



ERRC



Bibija



Eureka



Women's Space

**Written Comments of the European Roma Rights Centre, Bibija, Eureka and
Women's Space**

Concerning the Republic of Serbia

**For Consideration by the
United Nations Committee on the Elimination of Discrimination against
Women
at its 38th Session.**

Funded by



OPEN SOCIETY INSTITUTE
Public Health Program

1. Overview

- 1.1 The European Roma Rights Centre (ERRC)¹, Bibija², Eureka³ and Women's Space⁴, (hereafter "partners"), with financial support from the Open Society Institute's Public Health Program, jointly provide this parallel report to the United Nations Committee on the Elimination of Discrimination Against Women (hereafter "Committee"), commenting on the Initial Report of the Republic of Serbia (hereafter "Serbia"), submitted under Article 18 of the United Nations Convention on the Elimination of All Forms of Discrimination against Women (hereafter "Convention").
- 1.2 The submission is based mostly upon research conducted by the partners, together with six Romani women researchers and consultants, into the situation of Romani women in Serbia. Unless otherwise specified, references to research in this report refer to the findings of this research.
- 1.3 Romani women in Serbia face serious problems with regard to their status within society as well as within their domestic/family environments. Discrimination in access to education, health care, employment and issues of violence are amongst the main problems experienced by Romani women in Serbia. The need for a specific shadow report on the problems experienced by Romani women in Serbia flows from the almost complete ignorance of Romani women in the State report,⁵ despite abundant indications that Romani women comprise amongst the most vulnerable groups in the country.
- 1.4 In 2005, Serbia joined in the Decade of Roma Inclusion (2005-2015)⁶. Within this initiative, Serbia adopted four National Action Plans (NAP) in January 2005 that specify goals and indicators in the areas of housing, health, employment and education. However, very limited attention is paid to the specific situation of Romani women in the actions plans. In March 2005, a NAP on Romani women was drafted by initiative of the office for the Roma National Strategy working within the former Ministry for human and minority rights in collaboration with Romani women activists, the

¹ The **European Roma Rights Centre (ERRC)** is an international public interest law organisation engaging in a range of activities aimed at combating anti-Romani racism and human rights abuse of Roma. The approach of the ERRC involves, in particular, strategic litigation, international advocacy, research and policy development and training of Romani activists. The ERRC is a cooperating member of the International Helsinki Federation for Human Rights and has consultative status with the Council of Europe, as well as with the Economic and Social Council of the United Nations.

² **BIBIJA-Roma Women's Center** (1998) is a non-governmental organization working on accomplishment of Roma women's human rights and improvement of their social position in Serbia. Bibija provides psycho-social and legal support for Romani women, disseminates information through bilingual printed materials and supports Roma women's activism by developing trainings and advocating on national and international levels.

³ **Eureka** (2005) is a non-profit, non-governmental, non-political, civil organization set up by Romani woman from Sombor and Subotica which aims to strengthen the economic independence of Romani women by bringing their educational, social and health standard to a higher level and improving the overall standard of living of Romani woman in the whole sphere of social life.

⁴ **Women's Space** is a Romani Women's organisation based in Niš set up to empower Romani women by becoming an equal partner in all decision making targeting Roma women and issues relevant for Roma women

⁵ Available online at: <http://www.un.org/womenwatch/daw/cedaw/cedaw38/reports/serbiaE.pdf>

⁶ More information about the Roma Decade of Inclusion is available online at <http://www.romadecade.org>

Commission for Gender Equality and donor organisation; however, as of the end of February 2007, this plan had not yet been adopted.⁷

- 1.5 The human rights violations experienced by Romani women are exacerbated by a series of factors such as isolation, poverty, illiteracy, a lack of property ownership,⁸ a lack of personal documents or even citizenship, amongst others. Romani women currently living in Serbia as internally displaced persons (IDPs) from Kosovo or recently returned to Serbia from Western European countries, Germany in particular, also live in particularly precarious circumstances.
- 1.6 The research on which this report is based has confirmed that multiple and/or intersectional discrimination against Romani women is notable in Serbia. This is worrying in light of the fact that the Serbian government has, to date, failed to adopt a comprehensive anti-discrimination legal framework via which Romani women could seek to secure their rights and/or challenge abuses when these occur.
- 1.7 This report does not constitute a comprehensive assessment of all issues experienced by Romani women in Serbia. It aims to highlight key areas of concern for Romani women related to rights enshrined in the Convention. The partners hope that this report will assist the Committee in arriving at a complete and more representative assessment of Convention matters as well as provide suggestions as to possible recommendations to the Serbian government by the Committee.

2 Executive Summary:

- The living conditions of Roma in Serbia are extremely inadequate as a result of substandard housing and poverty
- Romani women in Serbia in many cases lack personal documents. This particularly affects Refugees, IDP's and returnees and is a significant barrier to exercise social and economic rights.
- Romani women are highly unrepresented amongst elected officials in Serbia.
- Policies and strategies adopted thus far by the Serbian Government to improve the socio-economic position of Roma have so far proved insufficient for Romani women and often lack a gender perspective that takes into account the particular situation and needs of Romani women.
- **Violence Against Women**
 - Violence against Romani women in Serbia is systematic and widespread and takes place both within and outside the Roma community.
 - Violence is exacerbated by a lack of mutual trust between Romani women and the Police which results in an extremely low rate of incident reporting by victims and inaction by the police when the incident is reported. Romani women who report the cases sometimes meet further abuse by the police and/or the batterer.

⁷ United Nations, Development Programme. *At Risk: The Social Vulnerability of Roma, Refugees and Internally Displaced Persons in Serbia*. Belgrade, June 2006. Available online at:

<http://www.undp.org.yu/tareas/policy/vulnerability%20report%20eng.pdf>

⁸ According to a publication by the Gender Barometer only 7% of all women in Serbia are listed as real estate owners. Available online at <http://www.awin.org.yu/images/pdf/RodniBarometar.pdf>

- Outside the Roma community, violence often takes place in the form of neo-Nazi attacks. Perpetrators of such attacks are rarely adequately punished, and Romani victims rarely receive adequate compensation
 - Within the community, violence against women often takes place in the form of domestic violence. In our research over 75% of the women who responded to questions on violence admitted having been victims of domestic violence at some point in their lives. The most reported forms of domestic violence were physical and verbal abuse by family members.
 - Romani women victims of domestic violence rarely seek medical help for their injuries out of shame as they are unwilling to reveal to the medical practitioner that the perpetrator of the injuries is a family member.
 - The State has failed to create an adequate environment by which victims of violence against women can come forward as well as an effective support network by which those victims would be able to obtain help and report cases of violence.
 - The admission criteria used by some state funded safe houses indirectly discriminates against Romani women and effectively results in no admissions of Romani women into safe houses.
 - The high rate of violence against Romani women is often linked to lack of housing alternatives, education and employment.
- **Education:**
- Romani women face a number of barriers in accessing education as reflected in higher illiteracy rates among Romani women compared to Romani men and significantly higher compared to non-Romani men and women.
 - Barriers commonly faced by Romani women are based on high rates of poverty and patriarchal traditions which result in lower expectations for Romani girls to complete education. Romani girls are burdened with family obligations from a very early age. Also, the tradition of virginity testing often results in the girl being withdraw from school by her family when she reaches puberty to limit her contact with her male school mates.
 - These barriers are further exacerbated by the common practise of placing Romani children in special needs schools for the mentally handicapped. Romani children are often wrongly placed in such schools on the basis of inadequate categorising by medical commissions and lack of economic possibilities that force Romani families to send their children to special schools as these schools result in less expenses.
 - Lack of personal identity and house registration documents needed in order to enrol in school are fundamental barriers for Romani children's access to education.
 - In some regular schools Romani children are segregated along ethnic lines into Roma only classes. In other cases, they are forced to sit at the back of the classroom thereby physically separating them from the rest of the students.
 - Romani children are often target of inhuman and degrading treatment in the form of verbal and physical abuse based on gender and ethnicity by other classmates and teachers. These practices are rarely punished by teachers and other officials, even when reported by Romani parents.
 - Language barriers and lack of positive models are still prevalent among large sectors of the Romani community and result in a further barrier for Romani girls to access education.

- **Employment:**
 - Research conducted by the partners indicates that a large number of Romani women do not have access to a formal employment as a result of low educational attainment levels as well as direct and indirect discrimination on the part of employers.
 - Romani women suffer from direct discrimination when seeking employment during the hiring process.
 - Employed Romani women also reported instances of discrimination at their workplaces on ethnic grounds.
 - A large number of Romani women are excluded from social benefits and face severe employment insecurity as they work in the grey economy.
- **Health:**
 - Romani women's health situation is significantly worse than that of the general population as a result of inadequate living conditions – such as substandard housing, extreme poverty and the disadvantaged position of Romani women within their domestic setting.
 - Romani women face barriers accessing health care services as a result of lack of identity documents, health insurance or health card. Romani women refugees, IDP's and returnees are particularly affected.
 - Romani women face inhuman and degrading treatment by doctors and other hospital staff on the basis of ethnicity which in some cases results in denial of health care treatment.
 - Discrimination against Romani women in the area of health care is particularly evident in the areas of reproductive and maternal health and emergency care due to these being the most commonly used health care services.

3 Methodology:

- 3.1 In light of the overwhelming lack of information on Romani women presented by the government for the Committee's review of its compliance with the Convention, the partners undertook research aimed at gathering relevant materials for consideration by the Committee.
- 3.2 The field research conducted in preparation for this parallel report was undertaken by a team of six Romani women⁹. The partners and the research team have developed this parallel report together¹⁰, and also consulted other women's organisations and activists in Serbia in the development process in order to attain a broad comprehensiveness of the data as well as to ensure synthesis of the information and to avoid overlapping information.
- 3.3 One hundred and ninety-eight interviews were conducted with Romani women aged between 13 and 65, who self-identified as Romani. A survey questionnaire was used to guide the interviewee,

⁹ Svetlana Ilic, Ilona Kovacs, Piroška Kovacs, Vera Kurtic, Marija Manic and Maja Saitovic.

¹⁰ This parallel report was drafted by Ostalinda Maya in collaboration with Tara Bedard and in consultation with Tatjana Peric.

focusing on marital status, issues related access to education (hers and her children's), employment, health care and illnesses, personal documents and domestic violence¹¹.

- 3.4 The field research took place in December 2006 and January 2007. Interviews were conducted with Romani women in three areas of the country: the surrounding environs of Subotica and Sombor in the north; in Belgrade and the surrounding areas in the centre; and in and around Niš in the south.
- 3.5 The partners are aware of the limitations of interview-based research. However, the research broadly covers Serbia geographically, and includes areas with large Romani populations. The sample from which the partners' conclusions have been drawn provides qualitative data and is an important source of information on Romani women in Serbia.
- 3.6 In addition to the field research, the partners have considered other recent analyses and research findings on Roma in Serbia (such as the previous reports by UNDP, UNICEF, and national civil society organisations¹²). The partners have also drawn upon their own vast work and experience with Romani women in Serbia as activists and researchers.

4 Introduction:

- 4.1 According to the official census of 2002, 108,193 Roma live in Serbia, constituting 1.44% of the total population. Information available from non-governmental sources has placed the number of Roma living in Serbia as much as five times higher.¹³
- 4.2 Romani women are not represented amongst elected officials in Serbia at the national level. Furthermore, the partners are aware of only three Romani women working in the public sphere in Serbia: Ms Slavica Vasic, Assistant with the Secretariat for the Roma National Strategy within the Agency for Human and Minority Rights; Ms Jelena Jovanovic, officer of the Secretariat for National Minorities of the Vojvodina Province; and Ms Vesna Ackovic, Adviser to the Ministry of Education and Sports of the Republic of Serbia.¹⁴ The partners also note that all 3 women are employed in positions specifically related to Romani issues in Serbia.
- 4.3 According to a 2006 UNDP report, "regardless of the poverty measure one decides to utilise, the higher poverty risk among refugees and IDPs, and especially among Roma, is clearly evident in comparison with the domicile non-Roma."¹⁵ Romani women face higher poverty levels vis-à-vis

¹¹ Time constraints meant that in some cases the researchers were unable to go through all the sections of the questionnaire or had to concentrate on a particular section if the experiences of the interviewee so required, making the number of persons interviewed in each of the matters uneven.

¹² Such as Mitro, Veronika. *The Invisible Ones*, Serbia, 2004. Available at: http://www.siyanda.org/docs/serbia_romaniwomen.pdf and reports by the Minority Rights Centre, Belgrade. Available online at http://www.mrc.org.yu/index_e.php?sta=prva&jezik=engleski

¹³ Ministry of Human and Minority Rights and Ethnicity Research Centre. 2002. *Romany Settlements, Living Conditions and Possibilities of Integration of the Roma n Serbia: Social Research results*. Belgrade: Ministry of Human and Minority Rights, p.p. 14.

¹⁴ Peric, Tatjana. *Addressing gender inequality in the Decade of Roma Inclusion: The case of Serbia*, European Union Accession Monitoring Program (EUMAP), Budapest, September 2005.

¹⁵ UNDP. 2006. *At Risk: The Social Vulnerability of Roma, Refugees and Internally Displaced Persons in Serbia*. Available online at: <http://www.undp.org.yu/tareas/policy/vulnerability%20report%20eng.pdf>.

Romani men and the broader mainstream society. The same UNDP report shows that 41% of Romani women surveyed earned 30 EUR per month or less, whilst only 20% of Romani men fell into the same income category.

- 4.4 The living conditions in many Romani settlements in Serbia are extremely inadequate, lacking the provision of even the most rudimentary infrastructure. Many Roma lack legal security of tenure and their homes lack basic services and amenities such as heating and insulation, sewage system, running water. This situation is exacerbated by the fact that these communities are often far removed from public services and employment and educational opportunities. Frequently, housing conditions are so substandard as to cause a public health risk. Romani women, who spend more time in the home than Romani men, are most susceptible to health risks arising from substandard living conditions.
- 4.5 A lack of personal documents and residence registration is a problem in Serbia, particularly amongst ethnic minorities. Lack of identity documents is high among Roma, particularly among refugees, IDP's and returnees and among Roma living in illegal settlements¹⁶. The Romani community is one of the groups most affected by a lack residence registration. Out of 115 Romani women interviewed, 87 were registered at their household, 24 were not registered at all while 4 were registered at a different household. As a result, many Romani women are prevented from accessing basic human rights such as education, employment, health care and housing.
- 4.6 High levels of racism and discrimination against Roma in Serbia infects the manner in which state institutions and governmental officials of all levels approach Romani issues in their area. This, by extension, impacts the ability of Roma women to equally exercise their basic human rights.
- 4.7 While Serbian officials are adopting strategies and policies for the inclusion of Roma, the reality on the ground for many Romani women is that the government is not meeting its commitments with actions and, in some instances, acts completely out of line with its own rhetoric. Indeed, most of the policies and programmes developed are gender neutral and do not take into account the particular needs of Romani women.

5 Recommendations:

- 5.1 The partners urge the Committee to recommend to the Serbian government the following necessary measures so as to begin to redress the worrying situation of Romani women in Serbia:
- In close cooperation with Romani non-governmental organisations and other stakeholders, and taking as a basis existing relevant data, systematically collect and make available in a form readily-comprehensible to the public data disaggregated by sex and ethnicity in areas of relevance to the social inclusion of Romani women;
 - Take concrete and effective steps to prevent multiple and/or intersectional discrimination faced by Romani women;
 - Undertake comprehensive research on the multiple forms of discrimination faced by Romani women in order to improve their socio-economic status and to ensure their access to education and health as preconditions for employment;

¹⁶ For more information on lack of identity documents please see Antic, Petar. *Roma and Rights to legal Subjectivity in Serbia*. Available online at http://www.mrc.org.yu/publikacije/pub_e_11.pdf

- Without delay, adopt comprehensive anti-discrimination law, both in line with European Community law, addressing in particular the effects of multiple forms of discrimination experienced by women from minority groups; particular effort should be made to provide mechanisms to ensure real and effective remedy in cases of discrimination against Romani women, including effective and dissuasive sanctions for perpetrators and adequate damages for victims;
- Ensure that all existing laws and policies - as well as future laws and policies – adequately account for gender equality and include provisions for preventing and addressing the multiple barriers female members of minority groups face in exercising their fundamental human rights;
- Victims of alleged discrimination should be encouraged to bring complaints, such as through awareness raising about recourses and the use of mechanisms provided by specialised bodies, with assurances that confidentiality will not be compromised on account of bringing a claim. Complaint mechanisms should employ the principle of “reversal of the burden of proof”, placing the primary responsibility for burden of proof on the alleged discriminator rather than victims to demonstrate whether the principle of equal treatment has been breached;
- Without delay, adopt and implement measures, including but not necessarily limited to codes of conduct and job performance reviews, for the prevention of discriminatory and degrading treatment of Romani women by public officials, including teachers, doctors, medical personnel and police officers and other law enforcement officials, amongst others;
- Ensure the meaningful participation of Romani women in relevant Roma-related and women-related decision making processes;
- Actively employ Romani women in government administration;
- Create opportunities for self-employment through providing credits to start small business. The criteria for getting loans must take into account the situation of Romani women.
- Take all necessary steps, policy and financial, to improve the housing conditions of Romani families which have a detrimental impact on the health of Romani women and children;
- Without delay, end all policies and practices of forced eviction of Roma and provide remedy to victims, in accordance with Serbia’s international law obligations.
- Take measures, such as trainings, to raise Romani women’s awareness of property rights and facilitate the registration of property in the ownership of Romani women;
- Take all appropriate measures to help all Romani women including refugee and IDP women, especially those from Kosovo, to acquire the necessary personal documents and citizenship.
- Establish a service to provide citizenship for Romani women and their children working in cooperation with Romani women's NGOs that have extensive knowledge of the Romani community;
- Organise campaigns on the right to vote targeting Romani women.
- Promote Romani women and women's human rights in the media in Serbian and Romani;
- Organise campaigns in Romani communities to speak about equality between men and women in a form acceptable to the culture of the community and in Romani language where necessary;
- Engage Romani women in electoral and administrative bodies and election campaigns.

EDUCATION

- Without delay, introduce and adequately financially support measures to end all discriminatory practices against Romani children and in particular Romani girls, in access to education and

- equalise the educational status of this vulnerable group with the rest of society. Such programmes should address all levels of education, but particular attention should be placed on access to pre- and elementary school levels on equal grounds as well as in primary school at which the drop-out rate of Romani girls is highest;
- Victims of alleged discrimination should be encouraged to bring complaints with assurances that confidentiality will not be compromised on account of bringing a claim.
 - Train teachers in methods to avoid discrimination on any basis including gender and ethnicity, in the classrooms.
 - Condemn and punish all cases of the discrimination against Romani children in education.
 - Seek co-operation between parents, teachers and pupils to put an end to school harassment on the basis of ethnicity and/or gender (and any other grounds) by making pupils aware, and keeping them aware, of the existence and the seriousness of the problem; providing specific information for all parents; providing every individual who is connected with the school with accessible, appropriate information about the problem of harassment, with a special focus on information for pupils; providing funds for: the training of staff, teaching material, lectures and other activities for parents, and for purchasing books and other information;
 - Cooperation among teachers, authorities and parents should be encouraged to promote girls continued education.
 - Make scholarships available or provide subsidised fees, free transportation and required school materials for marginalized and poor families at all school levels, with special attention to the excluded and most vulnerable Romani families and ensure that at least half of scholarships target Romani girls and young women.
 - Proactively seek Romani teachers, particularly Romani women teachers, for employment in both in mainstream schools and in schools with significant number of Romani children;
 - Financially and technically support all non-governmental organisations and donor initiatives for improving the educational level of Roma, especially Romani women;
 - Adult education programmes and literacy programmes should be carried out with a specific focus on Romani women's participation.
 - Motivate Romani parents to enrol their children, especially daughters, at existing state or private educational institutions.
 - Promote the Romani culture and tradition in the educational system as a significant contribution to general culture and promptly erase any negative stereotypes about Roma and Romani women from text books

EMPLOYMENT

- Condemn and punish responsible persons in cases of discrimination against Romani women in employment.
- Victims of alleged discrimination should be encouraged to bring complaints with assurances that confidentiality will not be compromised on account of bringing a claim.
- Adopt vocational programmes for Romani women, and particularly elderly and illiterate Romani women, as well as women in similar situations from other minority groups, to address their particular needs and in order to improve work opportunities for these vulnerable groups. Such programmes should be free of charge;
- Incentives (such as tax exemptions) should be offered to promote the hiring of Romani women.

HEALTH

- Take steps to ensure that the most vulnerable groups, including Romani women, are incorporated into the state welfare system, including ensuring access to state-sponsored health insurance;
- Without delay introduce the necessary measures to provide Romani women with equal opportunities to enjoy access to health care on a non-discriminatory and culturally sensitive basis.
- Train health care workers and authorities on discrimination and equal treatment as well as the various types of discrimination to which Romani women may be subject, to ease investigation and supporting complaints as appropriate.
- Government strategies and policies to improve the health of Romani women should take a holistic approach that includes education, traditions, housing conditions, etc.
- Enact, monitor, and enforce prohibitions against discrimination on the part of health care personnel and institutions as part of the implementation of comprehensive anti-discrimination legislation and undertake local and national awareness-raising anti-discrimination campaigns;
- Concrete steps should be taken to address elements of Romani culture that may impede access to services.

VIOLENCE AGAINST WOMEN

- Without delay ensure that a network of adequately trained and culturally sensitive service providers is set up to protect Romani women victims of violence.
- Without delay safe houses for victims of domestic violence should review and amend as necessary admission criteria so as to ensure that it does not exclude disadvantaged groups.
- Design and effectively implement measures for the protection against domestic violence, specifically restriction orders for the family member causing violence, order for eviction from the family house or flat, regardless of ownership of the above.
- Organise training programmes for civil servants on work with violence victims, especially Romani women.
- Train the police, investigators and court clerks to properly address the problem of domestic violence in Romani families.
- Organise education programs for young Romani women on their rights regarding marriage, reproductive health and protection against domestic violence.
- Inform Romani women about existing telephone SOS help lines and ways of accessing them.
- Organise free legal advice for victims of trafficking in human beings, especially Romani women.
- Introduction of mobile teams of social services for help in Roma settlements (networks of governmental and NGO sector)
- establish a counselling service for youth within relevant institutions and NGO's, which should also educate Roma on relevant legal provisions as a way to prevent child marriages.
- Formulate of a special protocol on protection against early and forced marriages.

Article-by-Article Discussion

6 Violence Against Women:

- 6.1 General Recommendation No. 19 calls for States parties to “take appropriate and effective measures to overcome all forms of gender-based violence, whether by public or private act;”
- 6.2 Research conducted by the partners indicates that Romani women in Serbia are vulnerable to violence within and outside their communities by a multiple set of actors. Romani women’s experience of violence in Serbia is further exacerbated by a lack of mutual trust between Romani women and the police.
- 6.3 The Roma community in Serbia has been the target of verbal and physical racist attacks by the burgeoning skinhead movement of Serbia. Women’s Space believe that Romani women and children are perceived as weak by neo-Nazi groups and are therefore easy targets of violence and that this is resulting in a rise of attacks targeting Romani women and children.
- Ms D.M, 45 years old from Niš, “In August 2 last year when I was coming back from the market to go home, in the centre of Niš a group of about 15 young non-Roma boys with knives started to follow me saying: “Gypsy, we will kill you” I was very afraid, I started running from them. I saw a police car, came to the car and said to the police officer: “Please help me, they will kill me” The police car went to chase them because when the boys saw the police car they started running away. I have no idea what happened after that, I don’t know if the police arrested them, I was just happy that I am ok.”
- 6.4 As Ms D.M. case immediately above indicates, many skinhead attacks against Romani women are not reported to the police for fear of further retaliation from skinheads groups as well as a deep distrust of the police as, in some instances, the police itself has abused Roma as the following case illustrates. On October 9, 2004, Ms Bahtija Beriša, a Romani woman, testified to the ERRC, at the time working in partnership with the Belgrade-based Minority Rights Center that earlier that day she had been verbally abused by police officers while collecting raw materials in Belgrade. At around 1:00 PM Ms Beriša was passing under a bridge pushing a handcart for the collection of raw materials when she came across two young police officers standing beneath the bridge. One of the officers reportedly cursed Ms Beriša, stating, “You Gypsy Albanian. Go to Kosovo. There are many streets which you can use!” Ms Beriša turned back the way she had come and went home. Ms Beriša did not pursue legal action.
- 6.5 When Roma are attacked by skinheads, perpetrators are rarely punished adequately, and Romani victims rarely receive adequate compensation¹⁷.
- 6.6 A great number of Romani women reported having been victims of domestic violence at the hands of their husbands, in-laws and other family members, in many cases for long periods of time. Out of 160 Romani women interviewed, 79 did not answer questions regarding violence against women as this is an extremely sensitive issue, so in some cases the interviewees refused to

¹⁷ European Roma Rights Center (ERRC) in association with the UN Office of the High Commissioner for Human Rights, Human Rights Field Operation in Serbia and Montenegro (UN OHCHR). *The Protection of Roma Rights in Serbia and Montenegro*. 2003. Available online at: <http://www.errc.org/db/00/E3/m000000E3.doc>.

answer, while in others the interviewer did not feel comfortable asking questions about this issue. Of the 81 that answered the questions, 63 had suffered or currently suffer violence while 18 stated that they had never been victims of violence.

6.7 In the course of this research different forms of violence against women and girls were reported, including; early and arranged marriages, rape and intra marital rape, physical, economic and verbal abuse. The most quoted reasons for staying in abusive relationships were fear of shame and stigmatisation from the family and community, economic dependency, lack of property or other places to go and hesitation to “break the family”.

- Ms G. S., 32 years old from Niš “He abuses me both physically and verbally for ten years but I can’t leave him. What would people say? I don’t have where to go if I leave him, I depend on him. I’m not working, I don’t have support from my parents”.

6.8 Domestic violence has long been connected to a number of physical and psychological health problems¹⁸. Our research shows that, not only do Romani women suffer from health problems as a result of domestic violence but also, they would not seek medical help as a result of shame.

- Ms S.M., 53 years old, from Belgrade a victim of physical and emotional violence at the hands of her husband confessed to one of the researchers that she has never seek medical help for her injuries as she was too ashamed.
- Ms G. S., 45 years old from Niš, “I’ve never been to the doctor, I would feel ashamed to tell the doctor that the injuries are from my husband.”

6.9 Although domestic violence is a problem experienced by both Romani and ethnic majority women, in the case of Romani women it is exacerbated by mutual distrust between the police and Romani women which results in a great reluctance among Romani women to report and, when reported, in inaction on the part of the police and, in some cases, further abuse. Out of the 63 Romani women interviewed who stated being victims of domestic violence, only 10 have ever sought police assistance. In only 4 cases did the police effectively intervene. Authorities almost without exception abandon the victims to the perpetrators, and/or fail to prosecute the agent of the abuse.

- Ms D.V., 24 years of age from Niš who has attempted to commit suicide after enduring years of violence at the hands of her husband tells us her experience with the police when she tried to abandon her husband “The SOS hotline provided me with their support by calling the police to escort me when visiting the house. On an unspecified date, two policemen went with me to his house so that I would be able to take my ID card and personal things. My husband was at home and as he saw us in the yard. In the presence of the policemen he physically attacked me again. The policemen turned their heads away and did not react. I expected they would protect me but they did not want to interfere. Fearing and disappointed I gave up further charges and went back to him.”
- A 32 year old Romani woman from Sombor who identified herself as Piri explains her experience when as a 17 year old went to the police to report an incident of domestic violence “I was there at the police station in Sombor when I went to report my boyfriend and they

¹⁸ For more information about health consequences of violence against women please see World Health Organisation’s report *Violence Against Women*. Available online at: <http://www.who.int/gender/violence/en/v8.pdf>

- looked at me as if I was guilty myself, not him. It was terrible, they asked me a lot of questions again and again.”
- In some cases the police condone or even legitimise violence. Ms E. J., 34 years old from Niš “My husband drinks a lot, he is physically and verbally abusing me almost every day [...] he hits also our children. I called the Niš police at least ten times by phone but if they come, they sit and talk with him for few minutes and then tell me that I should be nice to him and that everything will be ok.”
 - Ms H.J., 38 years old from Belgrade explained to one of our researchers how police intervention actually worsened her situation. Five years ago, on an unspecified date, Ms M.J. was beaten and badly injured by her husband. Her neighbours worried and called the police which came to her house and yelled and bullied her husband for a short period of time and then left. After the departure of the police, Ms H.J. was beaten again. Subsequently, she has never tried to seek help.

6.10 Several cases of sexual violence were also reported during the research. The response of the police in such cases was also totally inadequate.

- On April 17, 2001 Ms B. S. was on her way to the shop when three people – a male minor known to her and both of her parents- tricked her to enter a car. The boy raped her with the assistance of his parents, and then they took her to the police where they forced her to give a statement saying that she willingly had sexual intercourse with the boy and returned her to her home. After the rape Ms B.S.’s brothers cut Ms B.S.’s hair to sign her shame and she was not allowed to leave the house anymore although she suffered from severe bleeding which remained untreated. The activists from Women’s Space who tried to help her were also threatened by the family members of the rapist. Despite the fact that it was obvious that Ms B.S statement at the police station was submitted under duress and that she had been a victim of statutory rape, the police showed no interest in the case inquiry. They visited Ms. B.S. house in one occasion soon after the incident but conducted no further inquiry. As a result of the rape Ms B.S. was eventually force to marry the rapist to save her honour. According to information provided by Women’s Space Ms B.S. continues to be victim of her husband’s violence.

6.11 Romani tradition dictates that when a woman marries she should abandon her house and move into the house of her husband and in laws. In case of separation the family of the woman might not allow her to move back into her previous household forcing her to stay in the abusive relation. In those cases in which the couple moves into their own household, the property is in almost all cases legally owned by the husband which forces the woman to stay.

6.12 Romani women face indirect discrimination when trying to gain access to safe houses. According to Osvit NGO, who has a hotline for Romani women victims of violence, the criteria of acceptance set in the regulations governing the safe house in Niš (funded by the local municipality) stresses that women who are “recipient of social aid cannot be accepted.” On the basis of the same criteria, women who do not have a source of income or a property can also be rejected. This regulation effectively excludes access to safe houses to Romani women who constitute one of the groups of women who might need the service the most.

7 Education

- 7.1 In Article 10 of the Convention, State parties commit to “take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education [...]”
- 7.2 There are numerous legal provisions in Serbian Law that protect and promote the right to education.
- 7.3 Article 71 of the Constitution of Serbia states “Everyone shall have the right to education. Primary education is mandatory and free, whereas secondary education is free. All citizens shall have access under equal conditions to higher education. The Republic of Serbia shall provide for free tertiary education to successful and talented students of lower property status in accordance with the law.”
- 7.4 Article 81 of the Serbian Constitution (2006) guarantees in the field of education “the spirit of tolerance and intercultural dialogue and undertake efficient measures for enhancement of mutual respect, understanding and cooperation among all people living on its territory, regardless of their ethnic, cultural, linguistic or religious identity.”
- 7.5 As part of the Decade of Roma Inclusion a NAP on education for Roma was created. Its focus on gender is limited to a general call for support to Romani girls in education.
- 7.6 Several programmes aimed at improving the access to education of Romani communities in Serbia have been and are being implemented. Unfortunately, the project partners are not aware of any projects that aim to specifically improve the access and level of education of Romani girls and women.
- 7.7 Furthermore, according to a Minority Rights Centre report¹⁹ most of these projects lack sustainability and have a limited time scope which means that they have to focus on immediate results rather than systematic changes.
- 7.8 According to a recently published report by UNDP which focus on social vulnerability of Roma Refugees and IDP's, Roma fall behind national average of literacy rates. The average literacy rate for domicile non-Roma is 97% while among Romani men is 87% and among Romani women is 80%. Current enrolment rates at school also show an alarming situation. While 92% of non-Romani children of school age are enrolled at primary schools, only 74% of Romani boys and 73% of Romani girls are. The gap increases on secondary school. While 71% of eligible ethnic Serbian children attend school, only 24% of eligible Romani boys and 14% of Romani girls do.
- 7.9 Research carried out by the Federal Ministry of Human and Minority Rights in 2002 also shows that the Romani population is the least educated. Unfortunately the data was not disaggregated on the basis of sex and ethnicity²⁰.

¹⁹ Minority Rights Centre newsletter n. 6 Page 30. Available online at: http://www.mrc.org.yu/publikacije/pub_e_13.pdf

²⁰ Mitro, Veronika. *The Invisible Ones*, Serbia, 2004. Available at: http://www.siyanda.org/docs/serbia_romaniwomen.pdf

- 7.10 Our own research also indicates the lack of access to education that Romani women and girls face as a result of multiple discrimination when exercising their right to education as guaranteed by national and international law.
- 7.11 Out of the 122 interviews carried out related to education:
- 22 Romani women did not answer questions related to education
 - 23 Romani women had never attended school.
 - 26 Romani women had not completed primary education
 - 30 Romani women had completed primary school only
 - 20 Romani women had completed secondary school only
 - Only 1 Romani woman has had access to University education
- 7.12 According to our research the main barriers in gaining access to full mainstream education include the lack of necessary documents such as identity documents of house registration, overrepresentation of Romani children in schools for children with special needs, school segregation, degrading treatment by classmates and teachers, poverty, language barriers, lack of positive models and patriarchal traditions and stereotypes still prevalent among large sectors of the Romani community.
- 7.13 The partners therefore note with concern that the Serbian government makes a one phrase reference to the alarming situation of Romani women with regard to education in its report to the Committee. Indeed, the partners are concerned at the complete absence of any analysis of the situation of Romani women, with regard to education in Serbia.
- 7.14 Enrolment into primary education and preparatory preschool is dependant on having a residence permit. A large number of Roma in Serbia live in informal settlements and therefore do not have a residence permit since settlements are not officially registered.
- 7.15 Romani refugees, IDPs and returnees often lack identity documents and residence permits. Furthermore, those previously attending school abroad face the challenge of validating their studies in Serbia.
- Ms. S. T., 38 years old from Niš “I couldn’t enrol our children into school in Serbia because we didn’t have the proper documents that they were attending school in Germany.”
- 7.16 Romani girls and boys are overrepresented in schools for children with special needs as a result of inadequate categorizing by medical commissions when children are enrolled into school. Within the special school system most of the pupils are of Roma ethnicity. Although most of them are not mentally challenged they are directed by school officials and teachers to these ‘special schools’. This results into factual segregation of Romani children into special schools.
- 7.17 According to a report by the Roma Education Fund there is an overdeveloped network of special schools and also regular primary schools can have special classes for the same purpose. The same report says that in some schools Romani children represent 80% of the students²¹. This

²¹ Roma Education Fund, *Country Situation and REF working Strategy*. Available online at: <http://www.romaeducationfund.hu/documents/Country%20strategy%20Serbia%2028%2004.pdf>

overdeveloped network of special schools foments a culture of referral of Romani children into these “special schools” based upon the wider broadly held pre-conceived notion that Romani children are significantly incapacitated intellectually due to their cultural and social backgrounds, and that Romani girls suffer more acutely due to their gender.

7.18 According to data collected by one of the researchers in "14 Oktobar" special school, Niš 13,3% of the children attending classes are Romani.

7.19 The following excerpt from an interview gathered during research is illustrative of the eagerness of some school teachers to send Romani children to special schools. Ms H.J., 46 years old from Niš “Last year I had problems with my youngest son in the school because the school wanted to transfer him to a special school. I had to go to principal’s office to talk with her and to ask her why they decided to do that now after seven years of attending the same school. Her answer was: “He is very restless”. Afterwards I found out that my son was not the only child that this school wanted to transfer to a special school. They wanted to transfer five more kids from our settlement, all Roma children. When I heard that, I spoke with the other parents and together we filled a complaint to the school. Luckily, we managed to keep our children in a regular school.”

7.20 Poverty is also linked to school segregation. While regular schooling is often unaffordable to poor Romani families, in special schools children can get hot meals, free textbooks, and are eligible for a small subsidy for social care²². In such situations Romani parents sometimes opt for sending their children to special schools as opposed to no education at all.

- Ms S. O., 33 years old from Niš “I have three children, two girls and one boy. They are all going to special school because we don’t have any money to send them in regular school. In special school they get books for free.”

7.21 In the Serbian school system, many Romani children are segregated on ethnic basis in different classrooms or within a classroom. As part of our research, several instances of school segregation were reported.

7.22 According to information provided by Eureka, in the Vojvodina area there are four primary schools - Žarko Zrenjanin and Đure Jakšić (Kikinda), Turo Jozsef (Senta) and Tömörkény István (Tornjoš) - with separated classes for Romani children.

7.23 In all the reported cases, the instances of segregation were accompanied by rejection by other classmates and neglected attention by teachers. The following excerpts from the interviews gathered during research are illustrative of the experiences of Romani women and girls in Serbia when exercising their right to equal education.

- Ms A.K. 37 years old from Novo Selo -a mother of two boys and one girl currently attending primary school- relates the following “My children are going to school, they are in mixed class but they are sitting in the back of the classroom and none of the Serbian children want to speak with them or to have lunch with them.”

²² Roma Education Fund, *Country Situation and REF working Strategy*. Available online at: <http://www.romaeducationfund.hu/documents/Country%20strategy%20Serbia%2028%2004.pdf>

- Ms K. R. age 19 from Niš “I finished elementary school in Niš. In my school “Vuk Karadžić” which was near the settlement I live (“Beograd mahala”) almost 90% of the pupils are Roma. In my class we had only five pupils who are non-Roma. The teachers were all Serbs, many times they insulted us that we are stupid, that we won’t be successful in our lives because for us, Gypsies, it is only important to listen to music and dance.”

7.24 Our research indicates that humiliating and degrading treatment in the form of verbal and physical abuse of Romani children by non Roma class mates and even teachers is common and is often accompanied by segregation within classrooms.

- Ms Lj. D., 31 years old from Niš tells “I’m worried about my daughter, she is in the third grade of elementary school and she is constantly coming back from school crying. She is sitting alone in the back of the classroom, she is the only child of Roma origin in the class. The other children from her class are kicking her almost every day and if something bad happens in the class (for example, someone broke the window) all the children put the blame on her for that.”
- Ms K.R., 19 years old from Niš indicates “Many times the teachers insulted us that we are stupid, that we won’t be successful in our lives because for us, Gypsies, the only important thing is to listen to music and dance”
- Ms R.M., a 17 years old Romani woman who is currently attending high school in Belgrade explained to project partners that often school mates and teachers insult her and try to humiliate her.

7.25 Prohibition of discrimination is ensured by the Law on Primary School under Article 7 prohibition of activities endangering or degrading groups within the school. In case a school does not prevent such activities within its premises Article 140 of the Law on Primary School foresees a fine from 10,000 to 50,000 Serbian dinars (126-633 EUR approximately). A teacher who by their behaviour endangers or degrades groups or individuals on the grounds of race, nation or religion or supports such behaviour, physically punishes or insults a pupil can be suspended according to Article 73 of the same law by a school principle and will not be allowed to organize classes until a decision is reached within a disciplinary procedure. Expressing national or religious intolerance by the pupils according to the Article 65 of the Primary school law is considered a felony and a pupil will be punished by a principle, rebuked and reprimanded severely by the teachers’ council.

7.26 Despite the above mentioned legal provisions none of the eighteen incidents of humiliating or degrading treatment at school – six of which were reported to be a teacher or school master- were punished, let alone solved. Without exception, complaints from parents were met with lack of action or even dismissal.

- As Ms. E. A., 33 years old from Niš mother of two girls and a boy- explains “My children are not going to school because the teacher in the elementary school in which they were enrolled “Sveti Sava” in Niš was insulting them, telling them that they are dirty Gypsy, that they don’t need school, that they lie a lot and he hit them a few times. I went to the principal’s office several times and he told me that he will resolve my problem, but nothing happen. My children were coming back from the school every day crying and I decided to transfer them to another school. But they didn’t allow me since I wanted to transfer them in the middle of the school year and I gave up. I didn’t know what else I could do.”

7.27 Almost all cases of discrimination at school were at primary level. This is due to the fact that a very small percentage of Romani girls and women have access to higher education, as mentioned above and not due to the fact that the situation in higher education is better as the following excerpts from interviews indicate:

- Ms. I. H., 17 years old from Belgrade “I began attending the first grade of secondary school, but I could not adjust, as I was the only Roma in the class and everybody was looking at me strangely. I was always alone during breaks and they didn’t want to answer whenever I would ask them something.”
- Ms A. K., student at the Faculty of Mathematics in Niš. On an unspecified date, Ms A.K. went to visit an assistant professor at his office to enquire about an exam. She waited in line, when it was finally her turn to come in she enter the office where the assistant professor and also another professor by the name Bogdanović were sitting. Professor Bogdanovic asked her in surprise “Are you a sophomore student?” to which Ms A.K. responded affirmatively. Then, professor Bogdanovic made the following comment “I am amazed you did not marry.” He said: “You should spread your legs and have children at home. You should go tend the sheep”.

7.28 In many instances humiliating and degrading treatment by classmates and teachers were the main reason for Romani girls to drop out of school. Ms N. A. 29 years old from Niš “I finished elementary school and because I was discriminated many times by the Serbian children in my class I started to hate school and I didn’t want to continue schooling even though my parents were supporting me to continue with school”.

7.29 Poverty is a very important factor keeping girls out of school for two main reasons. First, schooling is an unaffordable expenditure for poor families and secondly the help of young girls is required at home to look after the house and younger siblings.

- Ms I. S., 26 years old from Niš “I finished four grades of elementary school. My parents insisted that I should stay home and take care of my younger brother and sister and I dropped out school.”

7.30 Language is an significant barrier in the access to education for Romani girls who do not use Serbian as their first language. For a considerable number of Romani girls Romanes is their primary language. Also, the children of those who have lived for several years abroad and have been deported back to Serbia face language barriers.

- Ms. R. S., 22 years old from Vranje: The teacher forbade us to speak Roma language with one another.
- Ms D.P., 27 year old and returnee from Germany currently living in Belgrade explains to project partners that her 10 year old daughter is currently attending school but is not able to follow as she previously attended school in Germany.
- A 38 year old Romani woman from Novi Sad who identified herself as Zurafe explains “One of my daughters stopped going to school because of the language, other children from Serbia were laughing at her when she speaks Serbian as her accent is bad because in Kosovo we used to speak Albanian or Romanes at home”

7.31 According to a report by the Roma Education Fund in Serbia there is currently no institutional provision to gain the necessary language skills by Romani children who have Romani as their

mother tongue or for Roma returnees from EU countries speaking other languages. The existing legal provision of organizing additional classes for students in need is “neither systematically enforced nor quality controlled”²³.

7.32 Patriarchal traditions, stereotypes and expectations held by many Roma families consider that Romani girls do not need education, particularly higher education, as they are expected to marry early in puberty and look after the family and household. Such stereotypes and traditions have a great impact in the low registration and high school drop out rates currently present among Romani girls.

- A 37 year old Romani woman from Sombor who identified herself as Jovamka says “I didn’t finished school at all and I am not going to send my daughter to school ... this way, she will know how to listen to her husband”.
- Ms S.R., 18 years old from Belgrade “I haven’t attended school and I can’t read and write. My parents thought that I didn’t have to attend a school because I was a girl and had to work in the house.”
- Ms G.S., 32 years old from Niš “My husband said that it’s not necessary for my two daughters to continue schooling since they will get married soon and probably will leave school if we sign them up in secondary school. He didn’t care about my opinion; he is the one that is taking all the decisions in the house.”

7.33 In some cases, patriarchal and racist stereotypes about Romani women are also held and reinforced by teachers.

- Ms. R.T., 19 year-old from Niš “I was the only Roma in my class in secondary school and I was many times insulted by the teachers-they told me that I’m stupid, that the only thing I think about is when I will get married and have children that my place is on the market not in the school”

7.34 The tradition of remaining virgin until marriage reinforced by the practise of virginity testing is still very common among Roma families in Serbia and is closely linked to high school drop out rates of Romani girls in puberty. Their families fear that defloration can happen in schools which would bring shame to the girl and her family.

- Ms K.S. 35 years of age from Lebane “I would not give my daughter to school. She is better off out of there; there are nasty children that could lock her up in the toilet. I don’t want my child to be ruined”

7.35 The combination of poverty and patriarchal traditions often results in parents giving priority in sending only boys to school.

- Ms A. K., 37 years old from Novo Selo “I finished elementary school, my parents didn’t have enough money to continue schooling since I have two brothers and four sisters. Only my brothers finished secondary school because my parents thought that for their sons is more important to be educated than for us, daughters”

²³ Roma Education Fund, *Country Situation and REF working Strategy*. Available online at: <http://www.romaeducationfund.hu/documents/Country%20strategy%20Serbia%2028%2004.pdf>

- Ms E. H., 23 years old from Belgrade “I have never attended school. My parents were very poor so that they could only pay for my brother’s education. My mother had heart problems, high blood pressure and some mental problems, so that I had to help her with the housework”,
- Ms L. D., 31 years old from Niš “I didn’t go to school; my parents didn’t have any money to send me to school. I started working when I was 12 years old helping my mother digging land for money in the villages around Niš. I have six brothers, they all finished elementary school.”

8 Employment

- 8.1 At Article 11 of the Convention, States Parties commit to “take all appropriate measures to eliminate discrimination against women in the field of employment [...]”
- 8.2 Research conducted by the partners indicates that a large number of Romani women do not have access to a formal employment as a result of low educational attainment levels and direct and indirect discrimination on the part of employers. When they do work most Romani women are employed in the informal sector and, therefore, do not have access to employment benefits pension systems, job security etc. Furthermore, they are vulnerable to harassment and job dismissal on the basis of their ethnicity.
- 8.3 The partners therefore note with concern that the Serbian government makes no reference whatsoever to the alarming situation of Romani women with regard to employment in its report to the Committee. Indeed, the partners are concerned at the almost complete absence of any analysis of the situation of women, and Romani women, with regard to employment in Serbia; the government’s report comprises a mere shopping list of laws and policies in the area of employment.
- 8.4 Article 60 of the Serbian Constitution states, “The right to work shall be guaranteed in accordance with the law. Everyone shall have the right to choose his occupation freely. All work places shall be available to everyone under equal conditions. Everyone shall have the right to respect of his person at work, safe and healthy working conditions, necessary protection at work, limited working hours, daily and weekly interval for rest, paid annual holiday, fair remuneration for work done and legal protection in case of termination of working relations. No person may forgo these rights. Women, young and disabled persons shall be provided with special protection at work and special work conditions in accordance with the law.”
- 8.5 Further, Article 18 of the Law on Labour prohibits direct and indirect discrimination of persons applying for job as well as for employed persons regardless of gender, language, race, age, pregnancy, health conditions religion, marriage status, political or other beliefs, social origin, membership in political organisations etc.
- 8.6 Within the framework of the Decade of Roma Inclusion 2005 – 2015, a Roma Employment Strategy (to be implemented until 2008) and a Roma Employment Action Plan (for 2005-2006) regulating equal opportunities for Roma was prepared in 2004. The Strategy and Action Plan

prepared by the Serbian government refer to Romani women in only very general terms and at only one point in the action plan is a quota for the number of Romani women targeted included.²⁴

- 8.7 Other action plans also fail to address the particularly vulnerable position of Romani women. The non-Roma specific Serbian NAP on employment addresses Roma in two paragraphs in the section “Improving the position of vulnerable groups among the unemployed” without mentioning Romani women.
- 8.8 According to a recent report by the UNDP, “[T]he unemployment rates among the vulnerable groups significantly differ from those of the domicile non-Romani population: while 15 percent of the domicile non-Roma population is unemployed, the rate reaches 32 percent among refugees and IDPs and 39 percent among Roma.”²⁵
- 8.9 The UNDP further reported that although “the unemployment rate for Romani men is higher than the rate for Romani women, there is also a considerable portion of Romani women who are housekeepers (29 percent), thus performing unpaid work, a category that is filled by a mere 1 percent of Romani men. Furthermore [...] there is only one employed woman for every four employed men in the Romani community.”²⁶
- 8.10 Many Romani women suffer from direct discrimination when seeking employment in both the public and the private sectors. The following excerpts from the interviews gathered during research are illustrative of the experiences of Romani women in Serbia when seeking employment:
- Ms F. S., 37 years old from Niš stated: “In November the private firm “Agrohim” was looking for 10 women cleaners [...]. I called and the person on the phone told me to come to the office. I went there and when the woman in the office saw me, she immediately said that they won’t hire Gypsies to work for them.”
 - Ms E. S., 24 years old from Sombor reported that when she applied for the position of local Romani coordinator in Sombor, one of the local Romani leaders involved in the hiring process “stood up and began to laugh out loud when he saw my name on the paper. He said, “You must be joking,” called me stupid, said the only good thing about me was my breast and that I don’t know how to work.” I didn’t get the job; instead a young man was hired who knows nothing about gender issues.”
 - Ms S. A. from near Belgrade (unspecified age) stated in 2006 she applied for a job at the “Elit” hair saloon in Belgrade. When Ms S.A. arrived for her interview, the receptionist took her data and she overheard the owner’s daughter say, “Mom, there is some Gypsy asking for a job.” According to Ms S.A., she was then informed that the shop did not need another hair dresser. However, 3 days later, M.N., Ms S.A.’s Non-Romani friend got the same address from the National Employment Agency, went for an interview and was hired.

²⁴ Under the objective “Increase the Roma’s employability” out of 500 Roma to be trained per year in different skill areas, 30% should be Romani women.

²⁵ UNDP. 2006. *At Risk: The Social Vulnerability of Roma, Refugees and Internally Displaced Persons in Serbia*. Available online at: <http://www.undp.org.yu/tareas/policy/vulnerability%20report%20eng.pdf>

²⁶ UNDP. 2006. *At Risk: The Social Vulnerability of Roma, Refugees and Internally Displaced Persons in Serbia*. Available online at: <http://www.undp.org.yu/tareas/policy/vulnerability%20report%20eng.pdf>

- 8.11 Romani women who do secure regular employment also face dismissal purely on the basis of their ethnicity. For example, 26 years old Ms M.M. from Novo Selo told the partners that she was hired as a cleaner at the G&G shop in July 2006. On her 11th day on the job, the owner, an ethnic Serbian woman, reportedly told Ms M.M., “You Gypsy woman are dirty. Please take the money for your work. I will find some other women, Serbian woman, to clean the shop.”
- 8.12 Romani women also reported experiencing discrimination with regard to their working conditions, such as being forced to perform more difficult tasks than non-Romani women, and working longer hours. Forty-three-year-old M.M. from Niš informed the partners that her boss made her work longer hours than non-Romani women because “Serbian women are gentler”. Ms M.M. was also reportedly denied the right to take vacation. She informed the partners that she did not complain to the head of the company because she was afraid of losing her job.
- 8.13 A great deal of Romani women are employed in the informal sector, where they face high levels of job insecurity and do not benefit from social protections associated with formal employment, such as health insurance, pensions, unemployment benefits, etc.
- Ms S.P., a single mother and a 36 years old widow from Niš, informed the partners that she had been working informally as a cleaner at a private factory for a year because the owner refused to employ her formally. She expressed concern because she was not paying taxes, and stated that, at times, she had to work long hours for which she was not remunerated. Ms S.P. was afraid to complain “because I need the job and I can easily be fired.”
 - Ms L.M., a 29 years old Romani woman from Niš, stated “I worked as a saleswoman for three months in a store in 2006. I worked 10 hours every day with no break. The owner promised that I would be formally employed but he didn’t pay any taxes and he didn’t pay me for my work. I quit after three months.”
- 8.14 Many Romani women work informally selling goods in markets and on the street. Several of the women engaged in such work interviewed by the partners noted that they were also subjected to police harassment. For example, 26 years old Ms J.S. from Sombor who sells bags on the street stated “I am often discriminated against by the police when I work.” Ms E.B., a 28-year-old Romani woman from Sombor, also stated that the police harass her when she sells goods on the street.
- 8.15 Aside from the problems experienced by Romani women in the area of employment noted above, many of the women interviewed by the partners noted that they were not permitted to work by their husbands. For example, Ms J.B., a 32 years old Romani women from Sombor, told the partners that the reason she does not work is “my husband does not allow me to.”
- 8.16 High levels of discrimination and racism against Roma in Serbia is systemic and infects the functioning of public institutions. In addition to discrimination by employers, Romani women also reported that persons employed by the Serbian government in labour offices to assist job-seekers in securing employment also discriminate against Romani women. For example, 32 years old, Ms M.S., told the partners, “I have been registered with the unemployment bureau in Niš for 15 years. Two years ago, I was at the office and one of the advisors said to me, “Go home, take care of your children, there is no job for you, and no one wants to hire Gypsies.””

- 8.17 Article 11(e) of the Convention further provides that “The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave; [...]”
- 8.18 Various women interviewed by the partners indicated that they experience discrimination in assessing social benefits. For example, in a case reported by Minority Rights Centre, Ms A.E. from Niš reported that when she went to apply for a one-time social benefit, the employee of the Centre for Social Work with whom she dealt stated, “Why don’t you sell that ring you are wearing and use the money? You like to put gold on yourself and not to have bread on the table?” Ms A.E. was wearing her wedding ring and gold earrings she received as a wedding present.

9 Health Care

- 9.1 In Article 12 of the Convention, States Parties commit to “take all appropriate measures to eliminate discrimination against women in the field of health care [...]”
- 9.2 In Serbia, the right to health care is guaranteed under article 68 of the Serbian Constitution “Everyone shall have the right to protection of their mental and physical health. Health care for children, pregnant women, mothers on maternity leave, single parents with children under seven years of age and elderly persons shall be provided from public revenues unless it is provided in some other manner in accordance with the law. Health insurance, health care and establishing of health care funds shall be regulated by the law...”
- 9.3 In terms of policy, as part of the Roma Decade of Inclusion Serbia has adopted a specific NAP in which the creations of programs related to health are envisaged. Romani women are mentioned in the plan in the context of reproductive rights, data collection on Women’s health and protection of the general and reproductive health of Romani women. The NAP does not give competence to any Romani women NGO to monitor its implementation. Under this NAP a research on the health situation of Roma to be carried out by 2005 is envisaged. However, this research has not yet taken place.
- 9.4 The Ministry of Health is the institution implementing the NAP. With this aim, the Ministry has allotted 60,000,000 dinars (700,000 Euros) to finance projects which aim to improve the health situation of Roma. Ninety-three projects were submitted by different organisation of which forty-five were selected, nine of which focus on Romani women’s health²⁷. The implementation phase started from the second half of 2006. Programs, which are implemented by the government, are

²⁷“Integration of Roma in Primary Healthcare System – Reproductive Health” – Medical Center, Belgrade. “Personal and Social Responsibility: Importance of Reproductive Health of Roma Women”– Medical Center, Belgrade. “Prevention of Malignant Diseases of Women’s Reproductive Organs” – Healthcare Institute, Kragujevac. “Systematic Examination for Early Detection of Cervix Cancer for Roma Women (ages 18–65) in the Municipality of Bogatić” – Medical Center, Bogatić. “Improving Reproductive Health of Roma Women” – Healthcare Institute, Sremska Mitrovica. “Prevention of Malignant Cervix Diseases of Roma Women”, Medical Center, Velika Plana. “Improvement and Protection of General Reproductive Health of Roma Women” – Medical Center, Niš. “Decade of Roma – Early Detection of Cervix Cancer” – Medical Center, Paraćin. “PVU Screening of Malignancy of Roma Women” – Medical Center, Kruševac . Information Booklet of Minority Rights Centre. January 2007. More information on health care programmes in Serbia is available online at: http://www.mrc.org.yu/publikacije/pub_e_13.pdf

local in character. None of the programmes deal with key problems such lack of health card or unregistered housing.

- 9.5 The Serbian health system has been operating under economic strain has ever since the economic crisis in the 1990's and is still lacking working materials and technical equipment while health workers are poorly paid. Many of the health personnel work privately after work hours which results in a conflict of interest.
- 9.6 Medical institutions in Serbia are centralized and work under the Ministry of Health. Local medical institutions work alienated from their communities and perform activities without grounding them on the needs and demands of the community, but on the basis of central planning. Treatment of patients is still largely old-fashioned and paternalistic.
- 9.7 Romani women's health situation is significantly worse than the health situation of the general population as a result of direct discrimination at the hands of doctors and other hospital staff, lack of access to emergency services, bad living conditions -such as inadequate or substandard housing without running water, canalisation, proper heating, isolation and garbage removal- improper nourishment linked to severe poverty and the disadvantage position of Romani women within the family.
- 9.8 According to data collected by the United Nations Development Programme (UNDP) Vulnerability Dataset²⁸ 22% of surveyed Romani women in Serbia said that they suffered from a chronic illness. 20% reported suffering from bronchitis or emphysema compared to 7% among non-Romani women, 17% of high blood pressure compared to 26% among non-Romani women and 16% of other cardiovascular diseases compared to 12% among non-Romani women. According to data from the NGO Maltheser²⁹ the most common diagnoses among the Roma communities in Novi Sad are: acute and chronic diseases of the respiratory system, diseases of the cardiovascular system, acute and chronic diseases of the gastrointestinal system, diseases of the locomotory system, diseases of the central nervous system and infectious diseases. Their study concludes that children under 14, women of reproductive age 14-49, and elderly persons are particularly vulnerable to health problems.
- 9.9 Another significant set of phenomenological factors affecting the health status of Romani women in Serbian is the lack of access to health care as a result of a lack of health insurance, health card and registration of residence. There is no data on the impact of these living conditions in the life expectancy of Romani women but according to OXFAM Belgrade, only 1% of Roma can expect to live over the age of 60 years³⁰.
- 9.10 The partners therefore note with great concern that the Serbian government makes no reference whatsoever to the alarming situation of Romani women with regard to health care in its report to the Committee.

²⁸ UNDP. 2006. *At Risk: The Social Vulnerability of Roma, Refugees and Internally Displaced Persons in Serbia*. Available online at: <http://www.undp.org.yu/tareas/policy/vulnerability%20report%20eng.pdf>

²⁹ NGO Maltheser, *Integrated health care of Roma through the city authorities in Novi Sad*, Novi Sad.

³⁰ OXFAM Belgrade Office, *Report Roma Health*. Belgrade, 2003

9.11 The Law on Health Care stipulates (Article 11), as general interest, a particular protection to Romani persons without residence and also stipulates that the expenses of their health care are to be covered from the budget of Serbia.

9.12 According to the State report women with refugee status and those expelled coming from areas affected by the war are guaranteed “the right to health care, especially during pregnancy, delivery and after childbirth”³¹ However, barriers linked to lack of necessary documents to access health care services are particularly prevalent among Romani women, Refugees, IDP’s and returnees. The following excerpts of interviews gathered during the research are illustrative of this.

- Ms N. K., 48 years old from Prokuplje who suffers from high blood pressure, required emergency treatment the same day she was deported back from Germany: “A doctor with the Health Centre agreed to see me. He asked for my health ID. When my husband informed that we had just being deported from German and that we do not possess any documentation he started yelling at us: “What do you think we are, we are not the social care service, get out of here!”
- Ms. B. S., a 33 years old and refugee from Kosovo currently living in Niš, who holds a refugee ID “I had to go to the Health Centre in Niš last week because I had heavy pains in my stomach and I fainted at home. My husband took me to the Health Centre but there they refused to check me because I don’t have medical documents.”

9.13 The Serbian health care system since January 1 of the present year is undergoing a reform by which the health care booklet will be substituted by health cards containing a bar code which once entered into the computer will provide all the relevant information of the patient. Many Romani women rely on sharing their health booklet with family or neighbours to gain access to health care services. Once this new system is introduced this will be no longer possible which would mean that, unless the introduction of this new system is accompanied with registration of those currently excluded, many more Romani women and girls will be excluded from the health care system.

9.14 The right to health care in Serbia cannot be realized without a valid registration of residence. Romani women who live in unregistered settlements cannot obtain documents that are necessary for realization of the right to primary health care.

- Ms S.T., 38 year old from Niš “Since I don’t have documents I don’t have medical insurance. I feel a lot of pain in my chest, but I’m forced to go to the pharmacy and buy some medicine because I don’t have money to pay for the check-up in private hospital.”
- Ms A.K., 37 year old from Novo Selo “I gave birth to my children home because I didn’t have documents for almost ten years.”

9.15 Our research indicates that Romani women are exposed to discriminatory and degrading treatment in the form of verbal abuse by doctors and other medical staff and refusal of treatment. Out of 74 women interviewed about their experience with the Serbian health care system 14 reported having being verbally attacked or abused on the basis of their ethnicity³². Prejudices such

³¹ Paragraph 393 of the Serbian State report available online at: <http://www.un.org/womenwatch/daw/cedaw/39sess.htm>

³² A very high number of Romani women did not want or denied having anything to say about their experiences with the health care system because many of them did not have any contact with any health care personnel for a number of reasons including; lack of awareness that they are entitled to health care (this was particularly the case among Romani women who

tendency to lie is held against Romani patients. In some cases Romani women and girls are denied health care on the basis of stereotypes.

- Ms J.J., 39 years old from Vlasotince, Southern Serbia, who suffers from acute intestine problems reported to project partners “At the end of 2005 I was supposed to get the document issued by the Centre for Social Work that would be used to pay travel expenses to Belgrade in order for me to have an operation. I went to see Dr. Ignjatović so that he would give me this document on December 27th, 2005 around 8 AM. As soon as I entered through the door and without looking at my file he said: “You Gypsies only look for money, and are able to lie about being sick just to get the money. I would not give you that document and neither would my colleagues you can be assured of that, I will take care of it”. And that’s how it was. I was not able to go to the operation”. When questioned about the incident by one of the researchers Dr. Momcilo Ignjatovic said “she did not need to go to Belgrade for the operation. However, she probably has some other reason for wanting to go to Belgrade. Maybe she wants to go to Pančevo and buy goods for resale. I won’t give her the receipt. Until now I have not told her that we can perform her operation here so I am telling you now so you can inform her”.

9.16 In a different case, a Romani patient was refused treatment on the basis of another common prejudice held against Roma, dirtiness.

- Last December Ms Z. A., 49 years of age from Vranje, Southern Serbia took her granddaughter to physiotherapy at the Health Centre in Vranje where she had to receive therapy composed of massages and exercise for ten days. She tells the following “On the third day the nurse Nena who works there started to insult us and on the fourth day the same happened and I discontinued taking my granddaughter. She claimed that my granddaughter stank and she refused to attend her.”
- Ms. S. M., 24 years of age a nurse of Roma ethnicity from Zajecar, Southern Serbia- testimony indicates that there is widespread racism among health care staff “at the clinic where I work, I keep hearing my colleagues saying to each other “that Gypsy/Gypsy woman” referring to Roma people. These pejorative names are used by all, from the doorman to doctors. I feel bad and very uncomfortable there since I am present when they say that.”

9.17 Paragraph 409 of the State report states “treatment of the sick and injured is ensured in respect of medical assistance in emergencies”. However, several instances of refusal by ambulances to attend calls by Romani patient were reported during the research. Personnel at the emergency aid can easily recognise that the call comes from a Romani neighbourhood by the address of the patient and then refuse to send the ambulance arguing that Roma often lie or that Roma and their settlements are dirty.

- Ms Z. M., 42 year old from Niš “Last year (2006) on September 20 I fainted in my home and my son called the emergency service but they didn’t come. They told him on the phone that we Gipsy are liars and they won’t come”.
- In another case Ms J.S., a 65 year old from Niš who suffers from heart condition said “Around 7 p.m. one day in February this year, I called the ambulance service Zeleznicka ambulanta

lacked personal documents), distrust of hospital staff, negative experiences with hospital personnel in the past that have made them not want to go back and lack of time and/or money to look after their own health.

because I felt strong pain in my legs and I have heart disease. The woman who answered the phone said that the ambulance would not come because we Roma women are very filthy and it's very dirty in the settlement where I live." Ms J.S. eventually got to the hospital Klinicki Centar on her own where she was admitted with heart attack symptoms and was hospitalised for a week.

9.18 Most Romani women only access health care services for pregnancy check ups and child delivery. There is almost a total unawareness among Romani women about the need for health prevention. This also explains the great number of Romani women who decide to self-medicate themselves rather than going to the doctor.

- A 53 year old Romani woman from Sombor who identified herself as Maria said "I never visits doctors [...] I don't trust them. I was in hospital only when I was pregnant."
- Ms P.M., a 64 year old Romani woman from Niš "I take medicines that are not prescribed by doctors, so that I don't have to go."
- Ms S.H., 24 year old from Belgrade "I don't go to the doctor's, I didn't go to medical examinations during pregnancies regularly, but I had the delivery at hospital."

9.19 There is a particular reluctance to attend the gynaecologist as a result of shame caused by a patriarchal education.

- Ms E.S., 24 year old from Sombor- "I always felt so uncomfortable when a strange men is going to exam me, I go very rarely to this kind of gynaecologists but if I do I always go with my sister or best friend and I am never speaking with my husband about these exams I think it is very embarrassing."

9.20 Numerous instances of direct discrimination on the basis of ethnicity and gender by health personnel were reported during the research.

- A Romani woman who identified herself as Piri testified in January 2007 of a situation she witnessed in a maternity ward in Sombor. Reportedly, a doctor treated dark-skinned Romani women in an impolite manner and impatiently, which was not the case with non-Romani women, and told a colleague – referring to the Romani woman – that "she already had five children at home, and if there was one Roma kid less it would not be a big problem."
- Ms. E. A., 33 years old from Niš. "I was in the hospital Klinicki centar pregnant with my third child (Summer 2004), I started to feel pain in my legs and I told that to the nurse, she just laughed and said: "You Gypsy lie a lot, how you can feel pain in your legs? That's not possible."
- Ms J. B., 18 years old from Leskovac, Southern Serbia "I am three months pregnant and my doctor told me I needed to do some lab tests since there appear to be some complications with my pregnancy and I was given a paper marked to be urgent. I went to the lab of the Health Centre in Leskovac and gave them the paper. The nurse at the reception looked at me and said: "What are you Gypsies always playing about? How come you are an urgent case?" I told her I was pregnant and that my doctor said I needed to have immediate tests done to which she replied: "You are not pregnant, it's not like you are 9 months pregnant so that is not urgent, when I can see your belly then it can be done!" Then she scheduled me for the next week when they usually schedule regular patients and returned my health id. I went home."

9.21 According to the State report one of the principles of the health care system in Serbia is the following “during pregnancy, child birth and maternity as well as in respect of family planning, women enjoy the highest level of health care”³³.

9.22 According to CEDAW General Recommendation 24 “Particular attention should be paid to the health education of adolescents, including information and counselling on all methods of family planning”. According to our research, a very small number of the women interviewed use contraception. The main reasons quoted for this was lack of information about different anti-contraceptive methods and opposition from husbands.

- Ms S. H., 36 year old from Belgrade “I have never used any kind of contraception because I don’t know anything about it.”
- Ms. J. P., from Belgrade (unspecified age), “My husband doesn’t take care [of not living me pregnant] and he also doesn’t allow me to use any contraceptives. He says that only women with no morality use contraceptives. He says that I’m here to give birth.”
- Ms A. L., 25 year old from Belgrade “I don’t use any contraception, as my husband would probably kill me if I told him that [I did].”

9.23 According to Svetlana Ilic, an activist from the Romani Women's Center Bibija, the average number of abortions among Romani women is between 8 and 14.

- Ms S.P., 33 year old from Niš “I was not using contraception while my husband was alive, so I had ten abortions”.
- Ms M. S., 24 year old from Niš “When I get pregnant, I go to [have] an abortion. I don’t dare to tell my husband that I want to use protection from pregnancy.”

9.24 Another frequent barrier to access health care quoted during our research is bad doctor patient communication. This is related in the fact that many Romani women have a very low level of education and doctors fail to inform them in a language, manner or context that these women could comprehend.

- Ms H. S., 24 year old from Belgrade “It is sometimes very difficult for me to understand what I should do. They just say it quickly and tell us to call the next patient”
- Ms J.N., 46 years old from Sombor, Northern Serbia “I often don’t understand what the doctor is saying to me but I am shamed to ask him so I avoid doctors.”
- Ms K.A., a 45 year old from Niš, South Serbia “They don’t want to explain what’s wrong, they just write down the medicine and that’s it.”

9.25 Poverty, particularly widespread among Romani communities in Serbia, contributes as a factor that increases the chances of contracting illness and also acts as a barrier in accessing health care services, as Romani women living in poverty cannot afford doctors’ fees, the cost of medication, etc.

³³ Paragraph 388 of the Serbian State report. Available online at:
<http://www.un.org/womenwatch/daw/cedaw/39sess.htm>

- Ms S. H., 36 years old from Belgrade “During pregnancy I didn’t go to regular examinations, for I couldn’t. We used to live very hard, didn’t have any income and my husband was an alcoholic.”
- Ms. L. L., 50 year old from Sombor “I am a very ill woman but have no money to go to the doctor.”
- Ms L.S. 44 years old from Niš “I’m not going to the doctor for check-ups regularly and I don’t have money for the medications I need. I asked for help from the centre for social services “Sveti Sava”, but the social worker told me that I should sell my two golden rings and then buy the medications I need.”

9.26 Women and children are particularly vulnerable to health complications at time of delivery and although they are stated to be an especially protected category in the Law³⁴ they face great barriers in realising this right.

- Ms S. O. age 33, Niš. “During pregnancy I didn’t have check-ups at the doctor because even though I had my refugee ID (and) medical insurance, the doctors in “Klinicki Centar” refused to check me if I didn’t pay for the check-up. I didn’t have any money and I had all three deliveries home”.

³⁴ Article 11 of the Serbian Law on Health Care.