

**United Nations Human Rights**  
**The Office of the High Commissioner for Human Rights**  
**Geneva**

**Att. Rita Izsak, Special Rapporteur on Minority Issues**

**Subject:** Answers to the questionnaire of the Special Rapporteur on Minority Issues, Rita Izsak

The Ministry for Human Rights and Refugees of Bosnia and Herzegovina received through the Permanent Mission of Bosnia and Herzegovina to the UN Geneva Office a note of the Office of the High Commissioner for Human Rights and a questionnaire of the Special Rapporteur on Minority Issues recalling the UN Human Rights Council Resolution No. 26/04 "Protection of Roma" and asking the State Party to answer the specific questions.

For this purpose, we are providing the following answers (to questions 1 to 10) as follows:

In the period between November 2009 and March 2010 the Ministry for Human Rights and Refugees of Bosnia and Herzegovina conducted a comprehensive research in Roma needs and developed a permanent system of Roma Needs Recording (hereinafter: BIH RNR). Some other researches were carried out such as by OSCE, Save the Children Norway, UNICEF, UNHCR. The collected data after the process of recording indicated that about 4,500 Roma households and 17,142 Roma people were recorded in Bosnia and Herzegovina. These unofficial statistics brings us to an estimate of about 35,000 – 40,000 Roma living in BiH.

There are some tables and indicators respecting Roma employment, housing and health care:

**Roma employment**

Number of Roma registered with the Entity Employment Offices	Unknown status		Unregistered		Registered		Total
	M	F	M	F	M	F	
Federation of BiH	2009	1875	1852	1935	1756	1596	11,023
Republika Srpska	447	418	409	413	535	538	2760
Brčko District	156	146	38	46	131	134	651
n/a	553	490	520	543	283	319	2708
<b>TOTAL</b>	<b>3165</b>	<b>2929</b>	<b>2819</b>	<b>2937</b>	<b>2705</b>	<b>2587</b>	<b>17,142</b>

*Source: MHRR- Roma Needs Recording System*

**Roma Housing**

Housing units by ownership

	Unknown	Owner/ Co-owner	Tenant	Living in illegally built dwelling	Living in a dwelling that is being legalized	Living in social housing	Other	T
Federation of BiH	52	1531	915	247	94	226	274	
Republika Srpska	9	517	231	18	9	8	95	
Brčko District	1	113	8	1	2	44	5	
n/a	0	2	2	0	0	1	1	
<b>TOTAL</b>	<b>62</b>	<b>2163</b>	<b>1156</b>	<b>266</b>	<b>105</b>	<b>279</b>	<b>375</b>	

Source: MHRR- Roma Needs Recording System

### Roma Health Care

Recorded number of persons without health insurance

		0-14	15-18	19-29	30-64	64+	Total
Federation of BiH	222	992	189	1159	1075	30	3667
Republika Srpska	21	54	17	188	253	26	559
Brčko District	2	17	3	21	19	2	64
n/a	98	141	186	269	267	17	978
<b>TOTAL</b>	<b>343</b>	<b>1204</b>	<b>395</b>	<b>1637</b>	<b>1614</b>	<b>75</b>	<b>5268</b>

Source: MHRR - Roma Needs Recording System

Based on these researches it has been found that the Roma are the largest national minority in Bosnia and Herzegovina and, according to available data obtained in the process of registering Roma needs and other researches, the Roma are the most disadvantaged national minority according to all socio-economic parameters to be taken into account when assessing the social status of a community or social group. None of the national minorities in Bosnia and Herzegovina is nowhere near to the difficult and problematic situation of the Roma minority, whose members live almost throughout Bosnia and Herzegovina, more precisely in the territory of 71 municipalities.

Social exclusion of the Roma population reflects itself primarily in the fact that individuals and whole families are pushed to the margins of society and prevented from participating in the economic, social and cultural trends in their full capacity, primarily because of poverty and / or lack of basic knowledge and education and employment opportunities.



The position of the minority group and its members moves away Roma's opportunities for education and employment and reduces their ability to generate income, so a lot of them are excluded and do not participate in social networks or community activities.

The fact is that in recent years this situation has improved and the Roma community is little better organized but solely by their members, where a very small number of members of other communities and ethnic groups participate, so they still often act as isolated groups.

The legal framework for the protection of national minorities' rights in Bosnia and Herzegovina consists of the Constitution of Bosnia and Herzegovina and the Law on Protection of Rights of National Minorities passed at the state level, entity level and in some cantons in the Federation of BiH and the Law on Prohibition of Discrimination of Herzegovina.

There are other laws important for the position and rights of Roma and they govern employment, housing, health and social care at the entity level: Republika Srpska, the Federation of Bosnia and Herzegovina, in the cantons and the Brcko District of BiH, depending on the constitutional division of competences.

Looking at the situation in the past, it is evident that activities to improve the situation of minorities and the situation of Roma in Bosnia and Herzegovina have been stepped up. The largest number of activities have been taken in transposition and bringing the legal framework in line with UN and the Council of Europe international standards. The ratification of the Council of Europe Framework Convention for the Protection of National Minorities in 2002 is very important, whereby the State committed to implement policies, laws and regulations in order to fully implement principles established by this Convention in particular with regard to Roma.

The Ministry of Human Rights and Refugees proposed and the Council of Ministers of Bosnia and Herzegovina adopted the following documents:

In 2005 – the Roma Strategy of Bosnia and Herzegovina was adopted.

3 July 2008 – the Council of Ministers adopted the Action Plan of Bosnia and Herzegovina for Roma Employment, Housing and Health Care.

4 September 2008 - the Declaration to Join the Decade of Roma Inclusion, 2005-2015, was signed.

By joining the Decade of Roma Inclusion, Bosnia and Herzegovina committed to provide funds necessary for the implementation of National Action Plans for meeting Roma needs in employment, housing, health care and education. Bosnia and Herzegovina accepted the Decade of Roma Inclusion as a practical model for the creation of appropriate standards, methodologies and cooperation amongst countries and international organizations and institutions in the fight against poverty of the Roma population, their exclusion and discrimination in a regional framework.

On the basis of the progress made in improving the position of Roma in Bosnia and Herzegovina, Member States have supported and accepted that Bosnia and Herzegovina should take over the Presidency of Decade of Roma Inclusion from 1 July 2014 to 30 June 2015.



At its 11th session held on 20 June 2012 the Council of Ministers of Bosnia and Herzegovina adopted the proposal of the Ministry of Human Rights and Refugees that Bosnia and Herzegovina should take over the Presidency of Decade of Roma Inclusion 2005-2015, from Montenegro on 1 July 2014 and its Presidency should end on 30 June 2015.

The Council of Ministers earmarked significant funds for the implementation of the Action Plan in 2009, 2010, 2012, 2013 and 2014. About BAM 3,000,000 were earmarked for these programmes on a yearly basis.

The Roma Action Plan is primarily an operational document drafted by representatives of all relevant ministries in Bosnia and Herzegovina as well as representatives of the Roma, so the Plan ensures a full participatory approach of all relevant stakeholders in the implementation of this plan.

After long consultations and identified needs, the Ministry for Human Rights and Refugees drafted the Revised Roma Action Plan for Employment, Housing and Health Care for the period 2013 – 2016, which was adopted on 11 December 2013.

A more active policy in terms of improving the position of the most vulnerable group - Roma - began by appointing an advisory and coordinating body by the Council of Ministers in 2002. Members of the Roma Board in the third 4-year term of Roma Board until 2016 were appointed by the Council of Ministers in 2012 in the Decision on the Establishment of the Roma Board within the Council of Ministers and the Decision Appointing Members of the Roma Board ("Official Gazette" 67/05, 85/12).

The Roma Board has a mandate to address all relevant matters contained in the Roma Strategy of Bosnia and Herzegovina, to monitor the implementation and suggests activities with a view to efficiently implementing the Decade of Roma Inclusion 2005-2015. The Roma Board is in charge of systemic monitoring of the implementation of the Action Plan for Bosnia and Herzegovina Roma in employment, housing and health care and Revised Action Plan on the Educational Needs of Roma u BiH, designs and adopts operational documents and proposes measures for the improvement of the Action Plan implementation; initiates, through its representatives, activities to ensure appropriation of funds in BiH and Entity institutions' budgets for the implementation of the Action Plan; monitors spending of budgetary funds earmarked in the institutions of Bosnia and Herzegovina and Entities for the implementation of the Action Plan; makes contacts with potential donors and stakeholders to raise funds for the implementation of the Action Plan; in order to make valid opinions, conclusions and recommendations, it can establish, in accordance with its budget, permanent or temporary committees and thematic expert groups, particularly in the implementation of the Action Plan; in a by-law, it can define a monitoring system of implementation of planned activities for the Roma in Bosnia and Herzegovina and monitor the methodology of spending of donors' and budgetary funds appropriated for the implementation of the Action Plan.

Reviewing the achievements in the Roma Action Plan Implementation in BiH in the light of the Decade's objectives, the Decade Member States assessed Bosnia and Herzegovina as very successful country especially in meeting Roma housing needs and registration of Roma needs. Good practice and results achieved have been accepted by Roma Decade Member States and

some countries have shown interest in the exchange of good practice in the field of Roma housing and the process of recording.

The passage of the 2009 Law on Prohibition of Discrimination established an additional system of protection against discrimination, given this law is based and designed on European standards. This Law contains provisions that protect citizens of Bosnia and Herzegovina, and thereby, members of national minorities in Bosnia and Herzegovina from discrimination in all areas of life such as employment, social security and health care, judiciary and administration, housing, public information, education, sport, culture, science and economy.

The starting point for a review of the existing Roma Action Plan was experience gained in the six-year implementation, the content and objectives of the Declaration of the Decade of Roma Inclusion, 2005- 2015, the EU Framework for National Roma Integration Strategies up to 2020 and the existing legal framework of Bosnia and Herzegovina incorporating specific characteristics of its administrative structure.

BiH follows and encourages the celebration of International Roma Day – 8 April - through its activities and various press releases, as well as through financial support of the Roma NGO sector in the celebration of the Roma day across the country.