and the project manager is Stojan Obradović (STINA Institute).

The authors of the report are: Ljubomir Mikić and Milena Babić (Centre for Peace, Legal Advice and Psychosocial Assistance) in consultation with Bibijana Papo and David D. Orlović (Roma National Council). The following researchers have been involved in the project: Agron Tahiri, Siniša Senad Musić, Čedo Todorović, Samanta Malkoč Hendeković and Branislav Tekić.

The following organizations have been involved in advising on the report: the Decade of Roma Inclusion Secretariat Foundation, the Central European University's Department of Public Policy, the European Roma Rights Centre, Habitat for Humanity, the Roma Education Fund, and from the Open Society Foundations: Making the Most of EU Funds for Roma program and the Roma Health Project. In 2013–2014, the Decade Secretariat has supported reports from civil society coalitions in eight countries: Bosnia-Herzegovina, Croatia, France, Germany, Italy, Montenegro, Serbia, and the United Kingdom. In the pilot year of 2012, reports from the following countries were supported: Albania, Bulgaria, Czech Republic, Hungary, Macedonia, Romania, Slovakia, and Spain.

In the reports, civil society coalitions supplement or present alternative information to Decade Progress Reports submitted by Participating Governments in the Decade of Roma Inclusion and to any reports submitted by State parties to the European Commission on implementation of their NRIS. These reports are not meant to substitute for quantitative monitoring and evaluation by State authorities but to channel local knowledge into national and European policy processes and reflect on the real social impact of government measures. The civil society reports provide additional data to official ones, proxy data where there is not official data, or alternative interpretation of published data.

The project is coordinated by the Decade of Roma Inclusion Secretariat Foundation in cooperation with Open Society Foundation's Making the Most of EU Funds for Roma program. Funding for the project comes from the OSF Roma Initiatives Office.



Decade of Roma Inclusion Secretariat Foundation

Teréz körút 46.

1066 Budapest, Hungary

www.romadecade.org