



ZAPROM – STRATEŠKI OKVIR ZA SPODBUJANJE
ZAPOSLOVANJA ROMOV V SLOVENIJI

STRATEŠKI PRISTUP OSTVARIVANJU
SOCIJALNOG UKLJUČIVANJA ROMA U SRBIJI

ZAPROM – A STRATEGIC FRAMEWORK TO
PROMOTE ROMA EMPLOYMENT IN SLOVENIA

STRATEGIC APPROACH TO THE SOCIAL
INCLUSION OF ROMA IN SERBIA





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ZAPROM – strateški okvir za spodbujanje zaposlovanja Romov v Sloveniji

Strateški pristup ostvarivanju socijalnog uključivanja Roma u Srbiji

ZAPROM – a strategic framework to promote Roma employment in Slovenia

Strategic approach to the social inclusion of Roma in Serbia

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KAZALO / SADRŽAJ / CONTENTS

ZAPROM – STRATEŠKI OKVIR ZA SPODBUJANJE ZAPOSLOVANJA ROMOV V SLOVENIJI	7
STRATEŠKI PRISTUP OSTVARIVANJU SOCIJALNOG UKLJUČIVANJA ROMA U SRBIJI.....	26
ZAPROM – A STRATEGIC FRAMEWORK TO PROMOTE ROMA EMPLOYMENT IN SLOVENIA.....	39
STRATEGIC APPROACH TO THE SOCIAL INCLUSION OF ROMA IN SERBIA	59

ZAPROM – STRATEŠKI OKVIR ZA SPODBUJANJE ZAPOSLOVANJA ROMOV V SLOVENIJI

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Uvod

Strateški okvir zajema naslednje vsebine: cilji projekta, mednarodni okvir, pravni temelji za vključevanje Romov v Sloveniji, položaj Romov in ukrepi za vključevanje Romov v Sloveniji ter oris glavnih predlogov projekta ZAPROM za izboljšanje zaposljivosti Romov v Sloveniji in Srbiji.

Cilji projekta

Temeljni cilj projekta ZAPROM je spodbujanje zaposlovanja Romov za ustvarjanje pogojev za preseganje začaranega kroga družbene izključenosti pripadnikov romske skupnosti, iz katerega je mogoče izstopiti le s sočasnim delovanjem na vseh področjih vključevanja – izobraževanje, zaposlovanje, bivanjske razmere in dostop do zdravstvenega in socialnega varstva, ob enakopravnem sodelovanju pripadnikov romske skupnosti v vseh fazah projekta. V okviru projekta smo identificirali dejansko stanje v obeh državah, opredelili glavne ovire na področju zaposlovanja Romov in pripravili nekaj predlogov za spremembo in dopolnitev zakonodaje na tem področju. V Sloveniji je bilo opravljenih že več študij in sprejetih priporočil glede položaja Romov in možnosti izboljšanja na posameznih področjih, kjer izstopa premajhen napredek na področju zaposlovanja Romov in vstopa na trg dela, kar je tudi ena od ugotovitev Evalvacijskega poročila o uresničevanju Nacionalnega programa ukrepov za Rome v letih 2017–2021. Projekt ZAPROM kot najbolj učinkovito pot za preseganje tega primanjkljaja izpostavlja odpravo predsodkov, boj proti anticiganizmu/protiromizmu, kontinuiran dialog in objektivno oceno sprejetih ukrepov in evalvacijo učinkov le-teh. Usmerili smo se v iskanje poti, kako zmanjšati odvisnost Romov od socialnih pomoči, doseči dvig motivacije za zaposlovanje med pripadniki romske skupnosti ter spodbuditi večjo osveščenost o pomenu odprave predsodkov in diskriminacije v večinski populaciji, zlasti pri delodajalcih v skladu z Listino raznolikosti.

Mednarodni okvir

Celoten sklop človekovih pravic, nediskriminacija, spoštovanje političnih in državljskih pravic ter uresničevanje ekonomskih, socialnih in kulturnih pravic pripadnikov romske skupnosti je predpogoj za njihovo uspešno integracijo v družbo in to na vseh področjih socialne in ekonomske vključenosti – tj. izobraževanje, zaposlitev, zdravje in bivanjske razmere. Slovenijo in Srbijo k temu zavezujejo mednarodni instrumenti Organizacije združenih narodov/OZN, Sveta Evrope, OVSE in Evropske unije. Najpomembnejši dokumenti OZN so: Splošna deklaracija o človekovih pravicah, Konvencija o kaznovanju in preprečevanju zločina genocida, Mednarodna konvencija o odpravi vseh oblik rasne diskriminacije, Mednarodni pakt o državljskih in političnih pravicah ter Mednarodni pakt o ekonomskih, socialnih in kulturnih pravicah, Deklaracija OZN o pravicah oseb, ki pripadajo narodnim ali etničnim, verskim in jezikovnim manjšinam, Konvencija OZN o otrokovih pravicah ter posamezni dokumenti specializiranih agencij, predvsem konvencija UNESCO o odpravi vseh oblik diskriminacije v izobraževanju ter Konvenciji Mednarodne organizacije dela o prepovedi diskriminacije pri zaposlovanju in o zaščiti domorodnega prebivalstva. Nekateri mednarodnopravni dokumenti in instrumenti vsebujejo posebne določbe za odpravo diskriminacije Romov in Sintov, za odpravo predsodkov, nestrpnosti, ksenofobije in rasizma, socialne izključenosti ter pozivajo države, naj sprejmejo ukrepe za izboljšanje neugodnih razmer, v katerih Romi živijo. Na poseben položaj Romov v procesu razvoja standardov varstva človekovih pravic in manjšin v novi Evropi je prva opozorila Konferenca o evropski varnosti in sodelovanju /v Sklepnem dokumentu konference OVSE v Köbenhavnu/ leta 1990. III. poglavje Sklepnega dokumenta prvič izrecno omenja poseben položaj Romov kot skupnosti in nujnost odprave nestrpnost do Romov:

»Sodelujoče države jasno in nedvoumno obsojajo totalitarizem, rasno in etnično sovraštvo, antisemitizem, ksenofobijo in diskriminacijo kogar koli ter zatiranje na verski ali ideološki podlagi. V tem kontekstu sodelujoče države vidijo poseben problem Romov (Ciganov)«.

Sedmi člen instrumenta Srednjeevropske pobude za varstvo pravic manjšin iz leta 1994 nadgrajuje to določbo z nujnim sprejemanjem ukrepov za socialno integracijo Romov in za sprejemanje ukrepov za odpravo nestrpnosti:

»Države se zavedajo posebne problematike Romov (Ciganov) in se zavežejo, da bodo sprejele vse pravne, upravne ali izobraževalne ukrepe, kot jih predvideva ta instrument za ohranjanje in razvoj romske identitete, da bi olajšale socialno integracijo Romov (Ciganov) s sprejetjem posebnih ukrepov za odpravo vseh oblik nestrpnosti do teh oseb«. Slovenija in Srbija, ki sta članici Srednjeevropske pobude, sta že sredi 90-ih let prejšnjega stoletja sprejeli posebne programe za integracijo Romov. V procesu priključevanja v Evropsko unijo je bila to ena od zahtev mednarodne skupnosti v procesu preverjanja uresničevanja človekovih pravic v posameznih državah.

V okviru Sveta Evrope sta bila sprejeta dva pomembna dokumenta – Evropska listina o regionalnih ali manjšinskih jezikih (1992) in Okvirna konvencija Sveta Evrope o varstvu narodnih manjšin (1995), ki se nanašata tudi na uresničevanje pravic Romov. Države članice so dolžne napisati periodična poročila o izvajanju obeh dokumentov v praksi. Oba instrumenta Sveta Evrope sicer ne vsebujeta posebnih določb o pravicah Romov, vendar jih posredno vsebinsko vključujeta v nadzorni sistem varstva. Republika Slovenija je ob deponiranju instrumenta o ratifikaciji Okvirne konvencije za varstvo narodnih manjšin v letu 1998 podala Deklaracijo, v kateri med drugim navaja, da se bodo v skladu z Ustavo in notranjo zakonodajo RS določbe Okvirne konvencije uporabljale tudi za romsko skupnost, ki živi v Sloveniji. V delu ECRI-ja (Odbora za boj proti rasizmu in nestrpnosti) zavzema ocena napredka glede položaja Romov vidno mesto v procesu nadzora nad izvajanjem prevzetih obveznosti posameznih držav. ECRI je sprejel več priporočil za izboljšanje položaja Romov, zlasti glede odprave fenomena anticiganizma/ protiromizma.

Priporočilo Parlamentarne skupščine Sveta Evrope 1557 iz leta 2002 o pravnem položaju Romov v Evropi /Parliamentary Assembly of the Council of Europe. Recommendation No. 1557 (2002) »The legal situati-

on of Roma in Europe«/ se nanaša tudi na varstvo kolektivnih pravic, ki so jih države dolžne zagotoviti Romom, to je: „Enako obravnavo romske manjšine kot etnične ali nacionalne manjšine na področju izobraževanja, zaposlovanja, stanovanj, dostopa do zdravstvenih storitev in javnih dobrin.“ Priporočilo tudi določa, da morajo države članice posvetiti posebno pozornost spodbujanju enakih možnosti za Rome na tržišču dela;

zagotavljanju možnosti vključevanja v vse ravni vzgoje in izobraževanja, od vrtcev do univerze, za romske študente; razvoju pozitivnih ukrepov za zaposlovanje Romov v javnih službah, ki imajo neposredni pomen za romske skupnosti, kot so npr. osnovne in srednje šole, centri za socialno delo, lokalni zdravstveni domovi in lokalne upravne enote; odpravi vseh praks, ki so usmerjene k ločevanju in segregaciji romskih otrok, predvsem tistih praks, ki usmerjajo romske otroke v posebne razrede ali šole. Priporočajo, da Romi pridobijo status narodne ali etnične manjšine ter da države sprejmejo programe socialnega vključevanja ter posebne ukrepe za izboljšanje življenjskih razmer Romov.

S kršitvami na področju varstva pravic romske skupnosti in diskriminacije pripadnikov romske skupnosti se je v več primerih ukvarjalo tudi Evropsko sodišče za človekove pravice /ESČP/, ki ima pomembno vlogo pri oblikovanju evropskega standarda pravnega varstva človekovih pravic. Na sodno prakso Evropskega sodišča za človekove pravice se sklicuje tudi Preambula Listine Evropske unije o temeljnih pravicah (2000/c 364/01), kot na enega od pravnih virov. Posamezni primeri iz sodne prakse ESČP se nanašajo na varstvo tradicionalnega načina življenja potujočih Ciganov v Veliki Britaniji (primer Chapman zoper Združeno kraljestvo, Chapman v. United Kingdom, vloga št. 27238/95, sodba z dne 18. januarja 2001), kjer Evropsko sodišče ni ugotovilo kršitev do ugotovljene diskriminacije na področju izobraževanja romskih otrok (D. H. in ostali proti Češki Republiki, vloga št. 57325/00, in Oršuš in ostali proti Hrvaški, vloga št. 15766/03, sodba z dne 16. 3. 2010, kršitev prepovedi diskriminacije, člen 14. EKČP). Primerjava argumentacije Evropskega sodišča v zadnjih dveh desetletjih kaže na evolucijo v obravnavi in interpretaciji načela enake obravnave, ki je kršeno, če za razlikovanje ne obstaja objektivno in razumno opravičilo. ESČP izkazuje širše razumevanje obveznosti držav do sprejema pozitivnih ukrepov za izboljšanje položaja ranljivih skupin, ki so dejansko v deprivilegiranim položaju v določenem okolju.

V primeru *Hudorovič in ostali proti Sloveniji* (sodba 10. marca 2020, vloga št. 24816/14 in 25140/14) sta se pritožnika pritožila, ker nimata dostopa do pitne vode in živita v romskih naseljih brez vodovoda in kanalizacije. S sklicevanjem na 3., 8. in 14. člen Evropske konvencije so se pritožniki pritožili zaradi pomanjkanja dostopa do osnovnih komunalnih storitev, zlasti pitne vode in kanalizacije, ter trdili, da so jih lokalne oblasti obravnavale diskriminatorno. V obravnavi tega primera je Evropsko sodišče ugotovilo, da dostop do pitne vode ni pravica, ki jo varuje 8. člen konvencije. Vendar pa bi dolgotrajna nezmožnost dostopa do pitne vode lahko imela negativne posledice za zdravje in človekovo dostojanstvo, ki je v središču pravice do spoštovanja zasebnega življenja. V tem primeru je moralo ESČP oceniti obseg pozitivne obveznosti države do zagotovitve dostopa do komunalnih storitev nasploh, še posebej pa socialno ranljivim skupinam, kot so Romi. Med drugim je ESČP ugotovilo, da ima Slovenija ustrezen regulativni okvir za sistem komunalnih storitev. V zvezi z dostopom do pitne vode je država prevzela odgovornost za vodovod, lastnikom pa prepustila, da na lastne stroške napeljejo posamezne hišne priključke do svojih domov. Na območjih, ki še niso bila pokrita z javnim vodovodom, so predvidene alternativne rešitve za zagotavljanje dostopa do pitne vode, kot so postavitve individualnih vodnjakov ali zbiralnikov deževnice. ESČP ugotavlja, da so v primeru pritožnikov občinske oblasti sprejele konkretne ukrepe za zagotovitev dostopa do pitne vode. Poleg tega je ESČP ugotovilo, da pritožnika nista živela v skrajni revščini in sta v teh naseljih ostala po lastni izbiri. Tožena država jim je namreč s sistemom socialnih prejemkov zagotavljala osnovno eksistenčno raven, s prejemki pa bi si lahko izboljšali tudi lastne življenjske razmere. ESČP je sklenilo, da so pritožniki sami odgovorni za (ne)sprejetje ukrepov za njihovo priključitev na javni vodovod. Čeprav je bila država odgovorna za reševanje neenakosti pri zagotavljanju dostopa do pitne vode, zaradi katere so bila romska naselja postavljena v slabši položaj v primerjavi s preostalim prebivalstvom v Sloveniji, tega

ni mogoče razlagati kot obveznost, da država nosi celotno breme oskrbe s pitno vodo v domovih pritožnikov. V zvezi s tem je ESČP poudarilo, da bi pritožniki lahko uporabili svoje socialne ugodnosti za izvedbo alternativnih rešitev, kot je namestitev zasebnih rezervoarjev za vodo ali sistemov za zbiranje deževnice.

Iz teh razlogov je ESČP med drugim ugotovilo, da pritožnikom ni bilo preprečeno koriščenje socialnih prejemkov za izboljšanje življenjskih razmer. ESČP je s petimi proti dvema glasovoma razsodilo, da ni bil kršen člen 8 konvencije v zvezi s pritožnikoma v zadevi št. 24816/14; soglasno razsoja, da ni bil kršen 8. člen konvencije v zvezi s pritožniki v zadevi št. 25140/14; *ESČP je soglasno razsodilo, da nista bila kršena 14. člen v povezavi z 8. členom in 3. člen posamično ali v povezavi s 14. členom konvencije.*

Evropski vključevalni pristop

Na ravni Evropske unije so Romi prepoznani kot posebej ranljiva skupina, ki zahteva posebno obravnavo in dodatno varstvo. Za izboljšanje položaja Romov je bilo sprejetih več posebnih dokumentov, ki zajemajo priporočila državam za ukrepanje ter odpravo diskriminacije Romov. Resolucija evropskega Parlamenta o položaju Romov v Evropi iz aprila 2005 se sklicuje na priporočilo Sveta Evrope št. 1557 in poudari *»Potrebo po ureditvi pravnega statusa Romov; ker nekatere države članice in države kandidatke romskih skupnosti še vedno ne obravnavajo kot etnično ali narodna manjšino, in zato romske skupnosti ne uživajo pravic, ki jim v zadevnih državah pripadajo«*. Resolucija opozarja tudi na to, da je potrebno popraviti zgodovinske napake in sprejeti potrebne ukrepe za priznanje statusa žrtev holokavsta in žrtvam priznati pravico do odškodnin.

Evropska komisija je v okviru strategije Evropa 2020 pozvala države članice in države, ki želijo pristopiti k Evropski uniji, da pripravijo nacionalne strategije za vključevanje Romov ter da to vprašanje naslovijo v svojih nacionalnih programih za izobraževanje, zmanjševanje revščine, ter za spodbujanje socialnega in gospodarskega razvoja. Države članice so morale do konca leta 2011 predložiti nacionalne strategije vključevanja Romov z natančnim opisom uresničevanja teh ciljev. Okvir je skladen s širšimi cilji strategije Evropa 2020 za zaposlovanje, socialno vključevanje in izobraževanje. Komisija je predlagala tudi možnosti za zagotovitev, da se bodo sredstva EU, s katerimi se lahko podpira vključevanje Romov, učinkoviteje uporabila.

Pravni okvir Evropske unije za boj proti diskriminaciji Romov temelji na Pogodbi o Evropski skupnosti (člen 13), Direktivi 2000/43/ES o enakem obravnavanju ne glede na rasno ali etnično poreklo in Direktivi 2000/78/ES, ki prepoveduje diskriminacijo pri zaposlovanju in poklicnem usposabljanju. Direktiva Sveta EU 2000/43/ES zagotavlja okvir za boj proti diskriminaciji na podlagi rasnega ali etničnega izvora po vsej Uniji glede zaposlovanja, izobraževanja, socialne zaščite (vključno s socialnim in zdravstvenim varstvom), socialnih ugodnosti, dostopa ter dobave dobrin in storitev, vključno s stanovanji. Države članice EU imajo dolžnost, da prevedejo te direktive v svojo nacionalno zakonodajo in zagotovijo implementacijo. Mandat Evropske komisije vključuje tudi spodbujanje uporabe strukturnih skladov EU, ki jih države članice EU namenjajo za podporo vključevanju Romov. Evropska unija je sprejela ukrepe za spodbujanje vključevanja Romov in zagotavlja sredstva za izvajanje politik in projektov, ki so pomembni za vključevanje Romov (izobraževanje, zaposlovanje, zdravje, boj proti diskriminaciji, socialni vključenosti itd.). EU financira tudi sodelovanje civilne družbe, Romov in mednarodnih organizacij na področju vključevanja Romov.

Priporočilo Sveta Evropske unije z dne 12. marca 2021 o enakosti, vključevanju in sodelovanju Romov (2021/C 93/01) je pomemben vir za nadaljnje ukrepanje na tem področju za vse članice Unije. Na prvem mestu Priporočilo omenja implementacijo že sprejetih direktiv EU. Deseta točka govori o anticiganizmu/protiromizmu, tj. oblika rasizma, posebej usmerjenega proti Romom, ki ga označi kot glavno oviro za uspešno vključevanje Romov. Nadalje Priporočilo poudarja, da je treba posebno pozornost nameniti mladim, kot je izpostavljeno v projektu iz leta 2020 pod naslovom *»Podpiranje zaposlovanja mladih: most do delovnih mest za naslednjo generacijo«*.

Priporočilo EU iz marca 2021 poudarja, da: morajo države članice v okviru svojih širših politik socialnega vključevanja za izboljšanje položaja Romov sprejeti nacionalne strateške okvire za Rome in jih poslati Evropski komisiji, po možnosti do septembra 2021. Države članice bi morale v skladu z nacionalnim pravom in pravom Unije sorazmerno in selektivno izvajati ukrepe v tesnem sodelovanju z vsemi zainteresiranimi stranmi.

Kljub sprejetim dokumentom, Priporočil in prizadevanjem za vključevanje Romov ter vloženiimi finančnimi sredstvi ostaja diskriminacija Romov na visoki ravni v vseh evropskih državah. V posebni raziskavi Evropskega barometra o diskriminaciji (2019) je okoliščina »biti Rom« na prvem mestu med razlogi oz. osebnimi okoliščinami, zaradi katere prihaja do diskriminacije¹. Tako meni v povprečju 28 EU držav kar 61 % vprašanih, v Sloveniji pa 57 % vprašanih. Glede zaposlovanja pa v povprečju EU držav 38 % vprašanih, v Sloveniji pa 57 % vprašanih meni, da kandidat, ki izpolnjuje enake pogoje kot drug kandidat ne bo izbran, ker je Rom. To je eden od razlogov, zakaj smo v projektu ZAPROM iskali inovativne rešitve v okviru uresničevanja Listine o raznolikosti in podali nekaj predlogov, ki smo jih zasnovali skupaj s predstavniki romske skupnosti za izboljšanje takega stanja.

Normativni okvir v Sloveniji

Pozitivna zakonodaja v Sloveniji je usklajena z evropskimi standardi kot ustrezen normativni okvir za preprečevanje in odpravljanje diskriminacije Romov ter njihovo vključevanje. Ustava Republike Slovenije iz leta 1991 v 65. členu določa, da se položaj in posebne pravice romske skupnosti, ki živi v Sloveniji, ureja z zakonom. Ta ustavna določba nakazuje možnosti, ki vključujejo bodisi sprejem posebnih zakonskih določb v sistemskih zakonih bodisi sprejem posebnega zakona. Določbe o pravnem varstvu in vključevanju Romov so vključene v sistemski Zakon o romski skupnosti (2007), ki opredeljuje naloge državnih organov in samoupravnih lokalnih skupnosti pri uresničevanju in financiranju posebnih pravic romske skupnosti ter ureja organizacijo in zastopanost romske skupnosti. Zakon o romski skupnosti v drugem členu navaja, da so Romom zaradi posebnega položaja romske skupnosti v Republiki Sloveniji poleg pravic in obveznosti vseh državljanov Republike Slovenije zagotovljene tudi posebne pravice, ki se financirajo iz državnega proračuna za uspešno integracijo. Določbe o nekaterih segmentih varstva so vključene v sistemske zakone, ki urejajo področje vzgoje in izobraževanja, socialnega varstva, kulture, političnega udejstvovanja, medijev, regionalnega razvoja itd. To so: Zakon o lokalni samoupravi, Zakon o lokalnih volitvah, Zakon o evidenci volilne pravice, Zakon o organizaciji in financiranju vzgoje in izobraževanja, Zakon o osnovni šoli, Zakon o vrtcih, Zakon o medijih, Zakon o uresničevanju javnega interesa za kulturo, Zakon o knjižničarstvu, Zakon o spodbujanju skladnega regionalnega razvoja, Zakon o Radioteleviziji Slovenija, Zakon o varstvu kulturne dediščine, Zakon o javnem interesu v mladinskem sektorju, Zakon o Slovenski tiskovni agenciji, Kazenski zakonik Republike Slovenije, Zakon o varstvu pred diskriminacijo, Zakon o socialnem podjetništvu, Zakon o finančni razbremenitvi občin. Izhodišče sprejete zakonodaje je, da je zlasti zaradi neugodnih socialno-ekonomskih razmer v primeru varstva romske skupnosti poleg individualnih človekovih pravic do enakega obravnavanja in nediskriminacije treba zagotoviti in financirati tako sklop posebnih kolektivnih pravic kot pozitivnih ukrepov za doseganje enakopravnega položaja Romov.

Poleg tega so za izboljšanje položaja Romov pomembni sprejeti programi socialne vključenosti, strategije za odpravo revščine in sklop protidiskriminacijske zakonodaje. Dolgoročne dejavnosti na področju vključevanja Romov v Sloveniji opredeljuje Nacionalni program ukrepov za Rome 2021–2030. Posamezne segmente podrobneje obravnavajo Strategija vključevanja Romov na področju vzgoje in izobraževanja, Strategija na področju socialnega vključevanja ter program boja proti revščini in socialni izključenosti. Že leta 1995 je Vlada Republike Slovenije sprejela prvi Program ukrepov za pomoč Romom, nato pa ga je

¹ <https://www.age-platform.eu/publications/discrimination-european-union-eurobarometer-survey>, dostop 22. 7. 2022.

nadgrajevala z Nacionalnimi programi ukrepov za Rome za posamezna časovna obdobja. Zaradi socialne ranljivosti večine romske skupnosti in neustreznih življenjskih razmer so ukrepi za izboljšanje položaja Romov usmerjeni predvsem v izboljšanje življenjskih razmer, urejanje bivanjskih razmer, zagotavljanje preživetja, zaposlovanja in izobraževanja.

Ustavna določba v 65. členu, Zakon o romski skupnosti in druge relevantne določbe v zakonodaji ter usmeritve v Nacionalnem programu ukrepov za Rome za obdobje 2021–2030 tvorijo ustrezno podlago za sprejemanje konkretnih ukrepov za vključevanje Romov. Zaposlovanje pripadnikov romske skupnosti je eden od temeljev integracije in je pomembno za nadaljnje uresničevanje ekonomskih in socialnih pravic pripadnikov romske skupnosti.

V zgodovinskem kontekstu označuje položaj Romov termin »Cigani«, bili so marginalizirani, preganjani in izolirani zaradi svojega načina življenja. Romi v Sloveniji so se v preteklosti ukvarjali s številnimi tradicionalnimi romskimi poklici, glasbo, redili so konje in bili uspešni posredniki pri prodaji konj na sejmih. Po ljudskem izročilu so znali prikrivati napake na konjih in jih pripravljati za prodajo ali preprodajo na sejmih. Rominje so znale tudi vedeževati in čarati, napovedovati prihodnje dogodke ali zdraviti bolezni na naraven način, saj so Romi že od nekdaj sloveli kot odlični poznavalci in zbiralci naravnih zdravilnih rastlin. Kot je zapisano v matičnih knjigah iz 19. in 20. stoletja, so bili kovači, poleg kovaštva pa so popravljali in izdelovali kmetijsko orodje. Poleg tega so se Romi v Beli krajini in na Dolenjskem preživljali z vzdrževanjem cest, drobljenjem gramoza in delom v kamnolomih. Z modernizacijo družbe so tradicionalni romski poklici počasi izginjali in izumrli. V začetku sedemdesetih let prejšnjega stoletja so se začeli programi za načrtno socialno vključevanje Romov, izobraževanje in zaposlovanje. Podatki kažejo, da je bil tedaj v Sloveniji vsaj en pripadnik romske družine zaposlen. Po osamosvojitvi Slovenije je prišlo do tranzicije in ekonomsko-socialnih sprememb, v katerih so Romi postopoma izgubljali dotedanje zaposlitve. Zaradi nizke izobrazbene strukture in predsodkov so bili Romi praviloma med prvimi, ki so v primeru stečajev ali nelikvidnosti podjetij izgubili zaposlitev. Danes je več kot 90 % Romov brezposelnih, povečuje pa se število tistih, ki so dolgotrajno brezposelni in v celoti odvisni od socialne pomoči. To dejstvo negativno vpliva na možnosti socialnega vključevanja, saj ohranja življenje v getu in marginalni položaj romske skupnosti.

Nacionalni program ukrepov /NPUR/

Zaradi negativnih zgodovinskih okoliščin, marginalizacije, preganjanja in izključenosti ter neugodnega socialnega položaja romske skupnosti v sodobni družbi je Nacionalni program ukrepov za Rome v obdobju 2017–2021, tako kot dosedanji Nacionalni programi ukrepov, predvidel konkretne ukrepe za doseganje ciljev za uresničevanje političnih, državljanskih, ekonomskih, socialnih in kulturnih pravic Romov in njihovo vključevanje. Urad za narodnosti RS pripravlja redna poročila za Državni zbor o uresničevanju Nacionalnih programov ukrepov za Rome. Poročila se pripravijo na podlagi poročil ministrstev in vladnih uradov. V osmem poročilu o uresničevanju NPUR 2017–2021 iz junija 2021 je bila posebna pozornost namenjena odzivu na epidemijo COVID 19 v romskih naseljih. V letu 2020 je bilo za potrebe izvajanja aktivnosti na področju izboljšanja položaja in socialnega vključevanja pripadnikov romske skupnosti s strani državnih organov namenjenih dobrih 8,6 milijona evrov. Dejavnosti, namenjene izboljšanju zaposljivosti Romov, so se odvijale v nekoliko zmanjšanem obsegu zaradi epidemije COVID 19. Ministrstvo za delo, družino in socialne zadeve in enake možnosti /MDDSZ/ je v zvezi s področjem zaposlovanja poročalo, da je bilo v letu 2020 v ukrep »Vključevanje Romov v ukrepe države na trgu dela« vključenih skupaj 3.163 Romov, kar je 10,5 % manj kot v letu 2019, ko je bilo v ukrep vključenih 3.534 Romov.

V letu 2020 je bilo v sklop Aktivne politike zaposlovanja /APZ/ vključenih 362 brezposelnih Romov (v letu 2019: 447), v delavnice Storitve za trg dela 41 Romov (v letu 2019: 146) in v Karierna središča 2.760 Romov (v letu 2019: 2.941). V obdobju januar–december 2020 pa je Zavod Republike Slovenije za Zaposlovanje /

ZRSZ/ beležil skupaj 262 izhodov brezposelnih Romov v zaposlitev. V okviru APZ se je v javna dela in druge zaposlitvene programe vključilo 105 Romov. Poleg vključitev Romov v zaposlitvene programe APZ se je 157 Romov zaposlilo na trgu dela pri različnih delodajalcih, in sicer v trgovski dejavnosti, gradbeništvu, prevozništvu, gozdarstvu, čistilnih servisih, kadrovske agencijah ipd. Po oceni MDDSZ pomemben napredek predstavljajo tudi programi socialne aktivacije, še posebej sklop socialne aktivacije romskih žensk, kjer gre za operacijo, ki pomembno prispeva k njihovi integraciji, krepitvi socialnih mrež, opolnomočenju, pridobivanju novih socialnih in funkcionalnih kompetenc ter približevanju k trgom dela.

Nacionalni program za Rome 2021–2030 /NPUR/ povzema in nadgradi cilje Nacionalnega programa 2017–2021. Pomembno je, da vključuje obveznost izboljšanja položaja Romov in odprave predsodkov v skladu z določili delovne definicije IHRA o boju proti anticiganizmu/ protiromizmu. Objavljeno je celotno besedilo delovne definicije IHRA o anticiganizmu, prevedeno v slovenski jezik, izvajanje boja proti anticiganizmu pa bodo ministrstva in vladni uradi spremljali na vseh področjih socialne vključenosti (izobraževanje, zaposlitev, bivanjske razmere, zdravstvo itd.).

Tako kot v drugih članicah EU tudi v Sloveniji na Uradu za narodnosti RS deluje *Nacionalna platforma za Rome /SIFOROMA/* kot kontaktna točka za usklajevanje ukrepov na nacionalni in lokalni ravni s smernicami, navodili in Direktivami EU. Iz ugotovitev analiz, raziskav in študij ter poročila namenske skupne usmerjene razprave »*Skupaj smo uspešnejši: Iskanje novih pristopov in možnosti za večjo vključenost Romov na trg dela*« (3. junij 2019) v okviru Nacionalne platforme SIFOROMA, med drugim, izstopa nesorazmerje med urejanjem izplačil in obveznosti iz zagotovljene socialne podpore in minimalnimi zneski osebnih dohodkov iz redne zaposlitve. Po dosedanji ureditvi so namreč prejemniki socialne pomoči izvzeti iz obveznosti plačevanja komunalnih prispevkov in stroškov infrastrukture ali plačevanja glob za prekrške, ko pa vstopijo v delovno razmerje, se jim ti zneski takoj odtrgajo od osebnega dohodka, kar mnoge pripadnike romske skupnosti odvrača od iskanja redne zaposlitve.

Ugotovitve in predlogi projekta ZAPROM

Splošen položaj romske skupnosti v Sloveniji se izboljšuje, vendar ne z želeno hitrostjo in ne na vseh področjih v želeni smeri. Uspehi so vidni le v tistih okoljih, kjer je vzpostavljeno zaupanje med predstavniki romske skupnosti in izvajalci družbenih in socialnih programov iz različnih inštitucij, saj ima dolgotrajna marginalizacija za posledico nezaupanje v družbene institucije in nasploh do vsega neromskega. V Črnomlju že 25 let izvajajo program *Pomoč Romom pri socializaciji* pri romskih družinah v naselju. Uspeli so pridobiti zaupanje Romov in v program so se vključevali romski in neromski otroci ter odrasli iz različnih romskih naselij².

Večja zaposlenost pripadnikov romske skupnosti je eno izmed ključnih področjih za hitrejši in učinkovitejši socialno-ekonomski razvoj tako posameznika kot romske skupnosti v celoti. Zaposlenost v veliki meri prispeva tudi k integraciji pripadnikov romske skupnosti v okolje ter zmanjšuje socialno distanco med romskim in večinskim prebivalstvom. Na žalost se socialna distanca do Romov ne zmanjšuje, kar izjemno slabo vpliva na zmanjšanje zakoreninjenih predsodkov in posledično diskriminacijo pripadnikov romske skupnosti na najrazličnejših področjih. Izkušnje kažejo, da se predsodki najlažje razbijajo z osebnimi stiki, teh pa je žal vedno manj.

Republika Slovenija je sprejela številne dobrodošle ukrepe na najrazličnejših področjih, žal pa želeni rezultati zaradi različnih razlogov niso doseženi v pričakovani meri. Med najpomembnejše razloge sodijo pomanjkanje ustreznih kontrolnih mehanizmov, ki bi objektivno merili rezultate ukrepov. Pogosto ni do-

² Program se izvaja na domu uporabnikov, ki so jim odprli vrata svojega doma. Posebej nezaupljivi so do zaposlenih, ki prihajajo iz romske skupnosti. Dobra praksa je bila, da so v program vključili 2 delavki (ena Romka, druga Neromka). Trenutno imajo zaposleni 2 Romki, ki prihajata iz zelo urejene družine, ki ni v sporu z nobeno romsko družino. Povzeto po zapisu uslužbenke na Centru za socialno delo v Črnomlju, 22. 7. 2022.

volj medinstitucionalnega sodelovanja med državnimi in lokalnimi organi in civilno družbo, ki ostajajo na različnih bregovih. Prelaganje odgovornosti med deležniki, predvsem med državo in lokalno skupnostjo, ki pogosto prelaga razloge za neučinkovitost ukrepov zgolj na pripadnike romske skupnosti, vodi v splošno apatičnost in inertnost ter ustvarja plodna tla za ohranjanje predsodkov do Romov, kar je še posebej problematično. Odsotnost objektivnih podatkov tako o splošnem socialnem položaju romske skupnosti kot na področju zaposlovanja otežuje evalvacijo ukrepov. Brez ustreznih podatkov je izjemno težko pripraviti ustrezne ukrepe, jih izvajati in tudi meriti njihov učinek. Podatki so ključni in je potrebno najti rešitev kljub zakonskim omejitvam, saj na to opozarjajo ne samo deležniki v Sloveniji, temveč tudi mednarodni nadzorni organi za zaščito človekovih pravic.

Evropska komisija v svojih evalvacijah Okvirnih nacionalnih strategij za vključitev Romov do 2020 ugotavlja, da cilji v povezavi z zmanjševanjem zaposlitvenega razkoraka med romsko in večinsko skupnostjo ter večjemu vključevanju mladih Romov (16–24 let) v izobraževanje ali na trg dela ni bil dosežen. Zato je Evropska komisija na področju enakopravnega dostopa Romov do kakovostnih zaposlitev v Okvirni strategiji EU za vključevanje Romov do 2030 postavila jasne cilje, na področju zmanjševanja zaposlitvenega razkoraka med romsko in večinsko skupnostjo, povečati število zaposlenih romskih žensk in zvečati odstotek mladih Romov (16–24 let), ki bodo vključeni ali v šolanje ali pa bili zaposleni.

Na podlagi podatkov Evropske komisije je razkorak med zaposlenimi Romi in ostalim prebivalstvom več kot 30 %, razkorak med zaposlitvenim statusom moških in žensk je med romsko skupnostjo skoraj 3-krat večji kot med ostalo populacijo. Primerjava med vključenostjo mladih Romov (16–24) v šolanje ali zaposlitev kaže na to, da je le-ta za 50 odstotnih točk manjša kot pri drugih mladih.

V Republiki Sloveniji podrobnih podatkov za omenjene ugotovitve nimamo. Na podlagi podatkov z Zavodov za zaposlovanje, Centrov za socialno delo, lokalnih skupnosti in civilnih organizacij lahko sklepamo, da je stanje v Republiki Sloveniji na parametrih kljub velikim regijskim razlikam še slabše.

Za izboljšanje položaja Romov na področju zaposlovanja je nujna boljša usklajenost programov in instrumentov, ki se nanašajo na področja odprave revščine in preprečevanja socialne izključenosti (zaposlovanja, izobraževanja, stanovanjskih razmer), antidiskriminacijske zakonodaje in sodelovanja za vzpostavljanje možnosti za medkulturni dialog, odpravo predsodkov in ozaveščanje o pomenu kulturne raznolikosti. Pri uresničevanju teh ciljev v praksi so nujni ukrepi pozitivne diskriminacije in spodbuda, vzpostavljanje in razvoj stikov z vsemi, katerim so posamezni ukrepi namenjeni.

Zaposlovanja pripadnikov romske skupnosti ni mogoče obravnavati ločeno od drugih področij, kot so izobraževanje, bivanjske razmere, zdravstvo, saj so ta področja v vsakdanjem življenju medsebojno povezana in prepletena. Za zaposlovanje romske populacije so bila v Sloveniji in Srbiji doslej namenjena znatna sredstva. Partnerske organizacije v projektu ZAPROM ocenjujemo, da doseženi rezultati na področju zaposlovanja niso v celoti dosegli ciljev in niso izpolnili pričakovanj, zastavljenih v programih zaposlovanja romske populacije, kot so ukrepi v okviru aktivne Politike zaposlovanja in kariernih centrov. Redne zaposlitve Romov so pretežnočasne narave in so pogosto omejene na javna dela.

Očitna so nesorazmerja glede višine zneskov socialne podpore, v primerjavi z nizkimi osebnimi dohodki, kar v veliki večini primerov odvrta Rome od iskanja redne zaposlitve. Določbe v zakonodaji o socialnem varstvu, ki vsebujejo možnosti za oprostitev plačila glob za prekrške ali izvzemanje plačila komunalnih stroškov iz vsote socialne podpore, po drugi strani pa so ta plačila izterljiva iz osebnih dohodkov, so v neskladju s temeljnimi pravili porazdelitve družbene odgovornosti, saj naravnost ponujajo možnost za izigravanje obveznosti in v bistvu pomenijo diskriminacijo tistih, ki so pripravljeni delati v primerjavi s tistimi, ki se temu izogibajo.

Posebni spodbujevalni ukrepi za zaposlovanje pripadnikov romske skupnosti in ranljivih skupnosti so predvideni v Programu aktivne politike zaposlovanja in drugih programih v okviru nacionalnih strategij

zaposlovanja. Pri izvajanju ukrepov v praksi se je pokazalo, da so rezultati skromni in da je potreben fleksibilnejši in individualiziran pristop pri sprejemanju ukrepov pozitivne diskriminacije pri zaposlovanju Romov ter nadaljnjem seznanjanju delodajalcev z vsebino Listine o kulturni raznolikosti.

Partnerske organizacije v projektu ZAPROM so izpostavile obstoječe ovire pri izvajanju pozitivnih ukrepov na področju zaposlovanja pripadnikov romske skupnosti. Odstranitev teh ovir je nujna za večjo vključenost Romov in kljub temu da potekajo številni projekti za vključevanje Romov v družbo in za odpravo stereotipov, še vedno prihaja do incidentov proti Romom, ki se izražajo in koncentrirajo v fenomenu protiomizma/anticiganizma, ki je strukturni in trajni, ne pa občasni ali prehodni problem cele družbe. V tem smislu je treba okrepiti mehanizme za učinkovitejše varstvo pravic posameznikov/pripadnikov romske skupnosti ter prijavljanje konkretnih primerov diskriminacije pri zaposlovanju Romov. Na ta način bo mogoče učinkovito ukrepati za preprečevanje vsakršne diskriminacije, saj v nekaterih segmentih družbe v obeh državah še vedno prihaja do zavračanja romskega načina življenja, diskriminacije in nestrpnosti do Romov, tako v javnosti kot zasebni sferi, ki se izražajo v predsodkih do Romov, predvsem na lokalni ravni.

Področje izobraževanja

Pretekle in sedanje raziskave v projektu sodelujočih organizacij s področja izobraževanja in zaposlovanja Romov kažejo na to, da je več kot 50 % odraslih Romov zadovoljnih s svojo izobrazbo in zaposlitvenim statusom, torej z zelo nizko izobrazbo in z veliko brezposelnostjo. Motivacija za izboljšanje izobrazbe je zelo nizka oz. je velikokrat povezana s pogoji za pridobitev socialnih transferjev. Romska skupnost je zapadla v stanje brezizhodnosti, kjer večina meni, da se stanje ne bo izboljšalo, ne glede na to ali si bodo s formalnim ali neformalnim izobraževanjem skušali izboljšati možnosti za zaposlitev. Ob tem pa pogosto razloge za svojo neaktivnost iščejo pri zunanjih dejavnikih. Poseben problem je, da se tudi mladi Romi že v zgodnji mladosti privadijo na obstoječe stanje nizke izobrazbe in visoke brezposelnosti svojih staršev ter tako tudi sami ocenjujejo, da je vlaganje truda v izobraževanje nepotrebno in nesmiselno. Segregacija in življenje v getu postaja njihova realnost. Tako še bolj izpostavljeni nezaželenim socialnim praksam (zgodnje materinstvo, pobegi v škodljiva okolja ipd.), kar še dodatno zmanjšuje motivacijo za iskanje dela ter večja odvisnost od socialnih transferjev. Poudariti je treba zaposlovanje mladih Romov, predvsem tistih, ki so zaključili vsaj osnovnošolsko in poklicno izobraževanje, ker še nimajo številčnejše družine in bi z delom zaslužili več ko znaša socialna pomoč³.

Prekinitev tega ustaljenega vzorca resnične in namišljene brezupnosti in nesmiselnosti je ključna za izboljšanje izobrazbe in posledično tudi za boljše možnosti pri iskanju ustrezne zaposlitve. Posebno pozornost pri tem pa je potrebno nameniti romskim ženskam, ki se soočajo še z večjimi težavami kot drugi znotraj skupnosti, saj jih pogost patriarhalen odnos usmerja predvsem v poroko in gospodinjska opravila, po drugi strani pa so izobražene romske ženske tiste, ki lahko odločilno vplivajo na izboljšanje izobraževalne ravni vseh članov družine.

Predlogi

1. Vzpostavitev sistema t. i. starševske vzgoje

Za reševanje tega problema je najprej potrebno je vzpostaviti sistem t. i. starševske vzgoje, kjer se s posebej prilagojenimi in fokusiranimi programi ozavešča in informira romske starše o pomenu izobrazbe za njihove otroke, ter tudi za njih same, ter jih motivira, da svoje otroke redno pošiljajo v šolo in jih spodbujajo k polnemu zaključevanju osnovnošolskega programa ter nadaljevanje na sekundarnem in terciarnem nivoju.

³ Pri iskanju zaposlitve potrebujejo pomoč. Ne samo pomoč pri pisanju prošenj, ampak potrebujejo osebo – spremljevalca, ki bi bil ob njem na razgovoru pri delodajalcu. Povzeto po zapisu CSD Črnomelj, 22. 7. 2022.

Sistem starševske vzgoje, pri katerem sodelujejo sistemsko vsi deležniki (šole, centri za socialno delo, ljudske univerze, lokalna skupnost, nevladne organizacije idr.), bo prispeval k razbijanju mita o nekoristnosti izobraževanja ter izboljšal motiviranost za vključitev in vztrajanje v procesu izobraževanja čim dlje. Za učinkovit sistemski pristop je potrebno spremeniti tudi zakonodajo, če se izkaže, da bi to koristilo za doseganje ciljev.

2. Oblikovati institut izobraževalno-zaposlitvenega koordinatorja

Ker zgledi vlečejo, je potrebno posameznike, ki se želijo izobraževati, podpreti z vsemi sredstvi. Ne sme se dovoliti, da se učenec/dijak, ki si po osnovni ali srednji šoli želi nadaljevati na naslednjem nivoju, izpade zaradi zunanjih razlogov (ni prevoza, ni štipendije ipd.). Še slabše pa je, če posameznik po končanem poklicnim/srednješolskim ali univerzitetnim šolanju ne dobi ustrezne zaposlitve. To je izjemno slab signal, zato je potrebno vpeljati sistemsko individualno podporo za prehod iz primarnega na sekundarni, terciarni nivo izobraževanja in na trg dela. Potrebno je oblikovati institut po zgledu romskega pomočnika (npr.), ki bo individualno delal z mladostnikom, s svetovalnim osebjem na šolah, s starši, državnimi in lokalnimi institucijami in delodajalci. Vsak zainteresiran učenec/dijak bi na podlagi individualnega načrta imel polno podporo vseh potrebnih institucij in bil tako še dodatno motiviran za uspešen prehod na višji izobraževalni nivo in kasneje na trg dela. Izobraževalno-zaposlitveni koordinator bi s svojim znanjem bil opora ne samo mladostniku, temveč tudi njegovim staršem in bil vez med starši šolo in delodajalci. Tak individualiziran pristop ima številne prednosti. Mladostnik in njegovi straši imajo polno podporo v smislu svetovanja, informiranja in opolnomočena za izobraževanje oz. vključevanje na trg dela. Izobraževalne organizacije imajo možnost aktivnega povezovanja s starši in delodajalci, delodajalci pa imajo možnost pridobivanja ustreznega kadra ter izkazovanja svoje družbene odgovornosti. Prav tako pa se oblikuje odgovornost posameznih deležnikov (dijak, starši, šola, delodajalec), da izpolnijo dane zaveze in preprečijo danes vse prepogost izhod, kjer romski mladostnik komaj konča določeno izobrazbo, potem pa ne dobi dela oz. na nižjem nivoju kot ima izobrazbo. Tak izhod je izjemno slab, saj pri mladih pripadnikih romske skupnosti samo potrjuje prepričanje o nepotrebnosti in nesmiselnosti izobraževanja.

3. Nadgraditi vlogo in pomen romskega pomočnika

Romski pomočnik je vsekakor pozitivna praksa, ki pa jo je potrebno nadgraditi. Ne sme ostati samo na nivoju posameznika, ki skrbi za tehnično sodelovanje med šolo in romskimi starši. Republika Slovenija mora podpreti širšo večkulturno vzgojo v šolah in nadaljevati s projekti za pridobivanje medkulturnih kompetenc vseh sodelujočih v izobraževalnem procesu. Ne sme se zgoditi, da je za uspeh romskih učencev odgovoren romski pomočnik, temveč so zanj odgovorni vsi učitelji in uprava. Tudi učitelji morajo aktivno pristopiti k izobraževanju o večkulturnosti (romski kulturi, učenju romskega jezika ipd.). Romski pomočnik v sedanji obliki se mora razvijati naprej in z dodatnim izobraževanjem mora postati del učiteljskega zbora in prevzeti tudi druge vzgojno-pedagoške vloge na šoli in na tak način razbijati predsodke med otroki in straši, spremeniti je treba poimenovanje iz romskega pomočnika v npr. medkulturnega mediatorja. Če obstane romski pomočnik v sedanjem obsegu, je možno, da bo institut romskega pomočnika izgubil svoj razvojni moment. Možna nadgradnja je vsekakor v mnogo večji vlogi pri pomoči romskim otrokom pri prehodu v naslednji nivo izobraževanja ter vključitev romskega pomočnika tudi na srednješolski nivo. Vsekakor mora biti tempo bolj intenziven. Več kot desetletno obdobje oblikovanja instituta romskega pomočnika in njegova uveljavitev je enostavno predolgo obdobje in škoda je zamujenih rezultatov, ki bi lahko bili doseženi že mnogo prej, kot so bili sicer.

4. Pripraviti aktivacijske programe za romske otroke in mladostnike, ki niso dokončali osnovne šole

Skupina, ki je potrebna posebne pozornosti, so romski otroci in mladostniki, ki niso dokončali osnovne šole in so izpostavljeni veliki nevarnosti, da bi zapadli v stanje brezizhodnosti. Takšni posamezniki (nji-

hovi straši) kot rešitev situacije vidijo zgodnje starševstvo in socialne transferje ter delo na črno, žal pa nekateri v iskanju hitrih zaslužkov zapadejo tudi v kriminal. Mladostniki, starejši od 15 let, ki niso dokončali osnovne šole, so sicer vključeni v programe izobraževanja odraslih, kar je že pripeljalo do pozitivnih rezultatov. To je pomembno zato, da se tako prepreči mladoletno starševstvo. Posebno pozornost morajo dobiti romska dekleta. Aktivacijski programi morajo vsebovati motivacijske programe in možnosti zaposlitve, ki ustrezajo izobraževalnim potrebam in poklicnim interesom Romov. Pripraviti je potrebno programe nacionalnih kvalifikacij, ki jih Romi pogosto omenjajo, da bi na ta način dosegli določen nivo izobrazbe in se na ta način uspešneje vključili na trg dela.

5. Promovirati vajeništvo kot obliko izobraževanja romske mladine

Vajeništvo kot obliko izobraževanja in uspešnega vključevanja ranljivih skupin na trg dela omenjajo številni praktiki. Zato je potrebno preučiti, zakaj ni več romskih mladostnikov vključenih v takšno obliko izobraževanja, saj je sodelovanje v takšni obliki izobraževanja tudi finančno nagrajeno in ne vpliva na druge družinske prejemke ali štipendijo. Vajeništvo spodbuja posameznika tako k dokončevanju izobraževalnega programa kot tudi uči delavne etike. Kombinacija pouka v šoli in prakse je tako primerna za pridobivanje izkušenj in nadaljnje vključevanje. Ob tem je potrebno širše informirati pripadnike romske skupnosti o programih v tistih šolah, ki so fizično bližje območjem, kjer prebiva romska skupnost. Ob tem je potrebno aktivno sodelovati s podjetji tako, da predlagajo nove vajeniške programe in poklice ter predvsem spodbujati vodstva, da prevzamejo odgovornost in v večji meri omogočijo vajeništvo pripadnikom ranljivih skupnosti (Romom).

6. Štipendijski sklad za romske dijake in študente

Štipendije za Romske dijake in študente imajo poleg materialnega vidika tudi integracijski vidik. Prejemnik štipendije ima občutek, da je pomemben del družbe, saj država v njem vidi potencial, ki ga je s štipendijo tudi materialno podprla. Prejemanje štipendije je tudi zaveza posameznika, da zaupanje države izpolni in se ustrezno izobrazí. Okrepiti je potrebno možnosti za štipendiranje romskih dijakov in študentov ter te možnosti aktivno promovirati med romsko skupnostjo.

7. Vzpostaviti trdne in zavezujoče medresorske mreže partnerskih organizacij

Republika Slovenija mora pokazati odločnost, da se na področju izobraževanja pripadnikov romske skupnosti nekaj naredi. Sedanje prelaganje odgovornosti in apatičnost ustreza številnim deležnikom, ki nimajo posebne želje po spremembi obstoječega stanja. Potrebno je vzpostaviti trdno in zavezujoče medresorske mreže partnerskih organizacij, ki bodo pripravile, izvajale in vrednotile rezultate akcijskih programov na področju izobraževanja Romov v Sloveniji, ter bolj prisluhniti predlogom predstavnikov romske skupnosti⁴. Posebno pozornost je potrebno dati sredinam ali posameznikom, ki so bolj motivirani za izobraževanje ter jih podpreti z vsemi sredstvi, da dokončajo izobraževanje, saj bodo tako zgled za druge v skupnosti ali v regiji. Pripraviti je potrebno pilotne projekte aktivnega vključevanja romskih otrok v izobraževanje, kjer šola, lokalna skupnost, center za socialno delo, nevladne organizacije in drugi deležniki aktivno pristopijo k motivaciji in podpori posameznikov, ali posameznih družin ali širših skupnosti, ki kažejo večjo motivacijo za izobraževanje na katerem koli nivoju

8. Študijski program večkulturnosti

Koristno bi bilo vzpostavitev posebnega univerzitetnega študijskega programa medkulturnega mediatorja na eni zmed slovenskih univerz. Potrebe po tovrstnem znanju so na različnih področjih od šolstva, zaposlovanja, sociale, lokalne skupnosti, nevladnih organizacij ipd.

⁴ Predstavniki romske skupnosti navajajo, da niso bili vključeni v delovno skupino za prenovu Strategije za vključevanje Romov na področju izobraževanja.

Področje aktivne politike zaposlovanja

Statistični podatki kažejo, da je uspeh programov aktivne politike zaposlovanja Romov v Republiki Sloveniji dokaj omejen. Kljub številnim naporom je le malo izhodov iz teh programov v trajnejšo zaposlitev⁵. Najpogostejša oblika nekoliko trajnejše zaposlitve so javna dela, ki pa nikakor ne morejo biti edina rešitev za večje zaposlovanje pripadnikov romske skupnosti v Sloveniji. Zdi se, da se tvorca aktivne politike zaposlovanja vse prepogosto zatekajo k rešitvam, ki sicer prinašajo določene rezultate, vendar pa ne naredijo preboja na področju zaposlovanja Romov, ki je nujno potreben, saj se situacija v zadnjih 30. letih ni izboljšala, temveč marsikje še poslabšala.

Zavod za zaposlovanje ni kadrovska agencija, mora biti mnogo več. Ni samo servis za delodajalce, temveč mora biti tudi podpora za tiste, ki za trg dela niso ustrezno pripravljeni, vendar kljub temu potrebujejo delo za preživetje. Obstaja občutek, da se programi aktivne politike zaposlovanja z leti ponavljajo v upanju, da se bo na terenu situacija enkrat že spremenila. Žal temu ni tako. Brez nujnih sprememb bomo izgubili še dodaten čas in generacije Romov, ki bi lahko vstopile na trg dela, pa zaradi različnih razlogov tega ne storijo oz. jim je onemogočeno.

Predlogi

1. Motiviranje delodajalcev za zaposlovanje Romov

Potrebno je aktivno opogumljati in spodbujati delodajalce, da prevzamejo del odgovornosti in zaposlijo Rome. Kljub nizki izobrazbeni strukturi romskih kandidatov za delo so na trgu dela številna enostavna delovna mesta, za katera ni potrebna posebna izobrazba. Pogosto je dokončana osnovna šola pogoj samo zato, da se iz izbora izločijo Romi, ki nimajo dokončane osnovne šole. Pri tem je potrebno delodajalce, ki se odločijo zaposliti Rome tudi nagraditi ne samo in izključno s finančnimi spodbudami, temveč predvsem z nematerialnimi spodbudami, ki večajo njihov ugled na lokalnem in državnem nivoju. Pripraviti je potrebno tudi bazo podatkov o potencialnih delodajalcih, ki bi zaposlovali Rome, vključno z njihovimi potrebami in zahtevami.

2. Motiviranje in informiranje Romov

Motiviranje in informiranje Romov na področju iskanja zaposlitve, zaposlovanja, izobraževanja, poklicnega usposabljanja, prekvalifikacij in dokvalifikacij (predvsem za deficitarne poklice) je izjemno pomembno. Kljub temu da je večina informacij na voljo na spletu, izkušnje kažejo, da številni Romi (predvsem mladi in ženske) nimajo kakovostnih in celotnih informacij. V ta namen je potrebno zagotoviti informacije tudi na terenu (romskih naselijh, lokalnih informacijskih pisarnah za Rome) na način, ki bodo v dostopnem in razumljivem jeziku.

3. Oblikovati zaposlitvene programe, ki so bolj prilagojeni potrebam in interesom romske skupnosti

Zaposlitveni programi, ki bi temeljili na lastnem angažiranju Romov in bi bili vezani na njihovo življenjsko okolje ter bi bili v določeni meri prilagojeni romski skupnosti (npr. fleksibilen delavni čas), bi, poleg zaslužka, pomagali dvigniti tudi delavno etiko, predvsem pri mlajših posameznikih. Na ta način bi dobili potrebne delavne izkušnje, ki so nujne za redno zaposlitev ali za prehod v samozaposlitev.

4. Spodbujanje zaposlovanja v zelenih delovnih mestih

Zelena delovna mesta, zeleni turizem, bi lahko zaposlil številne Rome, predvsem mlade in Rominje. Ze-

⁵ Iz pregleda dejavnosti ZRSZ za obdobje desetih let izhaja, da se število izhodov v zaposlitev ne spreminja bistveno, giblje se okoli števila 260 do 270, kljub štirimestnim številkam o sodelujočih v programih ZRSZ.

lena delovna mesta pomenijo inovativen, mehak pristop, odpirajo možnosti za preseganje omejenega dostopa do izbire delovnih mest, ki so na voljo pripadnikom romske skupnosti. Doslej se je Romom večinoma ponujalo zaposlitev v komunalnih službah ali pri sezonskih delih. Ta nabor ponujenih delovnih mest se je izkazal kot ne preveč spodbuden za zaposlovanje Romov. Potreben je določen premik na tem področju, ki odpira nova obzorja. Po mnenju predsednika Foruma romskih svetnikov Darka Rudaša so zelena delovna mesta in zeleni turizem odlična priložnost za ustvarjanje novih delovnih mest, ki temeljijo na varovanju narave, učinkoviti rabi energije ter predvsem na podlagi vključevanja in zaposlovanja romske manjšine ter njihovega vključevanja v okolje na sploh. Namen programa je spodbujanje ustvarjanja novih zaposlitev za romsko manjšino na področju zelenih delovnih mest in po načelih socialnega podjetništva.

Zelena delovna mesta za romsko manjšino so tista, ki:

- prispevajo k varovanju okolja in učinkoviti rabi energije,
- prispevajo k zaposlovanju pripadnikov romske manjšine,
- prispevajo k vključevanju pripadnikov romske manjšine v okolje ter spodbujajo in ohranjajo stike med Romi in Neromi⁶,
- upoštevajo načela socialnega podjetništva ter družbene odgovornosti.

V smeri oživitve zelenega turizma načrtujejo sredi naselja Pušča pričeti z gradnjo turističnega centra, kjer bi predstavili tradicionalne romske poklice, obiskovalce pa bi povabili k skupnemu izdelovanju amuletov itd. Že sedaj prihaja veliko obiskovalcev v romsko naselje Pušča. To so zelena delovna mesta, zeleni turizem, ki bi lahko zaposlil številne Rome, predvsem mlade in Rominje. Predlog za zagotavljanje zelenih delovnih mest, ki pomeni inovativen, mehak pristop, odpira možnosti za preseganje omejenega dostopa do izbire delovnih mest, ki je na voljo pripadnikom romske skupnosti.⁷

5. Zaposlitveni mediator/mentor za Rome

Po vzoru romskega pomočnika v osnovnih šolah je potrebno oblikovati institut zaposlitvenega mediatorja/mentorja za Rome, ki bi pomagal pri razreševanju najrazličnejših težav, s katerimi se soočajo romski delavci in delodajalci zaradi različnih pričakovanj, ki jih imajo drug do drugega.

6. Usposabljanje svetovalcev za delo z romsko skupnostjo

Intervjuji s pripadniki romske skupnosti so pokazali, da so tudi med svetovalci prisotni predsodki, ki lahko vplivajo na uspešnost svetovanja pri iskanju dela za posameznega pripadnika romske skupnosti. Nezavedna pristranskost je izjemno škodljiva, zato so za svetovalce nujno potrebna ustrezna izobraževanja tako s tega področja kot o romski kulturi ter poznavanje vsaj osnov romskega jezika.

Prispevek delodajalcev za večje zaposlovanje Romov

Le redka podjetja v Sloveniji zaposlujejo večje število pripadnikov romske skupnosti v Sloveniji ne glede na to, da se številna podjetja soočajo s pomanjkanjem kadra in to pogosto rešujejo z zaposlovanjem tujcev. Večina Romov je zaposlena v okviru začasnih zaposlitev, javnih del in ne stalnih zaposlitev, ki dajejo posamezniku večjo socialno varnost, delodajalcu pa večjo predvidljivost na področju kadrov in manjše stroške ob vedno novem iskanju in izobraževanju novih sodelavcev.

⁶ Povzeto po pisnem predlogu Darka Rudaša za izboljšanje zaposljivosti Romov iz junija 2022.

⁷ Intervju z Darkom Rudašem, junij 2022, dostopno na spletni strani projekta ZAPROM.

Cilj delodajalcev je privabiti v podjetje ustrezno izobražen in usposobljen kader, ki je zanesljiv in v podjetju ostane čim dlje. Na ta način ima podjetje majhne stroške z iskanjem ustrezne delavne sile, na drugi strani pa imajo delavci visoko socialno varnost. Podatki s terena kažejo, da delodajalci ne zaposlujejo Romov zaradi odklonilnega odnosa in predsodkov ali pa zaradi njihove slabe izobrazbe in delavnih izkušenj, čeprav pogosto iščejo delavce tudi za manj zahtevna dela. Namesto Romov rajši zaposlujejo tujce. To kaže na zavračanje romskih delavcev s prevračanjem razlogov za ne izbor na romske delavce. To lahko pomeni pomanjkanje družbene odgovornosti pri skupnem udejanjanju politik enakih možnosti ali pa celo diskriminatorno vedenje delodajalcev. Izkušnje podjetij, ki v svoje kolektive vključujejo romske delavce, ne navajajo kakšnih posebnih negativnih izkušenj, ki bi izstopale v primerjavi z ostalimi delavci.

Podjetja se pogosto ne zavedajo svoje družbene odgovornosti pri udejanjanju politik enakih možnosti, prav tako pa imajo številna javna podjetja in organizacije premalo podpore ustanoviteljev za aktivnejšo vključevanje Romov v svoje organizacije. Takšno stanje ni škodljivo samo za romske delavce, temveč tudi za podjetja, lokalno skupnost in državo, saj pripadniki romske skupnosti ne morejo v celoti razviti svojih potencialov, delodajalci se odpovedujejo delovni sili v lokalnem okolju, lokalna skupnost in država imata večje socialne in druge stroške zaradi velike brezposelnosti.

Lastniki podjetij in vodilni kader se pogosto ne zavedajo, da vključujoče in družbeno odgovorno podjetje, ki spoštuje enake možnosti, prinaša številne koristi, postane bolj zaželen delodajalec, lahko poveča dodano vrednost svojim izdelkom ipd., zato je težko razumeti današnje stanje, ko se podjetja izogibajo delavcem iz ranljivih skupin.

Predlogi

1. Spodbujati oblikovanje politik raznolikosti v javnih in zasebnih podjetjih

Republika Slovenija mora spodbujati interesna združenja delodajalcev in/ali delodajalce same, da v sodelovanju z državnimi institucijami za varovanje človekovih pravic in boj proti diskriminaciji ter zainteresiranimi nevladnimi organizacijami pripravi posebna priporočila za oblikovanje politik raznolikosti za zasebna in javna podjetja ter institucije. Na ta način bi javni in zasebni delodajalci pričeli razmišljati o pomenu raznolikosti za njihovo podjetje in širšo skupnost, v kateri podjetje deluje. Predlagane politike se nanašajo na vse ranljive skupine, romska skupnost je samo ena izmed njih, vendar v okoljih, kjer živi romska skupnost, mora imeti le-ta večjo pozornost.

Za dosego cilja je potrebno:

- informirati in izobraziti vodstvene kadre ter zaposlene v oddelkih človeških virov o pomenu vključujočega delavnega okolja in potrebnosti oblikovanja politik raznolikosti,
- s pomočjo strokovnjakov opraviti razpravo znotraj podjetij in oblikovati za podjetje prilagojen nabor politik,
- porazdeliti odgovornosti in
- določiti kazalnike uspeha.

Javna podjetja in institucije so lahko zgled za ostala podjetja. Zato pozivamo ustanovitelje javnih podjetij in institucij (Republiko Slovenijo, Gospodarsko in Obrtno zbornico in lokalne skupnosti), da aktivno pristopijo k spodbujanju oblikovanj politik raznolikosti v podjetjih in institucijah, katerih ustanovitelji oz. upravljalci so.

2. Ozaveščanje vodstvenega kadra in zaposlenih na oddelkih človeških virov ter drugih zaposlenih o diskriminaciji in spoštovanju človekovega dostojanstva

Ustrezno izobraževanje in informiranje je ključno za zmanjšanje tveganja diskriminacije ranljivih skupin (Romov) v procesu zaposlovanja in kasneje na samem delovnem mestu. Državni organi, izobraževalne institucije in zainteresirane nevladne organizacije morajo pripraviti posebne izobraževalne programe ozaveščanja s področja boja proti diskriminaciji pri delu. To so lahko posebni seminarji, online predavanja, informativne brošure ipd. Informirani in izobraženi posamezniki bodo sprožiteli sprememb znotraj posameznih organizacij, ki kasneje pripeljejo do bolj vključujočega delavnega okolja.

3. Vodstveni kadri morajo prevzeti tveganje

Zaradi strukture odgovornosti znotraj podjetij je samo vodstveni kader tisti, ki lahko v večji meri prevzema odgovornost za morebiten (ne)uspeh pri zaposlovanju ranljivih skupin (Romov). Delavci na oddelkih človeških virov se zaradi strahu za svojo zaposlitev izogibajo tveganju za zaposlitev ranljivih oseb (npr. Romov), saj se bojijo, da če bi bila zaposlitev neuspešna, bi bili deležni večjih poledic kot v primeru, da bi predlagali zaposlitev nekoga drugega. Vodstveni kader mora prevzeti odgovornost in opogumljati druge za vključevanje ranljivih skupin v podjetje.

4. Spodbujati vzornike znotraj podjetij

Vključujoče delovno okolje se težko oblikuje na ukaz. Zato je potrebno uporabiti različne pristope k spodbujanju takšnega okolja. Med najučinkovitejšimi oblikami so poleg izobraževanja tudi vzorniki, ki kažejo na to, da so spremembe možne. Znotraj podjetja je tako potrebno spodbujati tiste posameznike, ki s svojim zgledom delujejo vključujoče oz. izpostavljati pripadnike romske skupnosti, ki se pri delu izkažejo.

5. Spodbujati podjetja, ki prakticirajo vključujoče delovno okolje

Podjetje, ki aktivno dela na področju vključujočega delavnega okolja, mora biti deležno posebnega priznanja ali s strani države, ali lokalne skupnosti, ali interesnega združenja, ali nadzornih organov za varovanje človekovih pravic, ali različnih drugih pobud, npr. Listine raznolikosti, ali medijskih hiš. Republika Slovenija oz. Gospodarska in Obrtna zbornica naj spodbudijo nagrajevanje podjetij, ki so na področju vključujočega delavnega mesta naredili korak naprej ali neposredno ali preko podpore drugim iniciativam na tem področju.

6. Oblikovanje lokalnih partnerstev

Integracija romske skupnosti v lokalno okolje je z večjim zaposlovanjem pripadnikov romske skupnosti tesno povezana. Drug drugemu je hkrati vzrok in posledica. Zato je nujno potrebno oblikovati partnerstvo med lokalno skupnostjo in delodajalci z namenom iskanja konkretnih rešitev, ki bi povečala število zaposlenih Romov in tako zmanjšalo odvisnost pripadnikov romske skupnosti od socialnih pomoči in zmanjšalo stroške zaradi brezposelnosti.

Pozivamo lokalne skupnosti in Republiko Slovenijo, da v lokalnih skupnostih, kjer prebiva večje število Romov, takoj pristopi k aktivnemu spodbujanju oblikovanja politik raznolikosti v javnih službah in podjetjih in institucijah, katerih so ustanoviteljice oz. upravjalci. Kot ustanovitelj in upravljalec se lokalna skupnost mora zavedati svoje odgovornosti pri udeležanju politik enakih možnosti, ter zahtevati od vodstvenega kadra takojšnjo pripravo programov za vključujoče delovno okolje.

Vloga lokalne skupnosti

Lokalna skupnost se pogosto znajde v navzkrižju različnih interesov svojih prebivalcev in omejenimi finančnimi zmožnostmi za uresničitev le-teh. Ker sredstev ni dovolj za vse interese, se običajno zadovoljijo

najprej tisti, ki so najglasnejši in najvplivnejši. Romska skupnost običajno ni med njimi, zato se pogosto njihove potrebe zadovoljene med zadnjimi. To pa ima številne nezaželene posledice, med drugim večanje socialne distance med romsko in večinsko skupnostjo na lokalnem nivoju. Zamujene so bile številne priložnosti, ki jih je sedaj težko nadoknaditi oz. je potrebno precej več truda, kot bi ga bilo potrebno v preteklosti.

Predlogi

1. Sprejetje programov ukrepov za Rome

Lokalne skupnosti morajo skupaj s predstavniki romske skupnosti, sprejeti natančne in s financami podprte programe ukrepov za pomoč romski skupnosti v občinah, kjer živijo Romi, skladno s cilji zapisanimi v NPUR. Številne občine nimajo takšnega dokumenta oz. je ta dokument deklarativne narave, seznam potreb brez konkretnih zavez in finančnih virov za izpeljavo programov. Le seznam konkretnih ukrepov z zagotovljenimi finančnimi viri ter jasnim časovnim okvirjem lahko prinese rezultate. Z izpolnjevanjem obveznosti se vzpostavi zaupanje med romsko in večinsko skupnostjo, saj v nasprotnem primeru postane tak dokument sam sebi namen, ali pa predmet političnih preigravanj in zlorab, ne samo na škodo romske, temveč celotne lokalne skupnosti.

Predstavniki Zveze Romov so opozorili, da potekajo številni projekti, ki obravnavajo Rome. Predlagajo, da bi bil v teh projektih, v katerih sodelujejo pripadniki romske skupnosti, vsaj en Rom redno zaposlen in ostal zaposlen tudi po zaključku projekta. Izvaja se veliko evropskih projektov, ki so namenjeni izboljšanju položaja romske skupnosti, v katerih sodelujejo tudi Romi, vendar niso redno zaposleni, ko se projekt konča, pa ostanejo še brez te občasne zaposlitve.

2. Sodelovanje z drugimi občinami in izmenjava dobrih praks

Razdrobljenost občin je za reševanje romskih vprašanj prej ovira kot prednost. Brez sodelovanja med sosednjimi občinami na nivoju regije in države ni možno pričakovati uspehov. Samo izmenjava izkušenj in delitev bremen ter sodelovanje predstavnikov romske skupnosti pri sprejemu ukrepov lahko prispeva k večji vključitvi romske skupnosti v lokalno okolje. Neurejeno romsko naselje v sosednji občini ni samo problem dotične občine, temveč vseh sosednjih občin in širše.

Kot primer dobre prakse lahko navedemo romski muzej v naselju Kamenci v občini Črenšovci. V romskem naselju Kamenci se ohranja kulturna dediščina in romski zgodovinski spomini, ki so predstavljeni v romskem muzeju. Prvi romski muzej v Sloveniji je bil odprt 11. 9. 2003 in ga vodi gospod Ludvik Levačič, predsednik društva ROMANO PEJTAUŠAGO, za stavbo skrbi občina, drugih zaposlenih v muzeju ni. V njem so zbrani eksponati iz obdobja prve naseljene romske družine v Kamencih. V sodelovanju s Pomurskim muzejem pripravljajo zapis romskih življenjskih zgodb. Namen projekta je »Spodbujanje in ohranjanje lastne identitete in njenega zavedanja«. Projekt se pripravlja v maternem – romskem jeziku, ravno zato, da se ohrani oz. dokumentira opis zgodb v romskem jeziku s prevodom v slovenščino. V naselju se organizirajo dogodki, ki so namenjeni Romom in Neromom⁸.

3. Infrastrukturni projekti so nujni, ampak nezadostni

Večina romskih skupnosti ima izgrajeno osnovno infrastrukturo, so pa še številna naselja, kjer temu ni tako. Potrebno je takoj izgraditi ustrezno infrastrukturo in zagotoviti vsem prebivalcem človeka vredno bivanjsko infrastrukturo. Pozivamo pa, da lokalne skupnosti podpirajo tudi t. i. mehke projekte za sožitje, saj lokalno skupnost tvorijo predvsem ljudje in ne kilometri cest in vodovoda. Lokalna skupnost (župan,

⁸ Povzeto po pisni informaciji Lidije Brunec, občina Črenšovci, julij 2022.

občinski svet in romski svetnik) mora prevzeti odgovornost in podpreti t. i. mehke projekte, čeprav so ti pogosto politično nezaželeni.

4. Aktivno spodbujanje lokalnih delodajalcev za zaposlovanje pripadnikov romske skupnosti iz lokalnega okolja

Lokalna skupnost lahko zaradi svoje vloge pozitivno vpliva na lokalne delodajalce, da le-ti zaposlijo več Romov v svojih podjetjih. Kot zgled bi lahko bile lokalne skupnosti same. V podjetjih, v katerih so ustanoviteljice lokalne skupnosti, naj povečajo število zaposlenih Romov.

5. Participativni proračun

Lokalna skupnost mora s pomočjo participativnih proračunov bolj prisluhniti svojemu prebivalstvu, še posebej za t. i. mehke projekte. Participativni proračuni lokalnih skupnosti ne povečujejo samo aktivacijo prebivalstva, temveč tudi pripadnost k skupnosti. Skupinam (običajno ranljivim) pa mora lokalna skupnost aktivno pomagati pri artikulaciji njihovih potreb in predlogov, ter uresničevanju le-teh.

Kot pozitiven primer naj navedemo, da so 25. maja 2022 imeli v romskem naselju Kamenci otvoritev prvega projekta participativnega proračuna, ki ga je realizirala Občina Črenšovci, in sicer pod imenom »Skupnostni vrtovi v naselju Kamenci« na predlog Rominje Meri Horvat⁹. S projektom participativnega proračuna so, ob zasaditvi zelenjave in zelišč, želeli tudi povezati tamkajšnje prebivalce. Občina Črenšovci je v sklopu participativnega proračuna priskrbelo 6 velikih in 4 manjših gred. Visoke grede so Romi samostojno sestavili in jih umestili v sam prostor poleg medgeneracijskega centra, ter samostojno posadili in posejali izbrane vrtnine, ki jih je predlagala vrtnarka, ki je pripadnica romske skupnosti¹⁰.

6. Spodbujanje oblikovanja romskih društev in združenj na lokalni ravni

Kljub temu da imajo Romi v dvajsetih občinah zagotovljeno mesto občinskega svetnika, lokalna skupnost pogosto nima sogovornika na strani romske skupnosti, ker je skupnost razdrobljena in slabo povezana. Sedanja razdrobljenost interesov znotraj romske skupnosti pogosto onemogoča izpeljavo še tako enostavnih in smiselnih projektov. Občina lahko z aktivnim spodbujanjem in podporo oblikovanju romskih društev in združenj koristi tako boljši organiziranosti romske skupnosti kot tudi sebi, saj bi dobila sogovornika, ki ima znotraj romske skupnosti večjo podporo, ter bi tako bili skupni projekti precej uspešnejši.

7. Uvedba romskega koordinatorja na lokalni ravni

Izkušnje kažejo, da je za uspešno sodelovanje med različnimi skupnostmi/interesi potrebno vzpostaviti zaupanje. Most med lokalno in romsko skupnostjo bi tako lahko bil institut romskega koordinatorja, ki bi deloval, ne samo ozko med Občino in romsko skupnostjo temveč precej širše med vsemi deležniki, ki se na ravni lokalne skupnosti ukvarjajo z oprtimi vprašanji romske skupnosti. Lahko tudi geografsko pokriva več občin še posebej tam, kjer so občine majhne. Še posebej bi lahko bil koristen v romskih skupnostih, kjer je več različnih interesov znotraj skupnosti. Za hitrejše vzpostavljanje zaupanja in uspešnejše delo bi bilo dobro, da bi bil institut romskega koordinatorja na lokalni ravni sestavljen iz predstavnika romske in neromske skupnosti.

8. Promocija romske kulture

Nekatere občine uspešno vključujejo romsko skupnost v svojo turistično in drugo ponudbo. Romski muzej je tako lahko obogatitev turistične ponudbe, prispeva tako k oblikovanju zelenih delovnih mest kot

⁹ Reportažo o dogodku so 4. 6. 2022 predvajali v oddaji *So Vakeres – Kaj govoriš*. Oddaja je dostopna v arhivu oddaj *So Vakeres – Kaj govoriš*, dostop 20. 7. 2022.

¹⁰ Povzeto po pisni informaciji Lidije Brunec, občina Črenšovci, julij 2022.

tudi prispeva v ozaveščanju lokalnega prebivalstva in obiskovalcev o romski kulturi in običajih. Taka turistična navezava med občino in romsko skupnostjo veliko prispeva k integraciji romske skupnosti, saj se le-ta počuti pomemben del skupnosti.

9. Usposabljanje zaposlenih za delo v večkulturnem okolju

Občina mora zagotoviti ustrezno usposabljanje za svoje zaposlene in zaposlene v institucijah, katerih ustanoviteljica je. Zaposleni so strokovnjaki vsak na svojem področju, pogosto pa nimajo dovolj ustreznih informacij in znanj s področja večkulturnosti, človekovih pravic in diskriminacije, saj je to področje, ki zahteva kontinuirano usposabljanje. Predsodki in nezavedna pristranskost so velik problem, ki se jih morajo zaposleni zavedati, da lahko uspešno opravljajo svoje delo. Prav pa bi prišlo tudi nadaljevanje projektov za učenje osnov romskega jezika in kulture, saj se na tak način lažje in hitreje razvije zaupanje, ki lahko še poveča uspeh pri reševanju oprtih vprašanj romske skupnosti.

Politična participacija romske skupnosti

Pri sprejemanju odločitev v političnem in javnem življenju je romska skupnost pogosto premalo vključena, zaradi česar so njeni interesi premalo upoštevani. Zgolj formalni obstoj pravic za vključevanje v delo občinskih in mestnih svetih skozi romske svetnike še ne zagotavlja njihovega izvrševanja v praksi. In ne nazadnje, romski svetnik bi moral podrobno poznati še problematiko romske skupnosti v občini, ki ga je izvolila za svojega predstavnika, a temu največkrat ni tako.

Razloge lahko iščemo predvsem v slabi usposobljenosti in izobraženosti romskih svetnikov za učinkovito delo v organih, v katere so vključeni. Problem namreč je, da če svetnik ni sposoben slediti delu občinskega sveta, ga lahko ostali svetniki kmalu začnejo izključevati in ignorirati, sam pa se ne zmore zavzeti za interese romske skupnosti, pogosto pa ni dovolj podpore niti znotraj romske skupnosti same. Zato je potrebno romske svetnike nujno izobraziti o pomenu in načinih izvrševanja pravice do aktivne participacije. Preveliko krat tudi same romske organizacije, ki delujejo za izboljšanje položaja Romov, v svoja prizadevanja premalo vključujejo Rome in premalo nudijo podporo njihovem romskemu svetniku.

Položaj romskega svetnika bo dosegel svoj namen šele takrat, ko bodo Romi sami ugotovili, da tega ne more opravljati kdor koli, zlasti neizobražen kandidat ali kandidatka. Romsko volilno telo je politično neinformirano, nima močnega razloga, da bi se informirali, saj ne vidijo pravih rezultatov, kar se seveda zrcali v neuspešnosti dela romskega svetnika.

Predlogi

1. Usposabljanje romskih svetnikov

Institut romskega svetnika se je izkazal za učinkovitega le v sredinah, kjer je bilo doseženo ustrezno razumevanje pomena tega instituta s strani romske skupnosti in spoštovanje le-tega s strani lokalne skupnosti. Tako je potrebno nadaljevati z usposabljanjem predstavnic in predstavnikov romske skupnosti za delo v občinskih svetih lokalnih skupnosti. Če delo romskega svetnika ni uspešno, volivci znotraj romski skupnosti ne vidijo smiselnosti romskega predstavnika, po drugi strani pa se nemoč romskega svetnika lahko zlorablja v lokalne politične namene.

2. Ozaveščanje romske skupnosti o pomenu romskega svetnika

Da bi lahko v polnosti izkoristili vlogo romskega svetnika, je potrebno informirati romsko skupnost (romske volivce) o pomenu, namenu, vlogi, moči, obveznostih ipd., ki jih ima izvoljeni svetnik. Ozaveščen volivec bo na volitvah lažje izbral zaupanje vrednega kandidata, ki se bo trudil za izboljšanje položaja romske skupnosti in ne nekoga, ki je trenutno najglasnejši in obljublja nemogoče.

3. Krepitev zagovorniške zmogljivosti romske skupnosti za doseganje načrtovanih sprememb na lokalni in državni ravni

Romska skupnost mora združiti vse svoje potencialne in preseči razlike med različnimi interesi ter podpreti romske aktiviste, da jasno artikulirajo in zagovarjajo predloge za izboljšanje položaja romske skupnosti na vseh nivojih. Predlagamo, da se proces uresničevanja posebnih pravic romske skupnosti na lokalni ravni nadgradi z možnostjo izvolitve romskega poslanca v Državni zbor, kar bo povečalo pomen romske skupnosti in zagotovilo ustrezen nadaljnji razvoj pravnega varstva romske skupnosti v Sloveniji.

Vloga medijev

Čeprav na prvi pogled mediji nimajo veliko povezave z izboljšanjem možnosti za zaposlovanje Romov, temu ni tako. V Sloveniji pri pripravi rednih romskih oddaj na Radiu SLO 1 in TV SLO 1 aktivno delujejo izobraženi romski novinarji, ki ustvarjajo dvojezične oddaje o življenju romske skupnosti. Vloga medijev je izredno pomembna za oblikovanje javne podobe katere koli skupnosti, tudi romske skupnosti. Zelo pomembno je, kakšna sporočila sporočajo mediji o romski skupnosti. V skladu z Zakonom o medijih je prepovedano razširjanje informacij, ki spodbujajo nestrpnost ali diskriminacijo. Mediji morajo pri svojem delu jasno in nedvoumno obsojati diskriminacijo ter spodbujati medkulturni dialog in sodelovanje. Uredniki morajo spodbujati produkcijo medijskih in izobraževalnih vsebin o večkulturni družbi in o marginaliziranih skupinah, saj večinske skupnosti pogosto nimajo dovolj znanja s tega področja. Novinarjem morajo medijske hiše zagotoviti tudi ustrezno izobraževanje s področja varovanja človekovih pravic in boja proti diskriminaciji.

Lokalni mediji z nizko novinarsko etiko in znanjem pogosto razpihujejo sovraštvo za dosego boljše prepoznavnosti medija v lokalnem okolju. Takšni pristopi so zavržna dejanja in bi jih morali kot taka jasno opredeliti tudi politični in drugi deležniki na lokalni in nacionalni ravni. Takšno poročanje izjemno škoduje ne samo romski skupnosti in njihovi integraciji, temveč tudi večinski skupnosti in njenim poskusom vzpostavljanja tako potrebne vključujoče družbe.

STRATEŠKI PRISTUP OSTVARIVANJU SOCIJALNOG UKLJUČIVANJA ROMA U SRBIJI

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U savremenoj Srbiji, prema Popisu stanovništva iz 2011. godine je živelo 147.604 pripadnika romske nacionalne manjine, od kojih je 75.042 muškaraca, a 72.562 žena. U različitim izveštajima i istraživanjima siromaštvo i diskriminacija se izdvaja kao glavni problemi socijalne isključenosti i ekonomskog tavorjenja Roma. Najčešće se ukazuje na generacijsku prirodu siromaštva Roma, rizike koje ono nosi, prirodu socijalnih odnosa koje siromaštvo generiše, a često se navodi da je rizik od siromaštva kod Roma veći, tri, pet, ko zna koliko puta, od istog rizika kod drugih društvenih grupa.

Status nacionalne manjine Romima u Srbiji je priznat 2001. godine donošenjem Zakona o zaštiti prava i sloboda nacionalnih manjina, a prva Strategija unapređenja položaja Roma usvojena je 2009. godine. Strateški cilj je bio unapređenje položaja Roma u Republici Srbiji koje je trebalo da dovede do smanjenja razlika koje su uočene da postoje između položaja romske populacije i ostalog stanovništva. Međutim, ovaj strateški dokument. Prema nalazima Zaštitnika građana iz 2013. godine utvrđeno je da su preduzete mere samo delimično doprinele uspostavljanju normativnog osnova za otklanjanje posledica dugotrajnog nepovoljnog društvenog položaja pripadnika romske nacionalne manjine, ali ne i ostvarivanju postavljenih strateških ciljeva - unapređenje položaja Roma i smanjivanje razlika koja postoji između položaja romske populacije i ostalog stanovništva. U Izveštaju se konstatuje da postignutim rezultatima nisu otklonjene prepreke za socijalno-ekonomsku integraciju Roma i nije stvoren potpun normativni osnov za sprovođenje dugoročnih mera smanjivanja siromaštva i ostvarivanja suštinske jednakosti građana romske nacionalnosti. Mere pozitivne diskriminacije (afirmativne akcije) koje su predviđene članom 21. Ustava Republike Srbije nisu u dovoljnoj meri razrađene i nisu preduzimane kao sredstvo za prevazilaženje izuzetnog nepovoljnog socijalno-ekonomskog i društvenog položaja Roma, koje su uzrok njihove suštinske neravnopravnosti.

Na tragu Izveštaja Zaštitnika građana i očiglednog održavanja siromaštva i diskriminacije, 2016. godine doneta je Strategija socijalnog uključivanja Roma i Romkinja za period od 2016. do 2025. godine. Usvajanjem Strategije u martu 2016. godine prethodila je Polazna studija usaglašena sa Strategijom Evropa 2020. Ovaj dokument je, prvi put u srbijanskoj javnosti, ukazao na osnovne principe politike prema Romima u Evropskoj Uniji. U Studiji je analizirano i jasno je predočeno javnim politikama da su EU ciljevi integracije Roma i Preporuka Saveta o delotvornim merama integracije Roma u državama članicama od izuzetnog značaja i za zemlje proširenja, posebno što je Preporuka sastavni deo *EU acquis*. Shodno tome, zemlje

proširenja takođe treba da usklade svoje postojeće strategije sa EU ciljevima za integraciju Roma i preduzmu ciljne mere kako bi premostili razlike između Roma i ostatka stanovništva u pristupu obrazovanju, zapošljavanju, zdravstvenoj zaštiti i stanovanju, kao i intersektorske mere u vezi sa ličnim dokumentima, jačanju učešća lokalnih i regionalnih vlasti i dijaloga sa organizacijama civilnog društva. Akcenat Strategije socijalnog uključivanja Roma i Romkinja 2016. do 2025. godine je bio na inkluziji u obrazovanju, ali su predlagane i snažne veze sa politikom zapošljavanja. Za ostvarivanje ove Strategije, koja se primjenjivala do 2022. godine pripremljen je samo jedan Akcioni plan za 2017/18. godinu, a njeni rezultati nikada nisu ocenjeni na osnovi činjenica na šta su ukazali Evropska komisija u Izveštaju o napretku Srbije u procesu pridruživanja za 2021; Savetodavni komitet za Okvirnu konvenciju o zaštiti nacionalnih manjina u Petom mišljenju o Srbiji, Evropska komisija za borbu protiv rasizma i netolerancije u svom periodičnom izveštaju i najzad Savet ministara Sveta Evrope u svojim rezolucijama.

Početakom 2022. godine Strategija socijalnog uključivanja Roma i Romkinja je izmenjena. Aktuelni strateški dokument će se primenjivati do 2030. godine, a njegovi ciljevi su usklađeni sa Okvirom Evropske Unije za Rome, U tom smislu opšti cilj Strategije je „unapređenje kvaliteta života Roma i Romkinja u Republici Srbiji, uz uvažavanje ljudskih i manjinskih prava, eliminisanje diskriminacije i ciganizma kao oblika rasizma, i postizanje veće socijalne uključenosti u svim segmentima društva“. Pored opšteg Strategija sadrži i sedam posebnih ciljeva: a) smanjen nivo diskriminacije i ciganizma kao oblika rasizma prema romskoj nacionalnoj manjini; b) Unapređena participacija Roma i Romkinja u svim društvenim procesima, c) razvijen obrazovni sistem kao inkluzivna, interkulturalna, nediskriminatorska i bezbedna sredina za decu romske nacionalnosti i svu drugu decu, obezbeđivanjem pune uključenosti u predškolsko, osnovno, srednje i visoko obrazovanje, i pružanje podrške funkcionalnom obrazovanju odraslih Roma i Romkinja, uz povećanje delotvornosti i efikasnosti mehanizama za borbu protiv diskriminacije i ciganizma kao oblika rasizma; d) povećan pristup Roma i Romkinja kvalitetnom i održivom zapošljavanju; e) unapređeno zdravlje Roma i Romkinja uz jednak pristup kvalitetnim zdravstvenim uslugama i omogućeno puno ostvarivanje prava na zdravlje bez diskriminacije, naročito u kriznim situacijama, u zdravstvenom sistemu Republike Srbije; f) poboljšani uslovi stanovanja za stanovništvo romske nacionalnosti; g) poboljšan pristup Roma i Romkinja pravima i uslugama u socijalnoj zaštiti.

Socijalno uključivanje Roma u Srbiji kroz politike zapošljivosti – stanje i mogućnosti

U Strategiji socijalnog uključivanja Roma i Romkinja 2022. do 2030. godine ukazano je na to da su rad i zapošljavanje od posebne važnosti za romsku populaciju, jer se putem rada utiče na povećanje ekonomske samostalnosti i ličnog i porodičnog standarda, a putem zapošljavanja se utiče na smanjenje siromaštva i socijalnu isključenost Roma i Romkinja, kao i njihovu veću participaciju. Posebno je naglašeno da su u prethodnom periodu, oblast rada i zapošljavanja, usklađeni sa međunarodnim standardima, standardima na nivou Evropske unije i stanjem, trendovima i karakteristikama pokazatelja nacionalnog tržišta rada.

Problemi sa kojima se suočava savremeno društvo i javne politike u vezi sa socijalnim uključivanjem, odnosno siromaštvom, marginalizovanih grupa su izdvojeni i dovedeni su u kontekst tražnje za kompetentnom i obrazovanom radnom snagom u uslovima tehnološki razvijenih procesa rada.

Prema evidenciju Nacionalne službe za zapošljavanje za period 2015. do 2019. godine broj Roma se povećao za oko 3.800 lica, kao i njihovo učešće u ukupnoj nezaposlenosti.

Romi na evidenciji Nacionalne službe za zapošljavanje, 2015–2019.

	2015.	2016.	2017.	2018.	2019.
	Broj lica, godišnji prosek				
Nezaposlena lica	743.158	713.153	650.573	583.099	529.508
Romi	22.437	25.126	26.537	26.099	26.266
Učešće u ukupnom broju nezaposlenih, %	3,0	3,5	4,1	4,5	5,0

Izvor: Nacionalna služba za zapošljavanje

Podaci za 2020. godinu ukazuju da se na evidenciji Nacionalne službe za zapošljavanje nalazi 27.595 nezaposlenih lica koji su se izjasnili kao pripadnici romske nacionalne manjine, od kojih su 50,2% žene. Visoko učešće lica bez kvalifikacija i niskokvalifikovanih od 89,5% glavno je obeležje obrazovne strukture ove kategorije nezaposlenih. Srednji nivo obrazovanja ima 10%, a visoko obrazovanje svega 0,6% Roma. Prema godinama starosti, 28,3% su mladi do 30 godina, 48,6% su lica starosti 30-49 godina, dok 23,1% nezaposlenih Roma ima 50 ili više godina starosti. Dugoročna nezaposlenost Roma na evidenciji Nacionalne službe za zapošljavanje iznosi 68,4%, a u veoma dugoj nezaposlenosti nalazi se 53,7% Roma.

Poređenja radi, godinu dana kasnije u novembru 2021. godine prema podacima sa evidencije NSZ bilo je ukupno 28.254 nezaposlenih lica romske nacionalnosti (od tog broja 14.390 su žene), a u periodu od 1. januara – 30. novembra 2021. godine, zaposleno je ukupno 6.125 lica romske nacionalnosti (od tog broja 2.589 su Romkinje).

Preko 11.000 Roma na evidenciji Nacionalne službe za zapošljavanje su radno sposobni korisnici novčane socijalne pomoći odnosno oko 42% od ukupnog broja Roma na evidenciji Nacionalne službe za zapošljavanje su korisnici ovog prava što dodatno ukazuje na njihov nepovoljan socio-ekonomski položaj.

Strategijom zapošljavanja identifikovano je da su glavne osobine Roma na evidenciji Nacionalne službe za zapošljavanje nepovoljna obrazovna struktura, nedostatak radnog iskustva i znanja i veština za kojima postoji potražnja na tržištu rada i težak socijalni položaj. Kako bi se takvo stanje prevazišlo potrebno je, prema ovoj Strategiji, kroz koordinisano delovanje u okviru nekoliko sistema, uticati na uzroke njihovog otežanog zapošljavanja, kako bi se u krajnjem ishodu unapredio njihov izuzetno nepovoljan socio-ekonomski položaj. Pre svega zbog izrazito loše obrazovne strukture romske populacije neophodno je jačati svest o važnosti obrazovanja kao i napore da se prevenira rano napuštanje osnovnog i srednjeg obrazovanja, posebno Romskih devojčica, kako bi se sveukupno unapredile njihove prilike za ravnopravno i aktivno uključivanje na tržište rada.

Romi čine više od polovine svih učesnika u programima opismenjavanja odraslih koji su bili poznatiji pod nazivom „Druga šansa“. Funkcionalno osnovno obrazovanje odraslih koje se ostvaruje kroz saradnju Nacionalne službe za zapošljavanje i školskih obrazovnih institucija ima za cilj da se kroz osnovno funkcionalno obrazovanje odraslih u okviru trogodišnjeg ciklusa poboljša obrazovna struktura romske populacije. Dalja realizacija ovog programa, prema Strategiji zapošljavanja, i uključivanje većeg broja lica ostaju prioritet i u narednom periodu. Dodatno, neophodno je nastaviti sa uključivanjem Roma i Romkinja u motivaciono-aktivacione obuke kako bi se povećala njihova motivisanost i kompetencije za aktivno traženje posla, ali i uključivanje u druge mere aktivne politike zapošljavanja, posebno mere dodatnog obrazovanja i obuka.

Prema Strategiji socijalnog uključivanja Roma i Romkinja 2022. do 2030. visoko učešće lica bez kvalifikacija i niskokvalifikovanih od 89,5% upečatljivo je obeležje obrazovne strukture nezaposlenih lica romske nacionalnosti. Srednji nivo obrazovanja ima 10%, a visoko obrazovanje svega 0,6% Roma. Prema godina-

ma starosti, 28,3% su mladi do 30 godina, 48,6% su lica starosti 30–49 godina, dok 23,1% nezaposlenih Roma ima 50 ili više godina starosti.

Strategija socijalnog uključivanja 2022. do 2030. s pravom dovodi u vezu obrazovanje i zapošljavanje. Nepismenost među Romima iznosi 10%, a kod ostalog dela stanovništva je oko 2%. Prema longitudinalnom Istraživanju višestrukih pokazatelja položaja žena i dece za 2019. godinu koje sprovode UNICEF i Republički zavod za statistiku¹ 31% Roma i Romkinja nema završeno osnovno obrazovanje, a još toliko ima samo osnovno, 12% ima srednje obrazovanje, dok sa višim i visokim obrazovanjem je oko 1%. Među ženama iz romskih naselja pismeno je 80%, međutim 10% njih nije funkcionalno pismeno. Samo 19% ima završeno srednje obrazovanje.

Prema podacima iz Strategije socijalnog uključivanja Roma i Romkinja do 2030. godine, a čiji izvor je Ministarstvo za rad, zapošljavanje, boračka i socijalna pitanja u mere dodatnog obrazovanja, koje bi trebalo da olakša zapošljavanje žena, u 2020. godini bilo je uključeno 759 nezaposlenih Roma (465 žena) sa evidencije NSZ na programima stručne prakse; podsticanja zapošljavanja mladih „Moja prva plata“; pripravnika za nezaposlena lica sa srednjim nivoom kvalifikacija; sticanja praktičnih znanja za nekvalifikovana lica, viškove zaposlenih i dugoročno nezaposlene; obuke za tržište rada; obuke na zahtev poslodavca; funkcionalno osnovno obrazovanje.

Prema Strategiji socijalnog uključivanja do 2030. godine najveći izazov u zapošljavanju Roma i Romkinja je njihovo učešće sa 71% u nedeklarisanom radu, za razliku od ostalih građana gde je ovaj procenat 17%. Najčešće su Romi i Romkinje uključeni u poslovima sakupljanja i upravljanja otpadom, sezonskim radovima u poljoprivredi i građevinarstvu, trgovini na otvorenim pijacama ili ulicama, kao muzičari ili u održavanju stamenih i delovnih prostora. Dosta je Roma i Romkinja koji zbog ekonomske aktivnosti često menjaju mesto boravišta, što utiče na njihov pristup ostalim pravima, kao što su obrazovanje i zdravstvo. Najzad kao problem se navodi i to što deo romskog stanovništva, posebno povratnika po ugovoru o readmisiji, ne govori srpski. Ovaj problem istina postoji, ali istini za volju i veliki broj pripadnika albanske i mađarske nacionalne manjine ne govori srpski, ali to ne ometa ostvarivanje prava na rad na način kako je to slučaj sa pripadnicima romske nacionalne manjine.

Prevazilaženje ovih problema delimično se, prema pomenutoj Strategiji može prevazići merama aktivne politike zapošljavanja kojom je prema podacima Nacionalne službe za zapošljavanje u 2020. godini bilo obuhvaćeno 3.264 nezaposlenih Roma (1.534 žena), što predstavlja učešće od 5,02% u ukupnom broju nezaposlenih uključenih u mere. U mere aktivnog traženja posla bilo je uključeno 1.583 nezaposlenih Roma (739 žena), u programe dodatnog obrazovanja i obuka 759 nezaposlenih Roma (465 žena), u programe subvencija za zapošljavanje 597 nezaposlenih Roma (230 žena), dok je programom javnih radova obuhvaćeno 325 nezaposlenih Roma, od kojih je 100 žena. Prema podacima za 2021. godinu obuhvat merama aktivne politike zapošljavanje je povećan jer je u njih bilo uključeno 6.033 Roma (od toga 2793 Romkinja), a značajno je pomenuti da je za razliku od 2020. godine u 2021. 362 lica romske nacionalnosti (153 su žena) koristilo subvencije za samozapošljavanje.

Individualni plan zapošljavanja osnov za uključivanje lica u mere aktivne politike zapošljavanja. Njega u skladu sa Zakonom o zapošljavanju i osiguranju za slučaj nezaposlenosti² utvrđuju Nacionalna služba za zapošljavanje i nezaposleno lice najkasnije devedeset dana nakon uvođenja u evidenciju nezaposlenog. Individualnim planom zapošljavanja se definišu zanimanja u kojima će se licu posredovati, aktivnosti koje će lice preduzeti i mere u koje će se uključiti radi zapošljavanja ili povećanja zapošljivosti, a plan se svakih šest meseci prilagođava potrebama tržišta rada i osobenostima lica koje traži posao.

1 <https://www.unicef.org/serbia/publikacije/mics6-istrazivanje-visestrukih-pokazatelja-za-2019-godinu>

2 „Službeni glasnik RS“, br. 36/2009, 88/2010, 38/2015, 113/2017, 113/2017 - dr. zakon i 49/2021

Dodatnu intervencijsku podršku usmerenu ka aktivaciji mladih na tržištu rada i pružanja mogućnosti za sticanje dodatnih znanja, veština i kompetencija za samostalan rad predstavlja program podsticanja za pošljavanje mladih „Moja prva plata”³. Program se sprovodi s ciljem osposobljavanja za samostalan rad lica sa srednjim i visokim obrazovanjem, do navršenih 30 godina života, koji se nalaze na evidenciji nezaposlenih Nacionalne službe za zapošljavanje, a koji nisu ranije stekli radno iskustvo. Program se sprovodi kod poslodavca koji pripada privatnom ili javnom sektoru, a pravo učešća u programu ostvaruju i udruženja koja imaju status pravnog lica, odnosno koja su upisana u registar Agencije za privredne registre.

NSZ je dana 2020. godine raspisala poseban Javni poziv nezaposlenim licima romske nacionalnosti za dodelu subvencije za samozapošljavanje. Tokom 2020. godine dodeljeno je 202 subvencije za samozapošljavanje Roma (75 Romkinja).

Međutim postojeće mere aktivnog zapošljavanja ne daju zadovoljavajuće rezultate kod Roma koji zbog niskog stepena obrazovanja ne ispunjavaju uslove za mere stručne prakse, obuke za potrebe na tržištu rada, obuke za digitalne veštine. Procena izneta u Strategiji je da su uzroci slabe uključenosti Roma i Romkinja u subvencioniranom zapošljavanju neodgovarajuće obrazovanja i kvalifikacije nezaposlenih Roma, potom iste visine podsticaja za bilo koje nezaposlene osobe i najzad, predrasuda poslodavaca. Mere za samozapošljavanje se retko koriste zbog visokih i neprilagođenih kriterijuma za učešće. Međutim Akcioni plan za period od 2021. do 2023. godine za sprovođenje Strategije zapošljavanja u Republici Srbiji za period do 2026. godine izdvaja Rome kao posebnu ciljnu grupu i predviđa sledeće mere: formalno obrazovanje odraslih; motivaciono-aktivacione obuke; informisanje Roma o uslugama i merama u službama za zapošljavanje; paket mera za višestruko ranjivih nezaposlenih; i preduzetništvo uz dodatnu podršku i mentoring.

U Strategiji je dobro uočeno da su Romi isključeni iz razvoja, sprovođenja i praćenja politika u zapošljavanju jer nisu uključeni u rad nacionalnih lokalnih institucija koje se bave zapošljavanjem, ali su pripadnici ove etničke manjine izdvojeni kao deo stanovništva Republike Srbije koji će se prioritarno uključivati u mere aktivne politike zapošljavanja. Prema Strategiji socijalnog uključivanja do 2030. godine nastaviće se sa promovisanjem preduzetništva kroz objavljivanje posebnog javnog poziva za nezaposlena lica romske nacionalnosti, odnosno za pokretanje sopstvenog posla, kao i dodatna mentorska podrška, kako bi se povećale šanse za održivost pokrenutog posla. Pored toga, u saradnji sa organizacijama civilnog društva identifikovaće se, registrovati, aktivirati i podržati Romi koji nisu na evidenciji nezaposlenih lica Nacionalne službe za zapošljavanje.

Trebalo bi dodati da u propisima postoje još dva snažna stuba za rešavanje nezaposlenosti, odnosno jačanje održivog ekonomskog osnaživanja Roma i Romkinja. Prvi je Zakon o socijalnom preduzetništvu⁴, a drugi Zakon o zadrugama.⁵

Težište poslovanja socijalnog preduzetništva i zadrugarstva je koncentrisano na ekonomske aspekte, ali i na socijalnu dimenziju jer se deo zarade u ovim preduzećima odvaja u cilju ispunjavanja odrađenih socijalnih ciljeva. Kada ovaj Zakon bude počeo da se primenjuje u novembru 2022. godine od njega se očekuje da bitno doprinese jačanju ekonomije zasnovane na solidarnosti i da poboljšanju standarda socijalno ugroženijih kategorija stanovništva. Socijalni ciljevi bi trebalo da budu koncentrisani kako ka zapošljavanju najugroženijih grupa na tržištu rada, tako i putem direktnog izdvajanja dela zarade ka rešavanju

3 „Službeni glasnik RS”, br. 107/2020 i 79/2021

4 „Službeni glasnik RS”, br. 14/2022

5 „Službeni glasnik RS”, br. 112/2015

društvenih, ekonomskih i ekoloških izazova, kao i kroz direktno pružanje usluga u zajednici. Pored toga, zadrugarstvo ima dugu tradiciju u Srbiji, a u savremenim uslovima uređeno je Zakonom o zadrugama iz 2015. godine. Težište zadrugarstva je takođe disperzirano na ekonomske i socijalne ciljeve poslovanja, a u vezi sa podsticanjem zapošljavanja Roma posebno su interesantne socijalne zadruge koje obavljaju različite delatnosti radi ostvarenja socijalne, ekonomske i radne uključenosti, kao i zadovoljenja drugih srodnih potreba pripadnika ugroženih društvenih grupa ili radi zadovoljenja opštih interesa unutar lokalne zajednice.

Strategija socijalnog uključivanja Roma i Romkinja u Srbiji do 2030. godine je prilikom kreiranja strateških ciljeva i mera u zapošljavanju imala većinu ovih podataka, analiza i izveštaja. Na osnovu njih određen je poseban strateški cilj: povećan pristup Roma i Romkinja kvalitetnom i održivom zapošljavanju, čije ispunjenje bi trebalo da do 2030. godine da omogućiti:

- povećanje stope zaposlenosti Roma do minimalnih 25%, u skladu sa Deklaracijom iz Poznanja;
- podstakne zapošljavanje Roma i Romkinja u javnom sektoru tako da se dostigne da zastupljenost Roma i Romkinja zaposlenih u javnom sektoru bude proporcionalna procentualnoj zastupljenosti Roma i Romkinja u ukupnom stanovništvu;
- potpuna i održiva institucionalizacija lokalnih mehanizama za inkluziju Roma (koordinatori za pitanja Roma, medijatorke, pedagoški asistenti, mobilni timovi za socijalno uključivanje Roma i Romkinja i dr.) kako bi se obučili zaposlenih u javnom i privatnom sektoru i senzibilisali i smanjila diskriminacija u zapošljavanja pripadnika romske nacionalne manjine.

Zapošljavanje Roma u javnom sektoru

Ustav Republike Srbije u članu 77. jemči pripadnicima nacionalnih manjina pravo da, „pod istim uslovima kao ostali građani, učestvuju u upravljanju javnim poslovima i da stupaju na javne funkcije“, kao i to da se „pri zapošljavanju u državnim organima, javnim službama, organima autonomne pokrajine i jedinica lokalne samouprave vodi računa o nacionalnom sastavu stanovništva i odgovarajućoj zastupljenosti pripadnika nacionalnih manjina“. Zakon o zaštiti prava i sloboda nacionalnih manjina u članu 4. stav 2 posebno ističe obavezu organa vlasti da preduzimaju mere za postizanje pune i efektivne ravnopravnosti između pripadnika nacionalnih manjina, posebno Roma, i većine. Stav 3. istog člana uređuje da se „neće smatrati diskriminacijom mere za unapređenje pune i efektivne ravnopravnosti u zapošljavanju, odnosno pogodnosti u slučaju prestanka radnog odnosa u javnom sektoru na svim nivoima teritorijalne organizacije, koje su propisane odredbama posebnih zakona kojima se uređuje radno-pravni status zaposlenih u javnom sektoru, ako takve mere važe do postizanja odgovarajuće zastupljenosti pripadnika nacionalnih manjina koja je utvrđena tim zakonima“.

Međutim, pouzdanih podataka o tome koliko Roma je zaposleno u javnom sektoru nema. Nedostaju podaci i o afirmativnim merama preduzetim za zapošljavanje Roma u javnom sektoru. U vezi sa tim indikativno je da se na osnovu informacija stečenih tokom intervjua koji su obavljani sa predstavnicima javne uprave zaključuje da je prepreka primeni afirmativnih mera član 47 Ustava kojim je uređena sloboda nacionalnih izražavanja, odnosno kojim je uređeno to da niko nije dužan da se izjasni o nacionalnoj pripadnosti. Takva ustavna formulacija se u delu javne uprave pogrešno shvata kao zabrana da se primene afirmativne mere iz stava 77. Ustava. Na pitanje da li su podneli inicijativu da se ova situacija razjasni i preciznije uredi sagovornici su odgovarali odrično uz objašnjenje da to nije njihov posao već romskih organizacija.

Posledice takvog stava su takve da se procenjuje da su Romi u javnim službama zastupljeni sa manje od 0,1% (daleko ispod 2,1% zastupljenosti Roma i Romkinja u populaciji).

U različitim izvorima se ističe da u javnom sektoru radi 260 pedagoških asistenata, oko 80 zdravstvenih medijatorke i oko 50 koordinatora za romska pitanja. Prema intervjuima koje su saradnici Instituta društvenih nauka sprovedi sa predstavnicima ovih grupa ljudi, od kojih je većina romske nacionalnosti, njihov radnopravni status nije rešen. Romske medijatorke čiji status i poslovi su podeljeni između dva javna sektora – zdravstva i socijalne zaštite su angažovane prema ugovorima u radu, pretežno nemaju odgovarajuću stručnu spremu i nisu odgovarajuće plaćene za svoj posao. Pedagoški asistenti su angažovani na osnovu godišnjih ugovora o radu, a status koordinatora je rešen u zavisnosti od prakse (dobre volje) u jedinici lokalne samouprave. Zajednički imenitelj za ove grupe zanimanja je da ne postoje pouzdani podaci koji ukazuju na ne samo na radno pravni status lica koja ih obavljaju i na mere afirmativne akcije na osnovu kojih su eventualno angažovani, nego ni o njihovim postignućima. Istina za volju predstavnici Ministarstva prosvete i Ministarstva zdravlja s vremena na vreme saopšte rezultate rada pedagoških asistenata i zdravstvenih medijatorke, ali u principu oni nisu dostupni, proverljivi i po svemu sudeći nisu valjana osnova za planiranje i evaluaciju u javnim politikama.

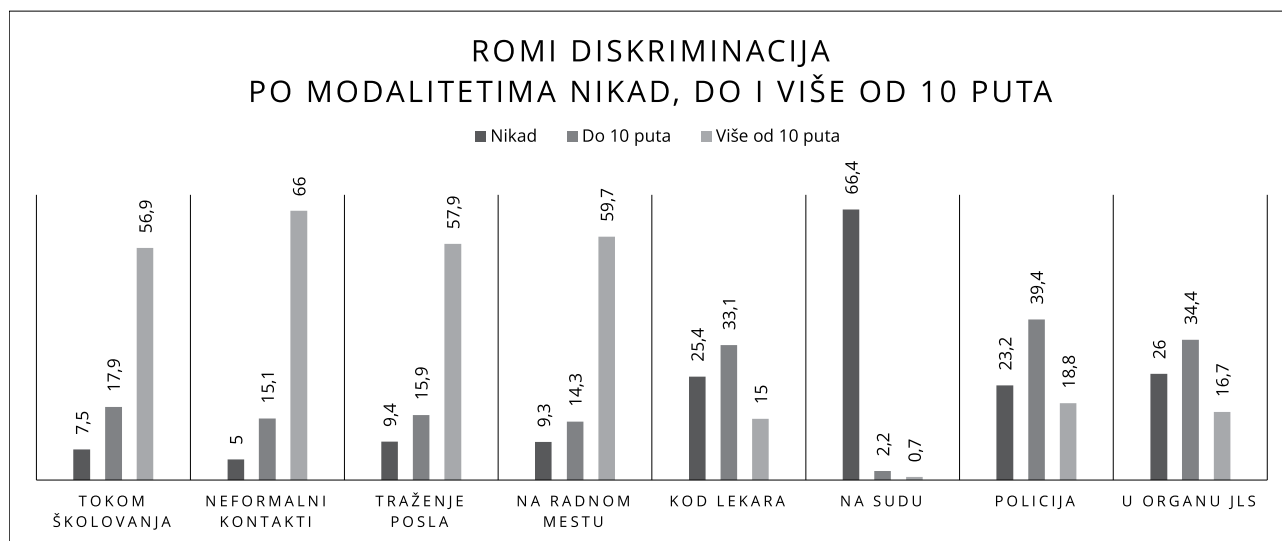
Aktivisti i zagovarači prava Roma, romske nacionalnosti, sa kojima su saradnici Instituta društvenih nauka razgovarali tokom 2020. i 2021. godine potvrđuju pretpostavku da Romi nisu odgovarajuće, a ni dovoljno uključeni u javnim institucijama i službama, ali da se za to moraju sami izboriti, jer priznavanje prava na učešće u javnim poslovima nema značaj u našem upravnom sistemu ukoliko romska zajednica ne postavi to pitanje na dnevni red jasno i odlučno. Jedan od ispitanika smatra da je raskorak između normativnog i stvarnog u vezi sa zapošljavanjem Roma ogroman: „Mislim da Ustavni i zakonski osnovi za njihov radnopravni tretman postoje, ali da se isti ne primenjuju na najkorektniji način. Verujem da bi Romi ta svoja prava mogli da ostvare, kada bi bili daleko organizovaniji, kako društveno tako i politički i kada bi njihova nacionalna svest bila podignuta na daleko viši nivo. To im neće niko pokloniti, to moraju da urade sami“.

Na prekarni rad ukazuju i sagovornice koje obavljaju poslove zdravstvenih medijatorke. One ne uživaju pravnu i socijalnu sigurnost na radu, koji je ocenjen kao izuzetno važan za romsku zajednicu, a koji je značajno „poštediteljski“ deo zdravstvenog sistema u lokalnoj zajednici. Rezultati medijatorke se najupečatljivije mogu pratiti kroz podatke longitudinalno istraživanja višestrukih pokazatelja o položaju žena i dece (MICS) koje sprovodi UNICEF. Poređenje petogodišnjih izveštajnih perioda ukazuje na kontinuirani napredak u vezi sa imunizacijom dece, opadanje procenata pacijenata sa hroničnim oboljenjima, zdravije stilove života romskih porodica i druge pokazatelje čiji pozitivan trend se poklapa sa uključivanjem „medijatorke“ u zdravstveni sistem. Sagovornice medijatorke su ukazale na probleme sa kojima se suočavaju prilikom obavljanja svog posla. Naime, u mnogim sredinama zaposleni u domovima zdravlja, za koje je smešteno, ali najčešće ne i sistematizovano, radno mesto medijatorke, imaju nipodaštavajući stav, poveravaju im poslove koji nisu u vezi sa romskom zajednicom, a koji su po pravilu fizički teški i koje ne žele da obavljaju lica zaposlena u domovima zdravlja.

Diskriminacija – prepreka socijalnoj uključenosti kroz zapošljavanje

Većina istraživanja o Romima u Srbiji ukazuje na različite oblike višestruke diskriminacije Roma. Uvreženo mišljenje je da su koreni diskriminacije u predrasudama koje pripadnici drugih etničkih zajednica imaju prema Romima. U savremenoj Srbiji Romi i Romkinje se najčešće suočavaju sa diskriminacijom u svakodnevnim kontaktima sa susedima, kolegama na poslu, dok obavljaju rutinske socijalne radnje. Sagovornici romske nacionalnosti na fokus grupama su ukazivali na različite situacije u kojima su ih zbog boje kože ili etničkog (nacionalnog) porekla pripadnici drugih etničkih grupa vređali, omalovažavali, ispoljavali agresiju ili govor mržnje.

Učestalost diskriminacije prema iskustvima Roma tokom života



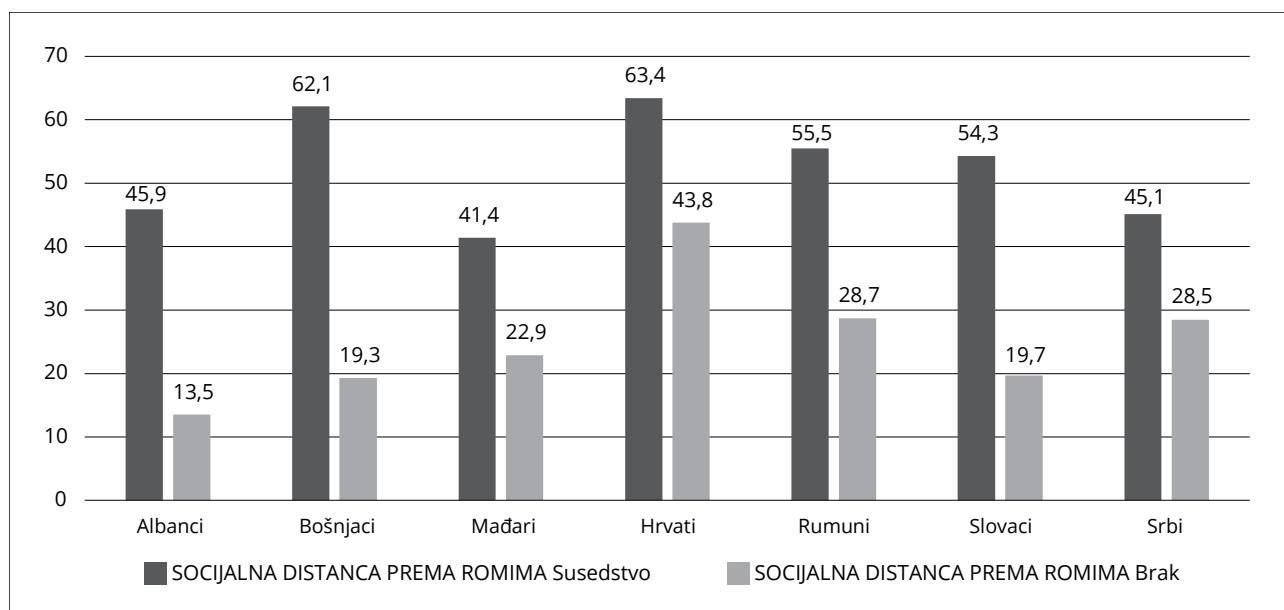
Izvor: Institut društvenih nauka, 2020

Zapošljavanje (57,9%) i obrazovanje (56,9%) su društvene delatnosti u kojima se Romi i Romkinje najčešće suočavaju sa diskriminacijom, odnosno više od deset puta u životu. Ove nalaze dobijenih kvantitativnim istraživanjem su potvrdili i pripadnici romske nacionalnosti, pretežno aktivisti u NVO koji zagovaraju prava Roma, sa kojima su tokom 2020. i 2021. godine obavljani intervjui posvećeni problemima na tržištu rada i na radnom mestu. Većina, od 38 ispitanika, smatra da se svaki Rom u Srbiji barem jednom suočio sa direktnom diskriminacijom, odnosno da je zbog svog etničkog porekla doveden u neravnopravan položaj u odnosu na građane drugih nacionalnosti.

Uprkos tome što se strateške mere u vezi sa unapređenjem položaja Roma i Romkinja sprovode od 2009. godine, problem strukturnog siromaštva pripadnika ove etničke zajednice nije rešen. Neefikasno postupanje organa javne vlasti u vezi sa sprovođenjem strateških mera doprinosi održavanju nepovoljnog socijalno-ekonomskog položaja Roma i Romkinja, na šta je Zaštitnik građana ukazao u pomenutim posebnim izveštajima 2013. i 2019. godine. U širem tumačenju neefikasno, neekonomično i nedelotvorno postupanje organa javne vlasti u vezi sa rešavanjem problema siromaštva Roma otvara raspravu o postojanju sistemske diskriminacije. Posledice nerešavanja siromaštva Roma su vidljive tokom pandemije izazvane virusom kovid 19 jer u 38% podstandardnih naselja stanovnici nemaju direktan pristup vodi, a u još 30% takvih naselja 30% kuća nije priključeno na vodovodnu mrežu. Procenjeno je da najmanje pet hiljada romskih porodica, odnosno 25.000 Roma i Romkinja nema pristup vodi čime je, pored ostalog, otežano održavanje higijene ruku kao jednog od osnovnih načina smanjenja rizika od zaražavanja.

Istraživanje socijalne distance, koje je sproveo Institut društvenih nauka (2020), pokazuje na trend jačanja etničkog ekskluziviteta kod Roma i Romkinja. Dugo se smatralo da su Romi u Srbiji otvoreni za interkulturnu komunikaciju i razmenu, ali pokazatelji iz 2020. godine ukazuju na to da i Romi radije žive u susjedstvu sunarodnika nego pripadnika drugih nacionalnih zajednica, da su rezervisani prema brakovima sa pripadnicima drugih nacionalnosti, ali i da slabe ostale društvene veze. U razgovoru na fokus grupi sagovornici romske nacionalnosti su ukazali da takav trend postoji, ali da on nije voljan, odnosno da nije reč o odgovoru Roma na socijalno odbijanje drugih etničkih grupa već da Romi i Romkinje nemaju izbor nego da lične planove grade u krugu sunarodnika.

Socijalna distanca prema Romima u Srbiji

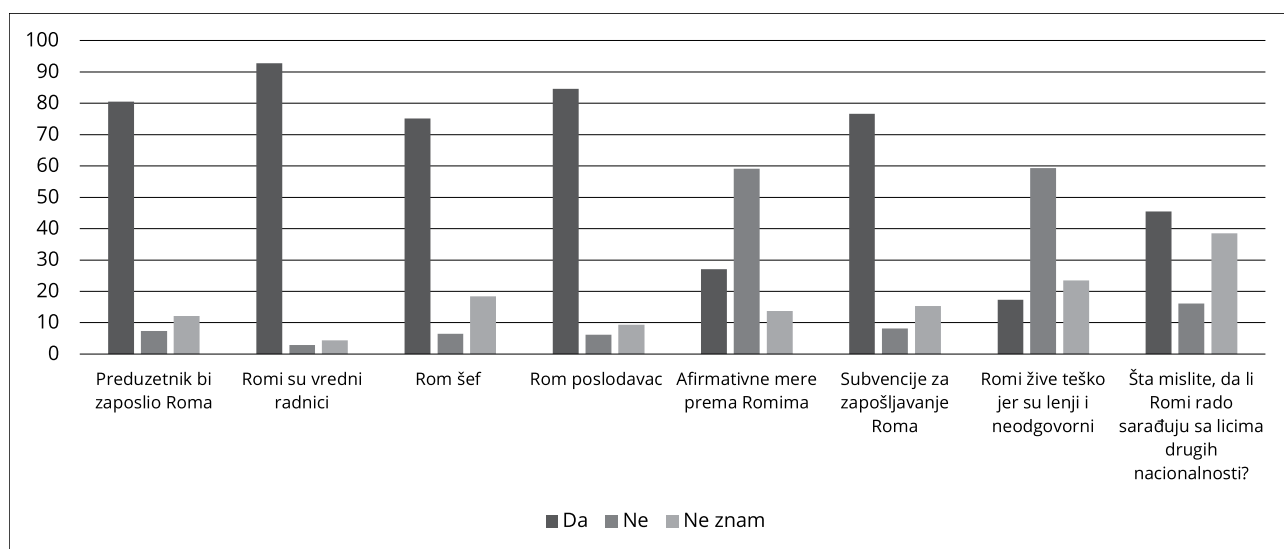


Izvor: Institut društvenih nauka, 2020.

Prema istraživanju „Diskriminacija na tržištu rada“, koje je 2019. godine sproveo Poverenik za zaštitu ravnopravnosti, ispitanici uzorkovani u opštoj populaciji smatraju da trend diskriminacije na tržištu rada stagnira. Prema ovom istraživanju, Romi i Romkinje su po učestalosti diskriminacije na tržištu rada četvrta društvena grupa. Češće od njih se sa diskriminacijom suočavaju osobe sa invaliditetom, stariji i osobe drugačijih političkih uverenja. Percepcija diskriminacije Roma i Romkinja na tržištu rada je najizraženija kod poslodavaca, jer 63% njih ukazuje na diskriminaciju. Da je diskriminacija Roma i Romkinja izražena smatra i 50% zaposlenih i 42% nezaposlenih ispitanika.

Prema istraživanju Instituta društvenih nauka „Predrasude – rad i zapošljavanje Roma“, koje je sprovedeno 2020. godine trendovi su nešto drugačiji, odnosno iskazana je veća empatija prema Romima i Romkinjama na tržištu rada. Istraživanje je sprovedeno na uzorku od 308 ispitanica (59%) i 214 ispitanika (41%), a 87 lica se nije izjasnilo o polu. Uzorak je izbalansiran kako bi više odgovarao stvarnom stanju stanovništva Srbije. Takav ponderisani uzorak sadrži odgovore 273 ispitanica (52,3%) i 249 ispitanika (47,7%), dok je broj onih koji se nisu izjasnili po ovom osnovu ostao nepromenjen. Među ispitanicima najviše je onih u starosnoj dobi 50 u više godina (50,1%) i 10 do 29 godina (14,7%), a u ostalim starosnim grupama je po otprilike 10% ispitanika. U strukturi uzorka najviše je bilo visokoobrazovanih ispitanika (46,6%), sa magistraturom ih je bilo 18,2%, a doktoratom 16,8%. Sa završenom srednjim školom je obuhvat ispitanika bio 16,7%, sa osnovnom školom 1,4%, a svega 0,3% ispitanika nema završeno osnovno obrazovanje. Etnička/nacionalna struktura ispitanika ukazuje na 64,4% pripadnika srpske etničke grupe, 2,5% romske, 1,9% mađarske, 3,1% ima svest o jugoslovenskom poreklu, 1,2% je pripadnika hrvatske nacionalne manjine, a 20,4% se nije izjasnilo o etnicitetu. Među ispitanicima je bilo 59,7% zaposlenih na neodređeno vreme, 14,6% zaposlenih na određeno vreme i 11% nezaposlenih, a 14,6% ispitanika nije navelo informaciju o radnom statusu.

Predrasude prema Romima i Romkinjama na tržištu rada



Izvor: Institut društvenih nauka, 2020

Rezultati istraživanja ukazuju da bi 80,5% ispitanika zaposlilo Rome u svojoj firmi, a 76,6% njih bi rado prihvatilo subvencije za zapošljavanje Roma. Većina ispitanika (92,8%) smatra da su Romi vredni i pouzdani radnici, a dve trećine njih (75,15) da lice romske nacionalnosti može biti dobar rukovodilac. Međutim, samo četvrtina ispitanika (27,1%) podržava afirmativne mere u zapošljavanju, a 59,1% je izričito odgovorilo da ih ne podržava. Najzad, ispitanici smatraju da lična svojstva poput lenjosti i neodgovornosti nisu uzrok lošeg socijalno ekonomskog stanja Roma, a skoro polovina (45,4%) ispitanika smatra da Romi rado saraduju sa licima drugih nacionalnosti.

Stavovi o ličnim osobinama Roma

	Da	Nije izabrano
[Gostoprimljivi]	19,4	80,6
[Kradljivci]	7,5	92,5
[Lenji]	6,3	93,7
[Nemoralni]	3,0	97,0
[Neuredni]	12,9	87,1
[Pouzdati]	1,4	98,6
[Prljavi]	4,7	95,3
[Prosjače]	7,7	92,3
[Snalažljivi]	45,6	54,4
[Slobodni]	31,8	68,2
[Veseli]	40,5	59,5
[Vredni]	9,2	90,8

Izvor: Institut društvenih nauka, 2020

Značajan podatak je da ispitanici ne podržavaju afirmativne mere u zapošljavanju. Na fokus grupi, na kojoj je učestvovalo 15 sagovornika (9 žena i 6 muškaraca), iskazan je generalni stav da afirmativne mere produbljuju razlike između Roma i pripadnika drugih etničkih zajednica koji nisu zaposleni i/ili žive u

nepovoljnim životnim uslovima. Sagovornici uglavnom nisu povezivali mere pozitivne diskriminacije sa fenomenom strukturnog i generacijskog siromaštva, niti su ih razmatrali u konteksti antidiskriminatorne politike. Kritički stava prema afirmativnim merama sagovornici su argumentovali mišljenjem da je načelo ravnopravnosti osnova dobro uređenog društva u kojem su prava dostupna svima bez obzira na etničko ili neko drugo svojstvo.

Predlozi OCD i stručnih organizacija

Projekat su u Srbiji realizovale partnerske organizacije: YU Rom centar iz Niša, Edukativni centar Roma iz Subotice, Udruženje lokalnih ombudsmena iz Bačke Topole, Centar za istraživanje etniciteta iz Zemuna i Institut društvenih nauka iz Beograda.

Na završnoj konferenciji koja je održana 1. jula 2022. godine partneri su se saglasili u vezi sa strateškim razvojem politike socijalnog uključivanja Roma i preporukama u vezi sa njihovim zapošljavanjem:

Opšti strateški osnov socijalnog uključivanja:

Opšte strateške mere se odnose na promenu socijalne paradigme u kojoj su vrednosti koncentrisane ka principu građanstva zasnovanom na društvenom poverenju i koheziji:

1. Narodna skupština bi trebalo da jednu sednicu posveti raspravi o stanju multietničnosti i politikama multikulturalizma u Srbiji. Socijalno uključivanje Roma se može urediti samo u sklopu celovite politike multikulturalnosti i antidiskriminacije. Usvajanje strategije integrativnog multikulturalizma (interkulturalizma) bi svakako doprinelo prevazilaženju problema „etničke“ distance i jačanju kohezivnih društvenih veza, eliminisalo bi rizike nacionalne i regionalne bezbednosti i uspostavilo bi vezu između prirode multietničnosti društva i politike multikulturalizma.
2. Vlada Republike Srbije bi trebalo da izmeni Strategiju razvoja kulture Srbije i da je zasnuje je na holističkim i razvojnim elementima kulture među kojima kulture nacionalnih manjina i kultura većine imaju prožimajuću funkciju. U srži nove kulturne paradigme bi trebalo da bude princip građanstva u kojem su etnokulturni identiteti, tradicije i jezici različitih etničkih grupa važni prožimajući elementi.
3. Osmisliti strategiju borbe protiv diskriminacije u kojoj se anticiganizmu i antisemitizmu posvećuje posebna pažnja. Antidiskriminacione mere i duh interkulturalizma su usmerene prema svim građanima i za cilj imaju promene paradigme prema različitosti i oslobađanje građana od straha od kulturnih raznolikosti, eliminisanje istorijskog revizionizma i potpuno suočavanje javnosti sa činjenicama iz istorije.
4. Na tim osnovama osmisliti politike obrazovanja, kulture i medija koje aktivno i kontinuirano vaspitaju društvo za život zasnovan na principu humaniteta, građanstva i poverenju u razvojne principe različitosti.
5. Za sprovođenje ovakve politike društvenog i državnog razvoja potrebna je transformacija ustavo pravnog sistema i javnih politika, uspostavljanje nezavisnog sudskog sistema, jačanje poverenja u „tihu“ moć nezavisnih institucija koje se staraju o zaštiti ljudskih prava i najzad, snažno i posvećeno civilno društvo.

Posebni strateški osnov usmeren ka eliminisanju siromaštva Roma i borbi protiv anticiganizma/romizma trebalo bi razmisliti o sledećem:

1. Sve dosadašnje strateške mere integracije, socijalnog uključivanja Roma bi trebalo preispitati,

utvrditi njihovu delotvornost i zadržati one koje su izvršile određene promene. Sve druge mere bi trebalo odbaciti i zameniti ih drugim čija primena bi se pratila od prvog dana od uvođenja na svakom individualnom slučaju u uslovima inkluzivnih javnih politika.

2. Sve strateške i druge mere socijalnog uključivanja spustiti u lokalnu zajednicu i organizovati ih u sklopu lokalnih javnih politika usmerenih ka svim grupama, građanima kojima je potrebna podrška da bi funkcionisali u zajednici. Decentralizacija sistema upravljanja procesom socijalnog uključivanja traje sve dok se ne eliminišu uslovi u lokalnoj zajednici zbog kojih se pojedinac ne može samostalno uključiti u društveni život.
3. Uključenost romske zajednice u sve procese socijalnog uključivanja je neophodna bez obzira na nivo uticaja zajednice u lokalnoj sredini i kompetencije pojedinaca. Kompetencije i stručnost pripadnika romske zajednice se kontinuirano jačaju kroz različite nivoe individualne i društvene podrške. Da bi se to postiglo potrebno je da se osmisle i sprovede delotvorne i održive afirmativne mere podržane od svih građana u lokalnoj zajednici.
4. Na državnom nivou bi trebalo ustanoviti telo koje se kompetentno stara o koordinaciji i upravljanju javnih politika socijalnog uključivanja društvenih grupa kojima je neophodna podrška i trebalo bi ustanoviti Fond za socijalno uključivanje Roma.
5. Afirmativne mere moraju ciljano na nacionalnom ili lokalnom nivou doprinositi promenama. Ukoliko je reč o zapošljavanju afirmativne mere moraju biti koncentrisane ka brzom profesionalnom osposobljavanju građana romske nacionalnosti koji žive u uslovima siromaštva da, uz podršku, kroz kvalitetno obrazovanje steknu kvalifikacije i kompetencije na osnovu kojih će se uključivati u proces rada po povlašćenim uslovima. Takav pristup treba osmisliti da bude društvena dobit, a ne trošak, odnosno osmisliti ga kroz programe koji su jasno zasnovani na ideji da je socijalna isključenost najskuplji vid društvene organizacije. Tako osmišljen proces u lokalnoj zajednici je zasnovan na jedinstvu javnih politika i jasnom opredeljenju lokalnih vlasti, privrede, građana i javnih službi da posvećeno rade na ostvarivanju srećnog društva.
6. Na lokalnom nivou utvrditi realne potrebe i stanje romske zajednice na tim nalazima planirati i sprovesti mere socijalnog uključivanja. Individualizacija mera i način njihovog kontinuiranog direktnog praćenja je način da se u doglednom vremenu postignu vidljivi rezultati.

Preporuke za zapošljavanje Roma u Srbiji

1. Da država osnuje posebni namenski Fond za socijalnu inkluziju Roma koji bi pored ostalog omogućio upravljanje politikama zapošljavanja Roma i praćenjem efikasnosti mera i utroška sredstva namenjenih podsticaju zapošljavanja Roma;
2. Da se u Ministarstvu rada, zapošljavanja, socijalna i boračka pitanja osnaže ljudski, organizaciono-tehnički i materijalno-finansijski resursi na poslovima socijalnog uključivanja Roma kroz zapošljavanje;
3. Da se razmotri ideja o donošenju Zakona o jednakopravnom zapošljavanju, odnosno zakona koji bi omogućio zapošljavanje pripadnika nacionalnih i etničkih manjina u javnim službama shodno ustavnim i pravnim standardima;
4. Da se u Nacionalnoj službi za zapošljavanje i njenim filijalama uvedu pozicije medijatora u zapošljavanju Roma;
5. Da se u javnoj upravi razviju afirmativne mere na osnovu kojih se omogućava zapošljavanje Roma u javnoj upravi koji imaju odgovarajuće obrazovanje, obučeni su za rad u javnim službama i žele da rade na takvim mestima, sve dok se ne postigne procenat zaposlenih Roma u javnoj upravi proporcionalan procentu udela Roma u ukupnom broju stanovništva Srbije;

6. U sistemu obrazovanja razviti programe stipendiranja učenika romske nacionalnosti naročito za zanimanja koja su prepoznata da su od interesa za romsku zajednicu: pedagoški asistenti, nastavnici razredne i odeljenske nastave, vaspitači, zdravstvene medijatorke, medicinski tehničari, lekari, socijalni radnici, pravnici;
7. Akcioni plan za primenu strategije socijalnog uključivanja Roma i Romkinja za period 2022. do 2030. godine u delu koji se odnosi na zapošljavanja treba uskladiti sa Zakonom o solidarnom preduzetništvu i regulativama koje regulišu otpad kako bi se regulisao status sakupljača sekundarnih sirovima i pokrenuli nove poslovi koji će otvoriti nova radna mesta (tzv. zelena radna mesta);
8. Da se na osnovu Zakona o lokalnoj samoupravi, Zakona o solidarnom preduzetništvu, principima lokalnog ekonomskog razvoja, principima održivog razvoja i smanjenja siromaštva u 10 lokalnih samouprava sa najvećim brojem Roma, pokrene inicijativa za formiranje socijalnih zadruga u cilju zapošljavanja Romkinja;
9. Da se u lokalnim samoupravama stvore efikasni mehanizmi za socijalnu inkluziju Roma koji su zasnovani na redovnom planiranju lokalnih mera i aktivnosti, redovnom budžetiranju i faktičkoj i efektivnoj povezanosti javnog sektora, privrede i društva u vezi sa programima socijalne inkluzije i borbe protiv anticiganizma;
10. Potpuna i održiva institucionalizacija lokalnih mehanizama za uključivanje Roma i Romkinja;
11. Dosledna primena Zakona o lokalnoj samoupravi u smislu nadležnosti JLS u vezi sa ravnopravnošću građana, socijalnom i zdravstvenom zaštitom, stanovanjem i drugim vrstama podrške u procesu borbe protiv siromaštva i anticiganizma;
12. Jačanje Saveta za međunacionalne odnose u JLS kao tela koje ima savetodavnu ulogu u lokalnoj zajednici u vezi sa pitanjima nacionalne ravnopravnosti;
13. Da se uvedu sankcije za poslodavce koji neosnovano odbijaju da zaposle radnike romske nacionalnosti;
14. Akreditovati obuke o antidiskriminaciji namenjene poslodavcima koje sprovode treneri romske nacionalnosti;
15. Kreiranje programa zapošljavanja Roma razvijati uz njihovo aktivno učešće;
16. Posebnu pažnju posvetiti situacijama koja deluju destimulativno na zapošljavanje Roma kao što je prestanka radnog odnosa i vraćanje u sistem socijalne zaštite.

ZAPROM – A STRATEGIC FRAMEWORK TO PROMOTE ROMA EMPLOYMENT IN SLOVENIA

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Introduction

The strategic framework covers the following topics: the project objectives, the international framework, the legal basis for Roma inclusion in Slovenia, the situation of Roma and Roma inclusion policies in Slovenia, and an overview of the main project ZAPROM proposals to improve Roma employability in Slovenia and Serbia.

Project objectives

The main objective of the project ZAPROM is to promote Roma employment in order to create the conditions for breaking the vicious circle of social exclusion of members of the Roma community, which can only be broken through simultaneous action in all areas of integration - education, employment, living conditions and access to health and social care - with the equal participation of members of the Roma community at all phases of the project. The project ascertained the actual situation in both countries, identified the main obstacles to Roma employment and made some proposals to amend and supplement legislation in this area. In Slovenia, several studies have already been carried out and recommendations adopted about Roma and the possibilities for improvement in certain areas. In this context, the lack of progress in the area of Roma employment and entry into the labour market is striking, which is also one of the findings of the Evaluation Report on the implementation of the National Programme of Measures for Roma of the Government of the Republic of Slovenia for the Period 2017–2021. The project ZAPROM points out that the elimination of prejudice, the fight against antiziganism/antiracism, continuous dialogue and objective assessment of the measures taken and evaluation of their impact are the most effective ways to overcome this deficit. We have focused on finding ways to reduce Roma dependency on social assistance, increase motivation for employment in the Roma community and raise awareness of the importance of eliminating prejudice and discrimination in the majority population, especially among employers, in line with the Diversity Charter.

International framework

Full respect for human rights, non-discrimination, respect for political and civil rights and the realisation of the economic, social and cultural rights of members of the Roma community is a prerequisite for their successful integration into society in all areas of social and economic inclusion – i.e., education, employment, health, and living conditions. Slovenia and Serbia are bound by international instruments of the United Nations/UN, the Council of Europe, the OSCE and the European Union. The most important UN documents are: Universal Declaration of Human Rights, C Convention on the Prevention and Punishment of the Crime of Genocide, International Convention on the Elimination of All Forms of Racial Discrimination, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, UN Declaration on the Rights of Persons Belonging to National or Ethnic Groups, Religious and Linguistic Minorities, the UN Convention on the Rights of the Child, and individual documents of specialised agencies, notably the UNESCO Convention Against Discrimination in Education and the ILO Convention concerning the Prohibition of Discrimination in Respect of Employment and the Protection of Indigenous Peoples. Some international legal documents and instruments contain specific provisions to eliminate discrimination against Roma and Sinti, prejudice, intolerance, xenophobia, racism and social exclusion, and call on countries to take measures to improve the disadvantaged conditions in which Roma live. The special position of Roma in the process of developing standards for the protection of human rights and minorities in the new Europe was first highlighted by the Conference on European Security and Cooperation in the Concluding Document of the OSCE Conference in Copenhagen in 1990. In Chapter III of the Concluding Document, for the first-time explicit reference is made to the special situation of Roma as a community and the need to eliminate intolerance towards Roma:

“The participating States, concerned by the proliferation of acts of racial, ethnic and religious hatred, antisemitism, xenophobia and discrimination, stress their determination to condemn, on a continuing basis, such acts against anyone. In this context, they reaffirm their recognition of the particular problems of Roma (Gypsies)”.

Article 7 of the 1994 Central European Initiative for the Protection of the Rights of Minorities builds on this provision by prescribing measures for the social integration of Roma and the elimination of intolerance:

“States are aware of the particular problems faced by Roma (Gypsies) and undertake to take all legal, administrative or educational measures provided for in this instrument to preserve and develop Roma identity in order to facilitate the social integration of Roma (Gypsies) by taking specific measures to eliminate all forms of intolerance towards them”.

Slovenia and Serbia, both members of the Central European Initiative, adopted specific Roma integration programmes in the mid-1990s. In the process of joining the European Union, one of the requirements of the international community was to review the implementation of human rights in the individual countries.

The Council of Europe has adopted two important documents - the European Charter for Regional or Minority Languages (1992) and the Council of Europe Framework Convention for the Protection of National Minorities (1995) – which also concern Roma rights. Member States are obliged to draw up periodic reports on the implementation of both documents in practise. While neither Council of Europe instrument contains specific provisions on Roma rights, they implicitly include them in the monitoring system of protection. When the Republic of Slovenia deposited its instrument of ratification of the Framework Convention for the Protection of National Minorities in 1998, it created a Declaration stating, inter alia, that the provisions of the Framework Convention would also apply to the Roma community living in Slovenia, in accordance with the Constitution and domestic legislation of the Republic of Slovenia. In the

work of ECRI (Commission against Racism and Intolerance), the assessment of progress in the situation of Roma occupies an important place in monitoring the implementation of the commitments undertaken by individual countries. ECRI has adopted several recommendations for improving the situation of Roma, in particular with a view to eliminating the phenomenon of antiziganism/anti-Romaism.

Recommendation No. 1557 (2002) of the Parliamentary Assembly of the Council of Europe on the legal situation of Roma in Europe / Parliamentary Assembly of the Council of Europe. Recommendation No. 1557 (2002) "The legal situation of Roma in Europe"/ also refers to the protection of collective rights that states are obliged to provide to Roma, namely: *"Equal treatment of the Roma minority as an ethnic or national minority in the fields of education, employment, housing, access to health services and public goods"*. The Recommendation also states that Member States should pay special attention to promoting equal opportunities for Roma in the labour market; ensure that Roma students have the opportunity to be enrolled in all levels of education from kindergarten to university; develop affirmative action measures for the recruitment of Roma in public services of direct relevance to Roma communities, such as primary and secondary schools, social work centres, local health centres and local administrative units; and eliminate all practises that lead to the segregation and exclusion of Roma children, especially those practises that place Roma children in special classes or schools. They recommend that Roma be given the status of a national or ethnic minority and that countries adopt social inclusion programmes and specific measures to improve the living conditions of Roma.

The European Court of Human Rights (ECtHR), which plays an important role in shaping the European standard of legal protection of human rights, has also dealt with violations in the area of protection of the rights of the Roma community and discrimination against members of the Roma community in several cases. The jurisprudence of the European Court of Human Rights is also cited as one of the sources of law in the Preamble to the Charter of Fundamental Rights of the European Union (2000/c 364/01). Individual cases from the case law of the ECtHR refer to the protection of the traditional way of life of Traveller Gypsies in the United Kingdom (Chapman v. the United Kingdom, Chapman v. the United Kingdom, application no. 27238/95, Judgment of 18 January 2001), where the European Court found no violation of discrimination in the field of education of Roma children (D.H. et al. v. Czech Republic, Application No. 57325/00, and Oršuš et al. v. Croatia, Application No. [15766/03](#), Judgement of 16 March 2010, violation of the prohibition of discrimination, Article 14. ECHR). A comparison of the reasoning of the European Court over the last two decades shows an evolution in the treatment and interpretation of the principle of equal treatment, which is violated when there is no objective and reasonable justification for the distinction. The ECtHR shows a broader understanding of the obligation of states to take positive action to improve the situation of vulnerable groups who are de facto disadvantaged in a particular setting.

In *Hudorovič et al. v. Slovenia* (judgement of 10 March 2020, Application nos. 24816/14 and 25140/14), the complainants complained that they had no access to drinking water and lived in Roma settlements without piped water and sewerage. Invoking on Articles 3, 8 and 14 of the European Convention, the complainants complained about their lack of access to basic municipal services, in particular drinking water and sewerage, and alleged that they had been treated in a discriminatory manner by the local authorities. In the present case, the European Court found that access to drinking water is not a right protected by Article 8 of the Convention. However, the continued inability to access drinking water could have negative consequences for health and human dignity, which are at the core of the right to respect for private life. In this case, the ECtHR had to assess the scope of the State's positive obligation to ensure access to public utilities in general and to vulnerable groups such as the Roma in particular. Among other things, the ECtHR found that Slovenia had an adequate legal framework for the utilities system. As regards access to drinking water, the State assumed responsibility for the water supply system and left it to the owners to install individual house connections in their houses at their own expense. In areas not yet connected to the public water supply, alternative solutions are provided to ensure access to drinking

water, such as the installation of individual wells or rainwater harvesting tanks. The ECtHR found that in the case of the complainants, the municipal authorities had taken concrete measures to ensure access to drinking water. Furthermore, the ECtHR found that the complainants did not live in extreme poverty and voluntarily remained in this housing. The respondent state had provided them with a basic subsistence level through the social assistance system and they had been able to improve their own living conditions with the benefits. The ECtHR concluded that the complainants themselves were responsible for (failing to) connect to the public water supply. Although the State was responsible for eliminating the inequalities in access to drinking water that disadvantaged Roma settlements compared to the rest of the population in Slovenia, this cannot be interpreted as an obligation on the State to bear the entire burden of providing drinking water to the complainants' homes. In this context, the ECtHR found that the complainants could have used their social advantages to implement alternative solutions such as installing private water tanks or rainwater harvesting systems.

For these reasons, the ECtHR held, inter alia, that the complainants had not been prevented from using social benefits to improve their living conditions. By five votes to two, the ECtHR held that there had been no violation of Article 8 of the Convention in respect of the complainants in Case No. 24816/14; unanimously held that there had been no violation of Article 8 of the Convention in respect of the complainants in Case No. 25140/14; *the ECtHR ruled unanimously that there was no violation of Article 14 in conjunction with Article 8 and Article 3, either individually or in conjunction with Article 14 of the Convention.*

European inclusive approach

At EU level, Roma are recognised as a vulnerable group in need of special treatment and additional protection. Several specific documents have been adopted to improve the situation of Roma, including recommendations for action by countries and to eliminate discrimination against Roma. The European Parliament Resolution on the situation of Roma in Europe of April 2005 refers to Council of Europe Recommendation 1557 and stresses *“the need to regulate the legal status of Roma, as some Member States and candidate countries still do not treat Roma communities as an ethnic or national minority and Roma communities therefore do not enjoy the rights to which they are entitled in the countries concerned”*. The Resolution also points to the need to correct historical wrongs and take the necessary steps to recognise the status of Holocaust victims and grant them the right to reparation.

In the framework of the Europe 2020 Strategy, the European Commission has invited Member States and countries wishing to join the European Union to prepare national strategies for Roma inclusion and to address this issue in their national programmes for education, poverty reduction, and the promotion of social and economic development. By the end of 2011, Member States had to submit national Roma integration strategies outlining how they intend to achieve these objectives. The framework is in line with the broader Europe 2020 objectives for employment, social inclusion and education. The Commission has also proposed options to ensure that EU funds that can support Roma inclusion are used more effectively.

The European Union's legal framework for combating discrimination against Roma is based on the Treaty on European Community (Article 13), Directive 2000/43/ EC on equal treatment irrespective of racial or ethnic origin and Directive 2000/78/ EC, which prohibits discrimination in employment and vocational training. EU Council Directive 2000/43/ EC provides a framework for combating discrimination on grounds of racial or ethnic origin throughout the Union in the fields of employment, education, social protection (including social security and healthcare), social benefits, access to and supply of goods and services, including housing. EU Member States have a duty to transpose these directives into national law and to ensure their implementation. The European Commission's mandate also includes promoting the use of EU Structural Funds earmarked by EU Member States to support Roma inclusion. The EU has

taken action to promote Roma inclusion and provides funding for the implementation of policies and projects relevant to Roma inclusion (education, employment, health, anti-discrimination, social inclusion, etc.). The EU also funds cooperation between civil society, Roma, and international organisations in the field of Roma inclusion.

The Recommendation of the Council of the European Union of 12 March 2021 on equality, inclusion and participation of Roma (2021/C 93/01) is an important resource for further action in this area for all EU Member States. The Recommendation mentions first and foremost the implementation of the EU Directives already adopted. The tenth point refers to antiziganism/anti-Romaism, a form of racism specifically directed against Roma, which is identified as a major obstacle to the successful integration of Roma. In addition, the recommendation highlights the need to pay special attention to young people, as highlighted in the 2020 project “Supporting youth employment: a bridge to jobs for the next generation”.

The EU Recommendation of March 2021 stresses that, as part of their broader social inclusion policies to improve the situation of Roma, Member States should adopt National Roma Strategic Reference Frameworks and submit them to the European Commission, preferably by September 2021. Member States should implement the measures in a proportionate and selective manner, in close cooperation with all stakeholders and in accordance with national and Union law.

Despite the documents adopted, the recommendations and efforts to integrate Roma, and the financial resources invested, discrimination against Roma remains high in all European countries. In a special survey by the European Discrimination Barometer (2019), “being Roma” ranks first among the reasons or personal circumstances that lead to discrimination.¹ 61% of respondents in the 28 EU countries and 57% of respondents in Slovenia stated this on average. As far as recruitment is concerned, 38% of respondents in average of EU countries and 57% in Slovenia think that an applicant who meets the same requirements as another applicant is not selected because he/she is Roma. This is one of the reasons why the project ZAPROM looked for innovative solutions related to the implementation of the Diversity Charter and made some proposals that we developed together with representatives of the Roma community to improve this situation.

Normative framework in Slovenia

Positive legislation in Slovenia is in line with European standards as an adequate normative framework for the prevention and elimination of discrimination against Roma and for their integration. Article 65 of the 1991 Constitution of the Republic of Slovenia states that the status and special rights of the Roma community living in Slovenia shall be regulated by law. This constitutional provision indicates the possibilities, which include either the adoption of specific legal provisions in systemic laws or the adoption of a special law. Provisions on the legal protection and inclusion of Roma are contained in the Systemic Law on the Roma Community (2007), which defines the tasks of state bodies and local self-government authorities in implementing and financing the special rights of the Roma community and regulates the organisation and representation of the Roma community. Article 2 of the Roma Community Act states that due to the special position of the Roma community in the Republic of Slovenia, in addition to the rights and obligations of all citizens of the Republic of Slovenia, Roma are guaranteed special rights and obligations financed from the state budget for their successful integration. Provisions on specific segments of protection are included in systemic laws regulating education, social welfare, culture, political participation, media, regional development, etc. These are: Local Self-Government Act, Local Elections Act, Voting Registration Act, Organisation and Financing of Education Act, Primary Education Act, Kin-

¹ <https://www.age-platform.eu/publications/discrimination-european-union-eurobarometer-survey>, accessed on 22 July 2022.

dergarten Act, Media Act, Public Interest in Culture Act, Library Act, Promotion of Harmonious Regional Development Act, Act on Radio and Television in Slovenia, Act on the Protection of Cultural Heritage, Act on the Public Interest in Youth, Act on the Slovenian Press Agency, Criminal Code of the Republic of Slovenia, Act on Protection against Discrimination, Act on Social Entrepreneurship, Act on the Financial Relief of Municipalities. The starting point of the adopted legislation is that, especially due to the unfavourable socio-economic situation in the protection of the Roma community, it is necessary to ensure and finance, in addition to individual human rights to equal treatment and non-discrimination, both several specific collective rights and positive measures to achieve an equal position for Roma.

In addition, social inclusion programmes, poverty eradication strategies and a range of anti-discrimination legislation are important to improve the situation of Roma. Long-term activities in the field of Roma inclusion in Slovenia are set out in the National Strategy for Roma Equity 2021–2030. Individual segments are further elaborated in the Strategy for Roma Inclusion in Education, the Strategy for Social Inclusion and the Programme for Combating Poverty and Social Exclusion. As early as 1995, the Government of the Republic of Slovenia adopted the first Programme of Measures to Assist the Roma, which was subsequently followed up with National Programmes of Measures for Roma for specific periods. Due to the social vulnerability of most of the Roma community and the inadequate living conditions, the measures to improve the situation of the Roma are primarily aimed at improving living conditions, housing, livelihood, employment and education.

The constitutional provision in Article 65, the Law on the Roma Community and other relevant provisions in legislation, as well as the guidelines in the National Strategy for Roma Equity 2021–2030, provide an appropriate basis for concrete measures for Roma inclusion. Roma employment is one of the cornerstones of inclusion and important for the further realisation of the economic and social rights of the Roma community.

In the historical context, the term “Gypsy” refers to the situation of Roma, who were marginalised, persecuted and isolated because of their way of life. In the past, Roma in Slovenia were active in many traditional Roma professions, in music, horse breeding, and as successful horse traders at fairs. According to folklore, they were able to hide defects in their horses and prepare them for sale or resale at fairs. Roma women could also tell fortunes and perform magic, predict future events or cure illnesses naturally, because the Roma have always been known as great experts and collectors of natural medicinal plants. As noted in the civil registers of the 19th and 20th centuries, they were blacksmiths and also repaired and made agricultural implements. In addition, the Roma in Bela Krajina and Dolenjska earned their living by maintaining roads, crushing gravel, and working in quarries. With the modernisation of society, the traditional occupations of the Roma slowly disappeared and died out. In the early 1970s, programmes were launched for planned Roma social integration, education, and employment. Data show that at least one member of a Roma family was employed in Slovenia at that time. After Slovenia’s independence, transition and economic and social changes occurred and Roma gradually lost their previous jobs. Due to their low level of education and prejudice, Roma were usually among the first to lose their jobs in bankruptcies or company insolvencies. Today, more than 90% of Roma are unemployed and the number of long-term unemployed who are completely dependent on social assistance is increasing. This fact has a negative impact on the prospects for social inclusion, as it perpetuates life in the ghetto and the marginal position of the Roma community.

National Programme of Measures (NPM)

Due to the negative historical circumstances, marginalisation, persecution and exclusion, as well as the disadvantaged social situation of the Roma community today, the National Programme of Measures for Roma 2017–2021, like the previous National Programme of Measures, provides for concrete measures to achieve the goals of realising the political, civil, economic, social, and cultural rights of Roma and their

integration. The Office for National Minorities of the Republic of Slovenia regularly prepares reports for the National Assembly on the implementation of the National Programmes of Measures for Roma. The reports are prepared based on reports from ministries and government agencies. In the Eighth Report on the Implementation of the NPM 2017–2021 of June 2021, special attention was paid to the response to the COVID–19 epidemic in Roma settlements. In 2020, over 8.6 million euros have been allocated by the state authorities for the implementation of activities in the field of improving the situation and social inclusion of members of the Roma community. Activities to improve the employability of Roma were carried out on a slightly reduced scale due to the COVID-19 epidemic. The Ministry of Labour, Family, Social Affairs and Equal Opportunities (MoLSA) reported that in the area of employment in 2020, a total of 3,163 Roma were included in the Measure “Integration of Roma in the state measures in the labour market”, which is 10.5% less than in 2019, when 3,534 Roma were included in the Measure.

In 2020, 362 unemployed Roma were included in the Active Employment Policy (AEP) (447 in 2019), 41 Roma were included in Labour Market Services workshops (146 in 2019), and 2,760 Roma in Career Centres (2941 in 2019). In the period January – December 2020, the Employment Service of Slovenia (ESS) recorded a total of 262 placements of unemployed Roma in employment. Under the AEP, 105 Roma were placed in public works and other employment programmes. In addition to the Roma accepted into AEP employment programmes, 157 Roma entered the labour market with various employers in the fields of trade, construction, transport, forestry, cleaning services, recruitment agencies, etc. According to MoLSA, the social activation programmes also represent an important step forward, especially the social activation of Roma women. This is a measure that contributes significantly to their integration, strengthening of social networks, empowerment, acquisition of new social and functional skills and their approach to labour markets.

The National Programme of Measures for Roma 2021–2030 (NPMR) summarises and builds on the objectives of the National Programme 2017-2021. Importantly, it includes a commitment to improving the situation of Roma and eliminating prejudice, in line with the provisions of the IHRA Working Definition on Combating antiziganism/anti-Romaism. The full text of the IHRA Working Definition on Combating antiziganism has been published and translated into Slovenian. The implementation of the fight against antiziganism is monitored by ministries and government agencies in all areas of social inclusion (education, employment, housing, health, etc.).

As in other EU Member States, the *National Platform for Roma (SIFOROMA)* at the Office for Nationalities of the Republic of Slovenia works as a focal point for the coordination of national and local measures with EU guidelines, instructions, and directives. From the results of the analyses, surveys and studies, as well as the report of the joint focused discussion “*Together, we are more successful: finding new approaches and opportunities for greater labour market inclusion of Roma*” (3 June 2019) within the framework of the National Platform SIFOROMA, one of the findings is the mismatch between the regulation of payments and obligations from social assistance provided and the minimum amounts of personal income from regular employment. Under the current system, social assistance recipients are exempt from the obligation to pay municipal contributions and infrastructure costs or to pay fines for offences, but when they enter the labour market, these amounts are immediately deducted from their personal income, which discourages many members of the Roma community from seeking regular employment.

Project ZAPROM results and proposals

The overall situation of the Roma community in Slovenia is improving, but not at the desired pace and not in all areas in the hoped-for direction. Successes are only visible where trust could be built between the representatives of the Roma community and the implementers of social and welfare programmes of different institutions because the persistent marginalisation leads to mistrust towards social institutions and towards non-Roma in general. For 25 years Črnomelj has been implementing the *Roma socialisa-*

tion support programme with Roma families in town. They have succeeded in gaining the trust of Roma and Roma and non-Roma children and adults from different Roma settlements participate in the programme.²

Increased employment of members of the Roma community is one of the key areas for faster and more effective socio-economic development of both the individual and the Roma community. Employment also contributes greatly to the integration of Roma community members into the environment and reduces the social distance between Roma and the majority population. Unfortunately, social distance from Roma is not reduced, which has a highly negative impact on reducing the deep-rooted prejudices and resulting discrimination against members of the Roma community in many areas. Experience shows that the easiest way to reduce prejudices is through personal contacts, which unfortunately are becoming increasingly rare.

The Republic of Slovenia has taken several welcome measures in a variety of areas, but unfortunately the desired results have not been achieved to the extent expected for various reasons. Among the most important reasons is the lack of adequate monitoring mechanisms to objectively measure the results of the measures. Inter-institutional cooperation between state and local authorities and civil society is often inadequate as they are on different sides of the divide. The shifting of responsibilities between actors, especially between the state and the local community, which often places the blame for the ineffectiveness of measures solely on members of the Roma community, leads to general apathy and inertia and creates fertile ground for the perpetuation of prejudice against Roma, which is particularly problematic. The lack of objective data both on the general social situation of the Roma community and in the field of employment makes it difficult to evaluate policies. Without adequate data, it is extremely difficult to design and implement appropriate measures and to measure their impact. Data is crucial and a solution must be found, despite legal limitations, as highlighted not only by stakeholders in Slovenia but also by international human rights monitoring bodies.

The European Commission's evaluations of the Framework for National Roma Integration Strategies to 2020 conclude that the goals of reducing the employment gap between Roma and the majority population and increasing the inclusion of young Roma (16–24 years old) in education or the labour market have not been achieved. Therefore, in the area of equal access to quality employment for Roma, the European Commission has set clear objectives in the EU Framework for National Roma Integration Strategies 2030 to reduce the employment gap between Roma and the majority community, increase the number of Roma women in employment and increase the percentage of young Roma (16–24 years) who are either in education or employment.

According to the European Commission, the gap between Roma in employment and the rest of the population is more than 30%, and the gap between the employment status of men and women is almost three times greater for Roma than for the rest of the population. A comparison of the participation of young Roma (16–24) in education or employment shows that it is 50 percentage points lower than for other young people.

We do not have detailed data for the Republic of Slovenia to support these findings. Based on data from employment offices, social work centres, local communities and civil society organisations, we can conclude that the situation in the Republic of Slovenia is even worse on these parameters, despite the large regional differences.

² *The programme is carried out in the home of the users who have opened the door of their home. They are particularly mistrusting of employees who come from the Roma community. It has worked well to include 2 workers in the programme (one Roma and one non-Roma). Currently they have 2 Roma workers who come from a very well-adjusted family that is not in conflict with any Roma family. Taken from a note by an employee of the Centre for Social Work in Črnomelj, 22 July 2022.*

In order to improve the employment situation of Roma, there is a need for better coordination of programmes and instruments in the areas of poverty reduction and prevention of social exclusion (employment, education, housing), anti-discrimination legislation and cooperation to create opportunities for intercultural dialogue, reduction of prejudice and raising awareness of the importance of cultural diversity. Putting these goals into practise requires positive action and the promotion, establishment and development of contacts with all those affected by each of the measures.

Employment of the Roma community cannot be considered in isolation from other areas such as education, housing and health, as these areas are interlinked and intertwined in daily life. So far, significant funding has been allocated to employment of the Roma population in Slovenia and Serbia. The project ZAPROM partner organisations consider that the results achieved in the field of employment have not fully met the goals and expectations set in the programmes for the employment of the Roma population, such as the active employment policy measures and career centres. Regular employment of Roma is mainly temporary and often limited to public works.

Social support is disproportionately high compared to low personal incomes, which in most cases discourages Roma from seeking regular employment. Provisions in social legislation that provide for the possibility of exempting from social assistance the payment of fines for misdemeanours or the payment of utility bills, while on the other hand these payments can be claimed back from personal income, are incompatible with the basic rules of distribution of social responsibility, as they provide an easy way of evading obligations and in fact discriminate against those who are willing to work as opposed to those who avoid it.

Specific incentive measures for the employment of members of the Roma community and socially vulnerable groups are provided for in the Active Employment Policy Programme and other programmes under the National Employment Strategies. The implementation of the measures in practise has shown that the results have been modest, and that a more flexible and individualised approach is needed to take positive discrimination measures in Roma employment and to further familiarise employers with the content of the Charter on Cultural Diversity.

The project ZAPROM partner organisations pointed out the existing obstacles to the implementation of positive action measures in the field of Roma employment. Removing these obstacles is essential to increase Roma inclusion. Although several projects are underway to integrate Roma into society and eliminate stereotypes, there are still incidents against Roma that are expressed and concentrated in the phenomenon of anti-Romaism/antiziganism, which is a structural and permanent rather than an occasional or temporary problem for society as a whole. In this context, mechanisms for more effective protection of the rights of individuals/members of the Roma community and for reporting concrete cases of discrimination in Roma employment need to be strengthened. In this way, it will be possible to take effective measures to prevent discrimination of any kind, as there is still rejection of the Roma way of life, discrimination and intolerance towards Roma in some parts of society in both countries, both in the public and private spheres, which manifests itself in prejudice against Roma, especially at the local level.

Field of education

Previous and current surveys conducted by the organisations involved in the project in the field of Roma education and employment show that more than 50% of Roma adults are satisfied with their education and employment status, i.e., with very low levels of education and high unemployment. The motivation to improve education is very low or often related to the conditions for receiving social transfers. The Roma community has fallen into a state of limbo where most of them believe that their situation will not improve, regardless of whether they try to improve their employment prospects through formal or non-for-

mal education. At the same time, they often seek the reasons for their inactivity in external factors. A particular problem is that young Roma become accustomed to the status quo of low education and high unemployment of their parents at an early age and therefore see even investments in education as unnecessary and pointless. Segregation and living in a ghetto become their reality. This makes them even more vulnerable to undesirable social practises (early motherhood, escape into harmful environments, etc.), which further reduces their motivation to seek employment and increases their dependence on social transfers. The focus should be on the employment of young Roma, especially those who have completed at least primary and vocational education, because they do not yet have large families and would earn more than social transfer payments.³

Breaking this established pattern of real and imagined hopelessness and meaninglessness is key to improving educational attainment and consequently the chances of finding suitable employment. Special attention should be paid to Romani women, who have it even harder than other members of the community, as their often-patriarchal attitudes focus them mainly on marriage and housework, while on the other hand it is educated Roma women who can have a decisive impact on improving the educational level of all family members.

Proposals

1. Establish a system of so-called parental education

To address this problem, the first step is to establish a system of parental education in which tailored and targeted programmes are used to sensitise and inform Roma parents about the importance of education for their children and for themselves, and to motivate them to send their children to school regularly and encourage them to fully complete their primary education programme and continue at the secondary and tertiary levels.

A parent education system in which all stakeholders (schools, social work centres, community colleges, local communities, NGOs, etc.) work together systemically will help dispel the myth that education is useless and improve motivation to go to school and stay there as long as possible. An effective systemic approach also requires changes in legislation if this proves beneficial to achieving the goals.

2. Create an institute of educational and employment coordinator

Since people follow example, people who want to be educated should be supported by all means. A student who wants to go to the next level after primary or secondary school should not be turned away for external reasons (no ride, no scholarship, etc.). It is even worse if the person does not find a suitable job after completing vocational/secondary or higher education. This sends an extremely bad signal and systematic individual support should be introduced for the transition from primary to secondary and higher education and the labour market. It is necessary to create an institution modelled on the Roma Assistant (for example) that works individually with the young person, with school counselling, with parents, with state and local institutions and with employers. Each interested pupil/student would receive full support from all necessary institutions based on an individual plan and thus be further motivated to make a successful transition to higher education and later to the labour market. The education and employment coordinator would use his/her expertise to support not only the young person but also his/her parents and act as a link between parents, schools and employers. This individualised approach has many advantages. The young person and his/her parents receive comprehensive support in the form

³ *They need help finding a job. Not just help with writing applications, but they need a support person – a companion to be there when they are interviewed by an employer. Taken from a record of the Social Work Centre Črnomelj, 22 July 2022.*

of counselling, information and empowerment for education or integration into the labour market. Educational institutions can actively work with parents and employers, and employers have the chance to hire the right people and show their social responsibility. It also puts the onus on the individual actors (students, parents, school, employers) to fulfil the commitments they have made and prevent the all-too-common outcome of young Roma only just reaching a certain level of education and then not getting a job or a job at a lower level than their education. This is an extremely bad way out, as it only confirms the belief of young members of the Roma community that education is unnecessary and pointless.

3. Enhancing the role and importance of the Roma assistant

The Roma assistant is certainly a positive practise, but it needs to be upgraded. He should not remain at the level of an individual responsible for technical cooperation between the school and Roma parents. The Republic of Slovenia must support broader multicultural education in schools and continue projects for the acquisition of intercultural competences for all those involved in the educational process. It must not be the case that the success of Roma pupils is the responsibility of the Roma assistant, but of all teachers and the administration. Teachers must also take an active approach to multicultural education (Roma culture, learning the Roma language, etc.). The Roma assistant in its current form must be developed further and with additional training become part of the teaching staff and take on other pedagogical tasks in the school, thus reducing prejudices among children and pupils and changing the name from Roma assistant to, for example, intercultural mediator. If the Roma assistant remains in its current form, it is possible that the institution of the Roma assistant will lose its developmental momentum. A possible upgrade is certainly a much bigger role in supporting Roma children in the transition to the next level of education and the inclusion of the Roma assistant also in secondary education. The pace should certainly be more intense. The period of more than ten years in which the institution of the Roma assistant was created and put into practise is simply too long, and it is a pity to miss results that could have been achieved much earlier than they were.

4. Develop activation programmes for Roma children and youth who have not completed primary school.

Roma children and youth who have not completed primary school and are at high risk of falling into a state of limbo are a group that needs special attention. These people (their fears) see early parenthood and social transfers as a solution to their situation, as well as illegal work, and unfortunately some of them also turn to crime in search of a quick income. Young people over the age of 15 who have not completed primary school participate in adult education programmes that have already produced positive results. This is important to prevent minors from becoming parents. Roma girls should receive special attention. Activation programmes should include motivational programmes and employment opportunities that meet the educational needs and vocational interests of Roma. National qualification programmes, frequently mentioned by Roma, should be developed in order to reach a certain level of education and thus integrate more successfully into the labour market.

5. Promoting apprenticeships as a form of education for Roma youth

Apprenticeships are cited by many practitioners as a form of education and successful integration of vulnerable groups into the labour market. It is therefore necessary to investigate why more Roma youth do not participate in this form of education, as participation in this form of education is also financially rewarded and does not interfere with other family benefits or scholarships. An apprenticeship encourages individuals to complete their educational programme and instils a work ethic. So the combination of school and apprenticeship is a good way to gain experience and further integration. At the same time, members of the Roma community need to be better informed about programmes in schools that

are closer to the areas where the Roma community resides. In this context, there is a need to actively influence companies by proposing new apprenticeship programmes and trades, and especially by encouraging management to take responsibility and facilitate access to apprenticeships for members of vulnerable communities (Roma).

6. Scholarship fund for Roma pupils and students

In addition to the material aspect, the scholarships for Roma pupils and students also have an integration aspect. The recipient of the scholarship has the feeling of being an important part of society, as the state sees the potential in him or her, which is also materially supported by the scholarship. Receiving a scholarship is also a commitment to fulfil the trust of the state and to receive a proper education. Scholarship opportunities for Roma pupils and students should be strengthened and actively promoted in the Roma community.

7. Establish strong and binding interministerial networks of partner organisations

The Republic of Slovenia must show its determination to do something for the education of the Roma community. The current shifting of responsibility and apathy suits many stakeholders who have no particular interest in changing the status quo. There is a need to establish a strong and binding inter-ministerial network of partner organisations to prepare, implement and evaluate the results of action programmes in the field of Roma education in Slovenia, and to listen more to the proposals of the representatives of the Roma community.⁴ Special attention should be given to those centres or individuals who are more motivated towards education and they should be supported by all means to complete their education, as this will make them an example for others in the community or in the region. Pilot projects should be developed for the active inclusion of Roma children in education, where the school, the local community, the centre for social work, NGOs and other actors take an active approach to motivate and support individuals or individual families or larger communities that show greater motivation for education at any level.

8. Study programme in multiculturalism

It would make sense to set up a special study programme for intercultural mediators at one of the Slovenian universities. The need for this kind of knowledge exists in various fields, from education to employment to social services, local communities, NGOs, etc.

Active employment policy

Statistics show that the success of active employment policy programmes for Roma in the Republic of Slovenia is rather limited. Despite many efforts, there are few transitions from these programmes into permanent employment.⁵ The most common form of somewhat more permanent employment is public work, but this can by no means be the only solution for increasing employment among members of the Roma community in Slovenia. It appears that all too often active employment policy makers resort to solutions that produce some results but do not bring about the much-needed breakthrough in Roma employment, as the situation has not improved over the last 30 years but has even worsened in many places.

⁴ *Representatives of the Roma community state that they were not included in the working group for the revision of the Roma integration strategy in education.*

⁵ *An overview of the ESS activities over a ten-year period shows that the number of leavers into employment has not changed significantly and is 260–270, despite the four-digit figures for participants in the programmes of the ESS.*

The employment service is not a recruitment agency, it must be much more than that. It is not only a service for employers but must also be a support for those who are not sufficiently prepared for the labour market but still need to work to survive. One gets the feeling that active employment policy programmes have been repeated over the years in the hope that the situation on the ground has changed in the meantime. Unfortunately, this is not the case. Without urgent changes, we will lose even more time and generations of Roma who could enter the labour market but for various reasons do not or are prevented from doing so.

Proposals

1. Motivating employers to hire Roma

Employers must be actively encouraged and motivated to take their share of responsibility and hire Roma. Despite the low educational structure of Roma applicants, there are many simple jobs on the labour market that do not require special qualifications. Often the completion of primary school is a prerequisite, only to exclude Roma who have not completed primary school. Employers who choose to employ Roma should also be rewarded, not only and exclusively with financial incentives, but above all with intangible incentives that improve their reputation locally and nationally. A database of potential employers who would employ Roma, including their needs and requirements, should also be created.

2. Motivating and informing Roma

Motivating and informing Roma in the areas of job search, employment, education, vocational training, re-training and re-skilling (especially for shortage occupations) is extremely important. Although most information is available online, experience shows that many Roma (especially young people and women) lack quality and complete information. Therefore, it is necessary to provide information also on the ground (Roma settlements, local Roma information offices) in an accessible and understandable form.

3. Design employment programmes that are better tailored to the needs and interests of the Roma community

Employment programmes that are based on Roma's own engagement, linked to their living environment and tailored to some extent to the Roma community (e.g., flexible working hours), in addition to generating an income, would also help to increase the work ethic, especially among younger people. This would provide them with the necessary work experience they need for regular employment or for the transition to self-employment.

4. Promoting employment in green jobs

Green jobs, green tourism, could employ many Roma, especially young people and Roma women. Green jobs represent an innovative, soft approach that opens opportunities to overcome limited access to a choice of jobs for members of the Roma community. Until now, Roma have mainly been offered jobs in community services or seasonal work. This range of jobs has not proved very encouraging for Roma employment. Some change is needed in this area to open new horizons. According to the Chair of the Roma Councillors' Forum, Darko Rudaš, *green jobs* and green tourism are an excellent way to create new jobs based on nature conservation, efficient use of energy and, above all, based on inclusion and employment of the Roma minority and their integration into the environment in general. The programme aims to promote the creation of new jobs for the Roma minority in the field of green jobs and according to the principles of social entrepreneurship.

Green jobs for the Roma minority are those that contribute to:

- environmental protection and the efficient use of energy,
- the employment of members of the Roma minority,
- the integration of members of the Roma minority into the environment and promote and maintain contacts between Roma and non-Roma,⁶
- respect the principles of social entrepreneurship and social responsibility.

In order to revive green tourism, they are planning to build a tourist centre in the heart of Pušča, where traditional Roma occupations will be presented and visitors will be invited to make amulets together, etc. Already many visitors come to the Roma settlement of Pušča. These are green jobs, green tourism, which could employ many Roma, especially young people and Roma women. The proposal to offer green jobs is an innovative, soft approach that opens the possibility of overcoming the limited access to a choice of jobs for members of the Roma community.⁷

5. Employment mediator/mentor for Roma

Following the model of the Roma assistant in primary schools, an employment mediator/mentor for Roma should be created to address the multiple problems faced by Roma workers and employers due to different expectations of each other.

6. Training of counsellors to work with the Roma community

Interviews with members of the Roma community have shown that there are also biases among counsellors that can affect the success of counselling in finding a job for a particular member of the Roma community. Unconscious bias is extremely harmful. Therefore, it is important that counsellors receive adequate training in this area as well as in Roma culture and at least basic knowledge of Roma language.

Employers' contribution to greater Roma employment

Few companies in Slovenia employ a significant number of members of the Slovenian Roma community, although many companies face staff shortages and often solve them by hiring foreigners. Most Roma are employed in temporary jobs, public works rather than permanent positions, which offer individuals greater social security and employers' greater predictability in terms of staffing and lower costs in finding and training new employees.

Employers strive to attract suitably educated and qualified employees who are reliable and stay with the company as long as possible. In this way, the company has low costs in finding the right workers and, on the other hand, the workers have a high level of social security. Data from the field show that employers do not hire Roma because of negative attitudes and prejudices or because of their poor education and work experience, although they often look for workers for less demanding jobs. They prefer to hire foreigners rather than Roma. This shows a rejection of Roma workers by shifting the reasons for non-selection to Roma workers. This may indicate a lack of social responsibility in the joint implementation of equal opportunities policies or even discriminatory behaviour on the part of employers. The experiences of companies that include Roma workers in their teams do not indicate any particular negative experiences that stand out compared to other workers.

⁶ Taken from the written proposal by Darek Rudoš on improving the employability of Roma from June 2022.

⁷ Interview with Darko Rudaš, June 2022, available on the project ZAPROM website.

Companies are often unaware of their social responsibility in implementing equality policies, and many public companies and organisations lack the support of their founders to include Roma more actively in their organisations. This situation is harmful not only to Roma workers, but also to businesses, the local community and the state, as members of the Roma community are unable to realise their full potential, employers abandon the local workforce, and the local community and the state incur higher social and other costs due to high unemployment.

Business owners and managers are often unaware that an inclusive and socially responsible company that respects equal opportunities can bring many benefits, become a more desirable employer, increase the added value of its products, etc. Therefore, it is difficult to understand why companies avoid workers from vulnerable groups.

Proposals

1. Encourage the development of diversity strategies in public and private enterprises

The Republic of Slovenia should encourage employers' interest groups and/or employers themselves to develop specific recommendations for the formulation of diversity strategies for private and public enterprises and institutions, in cooperation with state institutions for the protection of human rights and the fight against discrimination, as well as with interested NGOs. In this way, public and private employers would begin to reflect on the importance of diversity for their business and the wider community in which they operate. The proposed measures apply to all vulnerable groups, the Roma community being only one of them, but more attention needs to be paid to it in environments where the Roma community lives.

To achieve the goal, it is necessary to:

- inform and educate managers and HR professionals about the importance of an inclusive work environment and the need to develop a diversity policy,
- discuss in the companies with the help of experts and develop a package of measures tailored to the company,
- assign responsibilities, and
- define indicators for success.

Public enterprises and institutions can be a model for other enterprises. We therefore call on the founders of public enterprises and institutions (the Republic of Slovenia, the Chamber of Commerce and Industry and local authorities) to actively engage in the development of diversity policies in the enterprises and institutions of which they are founders or managers.

2. Raising awareness of discrimination and respect for human dignity among managers, human resources officers and other employees

Adequate training and information are key to reducing the risk of discrimination against vulnerable groups (Roma) in the recruitment process and later in the workplace itself. Public authorities, educational institutions and interested NGOs should develop specific awareness-raising programmes in the field of combating discrimination in the workplace. These could be specific seminars, online lectures, information brochures, etc. Informed and educated people will drive change in their respective organisations, which will subsequently lead to a more inclusive work environment.

3. Managers must take risks

Due to the responsibility structure in companies, it is only managers who can take more responsibility for the possible (failed) recruitment of vulnerable groups (Roma). Employees in the departments of HR avoid taking the risk of hiring vulnerable people (e.g., Roma) because they are afraid for their own jobs, as they fear that they will face greater consequences in case of unsuccessful hiring than if they would propose hiring another person. Managers need to take responsibility and encourage others to include vulnerable groups in the company.

4. Promote role models in companies

An inclusive work environment is difficult to create on command. It is therefore necessary to use different approaches to foster such an environment. Besides education, one of the most effective ways is to promote role models who show that change is possible. Within the organisation, it is therefore necessary to encourage those individuals who lead by example or to highlight members of the Roma community who excel at work.

5. Encourage companies that practise an inclusive work environment

A company that actively practises an inclusive work environment should receive special recognition, whether from the state, the local community, an interest group, human rights observers or various other initiatives such as the Diversity Charter or the media. The Republic of Slovenia or the Chamber of Commerce and Industry should promote the awarding of companies that have made progress in the field of inclusive workplaces, either directly or by supporting other initiatives in this field.

6. Forming local partnerships

The integration of the Roma community into the local environment is closely linked to the increasing employment of members of the Roma community. One is both a cause and an effect of the other. Therefore, it is important to build partnerships between the local community and employers to find concrete solutions to increase the number of Roma in employment and thus reduce the dependence of members of the Roma community on social assistance and lower the costs of unemployment.

We call on local authorities and the Republic of Slovenia to take immediate and active measures to promote diversity in public services and in the companies and institutions of which they are founders or managers in the municipalities where a significant number of Roma reside. As founders and managers, municipalities must be aware of their responsibilities in implementing equal opportunities policies and call on their management to develop inclusive workplace programmes without delay.

The role of the local community

Local communities are often faced with the divergent interests of their citizens and have limited financial resources to pursue them. As resources are insufficient to satisfy all interests, those that are loudest and most influential are usually satisfied first. The Roma community is usually not one of them, so their needs are often among the last to be met. This has several undesirable consequences, including increasing social distance between Roma and the majority community at the local level. Many opportunities have been missed that are now difficult to recover from or require much more effort than would have been necessary in the past.

Proposals

1. Adoption of action plans supporting Roma

Local authorities, together with representatives of the Roma community, must adopt detailed and financially supported action plans to support the Roma community in municipalities where Roma live, in line with the objectives set out in the NRPD. Many municipalities do not have such a document, or the document is declarative in nature, a list of needs without concrete commitments and financial resources to implement the programmes. Only a list of concrete actions with guaranteed financial resources and a clear timeframe can deliver results. Fulfilment of commitments builds trust between Roma and the majority community. Otherwise, such a document becomes an end in itself or an object of political games and abuse, not only to the detriment of Roma, but to the detriment of the local community as a whole.

Representatives of the Roma Alliance pointed out that there are several projects dealing with Roma. They suggest that in these projects involving members of the Roma community, at least one Roma should be employed on a full-time basis and continue to be employed after the project is completed. There are many European projects to improve the situation of the Roma community in which Roma are also involved, but they are not employed on a regular basis and are left without this occasional employment after the project is completed.

2. Cooperation with other municipalities and exchange of best practises

The fragmentation of municipalities is more of an obstacle than an advantage in dealing with Roma issues. Without cooperation between neighbouring municipalities at regional and national level, no success can be expected. Only the sharing of experiences and burden-sharing, as well as the involvement of Roma community representatives in the adoption of policies, can contribute to a better integration of the Roma community into the local environment. A disorganised Roma settlement in a neighbouring municipality is not only a problem of the municipality concerned, but of all neighbouring municipalities and beyond.

An example of good practise is the Roma Museum in the settlement of Kamenci in the municipality of Črenšovci. In the Roma settlement of Kamenci, the cultural heritage and historical memories of the Roma are preserved and presented in the Roma Museum. The first Roma Museum in Slovenia was opened on 11 September 2003 and is run by Mr. Ludvik Levačič, the president of the association ROMANO PEJTAUŠAGO. The building is managed by the municipality and there are no other museum staff. It contains exhibits from the time when the first Roma family settled in Kamenci. A record of Roma life stories is being created in cooperation with the Pomurje Museum. The aim of the project is to “promote and preserve their own identity and awareness of it”. The project will be prepared in the mother – Roma tongue in order to preserve or document the stories in the Roma language with a translation into Slovenian. Events are organised in the settlement for Roma and non-Roma.⁸

3. Infrastructure projects are necessary but insufficient

Most Roma communities have basic infrastructure, but there are many settlements where this is not the case. Adequate infrastructure needs to be built immediately to ensure that all residents have a liveable infrastructure. We also call on local communities to support soft projects for living together, because it is the people who make a local community, not kilometres of roads and water pipes. The local community (mayor, municipal council, and Roma councillor) must take responsibility and support soft projects, even if they are often politically undesirable.

⁸ Based on written information from Lidija Brunec, Municipality of Črenšovci, July 2022.

4. Actively encourage local employers to recruit members of the Roma community from the local area

The role of the local community can positively influence local employers to employ more Roma in their companies. Local communities themselves could be role models. They should increase the number of Roma employees in companies where local communities are founding members.

5. Participatory budgeting

Local authorities need to listen more to their citizens through participatory budgeting, especially on so-called soft projects. Participatory budgeting not only increases the activation of the population, but also their sense of belonging to the community. The local community must actively help groups (usually the socially vulnerable) to articulate their needs and proposals and implement them.

As a positive example, the first participatory budgeting project in the Municipality of Črenšovci was inaugurated on 25 May 2022 in the Roma settlement of Kamenci under the name "Community Gardens in Kamenci" at the suggestion of a Roma woman, Meri Horvat.⁹ Through the participatory household project, they wanted to bring the local population together by growing vegetables and herbs. The municipality of Črenšovci provided six (6) large and four (4) small beds as part of the participatory budget. Roma built the raised beds on their own and placed them on the square next to the multi-generation house. They independently planted and sowed the selected vegetables suggested by the gardener, a member of the Roma community.¹⁰

6. Promoting the formation of Roma associations and societies at a local level

Although Roma are guaranteed a seat on the local council in 20 municipalities, they often lack a point of contact on the part of the Roma community at the local level, as the community is fragmented and poorly networked. The current fragmentation of interests within the Roma community often makes it impossible to carry out even simple and meaningful projects. By actively promoting and supporting the formation of Roma associations and societies, the municipality can benefit both the Roma community and itself by having a supportive interlocutor within the Roma community, making joint projects much more successful.

7. Introducing a Roma coordinator at a local level

Experience shows that for successful cooperation between different communities/interests it is necessary to build trust. A bridge between the local and the Roma community could therefore be the establishment of a Roma coordinator, working not only in a narrow sense between the municipality and the Roma community, but much more broadly between all stakeholders working on Roma issues at the local level. It can also cover geographically several municipalities, especially if they are small municipalities. It could be particularly useful in Roma communities where there are different interests within the community. In order to build trust more quickly and work more successfully, it would be useful to have a Roma coordinator at the local level, composed of a representative of the Roma and non-Roma community.

8. Promotion of Roma culture

Some municipalities successfully integrate the Roma community into their tourism and other offers. For example, the Roma Museum can be an asset to the tourism offer and contribute both to the creation of green jobs and to raising awareness of Roma culture and customs among locals and visitors. Such a tour-

⁹ A report on the event was broadcast on *So Vakeres – Kaj govoriš* on 4 June 2022. The show is available in the *So Vakeres – Kaj govoriš* show archive, accessed on 20 July 2022.

¹⁰ Based on written information from Lidija Brunec, Municipality of Črenšovci, July 2022.

ism link between the municipality and the Roma community contributes significantly to the integration of the Roma community, as they feel like an important part of the community.

9. Training employees to work in a multicultural environment

The municipality should adequately train its own staff and the staff of the institutions of which it is the founder. Staff are experts in their own fields, but often lack adequate information and knowledge in the areas of multiculturalism, human rights and discrimination, as this is an area that requires constant training. Prejudice and unconscious bias are a major problem that staff need to be aware of in order to do their jobs successfully. It would also be useful to continue projects that teach the basics of the Roma language and culture, as this makes it easier and quicker to build trust, which can further increase success in addressing the persistent problems of the Roma community.

Political participation of the Roma community

The Roma community is often not sufficiently involved in decision-making in political and public life, so that their interests are not sufficiently considered. The mere formal existence of rights to participate in the work of municipal and city councils by Roma councillors does not guarantee that these rights will be exercised in practise. Finally, a Roma councillor should also have detailed knowledge of the problems of the Roma community in the municipality he or she has been elected to represent, but this is mostly not the case.

The reasons for this lie mainly in the lack of education and training of Roma councillors to work effectively in the bodies they serve on. The problem is that a councillor who is not able to follow the work of the local council is quickly marginalised and ignored by the other councillors, unable to advocate for the interests of the Roma community, and often cannot even find support within the Roma community itself. It is therefore important to educate Roma councillors about the importance and possibilities of exercising the right to active participation. Too often, Roma organisations working to improve the situation of Roma do not involve Roma in their efforts and do not sufficiently support their Roma councillors.

The office of Roma councillor will only serve its purpose if Roma themselves realise that the job cannot be done by just anyone, especially an uneducated candidate. The Roma electorate is politically uninformed, they do not have a strong reason to be informed because they do not see the right results, which is naturally reflected in the failure of the Roma councillor's job.

Proposals

1. Training for Roma councillors

The establishment of Roma councils has proven effective only in those centres where the Roma community has understood the importance of this institution and the local community has respected it. Therefore, it is necessary to continue to train representatives of the Roma community to work in local councils. If the work of the Roma councillor is not successful, the voters of the Roma community do not see the importance of a Roma representative and, on the other hand, the powerlessness of the Roma councillor can be misused for local political purposes.

2. Raising awareness of the Roma community about the importance of the Roma councillor

In order to take full advantage of the role of the Roma councillor, the Roma community (Roma voters) must be informed about the importance, purpose, role, power, duties, etc. of the elected councillor. An in-

formed electorate is more likely to choose a trustworthy candidate who is committed to improving the situation of the Roma community than someone who is currently the loudest and promises the impossible.

3. Strengthening the capacity of the Roma community to bring about the desired changes at local and national level

The Roma community must pool all its potential and overcome the differences between the various interests and support Roma activists to clearly formulate and advocate proposals to improve the situation of the Roma community at all levels. We propose that the process of realising the specific rights of the Roma community at the local level be upgraded by the possibility of electing a Roma MP to the National Assembly, which will increase the importance of the Roma community and ensure the appropriate further development of legal protection for the Roma community in Slovenia.

The role of the media

Although at first glance the media may not seem to have much to do with improving employment opportunities for Roma, this is not the case. In Slovenia, trained Roma journalists are actively involved in the production of regular Roma programmes on Radio SLO 1 and TV SLO 1, producing bilingual programmes about the lives of the Roma community. The media plays an extremely important role in shaping the public image of a community, including the Roma community. The messages that the media convey about the Roma community are very important. According to the Media Act, the dissemination of information inciting intolerance or discrimination is prohibited. The media must clearly and unequivocally condemn discrimination in their work and promote intercultural dialogue and cooperation. Editors must promote the production of media and educational content about multicultural society and marginalised groups, as majority societies often lack knowledge in this area. Media organisations should also provide journalists with proper training on human rights protection and anti-discrimination.

Local media with low journalistic ethics and knowledge often incite hatred in order to raise the profile of the media in the local area. Such practises are reprehensible and should be clearly labelled as such by political and other actors at local and national levels. Such reporting is extremely damaging not only to the Roma community and its integration, but also to mainstream society and its attempts to build a much-needed inclusive society.

STRATEGIC APPROACH TO THE SOCIAL INCLUSION OF ROMA IN SERBIA

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According to the 2011 Census, there were 147,604 members of the Roma national minority living in Serbia, 75,042 of which were men, while 72,562 were women. In different reports and research projects, poverty and discrimination have been highlighted as the main obstacles to social exclusion and economic underdevelopment of Roma. The most frequently emphasised aspects are transgenerational nature of Roma poverty, the risks that it entailed and the nature of the social relations generated by such poverty, while it is frequently quoted that the poverty risk is three, five, or more times higher in Roma population, than when it comes to other social groups.

Roma had their national minority status recognised in 2001, with the adoption of the Law on the Protection of Rights and Freedoms of National Minorities, while the first Strategy for the Improvement of the Status of Roma was adopted in 2009. Its strategic goal was to improve the position of the Roma in the Republic of Serbia, thus leading to a decrease in the discrepancies identified between the status of Roma population and that of other citizens. According to the findings of the Protector of Citizens from 2013, it was determined that the realised measures had only partly contributed to the establishment of the normative basis for alleviation of the consequences of the long lasting unfavourable social status of the Roma national minority's members, yet they had failed to address the proposed strategic goals – improvement of the status of Roma and a decrease in the disparity between the status of the Roma national minority members and that of other citizens. The report states that the achieved results did not cause for the obstacles to Roma socio-economic integration to be removed, and no full normative framework was created to facilitate implementation of long-term measures of poverty reduction and realisation of substantial equality for the Roma citizens. The measures of positive discrimination (affirmative action) envisaged by Article 21 of the Constitution of the Republic of Serbia have not been sufficiently developed, nor have they been implemented as a tool to overcome the highly disadvantageous social and economic position of Roma, causing them to be fundamentally unequal.

In 2016, in the vein of the Protector of Citizens' Report and reflecting the evident persistence of the poverty and discrimination, the Strategy for the Social Inclusion of Roma Men and Women for the period between 2016 and 2025 was adopted. The Strategy's adoption in March of 2016 was preceded by the Preliminary Study harmonised with the Europe 2020 Strategy. For the first time in the Serbian public, this document explored the main principles of the Roma policy in the European Union. The Study analysed and clearly indicated to the public policy makers that the EU Roma integration goals and the Council Recommendation on effective Roma integration measures in the member states were also highly important for the accession countries, particularly concerning that the Recommendation was also an integral part

of the *EU Acquis*. Accordingly, the accession countries were also to harmonise their existing strategies with the EU goals of Roma integration, and undertake targeted measures in order to overcome the disparity between Roma and other citizens in access to education, employment, healthcare and housing, as well as intersectoral measures concerning personal documents, improved participation of local and regional authorities and dialogue with civil society organisations. The emphases of the Strategy for the Social Inclusion of Roma Men and Women in RS for 2016-2025 have been on inclusion and education, but some resolute measures concerning employment policy have also been proposed. In realisation of this Strategy, which has been implemented by 2022, only one action plan was prepared, for 2017/18, while the achieved results have never been assessed based on fact, which was highlighted by the European Commission's Report on the Progress of Serbia in the Process of EU Accession for 2021, 5th Opinion on Serbia by the Advisory Committee for the Framework Convention on the Protection of National Minorities, the European Commission against Racism and Intolerance in its periodic report, and finally, the Council of Europe's Committee of Ministers in their resolutions.

In early 2022, the Strategy for the Social Inclusion of Roma Men and Women was amended. The present strategic document will be implemented up until the year 2030, while its goals were harmonised with the EU Roma Framework. In this sense the general goal of the Strategy is to "improve the quality of life of Roma in the Republic of Serbia, by respecting human and minority rights; eliminating discrimination and antigypsyism, as a form of racism, and achieving greater social inclusion across all segments of the society". In addition to this general goal, the Strategy proposes seven objectives: a) lower level of discrimination and antigypsyism as a form of racism against the Roma national minority; b) improved participation of Roma in all social processes; c) developed education system as an inclusive, intercultural, non-discriminatory and safe environment for Roma and all other children, with ensured full inclusion in pre-school, primary, secondary and higher education, and provided support to functional education of adult Roma, including the enhanced effectiveness and efficiency of mechanisms for the fight against discrimination and antigypsyism, as a form of racism; d) increased access to viable and quality employment for the Roma people; e) improved health of Roma, including equal access to quality health care services and enabled full exercise of the right to health without discrimination, especially in the situations of crisis, in the health care system of the Republic of Serbia; f) improved housing conditions for the population of Roma nationality; g) improved access to rights and services in social care for Roma men and women.

Social inclusion of Roma in Serbia through Employment Policies – Situation and Opportunities

In the Strategy for the Social Inclusion of Roma Men and Women in the Republic of Serbia 2022-2030, it is indicated that labour and employment are of particular importance to the Roma population as one's labour leads to greater economic independence and higher personal and family living standards, whereas, on the other hand, employment helps reducing poverty and social exclusion of Roma, as well as increasing their participation. It is especially highlighted that, in the previous period, the labour and employment area was aligned with international standards, the EU standards, as well as with the conditions, trends and characteristics of the national labour market indicators.

The problems faced by with today's society and public policies in relation to social inclusion, i.e. poverty of marginalised groups, are singled out and brought into the connection with the demand for competent and educated labour force in the conditions of technologically developed labour processes.

According to the records of the National Employment Service for 2015-2019, the number of unemployed Roma increased by around 3,800 persons, while their participation in the total unemployment also increased.

Roma in the records of the National Employment Service, 2015–2019

	2015	2016	2017	2018	2019
	Number of persons, annual average				
Unemployed persons	743,158	713,153	650,573	583,099	529,508
Unemployed Roma	22,437	25,126	26,537	26,099	26,266
Participation in the total number of the unemployed in %	3.0	3.5	4.1	4.5	5.0

Source: National Employment Service

The data for 2020 indicate that the NES records include 27,595 unemployed persons who declared themselves as Roma, 50.2% of which are women. A high participation of persons without qualifications, or with low qualifications amounting to 89.5% is the main characteristic of this group's education structure. Secondary school education has been finished by only 10% of Roma, while only 0.6% of Roma have finished university. When it comes to age structure, 28.3% are young people up to 30 years old, 48.6% are persons in 30-49 age group, while 23.1% of the unemployed Roma are older than 50. Long term unemployment is faced by 68.4% of the Roma in the NES records, while 53.7% of the Roma face very long term unemployment.

For the purpose of a comparison, a year later, in November 2021, the NES records had the total of 28,254 unemployed Roma (14,390 of which were women), while in the period between 1 January and 30 November 2021, the total of 6,125 Roma were employed (2,589 of which being Roma women).

More than 11,000 Roma registered with the NES are beneficiaries of financial social assistance that are capable of work, i.e. about 42% of the total number of the Roma registered with the National Employment Service are beneficiaries of this entitlement, which is yet another proof of their unfavourable socio-economic status.

The Employment Strategy identifies that the main characteristics of the Roma in the NES records are unfavourable educational structure, the lack of work experience, as well as of the knowledge and skills demanded on the labour market, frequent low motivation to join the formal labour market, in addition to their low social status. In order to overcome this situation it is necessary, according to this Strategy, through coordinated action within several systems, to address the causes for their difficult employment, in order to be finally able to improve their highly unfavourable socio-economic status. Primarily, due to the extremely unfavourable educational structure of Roma population, it is necessary to raise awareness of the importance of education, as well as the efforts to prevent early leaving of primary and secondary education, especially when it comes to Roma girls, in order to comprehensively improve their opportunities for equal and active inclusion in the labour market.

Roma make more than a half of the participants in the adult literacy programmes, also known as "Second Chance" programmes. The functional primary education programmes for adults, realised in cooperation by the NES and educational institutions/schools, have the purpose of improving the educational structure of Roma, through primary functional education of adults in triennial cycles. According to the Employment Strategy, further realisation of this programme and involvement of a greater number of persons remain to be the priorities in the following period. Additionally, it is necessary to continue the inclusion of Roma men and women into motivational-activation trainings in order to increase their motivation and competences for active pursuit of job, but also into other measures of active employment policy, especially the measures of additional education and training.

The Social Inclusion Strategy 2022-2030 rightly makes connection between education and employment. Illiteracy among Roma amounts to 10%, while it is 2% in the remaining population. According to longitudinal research of multiple indicators of the position of women and children for 2019, implemented by UNICEF and Statistical Office of the Republic of Serbia,¹ 31% of Roma men and women have not finished primary education, roughly the same percentage have finished only primary school, 12% finished secondary education, while only 1% of Roma have graduated from colleges or universities. Among the women living in Roma settlements, 80% are indeed literate, however 10% of these are functionally illiterate. Only 19% of them have finished secondary education.

According to the data from the Strategy for the Social Inclusion of Roma Men and Women by the year 2030, provided by the Ministry of Labour, Employment, Veteran and Social Affairs, the measures of additional education which should facilitate employment of women, involved in 2020 the total of 759 unemployed Roma (465 women) from the NES records in the programmes of professional practice; stimulation of youth employment programme named "My First Salary"; apprenticeship for the unemployed persons with secondary education; acquiring practical skills for nonqualified persons, redundant employees and long-term unemployed persons; labour market trainings; employer demanded trainings; functional primary education.

The Social Inclusion Strategy for 2022-2030 identifies Roma participation in undeclared work of as much as 71% as the biggest challenge to the employment of Roma men and women, bearing in mind that the share of undeclared work registered in the general population is merely 17%. Roma men and women most frequently do jobs related to waste collection and management, seasonal farming and construction work, sale of goods in open markets and on the streets, but they also work as musicians and cleaners of residential buildings and business premises. A large number of Roma often move from one place to another due to their economic activity, which affects their access to other rights such as those to education and health care. Finally, it is also quoted as a problem that a part of the Roma population, especially those returned in line with readmission agreements, do not speak Serbian. This problem is indeed present, but truth be told, a large number of the members of the Albanian and Hungarian national minorities do not speak Serbian either, yet this does not prevent them from realising their right to work in the same way as is the case with the members of the Roma national minority.

According to the aforementioned Strategy, these problems could partly be overcome through active employment policy measure which in 2020, according to the NES data, included 3,264 of unemployed Roma (1,534 were women), this being 5.02% of the total number of the unemployed covered by these measures. The measures of active employment pursuit involved 1,583 unemployed Roma (739 were Roma women), the programme of additional education and training was participated in by 759 unemployed Roma (465 of which were women), the programmes of employment subsidies involved 597 unemployed Roma (230 of which were women), while the programme of public works involved 325 unemployed Roma (100 of which were women). According to the data for 2021, the coverage of the active employment policy measures was increased, since the programmes included 6,033 Roma (2,793 of which were women), and it is important to note that unlike in 2020, in 2021, 362 persons of Roma nationality (153 of which were women) benefited from the subsidies for self-employment.

Individual employment plan is the basis for the inclusion of a person into the active employment policy measures. It is defined, in line with the Law on Employment and Unemployment Insurance,² by the NES and an unemployed person, no more than 90 days after the person's entry into the unemployment records. The individual employment plan defines the professions for which mediation would be offered

1 <https://www.unicef.org/serbia/en/MICS6-Multiple-Indicator-Cluster-Survey-for-2019>

2 "Official Gazette of the Republic of Serbia", no. 36/2009, 88/2010, 38/2015, 113/2017, 113/2017 – other laws & 49/2021

to the person, activities that the person would undertake and the measures in which he/she would be included in order to be employed, or increase his/her employability, while once in every six months, the plan is adjusted to the labour market demands and characteristics of the person seeking employment.

“My First Salary”³ is the programme which represents an additional intervention measure aimed at activation of youth in the labour market and offering opportunities to acquire additional knowledge, skills and competences for independent work. The programme is implemented with the aim of enabling persons with secondary, college and university education younger than 30, unemployed according to the NES records and with no prior working experience, to work independently. The programme is realised with employers in either public or private sector, and the associations with the status of legal person, i.e. those entered into the records of the Business Registers Agency, are also entitled to participate in the programme.

In 2020, the NES issued a special Public Call for unemployed persons of Roma nationality to receive self-employment subsidies. During 2020, the total of 202 subsidies for self-employment of Roma were granted (75 to Roma women).

However, the existing active employment measures do not have satisfactory results with Roma, as due to their low level of education, they do not fulfil conditions for the measures of professional practice, trainings to cater for the demands of the labour market, or digital skills trainings. The assessment provided in the Strategy that the causes for the poor inclusion of Roma men and women in subsidised employment include inadequate education and qualifications of the unemployed Roma, equal amount of subsidies for any unemployed person, and finally, prejudices of the employers. The self-employment measures are rarely used due to high and maladjusted criteria for participation. However, the Acton Plan 2021-2023 for implementation of the Employment Strategy in the Republic of Serbia 2026, singles out Roma as a separate target group and envisages the following measures: formal education of adults; motivational-activation trainings; information of Roma pertaining to the services and measures within employment services; package of measures to target the unemployed persons with multiple risks; and entrepreneurship with additional support and mentoring.

The Strategy perceptively identifies that Roma are excluded from the development, implementation and monitoring of employment policies, as they are not included in the work of the national and local institutions dealing with employment, yet the members of this ethnic minority are singled out as a part of the population of the Republic of Serbia which would have prioritised involvement in the measures of active employment policy. According to the Social Inclusion Strategy 2030, the promotion of entrepreneurship would be continued, through issuing a special public call for the unemployed persons of Roma nationality, to initiate their own businesses, with additional mentoring support to increase sustainability of the initiated businesses. Furthermore, in cooperation with CSOs, the Roma that are not in unemployment records would be identified, registered, activated and supported.

We should add that there are two more pillars in the field of legislation, intended to solve the problem of unemployment, i.e. sustainable economic empowerment of Roma men and women. The first is the Law on Social Entrepreneurship⁴, while the other is the Law on Cooperatives⁵.

Social entrepreneurship and cooperative business are concentrated on economic aspects, but also on the social dimension, as a part of these companies' profit is used to fulfil certain social aims. Once this law

3 *“Official Gazette of the Republic of Serbia”, no. 107/2020 & 79/2021*

4 *“Official Gazette of the Republic of Serbia”, no. 14/2022*

5 *“Official Gazette of the Republic of Serbia”, no. 112/2015*

begins its implementation in November 2022, it is expected to significantly contribute to strengthening of the economy based on solidarity and improvement of the standard of socially vulnerable categories of population. The social goals should be oriented to both employment of the most vulnerable categories of population on the labour market, and to solving social, economic and environmental challenges through direct allocation of a portion of profit, as well as through direct provision of services in the community. Moreover, cooperative activity has a long tradition in Serbia, and in contemporary circumstances, it has been regulated by the Law on Cooperatives from 2015. The purpose of cooperative activity has also been divided to economic and social goals of business, and when it comes to incentivising Roma employment, what is particularly important are social cooperatives which perform different activities in order to attain social, economic and labour inclusion, as well as to satisfy other related needs of the members of vulnerable social groups, or satisfy general interest within local communities.

During the creation of strategic goals and measures in employment, the creators of the Strategy for Social Inclusion of Roma Men and Women 2030 had at their disposal most of these data, analyses and reports. Based on these, an objective was defined: to improved access for Roma men and women to viable and quality employment, the fulfilment of which, by year 2030, should:

- Enable the increase in the rate of Roma employment to the minimal rate of 25%, in line with the Poznan Declaration;
- Stimulate the employment of Roma men and women in public sector, so that the share of Roma men and women working in public sector would be proportionate to their share in the total population;
- Enable a full and sustainable institutionalisation of the local Roma inclusion mechanisms (Roma coordinators, mediators, pedagogical assistants, mobile teams for the social inclusion of Roma men and women, etc.) in order to educate employees in public and private sectors, raise awareness and decrease discrimination when it comes to the employment of members of the Roma national minority.

Employment of Roma in Public Sector

In its Article 77, Constitution of the Republic of Serbia guarantees to the members of national minorities the right “to participate in administering public affairs and assume public positions, under the same conditions as other citizens”, as well as that “when taking up employment in state bodies, public services, bodies of autonomous province and local self-government units, the ethnic structure of population and appropriate representation of members of national minorities shall be taken into consideration”. The Law on the Protection of Rights and Freedoms of National Minorities in its Article 4, Paragraph 2 especially emphasises the obligation of competent authorities to undertake measures to achieve full and effective equality between the members of national minorities, especially Roma, and majority population. Paragraph 3 of the same article stipulates that “The measures for the improvement of the full and effective equality in employment shall not be deemed discrimination, including the benefits in case of termination of employment in the public sector at all levels of the territorial organization, which have been defined by the provisions of special laws which govern the employment-legal status of the employees in the public sector, if such measures are valid until the achievement of the appropriate representation of the members of national minorities, which has been defined by such laws.”

However, there are no reliable data concerning the number of Roma employed in public sector. The data concerning the affirmative measures undertaken in employing Roma in public sector are also missing. In relation to this, it is indicative that, according to the information received during the interviews realised with public administration representatives, it may be concluded that the obstacle to implementation of the affirmative measures is Article 47 of the Constitution which regulates the freedom of expressing national affiliation and stipulates that no one is obliged to declare his/her national affiliation. Such con-

stitutional formulation is erroneously interpreted by one part of public administration as the prohibition of implementing the affirmative measures from Article 77 of the Constitution. When asked whether they had introduced an initiative to clarify and more precisely define this situation, the interviewees said that they had not, explaining that this was not job for them, but rather for Roma organisations.

Consequences of this attitude are such that it has been estimated that the share of Roma employees in public services is less than 0.1% (far below 2.1%, which is their share in total population).

Different sources emphasise that public sector employs 260 pedagogical assistants, around 80 healthcare mediators and some 50 coordinators for Roma issues. According to the interviews that associates of the Institute of Social Sciences made with representatives of these groups, majority of them being of Roma nationality, their employment status was not legally regulated. Roma mediators, the status and tasks of which are divided between the two public sectors – healthcare and social protection – are engaged under labour contract, they mainly lack the adequate professional qualifications and they are not adequately paid for their work. Pedagogical assistants are engaged under annual work contracts, while the status of coordinators is regulated depending on the practice (good will) in their respective local self-government units. The common denominator for these groups of professions is that there are no reliable data to indicate the legal employment status of the persons engaged, affirmative action measures that potentially caused their engagement, or even their achievements and results. Truth be told, representatives of the Ministry of Education and Ministry of Health periodically announce the results of pedagogical assistants' and healthcare mediators' work, but such data are generally unavailable, unverifiable, and obviously unusable as an adequate foundation for public policy planning and evaluation.

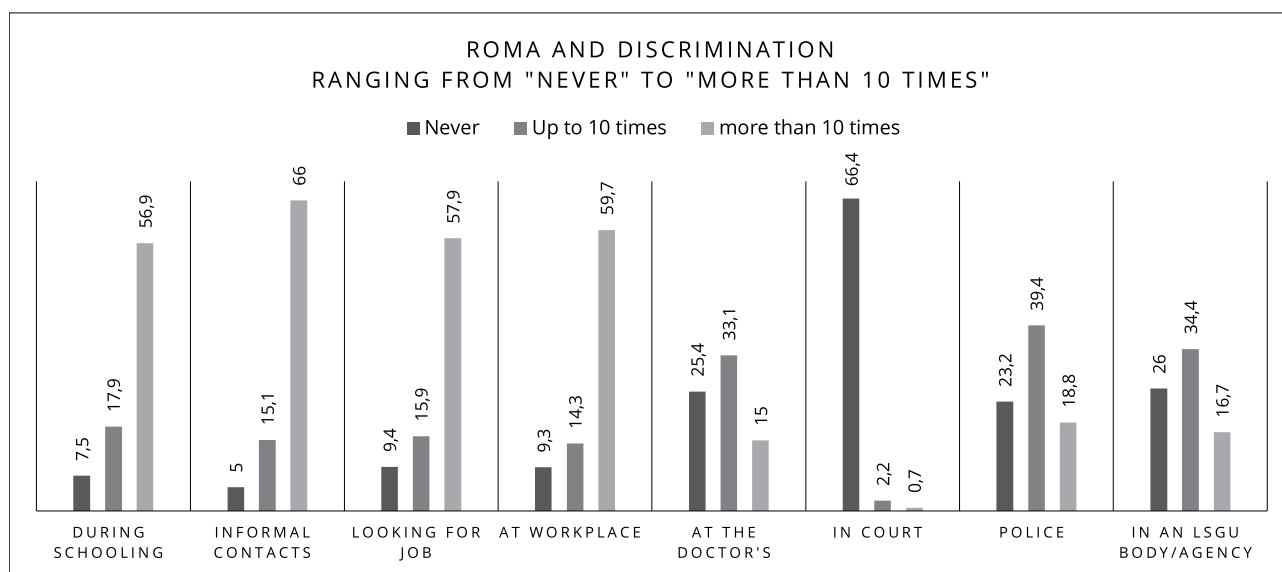
The activist and rights' advocates of Roma nationality with whom associates of the Institute of Social Sciences talked in 2020 and 2021, confirmed the assumption that Roma were not sufficiently, or adequately involved in the work of public institutions and services, but that they needed to fight for it themselves, since recognition of the right to participate in public work has no significance in our administrative system unless the Romany community do not put this question onto the public agenda, clearly and decisively. One of the respondents believed that the discrepancy between the legislation and real situation in Roma employment was enormous: "I believe that the constitutional and legal bases for equal treatment do exist, but that these are not implemented in a very fair way. I believe that Roma could exercise these rights of theirs, in case they would be much more organised, both socially and politically, and they would raise the level of their national consciousness to a much higher level. No one would give them this as a gift, they must fight for this themselves."

Precarious labour was also mentioned by the interviewees working as healthcare mediators. They do not enjoy legal and social security at work, regardless of the fact that their activity has been assessed as highly important for Roma community, as it has significantly "spared" a part of the healthcare system in local communities. The results by healthcare mediators are most strikingly evident in the data of the multiple indicators longitudinal survey concerning the position of women and children (MICS) implemented by UNICEF. The comparison between different five-year reporting periods indicates a continuous progress when it comes to immunisation of children, decrease in the percentage of the patients with chronic conditions, healthier lifestyles of Roma families and other indicators the positive trend of which corresponds with the period of the healthcare mediators' involvement in the healthcare system. The interviewed mediators spoke of the problems they encountered in performing their work. Namely, in many communities, employees in the healthcare centres where mediators are placed, yet without their professional position being systematised, have condescending attitude, delegate them tasks that have nothing to do with the Roma community, generally the physical and exhausting tasks that the employees of the healthcare centres do not wish to perform themselves.

Discrimination – An Obstacle to Social Inclusion through Employment

Most of the surveys concerning the Roma in Serbia point to different forms of multiple discrimination of the Roma. It is an established opinion that the roots of discrimination lie in the prejudices that other ethnic communities have against Roma. In today's Serbia, Roma men and women usually face discrimination in their everyday contacts with their neighbours, colleagues at work, and while they have routine social interactions. The Roma participants at the focus groups pointed to different situations in which they were insulted, belittled, faced aggression, or hate speech by members of other ethnic groups, due to the colour of their skin or their ethnic (national) affiliation.

Frequency of discrimination according to the lived experiences of Roma



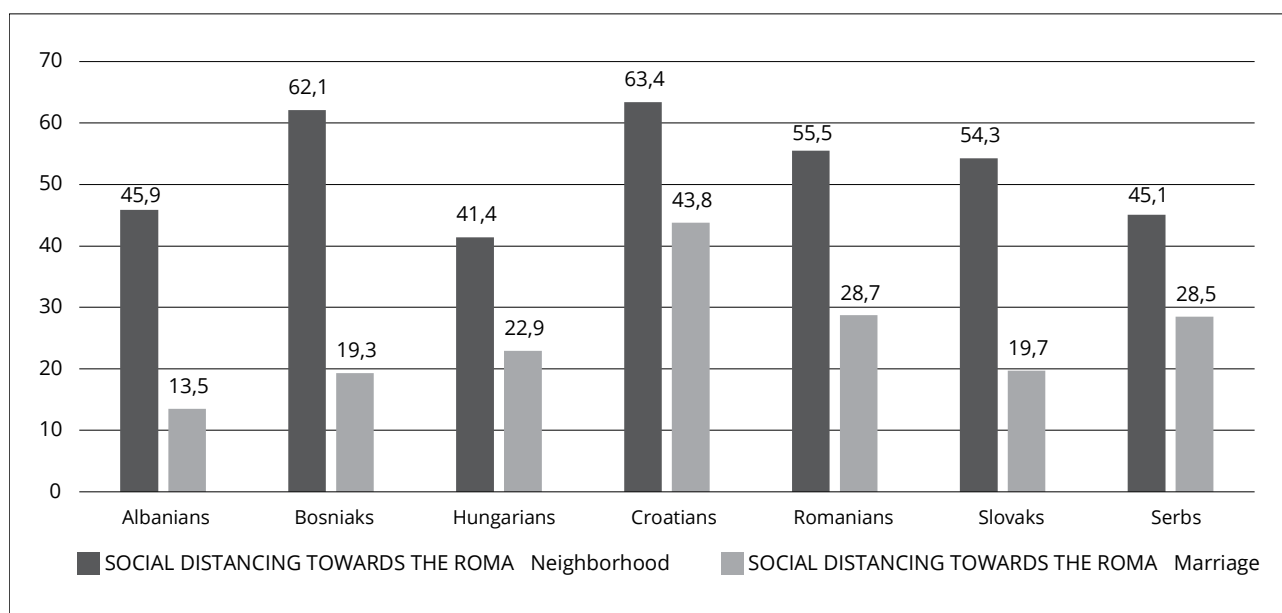
Source: Institute of Social Sciences, 2020

Employment (57.9%) and education (56.9%) are the social fields in which Roma men and women are most likely to face discrimination, i.e. more than 10 times in their life. These data received through quantitative research were also confirmed by the Roma, predominantly NGO activists advocating for Roma rights, that were interviewed in 2020 and 2021 to examine the problems present on the labour market and at workplace. The majority of 38 respondents said that every member of the Roma national minority in Serbia had faced direct discrimination at least once, i.e. that due to his/her ethnic origin, he/she was in an unequal position compared to the citizens of other nationalities.

In spite of the fact that strategic measures of improving the position of Roma men and women have been implemented since 2009, the problem of the structural poverty within this community has not been solved. Ineffective activity by public authorities pertaining to implementation of the strategic measures contributes to the maintenance of the unfavourable socio-economic position of Roma men and women, the fact indicated by the Protector of Citizens in the aforementioned special reports of 2013 and 2019. When interpreted more widely, ineffective, uneconomical and inefficient actions by public authorities when it comes to solving the problem of Roma poverty, open a discussion on the existence of systemic discrimination. The consequences of the failure to solve the issue of Roma poverty have been visible during the Covid-19 pandemic, as in 38% of the substandard settlements the population has had no direct access to water, while in additional 30% of such settlements, 30% of the houses have not been connected to the water supply network. It is assessed that at least five thousand Roma families, i.e. 25,000 Roma men and women have no access to fresh water, which, inter alia, impacts hand hygiene as one of the main ways to decrease the risk of infection.

The research in social distancing, realised by the Institute of Social Sciences (2020), indicates the trend of strengthened ethnic exclusivity among Roma men and women. It has long been thought that the Roma in Serbia are open for intercultural communication and exchange, but the 2020 research indicates that Roma prefer living surrounded by Roma, than by other national communities, that they feel reserve when it comes to marrying members of other nationalities, but also that their other social relations are rather weak. In the focus groups, the Roma respondents indicated that such trend indeed existed, but that it was not willingly imposed, i.e. that this was not a response by the Roma to the social exclusion imposed on them by other ethnic groups, but that Roma men and women rather did not have a choice but to build their personal plans within the circle of their own people.

Social distancing towards the Roma in Serbia



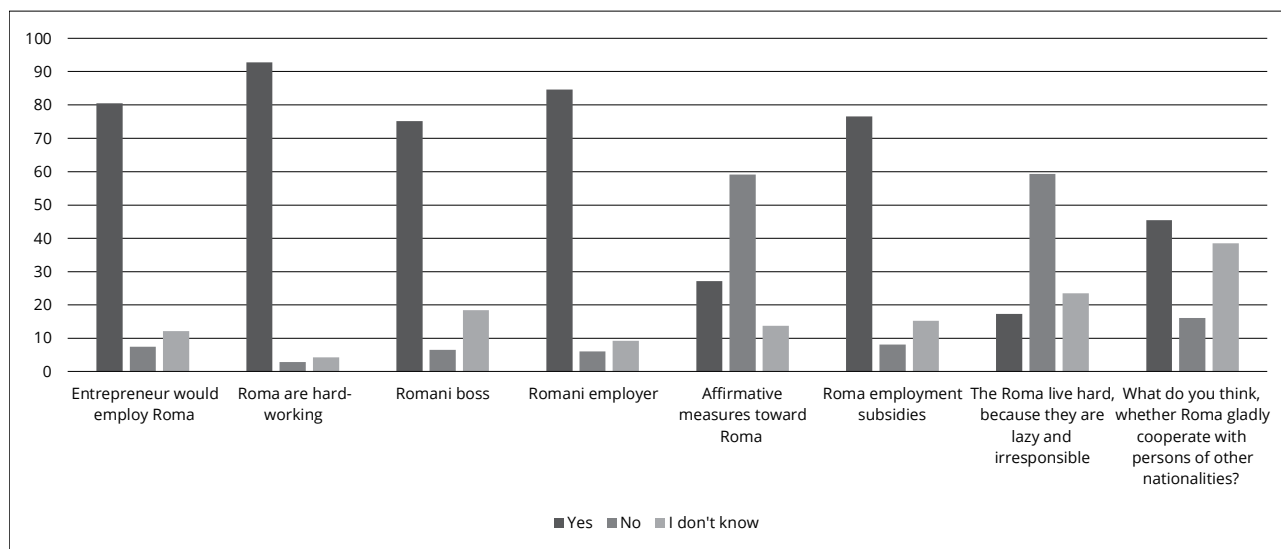
Source: Institute of Social Sciences, 2020.

According to the research “Discrimination on the Labour Market”, realised in 2019 by Commissioner for the Protection of Equality, the sample of general population believed that the trend of discrimination on the labour market stagnated. According to this piece of research, Roma men and women are ranked fourth when it comes to discrimination on the labour market. Discrimination is supposedly more frequently faced with by persons with disabilities, elderly persons and persons with different political beliefs. The perception of discrimination of Roma men and women is the most pronounced among employers, since 63% of them indicate discrimination. That the discrimination of Roma men and women is pronounced is also believed by 50% of the employees and 42% of the unemployed.

According to the research realised by the Institute of Social Sciences entitled “Prejudices – Roma Work and Employment”, performed in 2020, the trends were somewhat different, i.e. more empathy was demonstrated when it comes to the Roma men and women on the labour market. The research was realised on the sample made of 308 women (59%) and 214 men (41%), while 87 persons did not declare their gender. The sample had been balanced so that it would be more illustrative of the real condition when it comes to the Serbian population. This sample contains responses by 273 female respondents (52.3%) and 249 male respondents (47.7%), while the number of those with undeclared gender remained the same. Among the respondents, there was the greatest number of those in 50+ age group (50,1%) and those between 10 and 29 (14,7%), while other age groups take approximately 10% each. The sample structure included the highest share of university educated respondents (46.6%), 18.2% had a master’s degree, 16.8% had PhD. The share of the respondents with finished secondary school was 16.7%, 1.4%

finished primary school, while only 0.3% of the respondents did not finish primary school. Ethnic/national structure of the respondents involved 64.4% members of the Serbian ethnic group, 2.5% Roma, 1.9% Hungarian, 3.1% emphasised their Yugoslav origin, 1.2% were members of the Croatian national minority, while 20.4% did not declare their ethnicity. Among the respondents, 59.7% were employed for an indefinite period, 14.6% were employed under time-limited employment agreements, 11% were unemployed, while 14.6% of the respondents did not declare their employment status.

Prejudices towards Roma Men and Women on the Labour Market



Source: Institute of Social Sciences, 2020

Results of the research indicate that 80.5% of the respondents would employ Roma in their own business, while 76.6% of them would gladly accept Roma employment subsidies. Most of the respondents (92.8%) believe that Roma are hard-working and reliable workers, while two thirds (75.15%) believe that a Romani can be a good manager. However, only one fourth (27.1%) of the respondents approve of affirmative measures in employment, while 59.1% replied that they were explicitly against such measures. Finally, the respondents believe that personal characteristics, such as laziness and irresponsibility are not among the causes of the unfavourable socio-economic status of Roma, while almost a half (45.4%) of the respondents believe that Roma gladly cooperate with persons of other nationalities.

Attitudes concerning personal characteristics of Roma people

	Yes	Not selected
[Hospitable]	19.4	80.6
[Thieves]	7.5	92.5
[Lazy]	6.3	93.7
[Immoral]	3.0	97.0
[Messy]	12.9	87.1
[Reliable]	1.4	98.6

	Yes	Not selected
[Dirty]	4.7	95.3
[Beggars]	7.7	92.3
[Resourceful]	45.6	54.4
[Free]	31.8	68.2
[Cheerful]	40.5	59.5
[Hard-working]	9.2	90.8

Source: Institute of Social Sciences, 2020

An important piece of data is that the respondents do not approve of the affirmative measures in employment. At a focus group participated in by 15 respondents (9 women and 6 men), they expressed the general attitude that affirmative measures deepen the differences between Roma and members of other ethnic communities who are unemployed and/or live in unfavourable conditions. The respondents generally did not connect the measures of positive discrimination with the phenomenon of structural and generational poverty, nor did they consider them in the context of anti-discriminatory policy. The respondents justified their critical attitude to affirmative measures with their opinion that the principle of equality was the basis for a well-conceived society where rights were available to all, regardless of ethnic or other personal characteristics.

Proposals by CSOs and Professional Organisations

The project was realised in Serbia by partner organisations: YU Rom Centre from Niš, Education Centre from Subotica, Association of Local Ombudsmen from Bačka Topola, Ethnicity Research Centre from Zemun and Institute of Social Sciences from Belgrade.

At the final conference held on 1 July 2022, the partners agreed concerning the strategic development of the Roma social inclusion policies and recommendations for their employment:

General strategic foundation of social inclusion:

General strategic measures refer to changing the social paradigm in which values are concentrated, towards the principle of citizenship based on social trust and cohesion:

1. The National Assembly should dedicate one session to discussing the status of multi-ethnicity and policies of multiculturalism in Serbia. Social inclusion of Roma may be regulated only as a part of a comprehensive policy of multiculturalism and anti-discrimination. Adoption of the strategy of integrative multiculturalism (interculturalism) would certainly contribute to overcoming the problem of "ethnic" distancing and strengthening of the cohesive social connections, would eliminate the risks for national and regional security and establish the connection between the nature of multi-ethnicity of the society and the policy of multiculturalism.
2. Government of the Republic of Serbia should amend the Strategy of the Development of Culture in Serbia and found it on holistic and developmental elements of culture, where minority cultures and majority culture are interwoven. The essence of the new cultural paradigm should involve the principle of citizenship in which ethno-cultural identities, traditions and languages of different ethnic groups are important and integral elements.
3. To design an anti-discrimination strategy with a special emphasis on antigypsyism and antisemitism. Anti-discrimination measures and the spirit of interculturalism are oriented towards all citizens and their aim is to change the paradigm concerning difference, and to liberate citizens from the fear of cultural diversity, eliminate historical revisionism and enable full confrontation of the public with historical facts.
4. Use these foundations to design education, culture and media policies which actively and continuously educate the society for the living based on the principles of humanity, citizenship and trust in developmental principles of diversity.
5. Implementation of such policy of social and state development, requires transformation of constitutional and legislative system and public policies, establishment of an independent judicial system, increased trust in the "silent" power of independent institutions which take care of the protection of human rights, and finally, a strong and dedicated civil society.

When creating the special policy framework aimed at eliminating the poverty of Roma and fighting antigypsyism, one should consider the following:

1. All the strategic measures of integration and social inclusion of Roma so far, need to be re-examined, their effectiveness established and only those that made certain impact kept. All other measures need to be removed and replaced with others, the implementation of which would be monitored from day one, from their introduction in each individual case, in the conditions of inclusive public policies.
2. All the strategic and other social inclusion measures need to be applied to local communities and organised as a part of local public policies aimed at all the groups, i.e. citizens that need support to function in the communities. Decentralisation of the system of the social inclusion process management should last until the conditions in the community due to which individuals are unable to become independently involved in social life, are removed.
3. Involvement of the Roma community in all the social inclusion processes is necessary, regardless of the level of influence of the community in the local environment, or competences of individuals. Competences and skills of Roma community members are continuously strengthened through different levels of individual and social support. In order for this to be achieved, effective and sustainable affirmative measures supported by all the members of the local communities need to be designed and implemented.
4. A body should be established on the state level to competently take care of coordination and management of social inclusion public policies for the social groups that require support, and the Fund for Social Inclusion of Roma should be founded.
5. Affirmative measures must be targeted to effect change on the national and local levels. If these are the measures in the field of employment, the affirmative measures must be focused on a swift professional capacitation of the citizens of Roma nationality living in poverty, so that they are supported, through high-quality education, to receive qualifications and competences that would enable them to become involved in work process, on preferential terms. Such approach needs to be designed so as to become a social benefit, rather than a cost, i.e. develop the programmes that are clearly based on the idea that social exclusion is the most expensive mode of social organisation. The local community process designed in such a way is based on public policies' unity and clear determination of the local authorities, economies, citizens and public services to work committedly on creating a happy society.
6. To determine the real needs and condition of the Roma community on the local level, and use these findings to plan and implement social inclusion measures. Individualisation of the measures and their continuous direct monitoring are ways to achieve visible results within a reasonable timeframe.

Recommendations concerning Roma employment in Serbia

1. The state to establish a special purpose fund for social inclusion of Roma, which would, inter alia, enable the management of Roma employment policies, as well as monitoring of the effectiveness of the measures and consumption of the resources dedicated to stimulating Roma employment;
2. Human, organisational, technical and material-financial resources of the Ministry of Labour, Employment, Veteran and Social Affairs to be strengthened for realisation of the tasks of the social inclusion of Roma through employment;
3. The idea of the adoption of the Law on Legally Equal Employment to be considered, i.e. a law that would enable employment of national and ethnic minorities' members in public services, in line with the constitutional and legal standards;

4. To introduce the position of mediator in Roma employment into the National Employment Service and its branches;
5. To develop affirmative measures in public administration, that would allow employment in public administration of the Roma with adequate education, who have been trained in public services and want to work on such positions, which would be implemented up until the point where the percentage of the Roma working in public administration is proportionate to their share in the total population of Serbia;
6. Within the education system, to develop scholarship programmes for Roma students, especially for the professions identified as being in the interest of the Roma community: pedagogical assistants, school/kindergarten teachers, healthcare mediators, nurses, physicians, social workers, lawyers, etc.;
7. To harmonise the Action Plan for implementation of the Strategy of the Social Inclusion of Roma Men and Women 2022-2030 and its section concerning employment with the Law on Solidary Entrepreneurship and the regulations concerning waste management, in order to regulate the status of secondary raw materials' collectors and generate new activities that would result in the emergence of new work positions (so-called green jobs);
8. To introduce the initiative for the establishment of social cooperatives in order to employ Roma women in 10 LSGUs with the most numerous Roma populations, based on the Law on Local Self-Government, Law on Solidary Entrepreneurship, principles of the local economic development, sustainable development and poverty reduction principles;
9. To create effective mechanisms for the social inclusion of Roma in LSGUs, based on regular planning of the local measures and activities, regular budgeting and actual and effective connection between the public sector, economy and society when it comes to the programmes of social inclusion and combating antigypsyism;
10. Full and sustainable institutionalisation of the local mechanisms for the inclusion of Roma men and women;
11. Consistent implementation of the Law on Local Self-Government when it comes to LSGUs' competences in equality of citizens, social and health care, housing and other types of support in the process of combating poverty and antigypsyism;
12. Strengthening of the Council for International Relations in LSGUs, as the body with advisory role in the local community when it comes to the issues of national equality;
13. To introduce sanctions for the employers who unjustifiably refuse to employ Roma workers;
14. Accredited anti-discrimination trainings intended for employers and realised by Roma facilitators;
15. To create programmes of Roma employment with their active participation;
16. To pay special attention to the situations having adverse effects on the employment of Roma, such as termination of employment and return to the social protection system.



ZAPROM

RESPECT OF DIVERSITY AS A CORNERSTONE FOR
INTEGRATION OF ROMA THROUGH EMPLOYMENT
– THE CASE OF SLOVENIA AND SERBIA

